CITY OF VICTORVILLE

PLAN21-00004 PROJECT

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

JANUARY 2022

Prepared By:

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Kimley»Horn

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1.0 INTRODUCTION & PURPOSE OF THE MITIGATED NEGATIVE DECLARATION

1.1 Project Overview

This Initial Study/Mitigated Negative Declaration (IS/MND) was prepared by Kimley-horn and Associates (Kimley-horn) for the City of Victorville (City) to determine whether the implementation of the Victorville Nisqualli Project ("Project or proposed Project"), located at northwest corner of Nisqualli Road and Mariposa Road, in the central portion of the City of Victorville. This IS/MND was prepared pursuant with the requirements set in the California Environmental Quality Act (CEQA) to determine significant impacts on specific environmental areas. Where a potentially significant impact may occur, appropriate mitigation measures(s) have been identified to avoid or mitigation the potential impact to a less than significant level.

1.2 Purpose and Scope of the Initial Study/Mitigated Negative Declaration

This IS/MND has been prepared in accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] Section 21000 et seq.) and its Guidelines (California Code of Regulations [CCR], Title 14, Section 15000 et seq.), to evaluate the potential environmental effects associated with the construction and operation of the Victorville Nisqualli Project. Pursuant to Section 15367 of the State CEQA Guidelines, the City of Victorville (City) is the lead agency for the Project. The lead agency is the public agency that has the principal responsibility for carrying out or approving a project.

As set forth in the State CEQA Guidelines Section 15070, an IS/MND can be prepared when the Initial Study has identified potentially significant environmental impacts, but revisions have been made to a project, prior to public review of the Initial Study, that would avoid or mitigate the impacts to a level considered less than significant; and there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.

1.3 Summary of Findings

Section 3.0 of this document contains the Environmental Checklist that was prepared for the proposed Project pursuant to CEQA requirements. The Environmental Checklist indicates whether the proposed Project would result in significant impacts with the implementation of mitigation measures, as identified throughout this document.

1.4 Mitigation Measures

State CEQA Guidelines Section 15041, *Authority to Mitigate,* gives the lead agency for a project the authority to require feasible changes in any or all activities involved in the project in order to substantially lessen or avoid significant effects on the environment, consistent with applicable constitutional requirements such as the "nexus" and "rough proportionality" standards. CEQA

Guidelines Section 15364 defines "feasible" as capable of being accomplished in a successful manner within a reasonable period of time, considering economic, environmental, legal, social, and technological factors. Mitigation measures will be adopted to reduce the environmental impacts to less than significant levels and must be consistent with all applicable constitutional requirements, including the following:

- There must be an essential nexus (i.e., connections) between the mitigation measure and legitimate governmental interest.
- The mitigation measure be "roughly proportional" to the impacts of the project.

Several forms of mitigation under CEQA Section 15370 are summarized as follow:

- **Avoiding** the impact by not taking a certain action(s);
- **Minimizing** impacts by limiting the degree or magnitude of the action and its implementation;
- **Rectifying** the impact by repairing, rehabilitating, or restoring the impact environment;
- **Reducing** or eliminating the impact over time by preservation and maintenance operations during the life of the action; and
- **Compensating** for the impact by replacing or providing substitute resources or environment.

Avoiding impacts is the preferred form of mitigation, followed by minimizing or rectifying the impact to less than significant levels. Compensating for impacts would be pursued if no other form of mitigation is not feasible.

1.5 Environmental Resource Topics

This IS/MND evaluates the proposed Project's impacts on the following resource topics:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazardous and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Transportation
- Utilities and Service Systems
- Wildfire

1.6 Report Organization

This document has been organized into the following sections:

Section 1.0 – Introduction & Purpose of the Initial Study/Mitigated Negative Declaration. This section provides an introduction and overview describing the conclusions of the Initial Study.

Section 2.0 – Description of Proposed Project. This section identifies key project characteristics and includes a list of anticipated discretionary actions.

Section 3.0 – Initial Study Checklist. The Environmental Checklist Form provides an overview of the potential impacts that may or may not result from Project implementation.

Section 4.0 – Environmental Analysis. This section contains an analysis of environmental impacts identified in the Environmental Checklist Form.

Section 5.0 – References. The section identifies resources used to prepare the Initial Study.

1.7 Initial Study Public Review Process

The Initial Study and a Notice of Intent (NOI) to adopt this MND will be distributed to responsible and trustee agencies, other affected agencies, and other parties for a 20-day public review period.

Written comments regarding this MND should be addressed to:

Michael Szarzynski - Senior Planner
mszarzynski@victorvilleca.gov
Planning Department
City of Victorville
14343 Civic Dr.
Victorville, CA 92392

2.0 DESCRIPTION OF PROPOSED PROJECT

2.1 Location, Setting, Proposed Project

PROJECT LOCATION

The proposed Project site is located at the northwest corner of Nisqualli Road and Mariposa Road in the City of Victorville, County of San Bernardino, California. The assessor's parcel numbers (APNs) for the Project site are 3092-311-09 and -10. The Project site is located east of Interstate 15 (I-15), north of Nisqualli Road, and west of Mariposa Road. The Project site is bounded by vacant land to the north, Victorville School District to the south, Victor Valley Christian School & First Assembly of God Church to the east, and I-15 to the west. Refer to **Exhibit 1**, *Regional Location*.

EXISTING CONDITIONS

The Project site is an undeveloped, fully pervious, fully disturbed, and vegetated with annual grasses and weeds. The site is 6.03-acres or 262,231 square feet (SF) composed of two APNs, as noted above. No native habitat exists onsite. The Project site is at a lower grade than I-15 to the west and generally sheet flows in a northerly direction and is eventually collected in earthen swales that discharge north of the Project site. Three existing Caltrans owned culverts discharge on the south side of the Project site. In general, this run-on drainage from these culverts are intercepted in an existing Caltrans drainage channel along the Project's south and west perimeter. There are no existing drainage structures onsite; refer to **Exhibit 2**, *Project Vicinity*.

EXISTING GENERAL PLAN LAND USE DESIGNATION AND ZONING DISTRICT

The Project site is designated under the General Plan Land Use Map as (COM) Commercial with a zoning district of (C-2T) General Commercial. Adjacent land use designations and zoning districts are listed in the following **Table 1**, *Land Use Designation and Zoning District*.

Table 1: Land Use Designation and Zoning District

Location	General Plan Land Use Designation	Existing Zoning District
Project Site	(COM) Commercial	(C-2T) General Commercial
North	(COM) Commercial	(C-2T) General Commercial
South	(COM) Commercial and (PI) Public Institutional	(C-2T) General Commercial and (P-C) Public & Civic
East	(COM) Commercial	(C-1) Neighborhood Service Commercial
West	I-15 Freeway	I-15 Freeway

Sources:
City of Victorville. July 1, 2018. *Zoning and Land Use Checker, Version 2018.1*. Available at https://gis.victorvilleca.gov/zoninglandusechecker/. Accessed on January 26, 2021.
City of Victorville. August 1, 2018. *Interactive Map, Version 2018.1*. Available at https://gis.victorvilleca.gov/victorvilleinteractivemap/. Accessed on January 26, 2021.

2.2 Proposed Project

The proposed Project is a standalone development consisting of a new Maverik 9,084-square-foot building containing a convenience/quick service restaurant (QSR) and a QSR with drive thru. The convenience store/QSR without drive thru would be located on western portion of the proposed building. The QSR with drive thru would be located on the eastern portion of the proposed building. The drive thru ingress would begin between the western property line and the west side of the proposed building. The drive thru lane would wrap around the back of the building with an approximate capacity of fourteen vehicles in the queue. The drive thru egress would terminate at the point of sale (POS) located along the eastern portion of the proposed building.

Additionally, the Project would include a fuel station for passenger cars and trucks with accompanying fuel islands and canopies, underground fuel storage tanks, associated fueling appurtenances, RV dump, air compressor, a truck scale, landscaping, concrete, hardscape, and asphalt paving. The associated improvements include, but are not limited to onsite and offsite grading, domestic water service, sanitary sewer service, storm drain infrastructure, street improvements, concrete and asphalt pavement, landscaping and irrigation. The truck scale will be installed along the northwest property line and the RV dump along the eastern property line, just north of the main entrance. The fuel station would be developed first, and the QSR would be developed at a later time depending on market conditions.

The fuel island canopies will be supported by steel frames and columns extending to the foundation system. Twelve fueling islands will be provided. The parking/drive paved areas will utilize both asphalt and concrete pavement. Concrete pavement will likely be installed in front of the proposed store structure, as well as in the canopy fuel islands and over the underground storage tank area. In other areas, asphalt concrete sections will likely be used. Traffic is projected to consist mostly of automobiles and light trucks.

Daily routine site activities will consist of customers entering the site to fuel their automobiles or trucks and entering the convenience store for food/snacks or utilizing the proposed drive thru. A covered trash enclosure will be provided along the western property line at the level of the main entrance.

Construction

The proposed Project is anticipated to be constructed in two phases, with the fuel station being developed first and the QSR being developed at a later date depending on market conditions. However, this MND analyzes the construction of the Project as a whole. Construction is anticipated to begin the last quarter of 2022 and culminate on the first quarter of 2023. The site is relatively flat. Soil cut is anticipated at 15,730 CY, with approximately 1,384 CY of fill and a net of 14,345 CY cut. The building details are provided below in **Table 2**, *Project Summary.*

Table 2: Project Summary

Project Element	Proposed Project
Land Use	Convenience Store/Quick Service Store (QSR) with Drive Thru and Fueling Station
Site Area	6.02 acres
Assessor Parcel Numbers	3092-311-09, -10
Existing Zoning	(C-2T) General Commercial
Existing Land Use	(COM) Commercial
Proposed Convenience Store	9,084 SF
Proposed Disturbance Area	Approx. 5.3-acres (227,201 SF Including Building)
Proposed Impervious Area	77% of the site
Proposed Pervious Area	23% of the site
Proposed Building Area	9,084 SF
Landscaping	18% (47,301 SF)
Building Height	129' Feet to top of roof
Parking Required Minimum Required: Standard Stalls Provided (9'x20'): Accessible Parking Provided: Total Parking Provided: Drive Thru Credit:	 60 Stalls 55 Standard Vehicle Stalls 3 Accessible Stalls *58 Stalls* 2
Minimum Building Setbacks Front Yard Setback: Interior, Side and Rear:	 10 Feet None
Estimated Earthwork Quantities (CY) Cut: Fill: Net:	 15,730 CY 1,384 CY 14,345 CY Cut
Source: City of Victorville. December 31, 2020. *Municipal Code.* Available at https://library.municode.com/ca/victorville/codes/code_of_ordinances?nodeId=TIT16DECO_CH3ZOLAUSRE_ART24GEDEREEX. Accessed on January 27, 2021. Kimley-Horn. January 24, 2022. *Site Plan*. Kimley-Horn. January 24, 2022. *Landscape Plan*.	

SITE ACCESS

Main ingress and egress to the site is provided via one full-movement driveway (North Driveway) on the eastern property line along Mariposa Road, approximately 350 feet north of Nisqualli Road. A second driveway (South Driveway) is provided on the northeast corner of the site. Pedestrian and ADA access to the Project site is provided on Mariposa Road via a pedestrian designated path of travel traversing the site horizontally and another path of travel on the southwest corner of the site; refer to **Exhibit 3,** *Site Plan*.

PARKING

As noted in Table 2, the Project is required to provide a minimum of 60 parking spaces. The Project will provide 55 standard parking spaces inclusive of 3 ADA parking spaces. The Project also would receive a drive-thru credit of 2 spaces, and therefore would meet the minimum requirement. As shown on Exhibit 3, passenger vehicle parking is provided along south west, south, and southeast portions of the site, adjacent to the convenience store and QSR.

LANDSCAPING

As noted in Table 2, the Project will provide 18% (47,301 SF) of landscaping; refer to **Exhibit 4a-4c**, *Landscape Plan.*

BUILDING HEIGHT

The proposed structure will have a maximum height of 29' feet; see **Exhibit 5**, *Elevations*.

HYDROLOGY AND OTHER UPGRADES

As previously noted, the Project will provide an infiltration basin on the northern property line. Additionally, the Project will a storm drain/manhole, an onsite ribbon gutter, curb & gutter, a sewer cleanout, a grease interceptor, and an earthen ditch for overflow. The existing culverts and Caltrans drainage channel located just south of the Property line will remain in place.

Domestic water connections will tap into an existing water main along Mariposa Road. A water meter and backflow device will be installed per City of Victorville Standards. Sanitary sewer will be connected to an existing 8" sewer main on Mariposa Road. Similarly, storm drain is proposed along with an underground infiltration system.

PROJECT APPROVALS

The City as the Lead Agency is responsible for reviewing and approving the MND. The Project requires the following approvals:

1. Conditional Use Permit 1: for the development of an auto and truck fuel dispensing station.

2. Conditional Use Permit 2: for the approval of alcohol sales.

3. Site Plan Approval: for C-Store/Food and gas station.

Other permits required for the Project may include, but are not limited to, the following: issuance of encroachment permits for driveways, and utilities; security and parking area lighting; permits; building permits; grading permits; tenant improvement permits; and permits for new utility connections.

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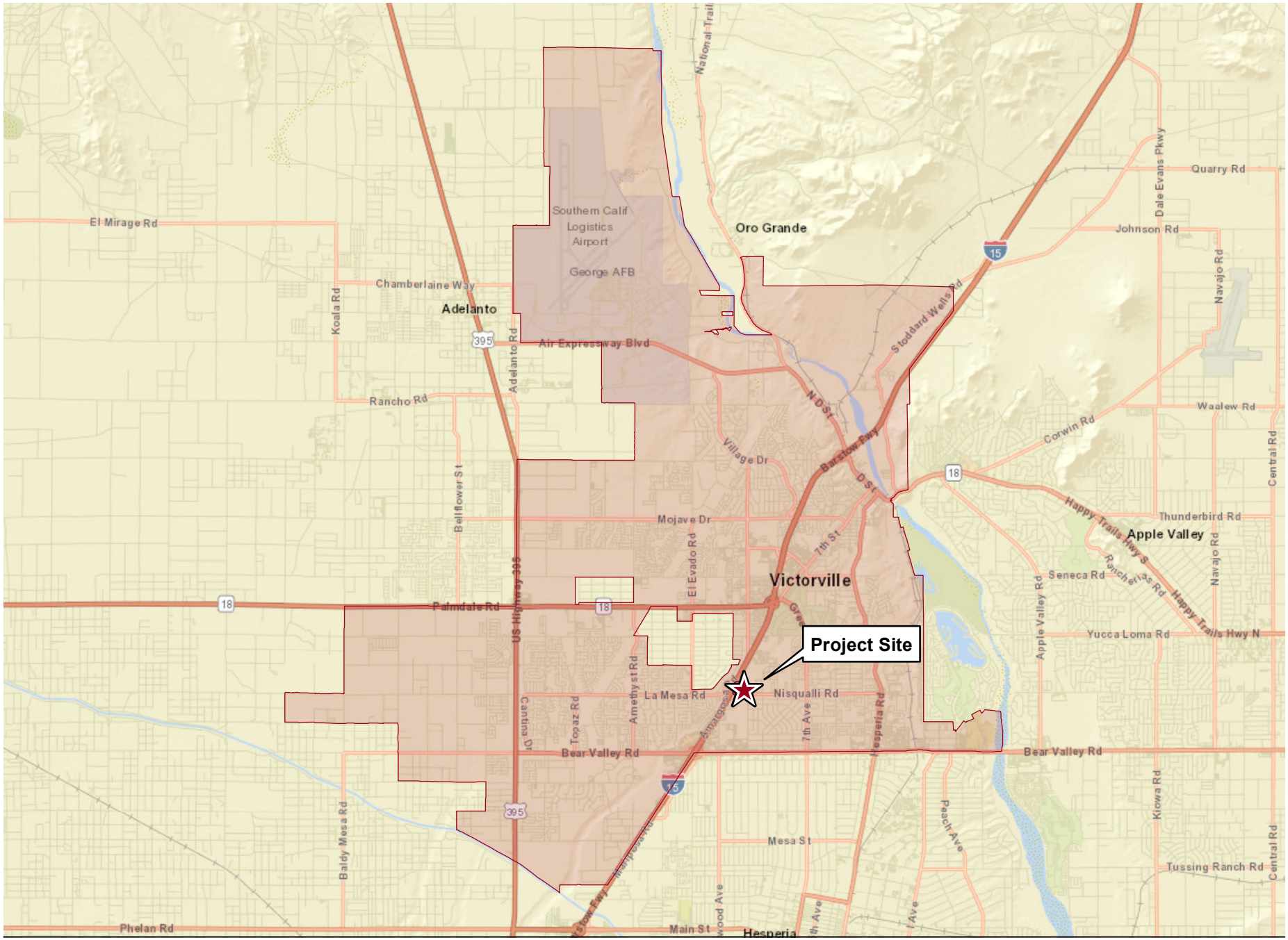

Source: ESRI World Street Map

EXHIBIT 1: Regional Map
Victorville Nisqualli Project

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Project Site

Source: ESRI Imagery

EXHIBIT 2: Project Vicinity
Victorville Nisqualli Project

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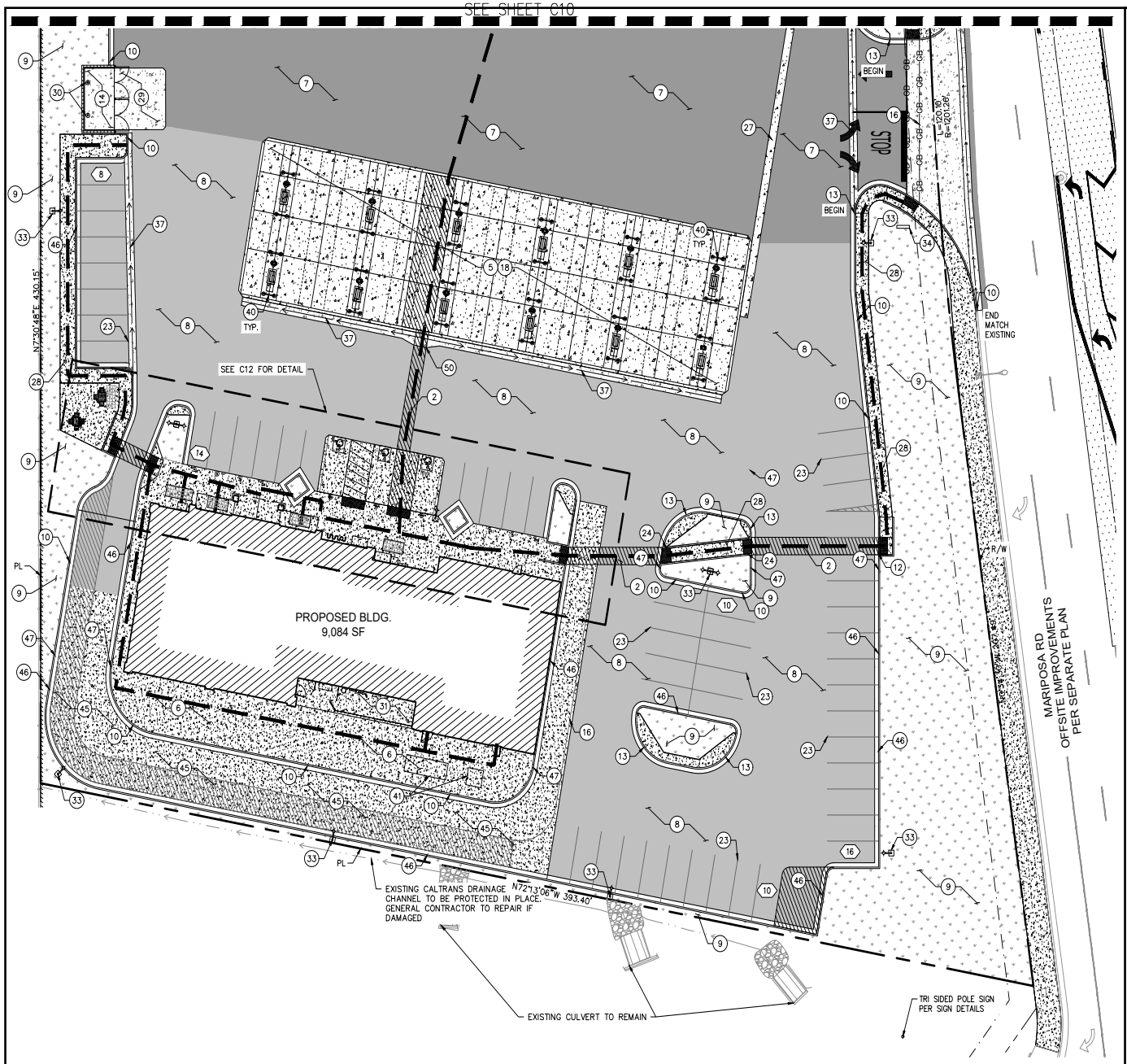

SITE DATA

PARCEL SIZE:	262,745 ± S.F. (6.03± AC)
LIMITS OF DISTURBANCE:	227,172 ± S.F. (5.22± AC)
PROPOSED IMPERVIOUS AREA:	182,935 ± S.F. (INCLUDING BLDG)
PROPOSED PERVIOUS AREA:	44,237 ± S.F.
PROPOSED BLDG AREA:	9,084 ± S.F.
APN:	3092-311-09, 3092-311-10
ZONING:	C-2 GENERAL COMMERCIAL
ADDRESS:	NWC OF NISQUALLI AND MARIPOSA ROAD, VICTORVILLE, CA 92395

PARKING ANALYSIS

SPACES REQUIRED =	60
STANDARD SPACE PROVIDED =	55
ACCESSIBLE SPACE PROVIDED =	3
TOTAL SPACES PROVIDED =	58
DRIVE THRU CREDIT =	2

LEGEND

- PROPERTY LINE
- CENTER LINE
- EASEMENT LINE
- SETBACKS
- ROW LINE
- ADA PATH OF TRAVEL
- XX — PARKING COUNT
- SIGN POST
- PAVEMENT STRIPING
- STANDARD DUTY CONCRETE PAVEMENT
- HEAVY DUTY CONCRETE PAVEMENT
- HEAVY DUTY ASPHALT PAVEMENT
- STANDARD DUTY ASPHALT PAVEMENT
- ADA AREA (2% MAX SLOPE)
- LANDSCAPE/PLANTER AREA
- DETECTABLE WARNINGS

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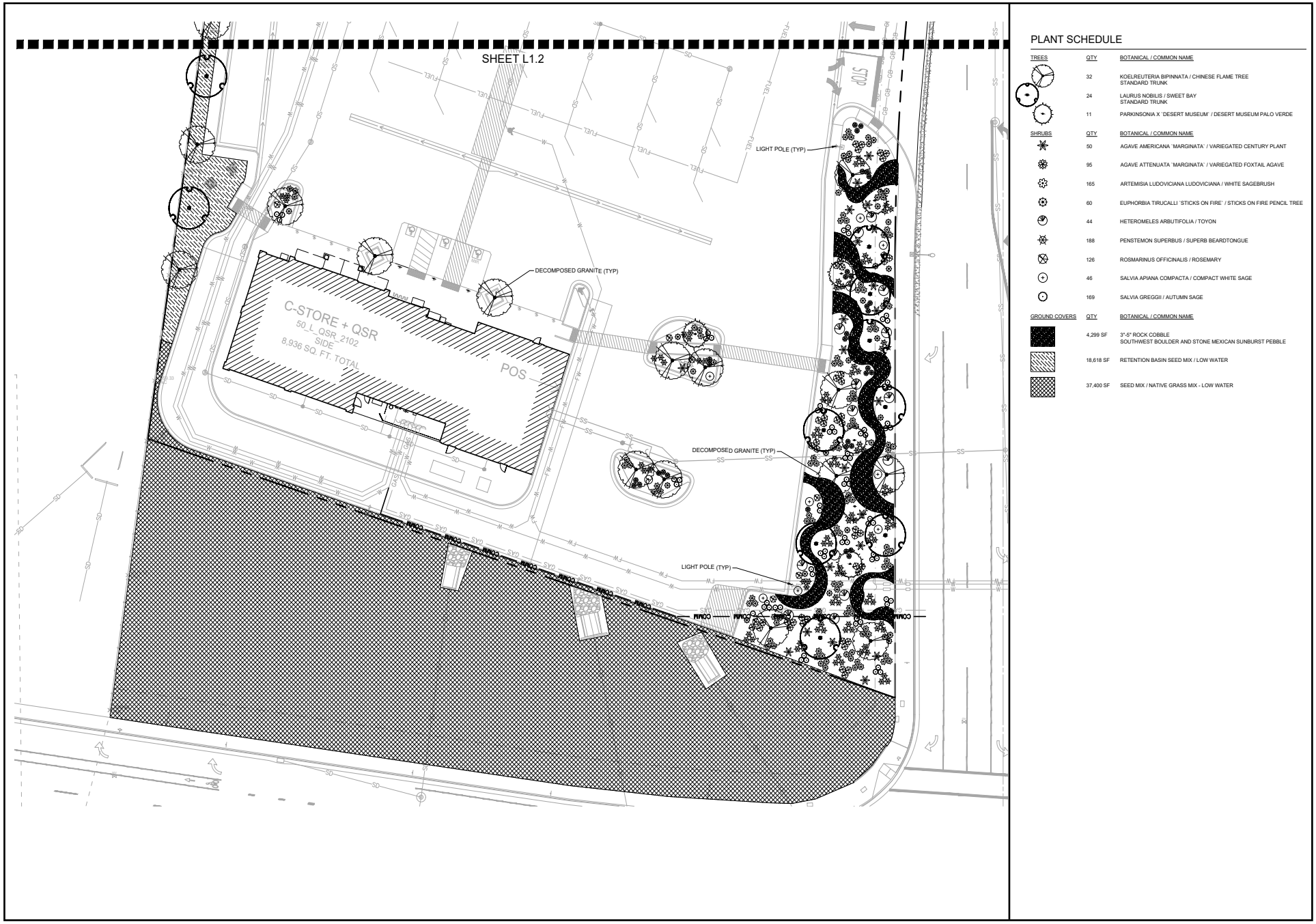

EXHIBIT 4a: Landscape Plan
Victorville Nisqualli Project

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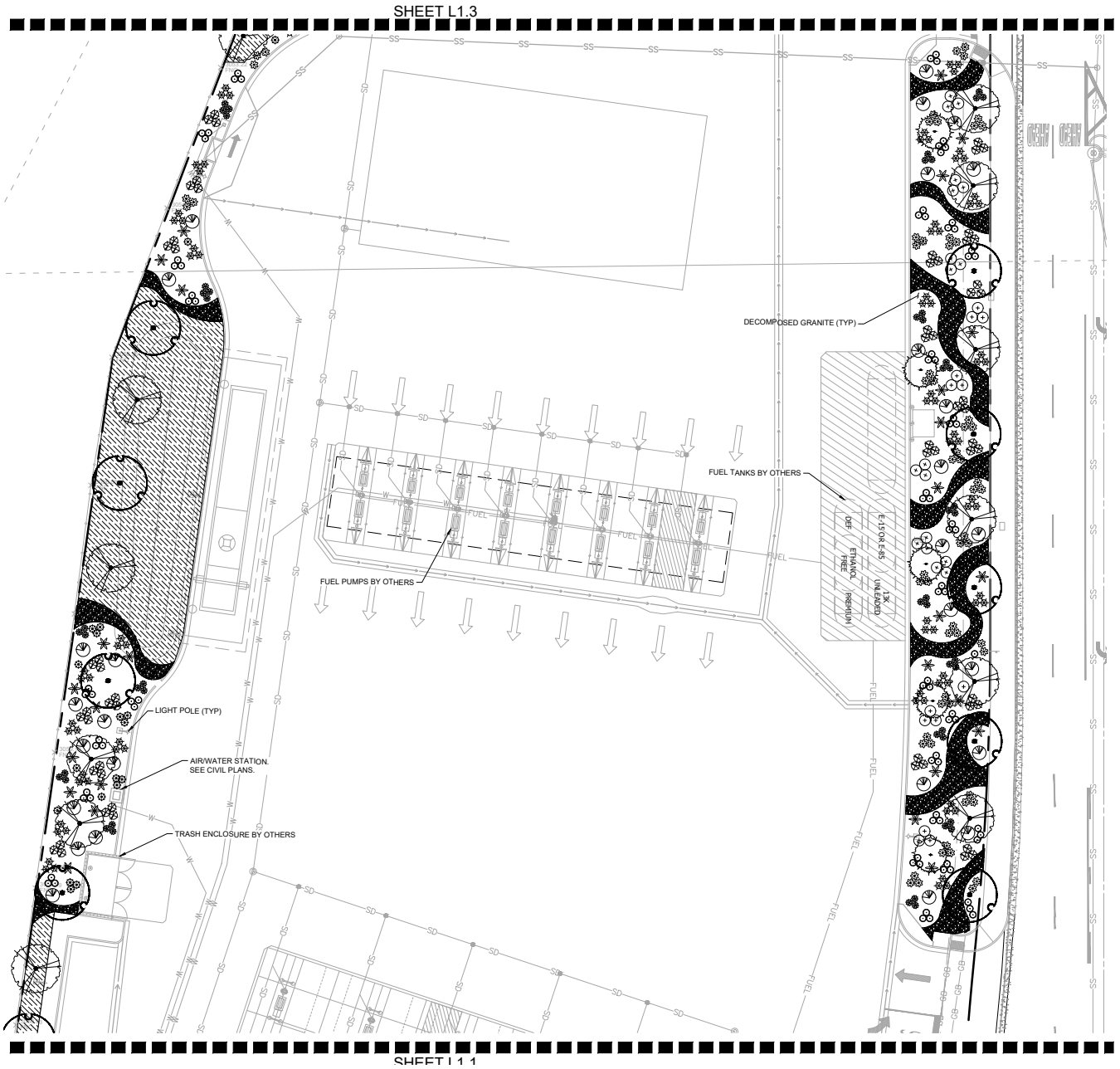

PLANT SCHEDULE

TREES	QTY	BOTANICAL / COMMON NAME
	32	KOELREUTERIA BIPINNATA / CHINESE FLAME TREE STANDARD TRUNK
	24	LAURUS NOBILIS / SWEET BAY STANDARD TRUNK
	11	PARKINSONIA X 'DESERT MUSEUM' / DESERT MUSEUM PALO VERDE

SHRUBS	QTY	BOTANICAL / COMMON NAME
	50	AGAVE AMERICANA 'MARGINATA' / VARIEGATED CENTURY PLANT
	95	AGAVE ATTENUATA 'MARGINATA' / VARIEGATED FOXTAIL AGAVE
	165	ARTEMISIA LUDOVICIANA LUDOVICIANA / WHITE SAGEBRUSH
	60	EUPHORBIA TIRUCALLI 'STICKS ON FIRE' / STICKS ON FIRE PENCIL TREE
	44	HETEROMELES ARBUTIFOLIA / TOYON
	188	PENSTEMON SUPERBUS / SUPERB BEARDTONGUE
	126	ROSMARINUS OFFICINALIS / ROSEMARY
	46	SALVIA APIANA COMPACTA / COMPACT WHITE SAGE
	169	SALVIA GREGGII / AUTUMN SAGE

GROUND COVERS	QTY	BOTANICAL / COMMON NAME
	4,299 SF	3"-5" ROCK COBBLE SOUTHWEST BOULDER AND STONE MEXICAN SUNBURST PEBBLE
	18,618 SF	RETENTION BASIN SEED MIX / LOW WATER
	37,400 SF	SEED MIX / NATIVE GRASS MIX - LOW WATER

EXHIBIT 4b: Landscape Plan
Victorville Nisqualli Project

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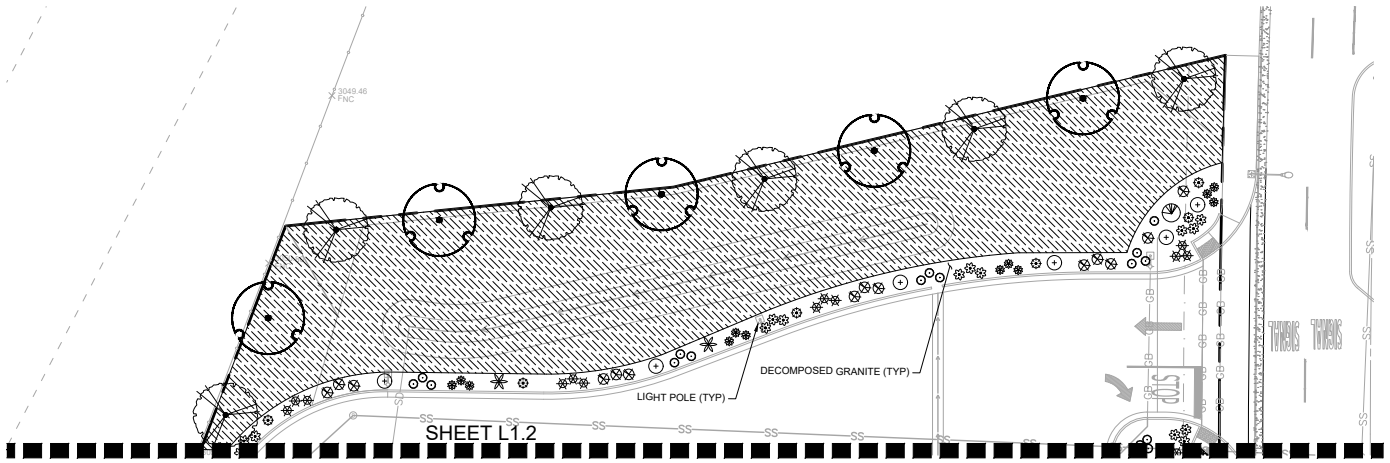

PLANT SCHEDULE

TREES	QTY	BOTANICAL / COMMON NAME
	32	KOELREUTERIA BIPINNATA / CHINESE FLAME TREE STANDARD TRUNK
	24	LAURUS NOBILIS / SWEET BAY STANDARD TRUNK
	11	PARKINSONIA X 'DESERT MUSEUM' / DESERT MUSEUM PALO VERDE

SHRUBS	QTY	BOTANICAL / COMMON NAME
	50	AGAVE AMERICANA 'MARGINATA' / VARIEGATED CENTURY PLANT
	95	AGAVE ATTENUATA 'MARGINATA' / VARIEGATED FOXTAIL AGAVE
	165	ARTEMISIA LUDOVICIANA LUDOVICIANA / WHITE SAGEBRUSH
	60	EUPHORBIA TIRUCALLI 'STICKS ON FIRE' / STICKS ON FIRE PENCIL TREE
	44	HETEROMELES ARBUTIFOLIA / TOYON
	188	PENSTEMON SUPERBUS / SUPERB BEARDTONGUE
	126	ROSMARINUS OFFICINALIS / ROSEMARY
	46	SALVIA APIANA COMPACTA / COMPACT WHITE SAGE
	169	SALVIA GREGGII / AUTUMN SAGE

GROUND COVERS	QTY	BOTANICAL / COMMON NAME
	4,299 SF	3"-5" ROCK COBBLE SOUTHWEST BOULDER AND STONE MEXICAN SUNBURST PEBBLE
	18,618 SF	RETENTION BASIN SEED MIX / LOW WATER
	37,400 SF	SEED MIX / NATIVE GRASS MIX - LOW WATER

EXHIBIT 4c: Landscape Plan
Victorville Nisqualli Project

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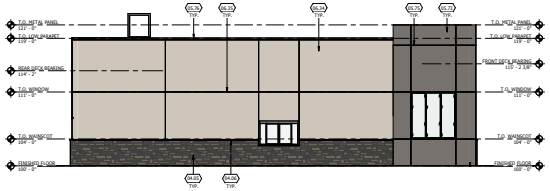
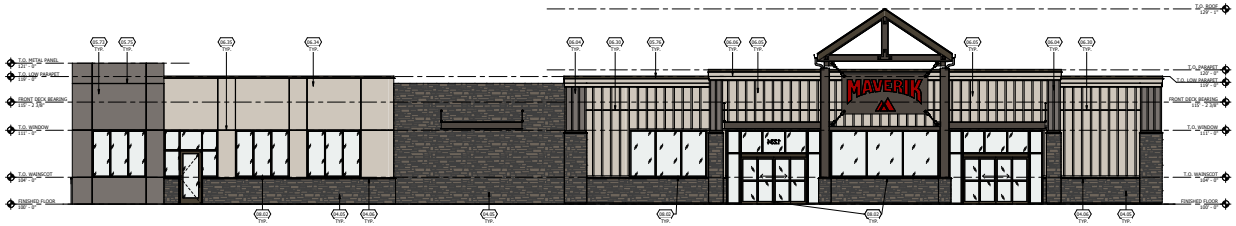


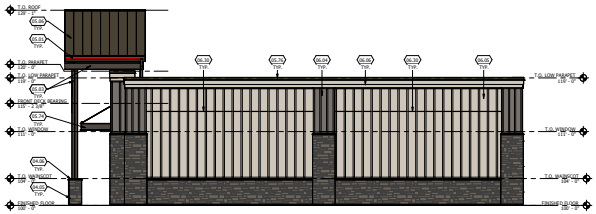
2 LEFT ELEVATION
SCALE: 3/16" = 1'-0"



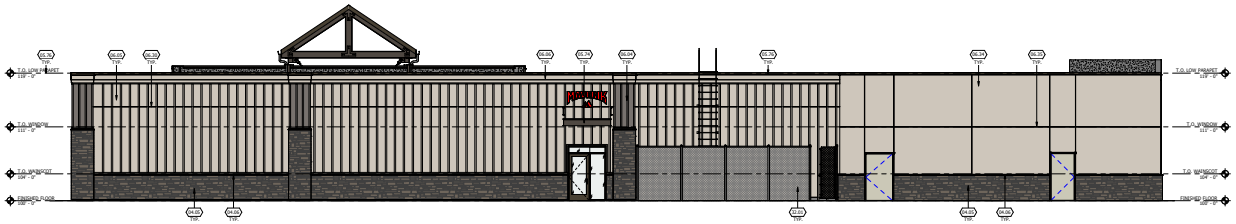
1 FRONT ELEVATION
SCALE: 3/16" = 1'-0"

KEYED NOTES

04.05	CULTURED STONE VENEER, SKYLINE, COUNTRY LEDGESTONE
04.06	CULTURED STONE VENEER CAP, SKYLINE, COUNTRY LEDGESTONE
05.73	METAL PANEL, COLOR TO MATCH SHERWIN WILLIAMS GAUNTLET GRAY, SW 7019
05.75	METAL PANEL JOINT
05.76	PRE-FINISHED METAL COPING, COLOR MIDNIGHT BRONZE
06.04	FIBER CEMENT BOARD & BATTEN SIDING, BB-2
06.05	FIBER CEMENT BOARD & BATTEN SIDING, BB-1
06.06	FIBER CEMENT TRIM BB-3
06.30	HORIZONTAL JOINT IN SIDING
06.34	STUCCO, COLOR TO MATCH SHERWIN WILLIAMS WORLDLY GRAY, SW 7043
06.35	JOINT IN STUCCO
08.02	ALUMINUM STOREFRONT SYSTEM, DARK BRONZE



2 RIGHT ELEVATION
SCALE: 3/16" = 1'-0"



1 REAR ELEVATION
SCALE: 3/16" = 1'-0"

KEYED NOTES

04.05	CULTURED STONE VENEER, SKYLINE, COUNTRY LEDGESTONE
04.06	CULTURED STONE VENEER CAP, SKYLINE, COUNTRY LEDGESTONE
05.01	PRE-FINISHED GUTTER, BRITE RED
05.03	PAINTED STEEL, BLACK FOX
05.06	MBCI PRE-FINISHED METAL ROOF, 1 3/4" STANDING SEAM, MIDNIGHT BRONZE
05.74	STEEL AWNING, PAINTED BLACK FOX
05.76	PRE-FINISHED METAL COPING, COLOR MIDNIGHT BRONZE
06.04	FIBER CEMENT BOARD & BATTEN SIDING, BB-2
06.05	FIBER CEMENT BOARD & BATTEN SIDING, BB-1
06.06	FIBER CEMENT TRIM BB-3
06.30	HORIZONTAL JOINT IN SIDING
06.34	STUCCO, COLOR TO MATCH SHERWIN WILLIAMS WORLDLY GRAY, SW 7043
06.35	JOINT IN STUCCO
32.01	CHAIN LINK FENCE WITH PRIVACY SLATS. COLOR TO MATCH BUILDING FIELD COLOR

EXHIBIT 5: Elevations
Victorville Nisqualli Project

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3.0 INITIAL STUDY CHECKLIST

1. **Project title:**

   Victorville Nisqualli Project

2. **Lead agency name and address:**

   City of Victorville
   14343 Civic Dr.
   Victorville, CA 92392

3. **Contact person and phone number:**

   Michael Szarzynski - Senior Planner
   mszarzynski@victorvilleca.gov
   760-955-5135

4. **Project location:**

   The Project site is located at the northwest corner of Nisqualli Road and Mariposa. Assessor Parcel Numbers (APNs) 092-311-09 and -10.

5. **Project applicant's/sponsor's name and address:**

   Maverick, Inc.,
   185 South State Street, Suite 800
   Salt Lake City, UT 84111
   ATTN: Paul Heywood
   Sr. Real Estate Development Manager
   Email: Paul.Heywood@maverik.com>;

6. **General Plan designation:**

   Current: (COM) Commercial

7. **Zoning designation:**

   Current: (C-2T) General Commercial

8. Other public agencies whose approval is required:

Table 3: Other Permits and Approvals

Agency	Permit or Approval
Victorville Building & Safety Division	Site Plan review and approval, Grading Permits, Building Permits.
Victorville Planning Commission	Mitigated Negative Declaration, Conditional Use Permits, Site Plan Approval
Victorville Engineering Division	Off-site and On-site Construction Permits, Sewer Connection Approval, Storm Drain Connection Approval
Victorville Fire Department	Building Plan check and approval. Review for compliance with 2019 California Fire Code, 2019 California Building Code, California Health & Safety Code and Victorville Municipal Code. Plans for fire detection and alarm systems, and automatic sprinklers.
Victorville Water District	Letter of authorization/consent for proposed improvements to provide water supply connection to new development.
Southern California Edison Company (SCE)	Letter of authorization/consent for proposed improvements to provide electrical supply connection to new development.

9. Project summary:

The Project proposes a new Maverik 9,084-square-foot building containing a convenience/quick service restaurant (QSR) and a QSR with drive thru. Additionally, the Project would include a fuel station for passenger cars and trucks with accompanying fuel islands and canopies, underground fuel storage tanks, associated fueling appurtenances, RV dump, air compressor, a truck scale, landscaping, concrete, hardscape, and asphalt paving. The associated improvements include, but are not limited to onsite and offsite grading, domestic water service, sanitary sewer service, storm drain infrastructure, street improvements, concrete and asphalt pavement, landscaping and irrigation.

10. Have California Native American tribes traditionally and culturally affiliated with the Project area requested consultation pursuant to PRC Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See PRC Section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's (NAHC) Sacred Lands File per PRC Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality.

The City has completed the Assembly Bill (AB) 52 tribal consultation. On July 20, 2021, the City initiated tribal consultation with interested California Native American tribes consistent with AB52. The City requested consultation from the following tribes: Cabazon Band of Mission Indians, San Manuel Band of Mission Indians, Twenty-Nine Palms Band of Mission Indians, and Morongo Band of Mission Indians. Refer to Section 18 Tribal Cultural Resources for additional tribal consultation information.

Environmental Factors Potentially Affected

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

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

DETERMINATION:

On the basis of this initial evaluation (check one):

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

CERTIFICATION:

Michael Szarzynski — Signature

1-28-22 — Date

4.0 ENVIRONMENTAL ANALYSIS

AESTHETICS

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

Regional Context

The City of Victorville is located in southwestern San Bernardino County, in the geographic sub-region of the southwestern Mojave Desert known as the Victor Valley and commonly referred to as the "High Desert" due to its approximate elevation of 2,900 feet above sea level. The Victor Valley is separated from other urbanized areas in Southern California by the San Bernardino and San Gabriel mountains. Victorville is surrounded by incorporated and unincorporated lands including the City of Adelanto to the northwest, the Town of Apple Valley to the east and the City of Hesperia to the south.

The Project location is in the central-east portion of the City of Victorville. The Project site is located on an undeveloped parcel of land. The topography of the general area is generally flat with low density of desert vegetation. The Project site is surrounded by undeveloped land to the north, Victorville School District to the south, the Victor Valley Christian School & First Assembly of God Church to the east, and I-15 to the west.

Scenic Views

Under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the public. A vista is a view from a particular location or combination of locations; a scenic vista combines an aesthetically pleasing aspect, often natural, to the vista. While a scenic vista may be formally designated, they are often informal public views. An adverse effect to a scenic vista may result from a degradation of an existing vista or the loss of access to an existing viewpoint.

Scenic Resources within Scenic Highways

A highway is designated as "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. The California Scenic Highway Program created by the Legislature in 1963 to protect and enhance scenic highway corridors from change which would diminish the aesthetic value of lands adjacent to highways. This program provides guidance for signage, aesthetics, grading, and screening to help maintain the scenic value of the roadway.[1] No highways within the City are eligible or are officially designated state or county scenic highways. However, Historic Route 66 (Hist-66) was designated as a national scenic byway. This alignment of road is located approximately 1.5-miles north of the Project site.[2]

a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. The General Plan does not officially designate any scenic vistas near the Project site. The Project site is located approximately 19.0 miles north of the base of the San Gabriel and San Bernardino Mountains. As previously noted, the Project is surrounded by development to the east, south, and I-15 freeway to the west. No portion of the site or its vicinity is considered or serves as a scenic vista. Therefore, due to the vast distance to any prominent scenic features in the area, impacts associated with scenic vistas would be less than significant.

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

No Impact. According to the City General Plan, in the Victorville Planning Area, there are no waterfalls, dams, or other types of natural or manmade water resources that would enable economic uses of hydraulic force(s) of water. There are no forests, no harbors, and no fisheries in the Planning Area that could be affected. The Project site is vacant, and no rock outcroppings, trees, or historic buildings would be impacted. Additionally, there are no scenic highways officially designated by Caltrans within or adjacent to the Project site. Therefore, the proposed Project would not substantially damage scenic resources within a State Scenic Highway resulting in no impact.

[2] https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways
[2] City of Victorville. 2030. *General Plan*.

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

Short-Term Construction Impacts

Less Than Significant Impact. Construction activities would be temporary, and equipment, vehicles, and materials would either be staged within a designated area or removed from the Project site at the end of the day. Furthermore, all construction activity and equipment staging would cease upon buildout of the Project. Therefore, short-term construction impacts associated with the existing visual character and quality are not expected to be permanent.

Long-Term Operation Impacts

Less Than Significant Impact. The Project site is a vacant lot located in an urbanized area. As previously noted, the Project is surrounded by development to the south, east, and west. The development of the proposed Project would upgrade the existing visual quality of the site. The Project will include landscaping, curb & gutter, and lighting that will add aesthetically pleasing Project features. Additionally, the Project will be consistent with the City's design standards, the latest California Building Code (CBC), General Plan land use, zoning, and Municipal Code (MC). Therefore, the change in visual character would not significantly impact the site or the surrounding area. Impacts would be less than significant.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Existing sources of light and glare in the immediate Project area include streetlights, outdoor safety and security lighting associated with institutional development just east and south, and lighting from vehicles and light fixtures on I-15 contiguous to the west.

Short-Term Construction Impacts

Less Than Significant Impact. The Project will abide by the City's Municipal Code Section 16-6.12.040, Base Ambient Noise Levels, for construction noise and Section 16-3.10.010 for lighting. Therefore, no short-term impacts associated with light and glare would occur.

Long-Term Operational Impacts

Less Than Significant Impact. The Project will prepare a photometric plan that is consistent with Article 10: Commercial Districts, Section 16-3.10.060: Design Guidelines, Subsections (e-1) Light Design, and (e-2) Glare. Additionally, the Project is consistent with the City's Zoning and Land use Development Code[3], all lighting used on the Project site is required to be directed away and/or shielded to minimize the light from adversely affecting adjacent properties, and no structures or

[3] City of Victorville. 2020. *Municipal Code – Section 16-3.10.020: Development Standards*. Available at https://library.municode.com/ca/victorville/codes/code_of_ordinances?nodeId=TIT16DECO_CH3ZOLAUSRE_ART10CODI_S16-3.10.060DEGU. Accessed on January 28, 2021.

features that create adverse glare effects are permitted. This would require all exterior lighting to be shielded/hooded to prevent light trespass onto nearby properties. This would include on-site safety and security lighting that would face downwards to the parking lot. Additionally, the Project design features would include the use of non-reflective building materials, and although some new reflective improvements (i.e., windows and building front treatments) would be introduced to the site, the Project would not be a source of glare in the Project area; refer Exhibit 5.

Due to the nature of the Project, operational hours are anticipated to be 24 hours per day/7 days per week/ 365 days per year. The Project would adherence to the City's Municipal code associated with light and glare would result in a less than significant.

Cumulative Impacts

The potential aesthetic impacts related to views, aesthetics, and light and glare are site-specific. The Project would be consistent with current land use and zoning designations with adherence to state and local regulations, and code. Therefore, all Project-related impacts would be less than significant.

AGRICULTURE AND FORESTRY RESOURCES

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
2. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the Project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

Victorville is a high-desert climate. Within Victorville, there are lands designated as mainly Urban and Built-Up Land, Grazing Land, Prime Farmland, Water and Other Land.[4] However, being located within the Western Mojave Basins ecoregion, grazing is limited in the general area due to the lack of forage and water. The proposed Project site is located on lands designated as Urban and Built-Up Land, meaning that it is occupied by built structures with a density of at least 1 building per 1.5 acres. The proposed Project site is designated/zoned as General Commercial.

[4] California Department of Conservation. 2020. *Important Farmland Finder*. Available at https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed January 28, 2021.

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

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

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact (a-e). Based on historical aerial imagery, the Project site is not currently used or has been used in the past for agricultural purposes. The Project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-farmland. The Project site is designated as Urban and Built-Up Land.[5]

Furthermore, the Project site is not subject of a Williamson Act Contract. Implementation of Project would be consistent with existing land use and zoning designations. The Project site is not forest land (as defined in PRC Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)). Therefore, the Project would not propose any changes in the existing environment which would result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. No impacts related to the loss of agricultural resources would occur.

Cumulative Impacts

The proposed Project would have no impact on agricultural and forestry resources since the surrounding uses are currently used for commercial, residential, public use, and industrial purposes. Therefore, the Project would not contribute to a cumulatively considerable impact in the conversion of Farmland to non-farmland.

[5] California Department of Conservation. (2020). *California Important Farmland Finder.* Available at https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed January 28, 2021.

AIR QUALITY

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?			X	

An Air Quality Assessment was prepared for the proposed Project by Kimley-Horn and Associates in September 2021. This report is included as Appendix A and the results are summarized herein.

Air Quality

Air Pollutants of Concern

The air pollutants emitted into the ambient air by stationary and mobile sources are regulated by state and federal laws. These regulated air pollutants are known as "criteria air pollutants" and are categorized into primary and secondary pollutants.

Primary air pollutants are emitted directly from sources. Carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxide (NO_X), sulfur dioxide (SO_2), coarse particulate matter (PM_{10}), fine particulate matter ($PM_{2.5}$), and lead are primary air pollutants. Of these, CO, NO_X, SO_2, PM_{10}, and $PM_{2.5}$ are criteria pollutants. ROG and NO_X are criteria pollutant precursors and form secondary criteria pollutants through chemical and photochemical reactions in the atmosphere. For example, the criteria pollutant ozone (O_3) is formed by a chemical reaction between ROG and NO_X in the presence of sunlight. O_3 and nitrogen dioxide (NO_2) are the principal secondary pollutants. Sources and health effects commonly associated with criteria pollutants are summarized in **Table 4,** *Air Contaminants and Associated Public Health Concerns.*

Toxic Air Contaminants

Toxic air contaminants (TACs) are airborne substances that can cause short-term (acute) or long-term (i.e. chronic, carcinogenic or cancer causing) adverse human health effects (i.e. injury or illness). TACs include both organic and inorganic chemical substances. They may be emitted from a variety of common sources including gasoline stations, automobiles, dry cleaners, industrial operations, and painting operations. The current California list of TACs includes more than 200 compounds, including particulate emissions from diesel-fueled engines.

CARB identified diesel particulate matter (DPM) as a toxic air contaminant. DPM differs from other TACs in that it is not a single substance but rather a complex mixture of hundreds of substances. Diesel exhaust is a complex mixture of particles and gases produced when an engine burns diesel fuel. DPM is a concern because it causes lung cancer; many compounds found in diesel exhaust are carcinogenic. DPM includes the particle-phase constituents in diesel exhaust. The chemical composition and particle sizes of DPM vary between different engine types (heavy-duty, light-duty), engine operating conditions (idle, accelerate, decelerate), fuel formulations (high/low sulfur fuel), and the year of the engine. Some short-term (acute) effects of diesel exhaust include eye, nose, throat, and lung irritation, and diesel exhaust can cause coughs, headaches, light-headedness, and nausea. DPM poses the greatest health risk among the TACs. Almost all diesel exhaust particle mass is 10 microns or less in diameter. Due to their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lung.

Table 4: Air Contaminants and Associated Public Health Concerns

Pollutant	Major Man-Made Sources	Human Health Effects
Particulate Matter (PM_{10} and $PM_{2.5}$)	Power plants, steel mills, chemical plants, unpaved roads and parking lots, wood-burning stoves and fireplaces, automobiles and others.	Increased respiratory symptoms, such as irritation of the airways, coughing, or difficulty breathing; asthma; chronic bronchitis; irregular heartbeat; nonfatal heart attacks; and premature death in people with heart or lung disease. Impairs visibility.
Ozone (O_3)	Formed by a chemical reaction between reactive organic gases/volatile organic compounds (ROG or VOC)[1] and nitrogen oxides (NO_X) in the presence of sunlight. Motor vehicle exhaust industrial emissions, gasoline storage and transport, solvents, paints and landfills.	Irritates and causes inflammation of the mucous membranes and lung airways; causes wheezing, coughing, and pain when inhaling deeply; decreases lung capacity; aggravates lung and heart problems. Damages plants; reduces crop yield.
Sulfur Dioxide (SO_2)	A colorless gas formed when fuel containing sulfur is burned and when gasoline is extracted from oil. Examples are petroleum refineries, cement manufacturing, metal processing facilities, locomotives, and ships.	Respiratory irritant. Aggravates lung and heart problems. In the presence of moisture and oxygen, sulfur dioxide converts to sulfuric acid which can damage marble, iron and steel. Damages crops and natural vegetation. Impairs visibility. Precursor to acid rain.

Pollutant	Major Man-Made Sources	Human Health Effects
Carbon Monoxide (CO)	An odorless, colorless gas formed when carbon in fuel is not burned completely; a component of motor vehicle exhaust.	Reduces the ability of blood to deliver oxygen to vital tissues, affecting the cardiovascular and nervous system. Impairs vision, causes dizziness, and can lead to unconsciousness or death.
Nitrogen Dioxide (NO_2)	A reddish-brown gas formed during fuel combustion for motor vehicles and industrial sources. Sources include motor vehicles, electric utilities, and other sources that burn fuel.	Respiratory irritant; aggravates lung and heart problems. Precursor to O_3. Contributes to global warming and nutrient overloading which deteriorates water quality. Causes brown discoloration of the atmosphere.
[1] Volatile Organic Compounds (VOCs or Reactive Organic Gases [ROG]) are hydrocarbons/organic gases that are formed solely of hydrogen and carbon. There are several subsets of organic gases including ROGs and VOCs. Both ROGs and VOCs are emitted from the incomplete combustion of hydrocarbons or other carbon-based fuels. The major sources of hydrocarbons are combustion engine exhaust, oil refineries, and oil-fueled power plants; other common sources are petroleum fuels, solvents, dry cleaning solutions, and paint (via evaporation).		
Source: California Air Pollution Control Officers Association (CAPCOA), Health Effects, http://www.capcoa.org/health-effects/, Accessed July, 2021.		

Ambient Air Quality

CARB monitors ambient air quality at approximately 250 air monitoring stations across the State. These stations usually measure pollutant concentrations ten feet above ground level; therefore, air quality is often referred to in terms of ground-level concentrations. Existing levels of ambient air quality, historical trends, and projections near the Project are documented by measurements made by the Mojave Desert Air Quality Management District (MDAQMD), the air pollution regulatory agency in the MDAB that maintains air quality monitoring stations which process ambient air quality measurements.

Pollutants of concern in the MDAB include O_3 and PM_{10}.[6] The closest air monitoring station to the Project that monitors ambient concentrations of these pollutants is the Victorville-Park Avenue Monitoring Station (located approximately 1.7 miles to the northeast). Local air quality data from 2017 to 2019 are provided in **Table 5,** *Ambient Air Quality Data*, which lists the monitored maximum concentrations and number of exceedances of state or federal air quality standards for each year.

Table 5: Ambient Air Quality Data

Criteria Pollutant	2017	2018	2019
Ozone (O_3) [1]			
1-hour Maximum Concentration (ppm)	0.088	0.107	00104
8-hour Maximum Concentration (ppm)	0.081	0.096	0.081
Number of Days Standard Exceeded			
CAAQS 1-hour (>0.09 ppm)	0	5	3
NAAQS 8-hour (>0.070 ppm)	17	55	29

[6] California Air Resources Board, *Maps of Current State and Federal Area Designations*, Available: https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations. Accessed April 2021.

Criteria Pollutant	2017	2018	2019
Carbon Monoxide (CO) [1]			
1-hour Maximum Concentration (ppm)	1.520	0.729	0.919
Number of Days Standard Exceeded			
NAAQS 1-hour (>35 ppm)	0	0	0
CAAQS 1-hour (>20 ppm)	0	0	0
Nitrogen Dioxide (NO_2) [1]			
1-hour Maximum Concentration (ppm)	0.0573	0.0514	0.056
Number of Days Standard Exceeded			
NAAQS 1-hour (>0.100 ppm)	0	0	0
CAAQS 1-hour (>0.18 ppm)	0	0	0
Particulate Matter Less Than 10 Microns (PM_{10}) [1]			
National 24-hour Maximum Concentration	182.5	165.2	170.0
State 24-hour Maximum Concentration	—	—	—
State Annual Average Concentration (CAAQS=20 µg/m^3)	—	—	—
Number of Days Standard Exceeded			
NAAQS 24-hour (>150 µg/m^3)	1	1	2
CAAQS 24-hour (>50 µg/m^3)	—	—	—
Particulate Matter Less Than 2.5 Microns ($PM_{2.5}$) [1]			
National 24-hour Maximum Concentration	27.2	32.7	17.8
State 24-hour Maximum Concentration	29.3	33.2	20.0
Number of Days Standard Exceeded			
NAAQS 24-hour (>35 µg/m^3)	0	0	0

NAAQS = National Ambient Air Quality Standards; CAAQS = California Ambient Air Quality Standards; ppm = parts per million; µg/m^3 = micrograms per cubic meter; – = not measured

[1] Measurements taken at the Victorville-Park Avenue Monitoring Station at 14306 Park Avenue, Victorville, California (CARB# 36306)

Source: All pollutant measurements are from the CARB Aerometric Data Analysis and Management system database (https://www.arb.ca.gov/adam) except for CO, which were retrieved from the CARB Air Quality and Meteorological Information System (https://www.arb.ca.gov/aqmis2/aqdselect.php).

Sensitive Receptors

Sensitive populations are more susceptible to the effects of air pollution than is the general population. Sensitive receptors that are in proximity to localized sources of toxics are of particular concern. Land uses considered sensitive receptors include residences, schools, playgrounds, childcare centers, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes. Sensitive land uses surrounding the Project consist of Victorville Elementary School and Victor Valley Christian School. Sensitive land uses nearest to the Project are shown in **Table 6,** *Sensitive Receptors*.

Table 6: Sensitive Receptors

Receptor Description	Distance and Direction from the Project
Victor Valley Christian School and First Assembly of God Church	325 feet to the east
Victorville Elementary School	400 feet to the south
Single-Family Residences	750 feet to the northwest
Single-Family Residences	840 feet to the southeast
Source: Google Earth	

Methodology (Air Quality)

This air quality impact analysis considers construction and operational impacts associated with the Project. Where criteria air pollutant quantification was required, emissions were modeled using the California Emissions Estimator Model (CalEEMod). CalEEMod is a Statewide land use emissions computer model designed to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. Air quality impacts were assessed according to methodologies recommended by CARB and the MDAQMD.

Construction equipment, trucks, worker vehicles, and ground-disturbing activities associated with Project construction would generate emissions of criteria air pollutants and precursors. Daily regional construction emissions are estimated by assuming construction occurs at the earliest feasible date (i.e., a conservative estimate of construction activities) and applying off-road, fugitive dust, and on-road emissions factors in CalEEMod.

Project operations would result in emissions of area sources (consumer products), energy sources (natural gas usage), and mobile sources (motor vehicles from Project generated vehicle trips). Project-generated increases in operational emissions would be predominantly associated with motor vehicle use. The increase of traffic over existing conditions as a result of the Project was obtained from the Project's Transportation Study prepared by Kimley-Horn (July 2021). Other operational emissions from area, energy, and stationary sources were quantified in CalEEMod based on land use activity data.

As discussed above, the MDAQMD provides significance thresholds for emissions associated with proposed Project construction and operations. The proposed Project's construction and operational emissions are compared to the daily criteria pollutant emissions significance thresholds in order to determine the significance of a Project's impact on regional air quality.

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. As part of its enforcement responsibilities, the EPA requires each state with nonattainment areas to prepare and submit a State Implementation Plan that demonstrates the means to attain the federal standards. The State Implementation Plan must integrate federal, state, and local plan components and regulations to identify specific measures to reduce pollution in nonattainment areas, using a combination of performance standards and market-based programs. Similarly, under State law, the CCAA requires an air quality attainment

plan to be prepared for areas designated as nonattainment regarding the state and federal ambient air quality standards. Air quality attainment plans outline emissions limits and control measures to achieve and maintain these standards by the earliest practical date.

The Project is located within the MDAB, which is under the jurisdiction of the MDAQMD. The MDAQMD is required, pursuant to the FCAA, to reduce emissions of criteria pollutants for which the MDAB is in nonattainment. The Federal Particulate Matter Attainment Plan and Ozone Attainment Plan for the Mojave Desert set forth a comprehensive set of programs that will lead the MDAB into compliance with federal and state air quality standards. The control measures and related emission reduction estimates within the Federal Particulate Matter Attainment Plan and Ozone Attainment Plan are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with these attainment plans for development projects is determined by demonstrating compliance with: 1) local land use plans and/or population projections, 2) all MDAQMD Rules and Regulations; and 3) demonstrating that the project will not increase the frequency or severity of a violation in the federal or state ambient air quality standards.

The purpose of the consistency finding is to determine if a project is inconsistent with the assumptions and objectives of the regional air quality plans, and thus if it would interfere with the region's ability to comply with CAAQS and NAAQS.

The Project site is designated under the General Plan Land Use Map as (COM) Commercial with a zoning district of (C-2T) General Commercial. The Project applicant proposes a land use which is consistent with the land use designation. Additionally, it should be noted that the proposed development would not exceed regional thresholds for operational emissions and would therefore be considered to have a less than significant impact. As such, development proposed by the Project is consistent with the growth projections in the General Plan and is therefore considered to be consistent with the AQMP.

As shown in **Table 7,** *Construction-Related Emissions (Maximum Pounds Per Day)* and **Table 8**, *Long-Term Operational Emissions (Maximum Pounds Per Day),* below, the Project would not exceed the construction standards and net emissions would not exceed operational standards.

Concerning Consistency Criterion No. 2 and 3, the AQMP contains air pollutant reduction strategies based on SCAG's latest growth forecasts, and SCAG's growth forecasts were defined in consultation with local governments and with reference to local general plans. Additionally, the proposed Project would serve existing vehicles in the area and therefore would not exceed the population or job growth projections used by the MDAQMD to develop the AQMP. Thus, the Project is also consistent with the second and third criterion.

Mitigation Measures: No mitigation is required.

Level of Significance: Less than significant impact.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?

Less Than Significant Impact.

Construction Emissions

Construction associated with the Project would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern within the Project area include O_3-precursor pollutants (i.e., ROG and NO_X) and PM_{10} and $PM_{2.5}$. Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the MDAQMD's thresholds of significance.

Construction results in the temporary generation of emissions resulting from site grading, road paving, motor vehicle exhaust associated with construction equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities as well as weather conditions and the appropriate application of water.

The duration of construction activities associated with the Project is estimated to last approximately 12 months. Construction-generated emissions associated the Project were calculated using the CARB-approved CalEEMod computer program, which is designed to model emissions for land use development projects, based on typical construction requirements. See Appendix A: Air Quality Modeling Data for more information regarding the construction assumptions used in this analysis. Predicted maximum daily construction-generated emissions for the Project are summarized in Table 7.

Fugitive dust emissions may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the Project vicinity. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby. MDAQMD Rules 401, 402, 403, 403.2, 404, 405, and 409 (prohibition of fugitive dust, nuisances, watering of inactive and perimeter areas, track out requirements, etc.), are applicable to the Project and were applied in CalEEMod to minimize fugitive dust emissions. Standard Condition (SC) AQ-1 requires the implementation of Rule 402 through 409 dust control techniques to minimize PM_{10} and $PM_{2.5}$ concentrations. While impacts would be considered less than significant, Project would be subject to MDAQMD Rules for reducing fugitive dust, described in the Regulatory Framework subsection above and identified in Standard Conditions SC AQ-1.

As shown in Table 8, all criteria pollutant emissions would remain below their respective thresholds. While impacts would be considered less than significant, the Project would be subject

to MDAQMD Rules 401 through 405 and Rule 409, described in the Regulatory Framework subsection above and required by SC AQ-1.

Table 7: Construction-Related Emissions (Maximum Pounds Per Day)

Construction Year	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO_2)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
Construction Year 2022	10.90	59.49	39.03	0.14	9.48	5.77
MDAQMD Threshold	*137*	*137*	*548*	*137*	*82*	*65*
Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**	**No**	**No**
Notes: MDAQMD Rule 403.2 Fugitive Dust Control applied. The Rule 403.2 reduction/credits include the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces at least two times daily; cover stockpiles with tarps; and water all haul roads twice daily. Reductions percentages from the SCAQMD CEQA Handbook, Tables XI-A through XI-E (which is derived from WRAP Fugitive Dust Handbook, 2006) were applied. No mitigation was applied to construction equipment. Refer to Appendix A for Model Data Outputs.						
Source: CalEEMod version 2020.4.0. Refer to Appendix A for model outputs.						

Operational Emissions

Project-generated emissions would be primarily associated with motor vehicle use and area sources, such as the use of landscape maintenance equipment and architectural coatings. Long-term operational emissions attributable to the Project are summarized in Table 8. As shown in Table 8, the Project emissions would not exceed MDAQMD thresholds.

Table 8: Long-Term Operational Emissions

Source	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO_2)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
Unmitigated Operational Emissions						
Area Source Emissions	0.43	< 0.01	0.03	0.00	< 0.01	< 0.01
Energy Emissions	0.03	0.23	0.20	< 0.01	0.02	0.02
Mobile Emissions	5.00	54.80	50.99	0.30	16.10	4.41
Total Emissions	**5.46**	**55.03**	**51.22**	**0.3**	**16.12**	**4.43**
MDAQMD Threshold	*137*	*137*	*548*	*137*	*82*	*65*
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**
Source: CalEEMod version 2020.4.0. Note: Total values are from CalEEMod and may not add up 100% due to rounding.						

As noted above, the Project's operational emissions would be associated with mobile sources (i.e., motor vehicle use), energy sources, and area sources. Each of these sources are described below.

- **Area Source Emissions.** Area source emissions would be generated due to on-site equipment, architectural coating, and landscaping that were previously not present on the site.

- **Energy Source Emissions.** Energy source emissions would be generated due to electricity and natural gas usage associated with the Project. Primary uses of electricity and natural gas by the Project would be for miscellaneous warehouse equipment, space heating and cooling, water heating, ventilation, lighting, appliances, and electronics.
- **Mobile Sources.** Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NO_X, PM_{10}, and $PM_{2.5}$ are all pollutants of regional concern. NO_X and ROG react with sunlight to form O_3, known as photochemical smog. Additionally, wind currents readily transport PM_{10} and $PM_{2.5}$. However, CO tends to be a localized pollutant, dispersing rapidly at the source.

  Project-generated vehicle emissions are based on the trip generation within the Project's Transportation Study and incorporated into CalEEMod as recommended by the MDAQMD. Per the Project Transportation Study, the Project would generate 2,772 net daily trips (10 percent trucks). As shown in Table 7, the anticipated mobile source emissions would not exceed MDAQMD thresholds for criteria pollutants.

Cumulative Effects

The MDAB is designated nonattainment for O_3, PM_{10}, and $PM_{2.5}$ for State standards and nonattainment for O_3 and PM_{10} for Federal standards. The MDAB represents the geographic limit for cumulative air quality since air emissions have a regional effect. On a regional scale, past, present, and foreseeable projects would contribute to increases in vehicle travel associated with long-term growth and worsened air quality. Cumulative growth in population, vehicle use, and industrial activity could inhibit efforts to improve regional air quality and attain the AAQS.

The MDAQMD's thresholds of significance analyze both direct and cumulative impacts. The MDAQMD CEQA and Federal Conformity Guidelines (MDAQMD 2016) state that cumulative impacts are similar to direct and indirect impacts of the project. A given project has a cumulative impact with all other related projects, from the standpoint of each type of impact (cumulative construction emissions, area sources, solvent use, transportation emissions, congestion, etc.). The MDAQMD does not have separate thresholds for cumulative impacts and uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. Projects that exceed the project-specific significance thresholds are considered by the MDAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant.

The MDAQMD developed the construction and operational thresholds of significance based on the level above which individual project emissions would result in a cumulatively considerable contribution to the MDAB's existing air quality conditions. Therefore, a project that exceeds the

MDAQMD construction/operational thresholds would also be a cumulatively considerable contribution to a significant cumulative impact.

As shown in Table 7 above, Project construction-related emissions by themselves would not exceed the MDAQMD significance thresholds for criteria pollutants. Therefore, the proposed Project would not generate a cumulatively considerable contribution to air pollutant emissions during construction.

As shown in Table 8 above, Project operational emissions would not exceed MDAQMD thresholds. As a result, operational emissions associated with the Project would not result in a cumulatively considerable contribution to significant cumulative air quality impacts. Additionally, adherence to MDAQMD rules and regulations would alleviate potential impacts related to cumulative conditions on a project-by-project basis. Project operations would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant.

Standard Conditions and Requirements:

SC AQ-1 Prior to the issuance of grading permits, the City Engineer shall confirm that the Grading Plan, Building Plans and Specifications require all construction contractors to comply with Mojave Desert Air Quality Management District's (MDAQMD's) Rules 401 through 405 and Rule 409 to minimize construction emissions of dust and particulates. The measures include, but are not limited to, the following:

- Use periodic watering for short-term stabilization of Disturbed Surface Area to minimize visible fugitive dust emissions.
- Applicable dust suppressants are inclusive of water, Hygroscopic Materials, or chemical/organic stabilization/suppression materials.
- Cover or otherwise contain Bulk Material carried on haul trucks operating on paved roads.
- Specify other dust control methods as applicable, including physical barriers, speed limit signs, use of vegetation, gravel, and pavement.
- Take actions sufficient to prevent project-related Trackout onto paved surfaces.
- Cleanup project-related Trackout or spills on Publicly Maintained paved surfaces within twenty-four hours.
- Stabilize industrial Unpaved Roads carrying more than ten vehicle trips per day with the majority of those vehicles weighing 30 tons or more.
- Stabilize as much unpaved operations area as is feasible

Mitigation Measures: No mitigation is required.

Level of Significance: Less than significant impact.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact.

Sensitive receptors can include uses such as residential communities, long-term health care facilities, schools, rehabilitation centers, childcare centers, and retirement homes. The nearest sensitive receptor is a school and church located approximately 325 feet east of the Project site. Per the MDAQMD CEQA and Federal Conformity Guidelines (August 2016), a gasoline dispersing facility should be at least 300 feet away from the sensitive receptors.

Criteria Pollutant Health Impacts

On December 24, 2018, the California Supreme Court issued an opinion identifying the need to provide sufficient information connecting a project's air emissions to health impacts or explain why such information could not be ascertained (*Sierra Club v. County of Fresno* [Friant Ranch, L.P.] [2018] Cal.5th, Case No. S219783). The federal ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect the public health. Therefore, projects that do not exceed the MDAQMD's thresholds would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and no criteria pollutant health impacts.

NO_X and ROG are precursor emissions that form O_3 in the atmosphere in the presence of sunlight where the pollutants undergo complex chemical reactions. It takes time and the influence of meteorological conditions for these reactions to occur, so O_3 may be formed at a distance downwind from the sources. Breathing ground-level O_3 can result health effects that include: reduced lung function, inflammation of airways, throat irritation, pain, burning, or discomfort in the chest when taking a deep breath, chest tightness, wheezing, or shortness of breath. In addition to these effects, evidence from observational studies strongly indicates that higher daily O_3 concentrations are associated with increased asthma attacks, increased hospital admissions, increased daily mortality, and other markers of morbidity. The consistency and coherence of the evidence for effects upon asthmatics suggests that O_3 can make asthma symptoms worse and can increase sensitivity to asthma triggers. In addition, since NO_X emissions also lead to the formation of $PM_{2.5}$, the NO_X reductions needed to meet the O_3 standards will likewise lead to improvement of $PM_{2.5}$ levels and attainment of $PM_{2.5}$ standards.

As previously discussed, Project emissions would be less than significant and would not exceed MDAQMD thresholds (refer to Table 6 and Table 7). The ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect public health, including protecting the health of sensitive populations.

Construction-Related Toxic Air Contaminants

Construction would result in the generation of DPM emissions from the use of off-road diesel equipment required. The amount to which the receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk

(i.e., potential exposure to TAC emission levels that exceed applicable standards). Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer.

The use of diesel-powered construction equipment would be temporary and episodic. The duration of exposure would be short and exhaust from construction equipment dissipates rapidly. Current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 30, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. The California Office of Environmental Health Hazard Assessment has not identified short-term health effects from DPM. Construction is temporary and would be transient throughout the site (i.e., move from location to location) and would not generate emissions in a fixed location for extended periods of time which would limit the exposure of any proximate individual sensitive receptor to TACs. Additionally, as noted in **Table 9**, *Sensitive Receptors*, the closest sensitive receptors to the Project site are located approximately 325 feet away or more.

Table 9: Sensitive Receptors

Receptor Description	Distance and Direction from the Project
Victor Valley Christian School and First Assembly of God Church	325 feet to the east
Victorville Elementary School	400 feet to the south
Single-Family Residences	750 feet to the northwest
Single-Family Residences	840 feet to the southeast
Source: Google Earth	

Additionally, construction is subject to and would comply with California regulations (e.g., California Code of Regulations, Title 13, Sections 2485 and 2449), which reduce diesel PM and criteria pollutant emissions from in-use off-road diesel-fueled vehicles and limit the idling of heavy-duty construction equipment to no more than five minutes. These regulations would further reduce nearby sensitive receptors' exposure to temporary and variable DPM emissions. Given the temporary and intermittent nature of construction activities likely to occur within specific locations in the Project site (i.e., construction is not likely to occur in any one location for an extended time), and the fact that sensitive receptors are approximately 325 feet away or more, the dose of DPM of any one receptor is exposed to would be limited. Therefore, considering the relatively short duration of DPM-emitting construction activity at any one location and the highly dispersive properties of DPM, sensitive receptors would not be exposed to substantial concentrations of construction-related TAC emissions. Impacts would be less than significant.

Operational Toxic Air Contaminants

MDAQMD recommends avoiding siting new sensitive land uses such as residences, schools, daycare centers, playgrounds, or medical facilities within 300 feet of a gasoline dispensing facility. The proposed Project involves the construction of a fuel station for passenger cars and trucks

with other amenities (fast food etc.). The closest sensitive receptors to the Project site are located approximately 325 feet away and the closest residences are located 750 feet away or more. As the closest receptor to the Project site is over 300 feet away, a project-specific health risk assessment is not required. Impacts to nearby sensitive receptors would be less than significant.

Mitigation Measures: No mitigation is required.

Level of Significance: Less than significant impact.

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

Less than Significant Impact. The MDAQMD regulates odors through Rule 402 (Nuisance). Rule 402 prohibits the discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. Typical land uses that generate odors include agriculture (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and fiberglass molding.

During construction-related activities, some odors (not substantial pollutant concentrations) that may be detected are those typical of construction vehicles (e.g., diesel exhaust from grading and construction equipment). These odors are a temporary short-term impact that is typical of construction projects and would disperse rapidly. The Project would not include any of the land uses that have been identified by the MDAQMD as odor sources. Therefore, the Project would not create objectionable odors.

Mitigation Measures: No mitigation is required.

Level of Significance: Less than significant impact.

Cumulative Impacts

The cumulative setting for air quality includes the City of Victorville and SCAB. SCAB is designated as a nonattainment area for State standards of ozone, PM_{10}, and $PM_{2.5}$. The SCAB is designated as a nonattainment area for federal standards of ozone and $PM_{2.5}$, attainment and serious maintenance for federal PM_{10} standards, and is designated as unclassified or attainment for all other pollutants. Cumulative growth in population and vehicle use could inhibit efforts to improve regional air quality and attain the ambient air quality standards.

The SCAQMD's approach to assessing cumulative impacts is based on the AQMP forecasts of attainment of ambient air quality standards in accordance with requirements of the FCAA and CCAA. As discussed above, the proposed Project would be consistent with the AQMP, which is intended to bring SCAB into attainment for all criteria pollutants. Since the Project's estimated

construction and operational emissions would not exceed the applicable SCAQMD daily significance thresholds that are designed to assist the region in attaining both NAAQS and CAAQS, cumulative impacts would be less than significant.

BIOLOGICAL RESOURCES

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

A Biological Resources Assessment and Jurisdictional Delineation was prepared for the proposed Project by Jericho Systems in March 11, 2021. This report is included as Appendix B, and the results are summarized herein.

Methodology

The species and habitats addressed in this document are based on database information and field investigation. Prior to conducting the field study, species and habitat information was gathered

from the reports related to the specific Project and relevant databases for the Hesperia USGS 7.5-minute series quadrangle to determine which species and/or habitats would be expected to occur on site. These sources include:

- U.S. Fish and Wildlife (USFWS) threatened and endangered species occurrence GIS overlay.
- USFWS Information for Planning and Consultation System (IPaC);
- California Natural Diversity Database (CNDDB) Rarefind 5);
- CNDDB Biogeographic Information and Observation System (BIOS);
- California Native Plant Society Electronic Inventory (CNPSEI) database;
- Calflora Database;
- USDA Natural Resources Conservation Service (NRCS) Web Soil Survey;
- USFWS National Wetland Inventory;
- Environmental Protection Agency (EPA) Water Program "My Waters" data layers; and
- Mohave Ground squirrel maps

A Jericho biologist completed a field survey of the Project site on January 24, 2021, with an emphasis on special-status species known to occur in the vicinity of the Project site. A systematic and comprehensive survey during calm weather was conducted between the hours of 6 a.m. and 9:00 a.m. Weather conditions during the survey consisted of partly cloudy skies with temperatures ranging from 48 degrees Fahrenheit (°F) to 59° F and winds at 10 mph.

Walked transects spaced approximately 30 feet apart to provide 100 visual coverage of the ground surface. The 200-foot buffer area survey was surveyed using binoculars. Wildlife species were detected during field surveys by sight, calls, tracks, scat, or other sign. In addition to species observed, expected wildlife usage of the site was determined per known habitat preferences of regional wildlife species and knowledge of their relative distributions in the area. The focus of the faunal species surveys was to identify potential habitat for special status wildlife within the project area. Disturbance characteristics and all animal sign encountered on the site are recorded in the results section.

During the site survey, natural and non-natural substrates for burrows were examined to determine size, shape, and aspect for suitability for burrowing owl (BUOW) or other fossorial species and to see if any BUOW sign (molted feathers, cast pellets, prey remains, and owl whitewash) were present. The assessment also evaluated the Project site for the presence of jurisdictional waters, i.e., Clean Water Act (CWA) waters of the U.S.(WoUS) as regulated by the USACE and RWQCB, and California Fish and Game Code (FGC) streambed waters and associated riparian habitat as regulated by the CDFW. Evaluation of potential non-wetland WoUS at the Ordinary High Water Mark (OHWM) in variable, ephemeral, intermittent, or perennial non-wetland waters followed guidance described in A Field Guide to the Identification of the Ordinary

High Water Mark in the Arid West Region of the Western United States (Lichvar and McColley 2008) and evaluation of potential State jurisdiction followed guidance in the Fish and Game Code and A Review of Stream Processes and Forms in Dryland Watersheds (CDFW, 2010) and MESA Field Guide, Mapping Episodic Stream Activity (2011) which look at the "maximum expression" on the landscape, often including the entire floodplain of a river and stream system.

Results

Habitat

The Project site is surrounded by high-traffic roads and Highway. It is bordered by Interstate 15 to the west and north, Nisqualli Road to the south, and Mariposa Road to the east. Soils within the Project site consist entirely of Cajon Sand, 0 to 2 Percent Slopes and have been compacted as a result of frequent weed abatement. The Project site is entirely disturbed and is mostly denuded with patchily distributed creosote bush *(Larrea tridentata),* sticky lessingia (*Lessingia glandulifera),* and rubber rabbitbrush (*Ericameria nauseosa*). Non-native grasses dominate the Project site and consist of schizmus (*Shizmus spp.)* and bromus grasses (*Bromus sp*). Joshua trees and other cactus species are absent from the site.

Wildlife

Wildlife species observed were limited to birds only which included common raven (*Corvus corax*), house sparrow (*Passer domesticus*), lesser goldfinch (*Spinus psaltria*), and house finch (*Spinus psaltria*).

Special Status Species and Habitats

A compiled list of results from the IPaC, CNDDB and CNPSEI databases of species which have been documented within 2 miles of the Project site and/or have the potential to occur based potentially suitable habitat adjacent to, or within, the Project site are provided on Table 1, Sensitive Species Potential to Occur, provided as Attachment C of the Biological Resources Assessment. This table also provides a potential to occur assessment based on the field investigation and surveyor's knowledge of the species and local ecology and considers the habitat requirements for each species and the potential for their occurrence on the site, based on required habitat elements relative to the current site conditions and species' range.

This list of sensitive species 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 the taxa the CNDDB 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.

No State- and/or federally listed threatened or endangered species, USFWS-designated Critical Habitats, or other sensitive species were observed on-site during the field surveys. There are no

undisturbed areas on-site or in the vicinity. Therefore, there is no potential for MGS or DT to occur on-site. Further investigation is not warranted or recommended.

Burrowing owl

According to the databases, BUOW is the only sensitive species documented to occur within a 2.0-mile radius of the Project site. BUOW breeding season begins February 1 and extends to August 31. Pair formation can begin in February. Peak of the BUOW breeding season, commonly accepted in California occurs between April 15 and July 15. April to mid-May is when most burrowing owls are in the egg laying and incubation stages. BUOW egg incubation period is about 27-28 days Chick rearing typically occurs between May 15 and July 1. July 15 is typically considered the late nestling period when most owls are spending time above ground. The non-breeding season is September 1 to January 31.

BUOW are semi-colonial and will sometimes share a burrow for incubation and chick rearing. The BUOW is not listed under the State or federal ESA but is considered both a State and federal SSC. The BUOW is a migratory bird protected by the international treaty under the Migratory Bird Treaty Act of 1918 and by State law under the California Fish and Game Code (CDFG Code #3513 & #3503.5)

Nesting Birds

The federal Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C 703-711) provides protection for nesting birds that are both residents and migrants whether they are considered sensitive by resource agencies. The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed under 50 CFR 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). The direct injury or death of a migratory bird, due to construction activities or other construction-related disturbance that causes nest abandonment, nestling abandonment, or forced fledging would be considered a take under federal law. The USFWS, in coordination with the CDFW administers the MBTA. CDFW's authoritative nexus to MBTA is provided in FGC Sections 3503.5 which protects all birds of prey and their nests and FGC Section 3800 which protects all non-game birds that occur naturally in the State.

Jurisdictional Waters

A street runoff storm drain is located on the southwest corner of the Project site. This feature is a man-made feature that is not subject to the federal CWA, State FGC or Porter Cologne act. Further, the project design will not impact this street storm drain.

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

Less Than Significant Impact. According to the City's GP, the majority of the City's biological resources occur at its outskirts, in areas free from large-scale development.[7] As noted above, according to the Habitat Assessment (HA) findings, the Project site is not located near the outskirts, it is currently undeveloped with non-native grasses and is regularly disced for maintenance purposes. These non-native grasses do not contain suitable habitat for any sensitive or special status species. The Project site is not within any area that has been identified as having any protected species or any habitat for protected species. Because the Project site is regularly disced and contains non-native grasses, no natural habitat occurs onsite for sensitive plant species and/or wildlife species. Additionally, the BUOW survey concluded that the Project site shows no evidence of BUOW. No surrogate burrows were found, and no ground squirrels or rabbits occur on site. No BUOW individuals or sign including pellets, feathers or whitewash were observed. For locations of the nearest BUOW occurrences, refer to **Exhibit 6,** *CNDDB – 2 Mile Radius*. Less than significant impacts would occur.

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

No Impact. The proposed Project will not affect State or federally listed endangered, threatened species. High traffic roadways surround the Project site and no evidence of State or federally listed endangered, threatened species or otherwise sensitive species was found during survey. In addition, the proposed Project will not adversely affect Critical Habitat as none exist within the Project site. Therefore, due to the Project's location and absence of riparian habitat and sensitive natural communities listed in the City's plans, policies, or regulations or by the CDFW or U.S. Fish and Wildlife Service, no impacts associated with the proposed Project would occur.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological?

No Impact. Refer to response b) above. No signs of jurisdictional water or other traces of wetlands occur on site. Furthermore, the current habitat is not suitable for species generally found in wetland ecosystems; therefore, no impact would occur.

[7] City of Victorville. (2018). *Victorville Forward General Plan Update 2015-2035; Draft Environmental Impact Report; Page 5.3-2.* Available at https://www.Victorville.org/DocumentCenter/View/29524/Draft-Environmental-Impact-Report-for-the-General-Plan-Update. Accessed March 15, 2021.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than Significant with Mitigation. According to the HA findings, the Project site does not host native habitat due to its disturbed and barren conditions. However, the HA concluded that vegetation bordering the Project site has the potential to support nesting bird and migratory bird which are protected under the Migratory Bird Treaty Act (MBTA). For this reason, with implementation of **MM BIO-1**, a less than significant impact would occur.

Mitigation Measure:

BIO-1: Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct a Nesting Bird Surveys (NBS) after Project buildout to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set an appropriate buffer sized by a qualified biologist around the nest, which will be based upon the nesting species, its sensitivity to disturbance, nesting stage and expected types, intensity and duration of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be clearly marked, and disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive. Alternatively, the City may also grant permission for passive relocation by a qualified Avian Biologist, should nesting birds be found. Note: If ground disturbance activities are scheduled to commence outside of the nesting season (September 16 through April 14), a Nesting Bird Survey will not be required.

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

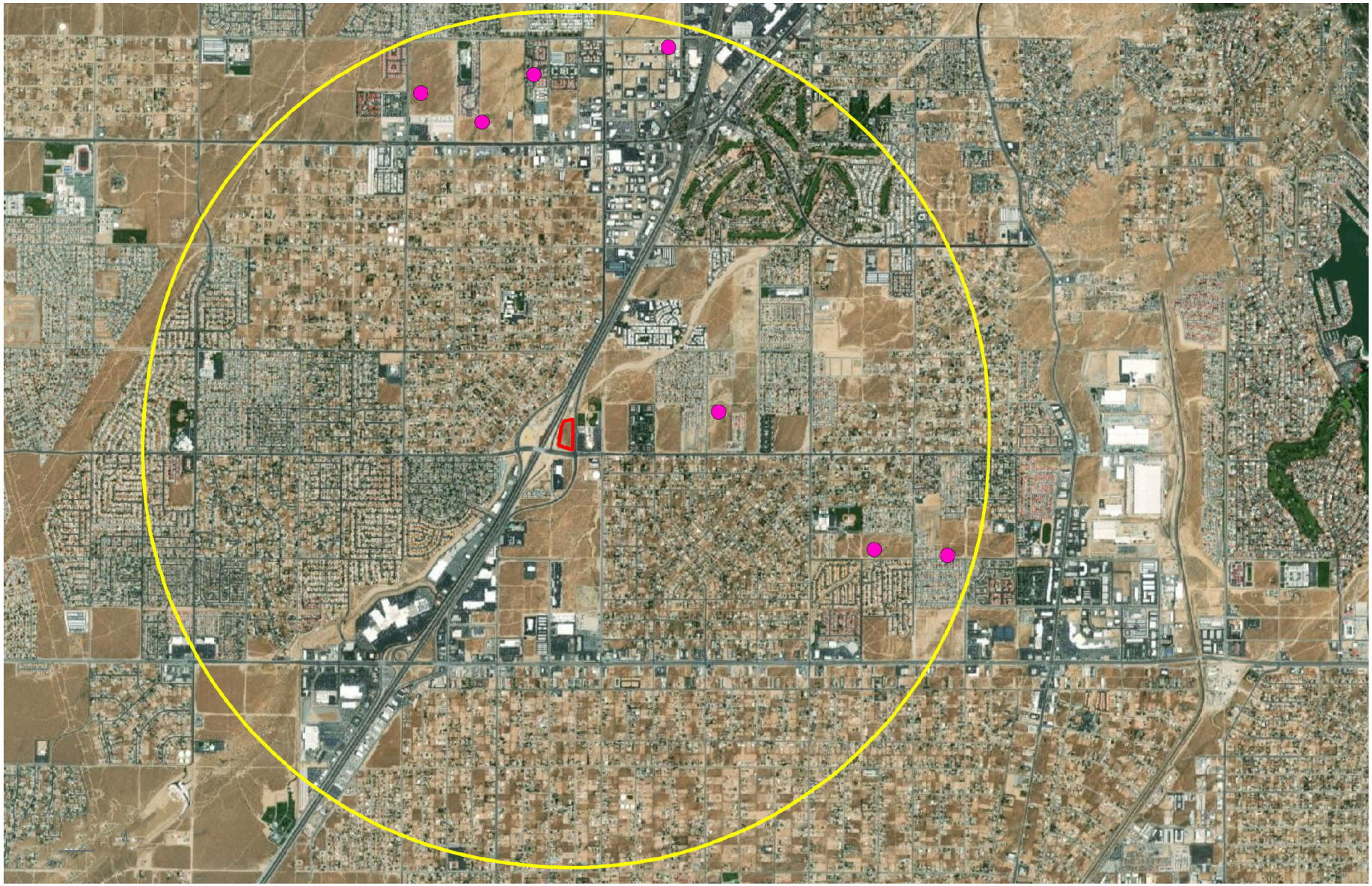
Less than Significant Impact. According to the HA, the Project would not conflict with Chapter 13.33 – Preservation and Removal of Joshua Trees, as there are no trees on-site. Additionally, no protected biological resources were identified on-site. Since the Project would comply with the City's municipal code and introduce new landscaping consistent with the City's municipal code guidelines, a less than significant impact would occur without mitigation needed.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. The Project is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, no impact would occur.

Cumulative Impacts

The proposed Project would result in no significant impacts to biological resources with the implementation of Mitigation Measure BIO-1. Cumulative impacts are not likely to occur as a result of Project implementation plus other projects since all projects within the surrounding region are planned for industrial and residential uses. Furthermore, all projects would be subject to individual project-level environmental review. Since there would be no project-specific impacts and due to existing laws and regulations in place to protect biological resources, and Project mitigation measures are in place to determine the presence/absence of a candidate, sensitive, and special species, the potential incremental effects of the proposed Project would not be cumulatively considerable.



Source: Biological Resources Assessment Figure 5 CNDDB - 2 mile by Jéricho Systems Inc., March 14, 2021

EXHIBIT 6: CNDDB - 2 Mile Radius
Victorville Nisqualli Project

NOT TO SCALE

Kimley»Horn

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CULTURAL RESOURCES

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
5. CULTURAL RESOURCES. Would the Project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?		X		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		X		
c) Disturb any human remains, including those interred outside of dedicated cemeteries?			X	

A Cultural Resources Assessment was prepared for the proposed Project by BCR Consulting in March 23, 2021. This report is included as Appendix C of this IS/MND, and the results are summarized herein.

This section discusses the historic, archaeological, and paleontological resources that may be impacted due to Project implementation. Cultural resources are defined as places, objects, and settlements that reflect group or individual religious, archaeological, architectural, or paleontological activities. Such resources provide information on scientific progress, environmental adaptations, group ideology, or other human advancements. By statute, the CEQA is primarily concerned with two classes of cultural resources: "historical resources," which are defined in PRC Section 21084.1 and CEQA Guidelines Section 15064.5, and "unique archaeological resources," which are defined in PRC Section 21083.2. Tribal cultural resources are generally described as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe and are further defined in PRC Section 21074(a)(1)(A) and (B).

Methodology

Records Search. South Central Coastal Information Center (SCCIC) staff completed an archaeological records search using SCCIC records of California State University, Fullerton on February 24, 2021. This archival research reviewed the status of all recorded historic and prehistoric cultural resources, and survey and excavation reports completed within one mile of the current Project site. Additional resources reviewed included the National Register of Historic Places (National Register), the California Register, the Built Environmental Resource Directory (BERD), and documents and inventories published by the California Office of Historic Preservation. These include the lists of California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and the Inventory of Historic Structures.

Field Survey. An intensive-level cultural resources field survey of the Project site was conducted on January 27, 2020. The survey was conducted by walking parallel transects spaced approximately 15 meters apart across the Project site.

Records Search. Data from the SCCIC completed the archaeological records search revealed seven previous cultural resource studies have taken place, and six cultural resources have been identified within 0.5-miles of the Project site. One of the previous studies has assessed the Project site and no cultural resources have been identified within its boundaries. Detailed bibliographic information and a records search map are provided as Appendix A of the Cultural Resources Report, provided as Appendix C to this IS/MND. The records search is summarized in **Table 10**, *Cultural Resources and Studies Within One Mile of the Project Site*.

Table 10: Cultural Resources and Studies Within One Mile of the Project Site

USGS Quadrangle	Cultural Resources	Studies
Hesperia (1980), California	P-36-4269: Historic-Period Road (1/8 Mile W) P-36-6821: Historic-Period Refuse Scatter (50 feet SW) P-36-11424: Historic-Period Domestic Site (1/4 Mile NE) P-36-11425: Historic-Period Domestic Site (1/2 Mile NE) P-36-11426: Historic-Period Refuse Scatter (1/2 Mile NE) P-36-11427: Historic-Period Refuse Scatter (1/2 Mile NE)	SB-2577*, 4221, 4454, 4455, 4973, 5217, 7156
Source: BCR Consulting, LLC. March 23, 2021. Cultural Resources Assessment. Appendix C. Notes: *Previously assessed Project site for cultural resources.		

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

Less than Significant Impact with Mitigation. The Project has been subject to severe artificial disturbances associated with an adjacent freeway onramp, surrounding road construction, and storm drains which enter the Project from the south. Vegetation consisted of seasonal grasses and afforded surface visibility of approximately 85 percent.

During the intensive field survey, no cultural resources where identified (including historic-period or prehistoric archaeological sites, or historic-period architectural resources) of any kind within the Project site boundaries. Therefore, no significant impact related to historical resources is anticipated and no further investigations are recommended unless:

- The proposed Project is changed to include areas that have not been subject to this cultural resource assessment, or
- Cultural materials are encountered during project activities.

Because the proposed Project is not anticipated to change, and based on the Cultural Resources Assessment findings, the Project is anticipated to have *no impact* on historical resources. However, as part of the Tribal Consultation under AB52, the San Manuel Band of Mission Indians (SMBMI) responded and requested that Mitigation Measures CUL-1, CUL-2 and CUL-3 are implemented.

Mitigation Measure:

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

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Less than Significant Impact with Mitigation. The field survey attempted to determine whether significant archaeological deposits were present on the Project site. Although none were yielded during the records search and field survey, ground-disturbing activities *have* the potential to reveal buried deposits not observed on the surface. Prior to the initiation of ground-disturbing activities, field personnel should be alerted to the possibility of buried prehistoric or historic cultural deposits.

Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:

- historic-period artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects;
- historic-period structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements;
- prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates;
- groundstone artifacts, including mortars, pestles, and grinding slabs;
- dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone, groundstone, and fire affected rocks;
- human remains.

The probability archeological resources are low. However, there is always a potential to encounter previously unreported subsurface archaeological resources (possibly including human remains) during future construction activities. Mitigation Measure CUL-2 would reduce potentially significant impacts on archaeological to less than significant.

Mitigation Measure:

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

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Less than Significant with Mitigation. Findings were positive during the Sacred Lands File search with the Native American Heritage Commission (NAHC). The results of the Sacred Lands File were positive potential and thus are confidential; they are not provided herein.

The Legislature added requirements regarding tribal cultural resources for CEQA in Assembly Bill 52 (AB 52) that took effect July 1, 2015. AB52 requires consultation with California Native American tribes and consideration of tribal cultural resources in the CEQA process. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and Project proponents would have information available, early in the Project planning process, to identify and address potential adverse impacts to tribal cultural resources.

By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process. To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed Project. Since the City will initiate and carry out the required AB52 Native American Consultation, the results of the consultation are not provided in the cultural report.

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

- The geologic unit underlying the Project area is mapped entirely as alluvium deposits dating to the Pleistocene epoch. Pleistocene alluvial units are considered to be of high paleontological sensitivity. The Western Science Center does not have localities within the Project area but does have numerous localities within similarly mapped alluvial sediments throughout the region. Pleistocene alluvial deposits in southern California are well documented and known to contain abundant fossil resources including those associated with Columbian mammoth *(Mammuthus columbi),* Pacific mastodon *(Mammut pacificus)*, Sabertooth cat *(Smilodon fatalis),* Ancient horse *(Equus sp.)* and many other Pleistocene megafauna.

- Any fossils recovered from the Maverick Gas Station Project area would be scientifically significant. Excavation activity associated with development of the area has the potential to impact the paleontologically sensitive Pleistocene alluvial units and it is the recommendation of the Western Science Center that a paleontological resource mitigation plan be put in place to monitor, salvage, and curate any recovered fossils associated with the current study area.

- Additionally, due to the positive records search, as suggested by NAHC, the Chemehuevi Indian Tribe and the San Manuel Band of Mission Indians (SMBMI) will be contacted as suggested by NAHC. As previously noted, the Cabazon Band of Mission Indians**,** Twenty-Nine Palms Band of Mission Indians, and Morongo Band of Mission Indians where also contacted and no response, comments, questions, or specific mitigation measures have been provided by the various tribes. As required by State Law, the Project is anticipated to adhere to the following during construction activities:

- If human remains or funerary objects are encountered during any activities associated with the Project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the Project. As required by State Law, the Project is anticipated to adhere to the following during construction activities:

- The Lead Agency and the Project Applicant shall immediately contact the San Bernardino County Coroner and the applicable designated tribal entity in the event that any human remains are discovered during implementation of the Project. 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, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code §7050.5 (c). The NAHC-identified Most Likely Descendant (MLD), shall be allowed, under California PRC §5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and funerary objects shall be treated and disposed of with appropriate dignity. The MLD, Project Applicant/developer/landowner, and Lead Agency agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes. The MLD shall complete its inspection and make recommendations within forty-eight (48) hours of being granted access to the site, as required by California PRC §5097.98. Reburial of human remains and/or funerary objects shall be accomplished in compliance with the California PRC §5097.98 (a) and (b). The MLD, in consultation with the Project Applicant/developer/landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. Mitigation Measure CUL-3 would reduce potentially significant impacts on archaeological to less than significant.

Mitigation Measure:

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

The Project is anticipated to have a less than significant impact on human remains, including those interred outside of dedicated cemeteries with compliance with the previously noted applicable laws and with implementation of MM CUL-3.

Cumulative Impacts

The proposed Project would not create a cumulative impact to a known historical, archaeological or paleontological resource or human remains.

ENERGY

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
6. ENERGY. Would the Project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

An Energy Assessment was prepared for the proposed Project by Kimley-Horn on September 14, 2021 and included as Appendix D and the results are summarized herein.

Building Energy Conservation Standards

The California Building Standard Codes (Title 24, Part 6, of the CCR) are updated every three years by the California Energy Commission to help reduce wasteful and unnecessary energy consumption in newly constructed and existing buildings.[8] The 2019 California Building Standards Codes (or California Building Codes; CBC) standards aim to increase energy efficiency, save consumer money, and improve air quality both indoors and outdoors. Title 24 also requires all new homes to install solar photovoltaic systems, making California the first state in the nation to have a solar mandate. For nonresidential buildings, Title 24, Part 6 revises ventilation and lighting requirements, among them updating prescriptive indoor and outdoor lighting power allowance values to assume the use of LED lighting, plus revisions to HVAC and acceptance test requirements which would ultimately lead to a higher energy efficiency. New efficiency standards outline stricter requirements for insulation in attics, walls, and windows to save additional energy. Finally, the standards encourage measures such as battery storage and heat pump water heaters to shift energy usage to off-peak hours.[9]

Senate Bill 350

SB 350, also known as the Clean Energy and Pollution Reduction Act, established clean energy, clean air, and greenhouse gas (GHG) reduction goals, including reducing GHG to 40 percent below 1990 levels by 2030 and to 80 percent below 1990 levels by 2050.

[8] California Energy Commission. (2021) Building Energy Efficiency Standards for Residential and Nonresidential Buildings. Available at https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency. Accessed January 28, 2021.

[9] California Energy Commission. (2021) *Building Energy Efficiency Standards for Residential and Nonresidential Buildings.* Available at https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency. Accessed January 14, 2021.

Senate Bill 100

On September 10, 2018, Governor Brown signed SB 100. Under SB 100 or the California Renewables Portfolio Standard Program, the Public Utilities Commission (PUC) is required to establish a renewables portfolio standard requiring all retail sellers, as defined, to procure a minimum quantity of electricity products from eligible renewable energy resources, as defined, so that the total kilowatt-hours of those products sold to their retail end-use customers achieve 25% of retail sales by December 31, 2016, 33% by December 31, 2020, 40% by December 31, 2024, 45% by December 31, 2027, and 50% by December 31, 2030. The program additionally requires each local publicly owned electric utility, as defined, to procure a minimum quantity of electricity products from eligible renewable energy resources to achieve the procurement requirements established by the program. The Legislature has found and declared that its intent in implementing the program is to attain, among other targets for sale of eligible renewable resources, the target of 50% of total retail sales of electricity by December 31, 2030.[10]

State CEQA Guidelines Appendix F

Pursuant to Section 15126.2(b), Section 15126.4 (a)(1)(C), and Appendix F of the State CEQA Guidelines, the environmental setting may include "existing energy supplies and energy use patterns in the region and locality." Energy usage is analyzed in this document due to the potential direct and indirect environmental impacts associated with the Project. Refer to Air Quality and Greenhouse Gas Emissions for additional regulatory background and environmental setting regarding the Project's energy use.

Electricity

Electricity is the flow of electrical power or charge and is both a basic part of nature and of the most widely used forms of energy. Electricity as a utility is considered a secondary energy source is a man-made resource by consuming or converting of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. Electricity can be supplied through a number of system components including substations and transformers that lower transmission line power (voltage) to a level appropriate for on-site distribution and use. The electricity generated is distributed through a network of transmission and distribution lines commonly called a power grid. Conveyance of electricity through transmission lines is typically responsive to market demands. Southern California Edison currently services the City of Victorville and would provide electrical service to the Project site.

Energy capacity, or electrical power, is generally measured in watts (W) while energy use is measured in watt-hours (Wh). For example, if a light post on-site has a capacity rating of 250 W, the energy required to power the light post on for one hour would be 250 Wh. If multiple light bulbs at 250 W bulbs were on for one hour, the energy required would be 2,500 Wh or 2.5 kilowatt-hour (kWh). On a utility-scale, a generator's capacity is typically rated in megawatts

[10] State of California. (2018). *Sb-100 California Renewables Portfolio Standard Program: Emissions of Greenhouse Gases*. Available at https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB100. Accessed January 14, 2021.

(MW), which is one million watts, while energy use is measured in megawatt-hours (MWh) or gigawatt-hours (GWh), which is one billion watt-hours.

Natural Gas

Natural gas is a naturally occurring hydrocarbon gas mixture used to heat buildings and water, cook food, dry clothes, and provide outdoor lighting. The Project's natural gas service provider, Southwest Gas services more than 2 million customers in Arizona, Nevada, and portions of California. Southwest Gas is committed to achieving a goal of 20% overall reduction in GHG emissions from fleet, building facilities, and other initiatives by 2025. According to the California Energy Commission (CEC), natural gas demand in San Bernardino County was 547,272,263 therms per year in 2019.

Energy Use[11]

Energy use is typically quantified using the British Thermal Unit (BTU). Total energy use in California was 7,829 trillion BTU in 2016 (the most recent year for which this specific data is available), which equates to an average of approximately 199 million BTU per capita. Of California's total energy use, the breakdown by sector is 28 percent transportation, 32 percent industrial, 18 percent commercial, and 21 percent residential. Total energy consumption includes the primary energy use, purchased electricity, and electrical system energy losses (energy conversion and other losses associated with the generation, transmission, and distribution of purchased electricity) and other energy losses.[12] Energy consumption is calculated based on four main sectors which are: residential, commercial, industrial and transportation. Total electrical system energy losses are apportioned to each end-use sector according to each sector's share of total annual U.S. electricity purchases with industrial being the highest energy consumer.

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?

Less Than Significant Impact.

Electricity

Southern California Edison (SCE) would provide electricity to the Project. The existing Project is currently vacant and does not consume electricity. Project buildout would result in a permanent increase in electricity usage. However, the increased demand is expected to be adequately served by the existing SCE electrical facilities. Total electricity demand in SCE's service area is forecast to increase by approximately 12,000 GWh—or 12 billion kWh—between 2015 and 2026. The increase in electricity demand from the Project would be 231,515 KWh per year, which represents a negligible percent increase compared to overall demand in SCE's service area. Therefore, projected electrical demand would not significantly impact SCE's level of service.

[11] United States Energy Information Administration. (November 15, 2018). *California State Profile and Energy Estimates*. Available at www.eia.gov/state/?sid=CA. Accessed January 28, 2021.
[12] U.S Energy Information Administration. (2020). *Use of Energy Explained.* Available at https://www.eia.gov/energyexplained/use-of-energy/. Accessed January 28, 2021.

As discussed above, all nonresidential buildings would comply with the latest 2019 Building Energy Efficiency Standards. The City of Victorville Building & Safety Department would review and verify that the Project is compliant with the current version of the Building and Energy Efficiency Standards prior to issuance of a building permit. In addition, the proposed Project would adhere to the standards listed in Chapters 3 through Chapter 8 of the 2019 CBC, Title 24, Part 11, also known as CALGreen which aims to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encourages sustainable construction in planning and design, energy, water, and resource efficiency, and water and material conservation.[13]

Some design features include the utilization of high-performance light-emitting diode (LED) security lighting for the parking lots. In addition, the Project would provide clean air/carpool parking per CalGreen requirements. Project implementation would not hinder the 60 percent Renewable Portfolio Standard goals set forth in SB 100 for 2030 or the 100 percent standard for 2045. These goals apply to Southern California Edison. Although a tenant has not been established, all emissions from the Project's long-term electricity usage would decrease from current emission estimates.

Natural Gas

Southwest Gas would provide natural gas service to the Project site. The increased demand of natural gas is expected to be adequately served by the existing Southwest Gas facilities. According to the California Energy Demand 2018-2030 Revised Forecast, with the implementation of the 2016 Title 24 building standards and AAEE natural gas savings, the natural gas consumption demand substantially decreased from year 2018-2030 resulting in a higher capacity. The natural gas demand from the proposed Project would represent a nominal percentage (0.0016 % increase) of the overall demand in San Bernardino County. Adherence to Title 24, part 11 standards, and ability for Southwest Gas to support the Project's natural gas demand would not create significant wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

Fuel

During construction, transportation energy use depends on the type and number of trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. Transportation energy use during construction would come from the transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel and/or gasoline. The use of energy resources by these vehicles would fluctuate according to the phase of construction and would be temporary. In total construction of the Project would use approximately 31,129 gallons of diesel fuel and 7,813 gallons of gasoline which is less than

[13] International Code Council. (2019). *2019 California Green Building Standards Code, Title 24, Part 11*. Available at https://codes.iccsafe.org/content/CAGBSC2019/chapter-1-administration. Accessed January 28, 2021.

0.1 percent of the fuel used in San Bernardino County. Based on the total Project's relatively low construction fuel use proportional to annual County use, the Project would not substantially affect existing energy fuel supplies or resources. New capacity or additional sources of construction fuel are not anticipated to be required.

Furthermore, there are no unusual characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in the region or state. In addition, some energy conservation would occur during construction through compliance with state requirements that equipment not in use for more than five minutes be turned off. Project construction equipment would also be required to comply with the latest EPA and CARB engine emissions standards. These engines use highly efficient combustion engines to minimize unnecessary fuel use. Impacts related to transportation energy use during construction would not require expanded energy supplies or the construction of new infrastructure; impacts would not be significant.

During Project operations, energy consumption would be associated with customer vehicle trips, employee trips, and delivery trucks. Based on the Project's vehicle trip generation and emissions modeled in CalEEMod, the Project would consume approximately 317,991 gallons of gasoline per year and 22,737 gallons of diesel fuel per year. In 2023, San Bernardino County is anticipated to consume 864,004,222 gallons of gasoline and 279,166,484 gallons of diesel fuel. The Project's increased demand represents an increase of approximately 0.0368 percent of gasoline and 0.0161 percent of diesel. Therefore, the gasoline demand from the proposed Project would represent a nominal percentage of overall consumption in the region (i.e., less than a fraction of one percent). Consequently, the proposed Project would not result in a substantial demand for energy that would require expanded supplies or the construction of other infrastructure or expansion of existing facilities. Project operations would comply with all applicable fuel efficiency standards and would not substantially affect existing fuel supplies or resources. Therefore, fuel consumption associated with vehicle trips generated by the proposed Project would not be considered inefficient, wasteful, or unnecessary.

Overall energy consumption in regard to electricity, natural gas, and fuel would not be wasteful, inefficient, or unnecessary during construction and operation of the proposed Project. Impacts would be less than significant without the use of mitigation.

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

No Impact. The Project is not within a state or local renewable energy or energy-efficient plan. The Project would be consistent with all applicable codes and regulations set by the state and City. The proposed Project would comply with CALGreen Standards, appliance efficiency regulations, and green building standards set by the CEC. As discussed above, the project would not cause inefficient energy consumption resulting in a less than significant impact.

Additionally, the Project would adhere to the California Energy Commission's Gridscape Solutions grant, which seeks to demonstrate the business case for advanced micro-grids in support of California's energy and Greenhouse Gases (GHG) policies to aid in the reduction of energy consumption and GHG emissions to meet the goals of AB 32. The Project would incorporate several energy efficiency design features that would comply with Title 24 requirements, as well as the California Green Building Code standards which the City would review prior to issuance of grading or building permit. As stated above, the Project would adhere to any applicable plan, policy or regulation of an agency adopted to reduce GHG emissions, including Title 24, AB 32, and SB 32; therefore, potential impacts are considered less than significant.

Cumulative Impacts

The Project's use of energy resources would not be significant in comparison to state, regional and local electricity, natural gas, gasoline, and diesel demand. As discussed above, additional capacity or supplies of energy resources would not be required and all cumulative present and future projects would be subject to compliance with all Federal and State requirements in addition to the City of Victorville's scrutiny. All project's potential energy impacts are site-specific and would require evaluation on a case-by-case basis, separate discretionary approval and CEQA assessment. This would help address potential energy consumption impacts and identify mitigation measures if necessary. Therefore, implementation of the Project would not result in a cumulative significant cumulative impact.

GEOLOGY AND SOILS

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
7. GEOLOGY AND SOILS. Would the Project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			x	
ii) Strong seismic ground shaking?			x	
iii) Seismic-related ground failure, including liquefaction?			x	
iv) Landslides?			x	
b) Result in substantial soil erosion or the loss of topsoil?			x	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			x	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			x	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				x
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		x		

A Geotechnical Engineering Study was prepared for the proposed Project by CMT Engineering Laboratories on September 10, 2020 and included as Appendix E. The Water Quality

Management Plan was prepared by Kimley-Horn on January 14, 2021 and provided as Appendix F. The results are summarized herein.

The Project site is located on the central portion of the Mojave Desert Geomorphic Province, which occupies a significant portion of southeastern California, and smaller portions of central California, southern Nevada, and western Arizona. The Mojave Desert Geomorphic Province is characterized by broad expanses of desert with localized mountains and dry lakebeds. The area is bounded by the Tehachapi, San Gabriel and San Bernardino Mountains to the west and southwest, Pinto Fault to the south, San Andreas Fault to the west, Garlock Fault to the north, and the Basin and Range Province to the east. Most of the faults within the central Mojave Desert trend to the northwest, parallel to the San Andreas Fault Zone, and truncate against the Garlock Fault, trending to the northeast. The closest known fault to the Project site is the Helendale Fault located approximately 15.0 miles northeast of the Project site.[14] According to the Web Soil Survey, one soil unit, or type, has been mapped within the Project site as Cajon Sand. l group A is defined as soils having good infiltration rates (low runoff potential). These soils have a good rate of water transmission. Based on the Geotechnical study, it was concluded that the site has good infiltration capacity. The measured infiltration rate for the site was determined to be 1.5 min/in (40 in/hr).

California Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act (Act) purpose is to mitigate the hazards of fault rupture by prohibiting the location of structures for human occupancy across the trace of an active fault. The Act dictates that cities and counties withhold development permits for projects within an Earthquake Fault Zone within their jurisdiction until geologic investigations demonstrate that the projects are not threatened by surface displacements from future earthquakes. According to the General Plan, no Alquist-Priolo zones are located within the City.[15]

Ground Shaking

Ground shaking is a general term referring to all aspects of motion of the earth's surface resulting from an earthquake that can cause major damage in seismic events. The extent of ground shaking results from the magnitude and intensity of the earthquake, distance from the epicenter, and local geologic conditions. Magnitude is a measure of the energy released by an earthquake; it is assessed by seismographs. Intensity is a subjective measure of the perceptible effects of seismic energy at a given point and varies with distance from the epicenter and local geologic conditions. Ground shaking can primarily cause property damage and injury during earthquakes and can result in other natural phenomenon such as surface rupture, liquefaction, landslides, lateral spreading, differential settlement, tsunamis, building failure, and broken gas and other utility lines, leading to fire and other collateral damage Areas underlain by thick, saturated,

[14] California Department of Conservation. 2020. *Data Viewer*. Available at https://maps.conservation.ca.gov/cgs/DataViewer/. Accessed January 28, 2021.

[15] City of Victorville. (2030). *General Plan – Seismicity*. Available at https://www.victorvilleca.gov/home/showpublisheddocument?id=1730. Accessed January 28, 2021.

unconsolidated soils will experience greater shaking motion than areas underlain by firm bedrock.

Seismicity and Seismic Hazards

Like the entire Southern California region, Victorville is located in an area of high seismic activity. The probability of a major earthquake from the San Andreas, Helendale, and the San Jacinto Faults is considered to be high. No faults or fault traces are known or suspected to exist within the planning area.[16]

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Less Than Significant Impact. The closest known fault to the project site is the Helendale Fault located approximately 15.0 miles northeast of the project site. No earthquake fault zone boundaries or County designated fault zones were identified at the Project site. As noted in the General Plan, the City does not contain any Alquist-Priolo earthquake fault zones. Additionally, because of the high probability of seismic activity, consistent with Seismic Safety Zone IV of the California Code, new developments are required to employ design and construction techniques that will reduce the potential for loss of life, injury, and property damage in the event of a major earthquake.[17] The Project would be designed and implemented using the latest CBC. A less than significant impact would occur.

ii) Strong seismic ground shaking?

Less Than Significant Impact. The high desert which includes the Project site is generally prone to seismic ground shaking. Consequently, the Project site's design and construction will comply with the latest 2019 California Building Code (CBC), City regulations, and other applicable state standards which would minimize the potential of strong seismic ground shaking impacts. The 2019 CBC became effective January 2, 2020 replacing the prior 2016 CBC. The CBC provides procedures for earthquake-resistant structural design based on the buildings risk or seismic design category that include considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. Therefore, with the Project conforming to the latest CBC Building Codes, impacts due to strong seismic ground shaking would be less than significant.

[16] City of Victorville. (2030). *General Plan – Seismicity*. Available at https://www.victorvilleca.gov/home/showpublisheddocument?id=1730. Accessed January 28, 2021.
[17] City of Victorville. (2030). *General Plan – Seismicity*. Available at https://www.victorvilleca.gov/home/showpublisheddocument?id=1730. Accessed January 28, 2021.

iii and iv) Seismic-related ground failure, including liquefaction? And Landslides?

Less Than Significant Impact. According to the Geotechnical study, groundwater was not encountered to the maximum depth explored of 71.5' feet. Based upon this condition, it was determined that a very low liquefaction potential exists onsite. Additionally, no land slide deposits or features, including lateral spread deposits, are mapped on or adjacent to the site. The site is not located within a known or mapped potential debris flow, stream flooding, or rock fall hazard areas. Therefore, a less than significant impacts would occur.

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. According to the Geotechnical study, approximately 6 inches of sandy topsoil was encountered at the surface across the site. As such, it is anticipated that topsoil stripping will need to include at least the upper 4 inches. The Project is subject to comply with Chapter 10.30, Storm Water and Urban Runoff Management and Discharge Control and Erosion and Sediment Control Plan of the Victorville Municipal Code for the purpose of controlling blowing sand and preventing soil erosion. As documented in the Water Quality Management Plan[18] (WQMP), the Project would comply with the City of Victorville and the National Pollutant Discharge Elimination System (NPDES) permitting process consistent with the San Bernardino County's Municipal Storm Water Management Program. The WQMP includes structural and non-structural erosion-control and sediment-control Best Management Practices (BMPs) that would meet or exceed measures required by the Construction General Permit (CGP) to control potential construction-related pollutants.

The Project would implement erosion control techniques such as mulching and matting, filter fences, straw bales, diversion terracing, and sediment basin. Additionally, as part of Project operations, routine maintenance would occur to ensure that erosion control or site stabilization measures are working. Therefore, impacts would be less than significant.

c, d) 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? And be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less Than Significant Impact. According to the Geotechnical study, no landslide deposits or features, including lateral spread deposits, are mapped on or adjacent to the site. The site is not located within a known or mapped potential debris flow, stream flooding, or rock fall hazard area.

Objective # 1.2 of the General Plan requires that a project identifies and mitigates hazards in the land use and development project planning process and requires that a complete geologic/geotechnical investigation as a standard procedure in the land use and project-level planning process. This applies to all projects subject to CEQA and other projects in areas where

[18] Kimley-Horn. January 2021. Water Quality Management Plan.

the City's Building Official determines there is a possible threat of liquefaction, subsidence, expansive soils, landslides or mudslides. Mitigation of soils/geotechnical constraints shall be defined prior to approval of projects involving discretionary permits, or prior to issuance of grading permits for projects that do not require discretionary approvals. As previously noted, the Project has prepared a site-specific Geotechnical study. No expansive soils or otherwise unstable soil that could potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse would occur.

Therefore, impacts associated with unstable and expansive soils would be less than significant.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. According to the General Plan, to prevent potential groundwater contamination due to subsurface septic systems, the City requires all new development to connect to a public sewer. As such, the Project would not involve a septic system and no impact from unsupportive soils would occur.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant with Mitigation. Refer to Mitigation Measures CUL-1 through CUL-3, above..

Cumulative Impacts

The potential cumulative impact related to earth and geology is typically site-specific. Implementation of the proposed Project would not create a significant adverse impact related to landform modification, grading, or the destruction of a geologically significant landform or feature with conformance with the 2019 CBC code and due to the soil properties being able to support the proposed Project features. Moreover, existing State and local laws and regulations are in place to protect people and property from substantial adverse geological and soils effects, including fault rupture, strong seismic ground shaking, seismic-induced ground failure (including liquefaction), and landslides. Additionally, the Project would be required to adhere to Standard Condition 1, below, which requires that a paleontological monitor be present during disturbing activities. These regulations would ultimately protect life and property from adverse effects related to soil erosion, expansive soils, loss of topsoil, development on an unstable geologic unit or soil type that could result in on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse.

Standard Condition 1: A paleontological monitor shall be present full-time during ground disturbing activities below four feet in depth, including but not limited to grading, trenching, utilities, and offsite easements. The paleontological monitor shall have the authority to temporarily halt or redirect grading and other construction activities if paleontological resources

are discovered. The monitor shall work under the direct supervision of a qualified paleontologist (B.S./B.A. in geology, or related discipline with an emphasis in paleontology and demonstrated competence in paleontological research, fieldwork, reporting, and curation). The qualified paleontologist shall be on the project site at the pre-construction meeting to discuss monitoring protocols. If, after excavation begins, the qualified paleontologist determines that the sediments are not likely to produce fossil resources, monitoring efforts shall be reduced. In the event of a paleontological discovery, the monitor shall flag the area and notify the construction crew immediately. No further disturbance in the flagged area shall occur until the qualified paleontologist has cleared the area. In consultation with the qualified paleontologist, the monitor shall quickly assess the nature and significance of the find. If the specimen is not significant, it shall be quickly mapped, documented, removed and the area cleared. If the discovery is significant, the qualified paleontologist shall notify the project applicant and the City of Victorville Planning Department immediately. In consultation with the project applicant and the City, the qualified paleontologist shall develop a plan of mitigation, which would likely include full-time monitoring, salvage excavation, scientific removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation of the find in a local qualified repository, and preparation of a report summarizing the find. Work in the area of the discovery shall resume once the find is properly documented and the qualified paleontologist authorizes resumption of construction work.

GREENHOUSE GAS EMISSIONS

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
8. GREENHOUSE GAS EMISSIONS. Would the Project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

The following analysis is based on the Greenhouse Gas Emissions Assessment prepared by Kimley-Horn and Associates dated September 2021 and is included as Appendix G of this IS/MND.

Background

Certain gases in the earth's atmosphere classified as GHGs, play a critical role in determining the earth's surface temperature. Solar radiation enters the earth's atmosphere from space. A portion of the radiation is absorbed by the earth's surface and a smaller portion of this radiation is reflected back toward space. This absorbed radiation is then emitted from the earth as low-frequency infrared radiation. The frequencies at which bodies emit radiation are proportional to temperature. Because the earth has a much lower temperature than the sun, it emits lower-frequency radiation. Most solar radiation passes through GHGs; however, infrared radiation is absorbed by these gases. As a result, radiation that otherwise would have escaped back into space is instead "trapped," resulting in a warming of the atmosphere. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate on earth.

The primary GHGs contributing to the greenhouse effect are carbon dioxide (CO2), methane (CH4), and nitrous oxide (N2O). Fluorinated gases also make up a small fraction of the GHGs that contribute to climate change. Examples of fluorinated gases include chlorofluorocarbons (CFCs), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF6), and nitrogen trifluoride (NF3); however, it is noted that these gases are not associated with typical land use development. Human-caused emissions of GHGs exceeding natural ambient concentrations are believed to be responsible for intensifying the greenhouse effect and leading to a trend of unnatural warming of the Earth's climate, known as global climate change or global warming.

GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants (TACs), which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about one day), GHGs have long atmospheric lifetimes (one to several thousand years). GHGs persist in the atmosphere for long enough time

periods to be dispersed around the globe. Although the exact lifetime of a GHG molecule is dependent on multiple variables and cannot be pinpointed, more CO2 is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, or other forms of carbon sequestration. Of the total annual human-caused CO2 emissions, approximately 55 percent is sequestered through ocean and land uptakes every year, averaged over the last 50 years, whereas the remaining 45 percent of human-caused CO2 emissions remains stored in the atmosphere[19]. **Table 11,** *Description of Greenhouse Gases,* describes the primary GHGs attributed to global climate change, including their physical properties.

Table 11: Description of Greenhouse Gases

Greenhouse Gas	Description
Carbon Dioxide (CO_2)	CO_2 is a colorless, odorless gas that is emitted naturally and through human activities. Natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood. The largest source of CO_2 emissions globally is the combustion of fossil fuels such as coal, oil, and gas in power plants, automobiles, and industrial facilities. The atmospheric lifetime of CO_2 is variable because it is readily exchanged in the atmosphere. CO_2 is the most widely emitted GHG and is the reference gas (Global Warming Potential of 1) for determining Global Warming Potentials for other GHGs.
Nitrous Oxide (N_2O)	N_2O is largely attributable to agricultural practices and soil management. Primary human-related sources of N_2O include agricultural soil management, sewage treatment, combustion of fossil fuels, and adipic and nitric acid production. N_2O is produced from biological sources in soil and water, particularly microbial action in wet tropical forests. The atmospheric lifetime of N_2O is approximately 120 years. The Global Warming Potential of N_2O is 298.
Methane (CH_4)	CH_4, a highly potent GHG, primarily results from off-gassing (the release of chemicals from nonmetallic substances under ambient or greater pressure conditions) and is largely associated with agricultural practices and landfills. Methane is the major component of natural gas, about 87 percent by volume. Human-related sources include fossil fuel production, animal husbandry, rice cultivation, biomass burning, and waste management. Natural sources of CH_4 include wetlands, gas hydrates, termites, oceans, freshwater bodies, non-wetland soils, and wildfires. The atmospheric lifetime of CH_4 is about 12 years and the Global Warming Potential is 25.
Hydrofluorocarbons (HFCs)	HFCs are typically used as refrigerants for both stationary refrigeration and mobile air conditioning. The use of HFCs for cooling and foam blowing is increasing, as the continued phase out of CFCs and HCFCs gains momentum. The 100-year Global Warming Potential of HFCs range from 124 for HFC-152 to 14,800 for HFC-23.
Perfluorocarbons (PFCs)	PFCs have stable molecular structures and only break down by ultraviolet rays about 60 kilometers above Earth's surface. Because of this, they have long lifetimes, between 10,000 and 50,000 years. Two main sources of PFCs are primary aluminum production and semiconductor manufacturing. Global Warming Potentials range from 6,500 to 9,200.
Chlorofluorocarbons (CFCs)	CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are nontoxic, nonflammable, insoluble, and

[19] Intergovernmental Panel on Climate Change, Carbon and Other Biogeochemical Cycles. In: Climate Change 2013: The Physical Science Basis, Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change, 2013. http://www.climatechange2013.org/ images/report/WG1AR5_ALL_FINAL.pdf.

Greenhouse Gas	Description
	chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. The Montreal Protocol on Substances that Deplete the Ozone Layer prohibited their production in 1987. Global Warming Potentials for CFCs range from 3,800 to 14,400.
Sulfur Hexafluoride (SF_6)	SF_6 is an inorganic, odorless, colorless, and nontoxic, nonflammable gas. It has a lifetime of 3,200 years. This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas. The Global Warming Potential of SF_6 is 23,900.
Hydrochlorofluorocarbons (HCFCs)	HCFCs are solvents, similar in use and chemical composition to CFCs. The main uses of HCFCs are for refrigerant products and air conditioning systems. As part of the Montreal Protocol, HCFCs are subject to a consumption cap and gradual phase out. The United States is scheduled to achieve a 100 percent reduction to the cap by 2030. The 100-year Global Warming Potentials of HCFCs range from 90 for HCFC-123 to 1,800 for HCFC-142b.
Nitrogen Trifluoride (NF_3)	NF_3 was added to Health and Safety Code section 38505(g)(7) as a GHG of concern. This gas is used in electronics manufacture for semiconductors and liquid crystal displays. It has a high global warming potential of 17,200.
Source: Compiled from U.S. EPA, *Overview of Greenhouse Gases*, April 11, 2018 (https://www.epa.gov/ghgemissions/overview-greenhouse-gases); U.S. EPA, *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2016*, 2018; Intergovernmental Panel on Climate Change, *Climate Change 2007: The Physical Science Basis*, 2007; National Research Council, Advancing the Science of Climate Change, 2010; U.S. EPA, *Methane and Nitrous Oxide Emission from Natural Sources*, April 2010.	

Regulations and Significance Criteria

California Air Resources Board

The California Air Resources Board (CARB) is responsible for the coordination and oversight of State and local air pollution control programs in California. Various statewide and local initiatives to reduce California's contribution to GHG emissions have raised awareness about climate change and its potential for severe long-term adverse environmental, social, and economic effects. California is a significant emitter of CO_2 equivalents (CO_2e) in the world and produced 459 million gross metric tons of CO_2e in 2013. In the State, the transportation sector is the largest emitter of GHGs, followed by industrial operations such as manufacturing and oil and gas extraction.

The State of California legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any state in the nation. Some legislation, such as the landmark Assembly Bill (AB) 32, *California Global Warming Solutions Act of 2006*, was specifically enacted to address GHG emissions. Other legislation, such as Title 24 building efficiency standards and Title 20 appliance energy standards, were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions. This section describes the major provisions of the legislation.

Assembly Bill 32 (California Global Warming Solutions Act of 2006)

AB 32 instructs the CARB to develop and enforce regulations for the reporting and verification of statewide GHG emissions. AB 32 also directed CARB to set a GHG emissions limit based on 1990

levels, to be achieved by 2020. It set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner.

California Air Resource Board Scoping Plan

CARB adopted the Scoping Plan to achieve the goals of AB 32. The Scoping Plan establishes an overall framework for the measures that would be adopted to reduce California's GHG emissions. CARB determined that achieving the 1990 emissions level would require a reduction of GHG emissions of approximately 29 percent below what would otherwise occur in 2020 in the absence of new laws and regulations (referred to as "business-as-usual")[20]. The Scoping Plan evaluates opportunities for sector-specific reductions, integrates early actions and additional GHG reduction measures by both CARB and the State's Climate Action Team, identifies additional measures to be pursued as regulations, and outlines the adopted role of a cap-and-trade program[21]. Additional development of these measures and adoption of the appropriate regulations occurred through the end of 2013. Key elements of the Scoping Plan include:

- Expanding and strengthening existing energy efficiency programs, as well as building and appliance standards.
- Achieving a statewide renewables energy mix of 33 percent by 2020.
- Developing a California cap-and-trade program that links with other programs to create a regional market system and caps sources contributing 85 percent of California's GHG emissions (adopted in 2011).
- Establishing targets for transportation-related GHG emissions for regions throughout California and pursuing policies and incentives to achieve those targets (several sustainable community strategies have been adopted).
- Adopting and implementing measures pursuant to existing State laws and policies, including California's clean car standards, heavy-duty truck measures, the Low Carbon Fuel Standard (amendments to the Pavley Standard adopted 2009; Advanced Clean Car standard adopted 2012), goods movement measures, and the Low Carbon Fuel Standard (adopted 2009).
- Creating targeted fees, including a public goods charge on water use, fees on gasses with high global warming potential, and a fee to fund the administrative costs of the State of California's long-term commitment to AB 32 implementation.

In 2012, CARB released revised estimates of the expected 2020 emissions reductions. The revised analysis relied on emissions projections updated in light of current economic forecasts that accounted for the economic downturn since 2008, reduction measures already approved and put

[20] CARB defines business-as-usual (BAU) in its Scoping Plan as emissions levels that would occur if California continued to grow and add new GHG emissions but did not adopt any measures to reduce emissions. Projections for each emission-generating sector were compiled and used to estimate emissions for 2020 based on 2002–2004 emissions intensities. Under CARB's definition of BAU, new growth is assumed to have the same carbon intensities as was typical from 2002 through 2004.

[21] The Climate Action Team, led by the secretary of the California Environmental Protection Agency, is a group of State agency secretaries and heads of agencies, boards, and departments. Team members work to coordinate statewide efforts to implement global warming emissions reduction programs and the State's Climate Adaptation Strategy.

in place relating to future fuel and energy demand, and other factors. This update reduced the projected 2020 emissions from 596 million metric tons of CO_2e ($MMTCO_2e$) to 545 $MMTCO_2e$. The reduction in forecasted 2020 emissions means that the revised business-as-usual reduction necessary to achieve AB 32's goal of reaching 1990 levels by 2020 is now 21.7 percent, down from 29 percent. CARB also provided a lower 2020 inventory forecast that incorporated State-led GHG emissions reduction measures already in place. When this lower forecast is considered, the necessary reduction from business-as-usual needed to achieve the goals of AB 32 is approximately 16 percent.

CARB adopted the first major update to the Scoping Plan on May 22, 2014. The updated Scoping Plan summarizes the most recent science related to climate change, including anticipated impacts to California and the levels of GHG emissions reductions necessary to likely avoid risking irreparable damage. It identifies the actions California has already taken to reduce GHG emissions and focuses on areas where further reductions could be achieved to help meet the 2020 target established by AB 32.

In 2016, the Legislature passed Senate Bill (SB) 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation, AB 197, which provides additional direction for developing the Scoping Plan. On December 14, 2017 CARB adopted a second update to the Scoping Plan[22]. The 2017 Scoping Plan details how the State will reduce GHG emissions to meet the 2030 target set by Executive Order B-30-15 and codified by SB 32. Other objectives listed in the 2017 Scoping plan are to provide direct GHG emissions reductions; support climate investment in disadvantaged communities; and, support the Clean Power Plan and other Federal actions.

Senate Bill 32 (California Global Warming Solutions Act of 2006: Emissions Limit)

Signed into law in September 2016, SB 32 codifies the 2030 GHG reduction target in Executive Order B-30-15 (40 percent below 1990 levels by 2030). The bill authorizes CARB to adopt an interim GHG emissions level target to be achieved by 2030. CARB also must adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective GHG reductions.

SB 375 (The Sustainable Communities and Climate Protection Act of 2008)

Signed into law on September 30, 2008, SB 375 provides a process to coordinate land use planning, regional transportation plans, and funding priorities to help California meet the GHG reduction goals established by AB 32. SB 375 requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, aligns planning for transportation and housing, and creates specified incentives for the implementation of the strategies.

[22] California Air Resources Board, *California's 2017 Climate Change Scoping Plan,* https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf. Accessed May 9, 2018.

AB 1493 (Pavley Regulations and Fuel Efficiency Standards)

AB 1493, enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the EPA's denial of an implementation waiver. The EPA subsequently granted the requested waiver in 2009, which was upheld by the by the U.S. District Court for the District of Columbia in 2011. The regulations establish one set of emission standards for model years 2009–2016 and a second set of emissions standards for model years 2017 to 2025. By 2025, when all rules will be fully implemented, new automobiles will emit 34 percent fewer CO_2e emissions and 75 percent fewer smog-forming emissions.

SB 1368 (Emission Performance Standards)

SB 1368 is the companion bill of AB 32, which directs the California Public Utilities Commission (CPUC) to adopt a performance standard for GHG emissions for the future power purchases of California utilities. SB 1368 limits carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than 5 years from resources that exceed the emissions of a relatively clean, combined cycle natural gas power plant. The new law effectively prevents California's utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the State. The CPUC adopted the regulations required by SB 1368 on August 29, 2007. The regulations implementing SB 1368 establish a standard for baseload generation owned by, or under long-term contract to publicly owned utilities, for 1,100 pounds of CO_2 per megawatt-hour.

SB 1078 and SBX1-2 (Renewable Electricity Standards)

SB 1078 requires California to generate 20 percent of its electricity from renewable energy by 2017. SB 107 changed the due date to 2010 instead of 2017. On November 17, 2008, Governor Arnold Schwarzenegger signed Executive Order S-14-08, which established a Renewable Portfolio Standard target for California requiring that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. Executive Order S-21-09 also directed CARB to adopt a regulation by July 31, 2010, requiring the State's load serving entities to meet a 33 percent renewable energy target by 2020. CARB approved the Renewable Electricity Standard on September 23, 2010 by Resolution 10-23. SBX1-2, which codified the 33 percent by 2020 goal.

SB 350 (Clean Energy and Pollution Reduction Act of 2015)

Signed into law on October 7, 2015, SB 350 implements the goals of Executive Order B-30-15. The objectives of SB 350 are to increase the procurement of electricity from renewable sources from 33 percent to 50 percent (with interim targets of 40 percent by 2024, and 25 percent by 2027) and to double the energy efficiency savings in electricity and natural gas end uses of retail customers through energy efficiency and conservation. SB 350 also reorganizes the Independent System Operator to develop more regional electricity transmission markets and improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

AB 398 (Market-Based Compliance Mechanisms)

Signed on July 25, 2017, AB 398 extended the duration of the Cap-and-Trade program from 2020 to 2030. AB 398 required CARB to update the Scoping Plan and for all GHG rules and regulations adopted by the State. It also designated CARB as the statewide regulatory body responsible for ensuring that California meets its statewide carbon pollution reduction targets, while retaining local air districts' responsibility and authority to curb toxic air contaminants and criteria pollutants from local sources that severely impact public health. AB 398 also decreased free carbon allowances over 40 percent by 2030 and prioritized Cap-and-Trade spending to various programs including reducing diesel emissions in impacted communities.

SB 150 (Regional Transportation Plans)

Signed on October 10, 2017, SB 150 aligns local and regional GHG reduction targets with State targets (i.e., 40 percent below their 1990 levels by 2030). SB 150 creates a process to include communities in discussions on how to monitor their regions' progress on meeting these goals. The bill also requires the CARB to regularly report on that progress, as well as on the successes and the challenges regions experience associated with achieving their targets. SB 150 provides for accounting of climate change efforts and GHG reductions and identify effective reduction strategies.

SB 100 (California Renewables Portfolio Standard Program: Emissions of Greenhouse Gases)

Signed into Law in September 2018, SB 100 increased California's renewable electricity portfolio from 50 to 60 percent by 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

Executive Orders Related to GHG Emissions

California's Executive Branch has taken several actions to reduce GHGs using executive orders. Although not regulatory, they set the tone for the State and guide the actions of state agencies.

Executive Order S-3-05. Executive Order S-3-05 was issued on June 1, 2005, which established the following GHG emissions reduction targets:

- By 2010, reduce GHG emissions to 2000 levels.
- By 2020, reduce GHG emissions to 1990 levels.
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. The 2020 goal was established to be a mid-term target. Because this is an executive order, the goals are not legally enforceable for local governments or the private sector.

Executive Order S-01-07. Issued on January 18, 2007, Executive Order S 01-07 mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation

fuels by at least 10 percent by 2020. The executive order established a Low Carbon Fuel Standard (LCFS) and directed the Secretary for Environmental Protection to coordinate the actions of the California Energy Commission, CARB, the University of California, and other agencies to develop and propose protocols for measuring the "life-cycle carbon intensity" of transportation fuels. CARB adopted the LCFS on April 23, 2009.

Executive Order S-13-08. Issued on November 14, 2008, Executive Order S-13-08 facilitated the California Natural Resources Agency development of the 2009 California Climate Adaptation Strategy. Objectives include analyzing risks of climate change in California, identifying and exploring strategies to adapt to climate change, and specifying a direction for future research.

Executive Order S-14-08. Issued on November 17, 2008, Executive Order S-14-08 expands the State's Renewable Energy Standard to 33 percent renewable power by 2020. Additionally, Executive Order S-21-09 (signed on September 15, 2009) directs CARB to adopt regulations requiring 33 percent of electricity sold in the State come from renewable energy by 2020. CARB adopted the Renewable Electricity Standard on September 23, 2010, which requires 33 percent renewable energy by 2020 for most publicly owned electricity retailers.

Executive Order S-21-09. Issued on July 17, 2009, Executive Order S-21-09 directs CARB to adopt regulations to increase California's RPS to 33 percent by 2020. This builds upon SB 1078 (2002), which established the California Renewable Portfolio Standard (RPS) program, requiring 20 percent renewable energy by 2017, and SB 107 (2006), which advanced the 20 percent deadline to 2010, a goal which was expanded to 33 percent by 2020 in the 2005 Energy Action Plan II.

Executive Order B-30-15. Issued on April 29, 2015, Executive Order B-30-15 established a California GHG reduction target of 40 percent below 1990 levels by 2030 and directs CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of CO_2e (MMTCO2e). The 2030 target acts as an interim goal on the way to achieving reductions of 80 percent below 1990 levels by 2050, a goal set by Executive Order S-3-05. The executive order also requires the State's climate adaptation plan to be updated every three years and for the State to continue its climate change research program, among other provisions. With the enactment of SB 32 in 2016, the Legislature codified the goal of reducing GHG emissions by 2030 to 40 percent below 1990 levels.

Executive Order B-55-18. Issued on September 10, 2018, Executive Order B-55-18 establishes a goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter. This goal is in addition to the existing statewide targets of reducing GHG emissions. The executive order requires CARB to work with relevant state agencies to develop a framework for implementing this goal. It also requires CARB to update the Scoping Plan to identify and recommend measures to achieve carbon neutrality. The executive order also requires state agencies to develop sequestration targets in the Natural and Working Lands Climate Change Implementation Plan.

Executive Order N-79-20. Signed in September 2020, Executive Order N-79-20 establishes as a goal that where feasible, all new passenger cars and trucks, as well as all drayage/cargo trucks and off-road vehicles and equipment, sold in California, will be zero-emission by 2035. The executive order sets a similar goal requiring that all medium and heavy-duty vehicles will be zero-emission by 2045 where feasible. It also directs CARB to develop and propose rulemaking for passenger vehicles and trucks, medium-and heavy-duty fleets where feasible, drayage trucks, and off-road vehicles and equipment "requiring increasing volumes" of new zero emission vehicles (ZEVs) "towards the target of 100 percent." The executive order directs the California Environmental Protection Agency, the California Geologic Energy Management Division (CalGEM), and the California Natural Resources Agency to transition and repurpose oil production facilities with a goal toward meeting carbon neutrality by 2045. Executive Order N-79-20 builds upon the CARB Advanced Clean Trucks regulation, which was adopted by CARB in July 2020.

California Regulations and Building Codes

California has a long history of adopting regulations to improve energy efficiency in new and remodeled buildings. These regulations have kept California's energy consumption relatively flat even with rapid population growth.

Title 20 Appliance Efficiency Regulations. The appliance efficiency regulations (California Code of Regulations [CCR] Title 20, Sections 1601-1608) include standards for new appliances. Twenty-three categories of appliances are included in the scope of these regulations. These standards include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances.

Title 24 Building Energy Efficiency Standards. California's Energy Efficiency Standards for Residential and Nonresidential Buildings (CCR Title 24, Part 6), was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The 2019 Building Energy Efficiency Standards were adopted on May 9, 2018 and took effect on January 1, 2020. Under the 2019 standards, homes will use about 53 percent less energy and nonresidential buildings will use about 30 percent less energy than buildings under the 2016 standards.

Title 24 California Green Building Standards Code. The California Green Building Standards Code (CCR Title 24, Part 11 code) commonly referred to as the CALGreen Code, is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. The CALGreen standards require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or

require additional measures in the five green building topics. Updates to the 2016 CALGreen Code took effect on January 1, 2020 (2019 CALGreen). The 2019 CALGreen standards continue to improve upon the standards for new construction of, and additions and alterations to, residential and nonresidential buildings.

CARB Advanced Clean Truck Regulation. CARB adopted the Advanced Clean Truck Regulation in June 2020 requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California is required to be zero-emission. This rule directly addresses disproportionate risks and health and pollution burdens and puts California on the path for an all zero-emission short-haul drayage fleet in ports and railyards by 2035, and zero-emission "last-mile" delivery trucks and vans by 2040. The Advanced Clean Truck Regulation accelerates the transition of zero-emission medium-and heavy-duty vehicles from Class 2b to Class 8. The regulation has two components including a manufacturer sales requirement, and a reporting requirement:

- Zero-Emission Truck Sales: Manufacturers who certify Class 2b through 8 chassis or complete vehicles with combustion engines are required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales need to be 55 percent of Class 2b – 3 truck sales, 75 percent of Class 4 – 8 straight truck sales, and 40 percent of truck tractor sales.
- Company and Fleet Reporting: Large employers including retailers, manufacturers, brokers and others would be required to report information about shipments and shuttle services. Fleet owners, with 50 or more trucks, would be required to report about their existing fleet operations. This information would help identify future strategies to ensure that fleets purchase available zero-emission trucks and place them in service where suitable to meet their needs.

Regional

Mojave Desert Air Quality Management District Thresholds

The MDAQMD has recommended a threshold of 100,000 metric tons per year or 548,000 pounds per day of carbon dioxide equivalent (CO_2eq).

Southern California Association of Governments

On September 3, 2020, SCAG's Regional Council adopted Connect SoCal (2020 - 2045 Regional Transportation Plan/Sustainable Communities Strategy [2020 RTP/SCS]). The RTP/SCS charts a course for closely integrating land use and transportation so that the region can grow smartly and sustainably. The strategy was prepared through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. The RTP/SCS is a long-range vision plan that balances future mobility and housing needs with economic, environmental, and public health goals. The SCAG region strives toward sustainability through

integrated land use and transportation planning. The SCAG region must achieve specific federal air quality standards and is required by state law to lower regional GHG emissions.

San Bernardino County Regional Greenhouse Gas Reduction Plan

In response to statewide GHG reduction initiatives, the San Bernardino Associated Governments (formerly SANBAG, now known as San Bernardino Council of Governments or SBCOG), cooperated to compile an inventory of GHG emissions and an evaluation of reduction measures to be adopted by the cities partnering within SBCOG. Reduction measures in the GHG Reduction Plan (GHGRP) are targeting GHG goals for the year 2020. The policies listed in the GHGRP range from broadly supporting energy efficiency and sustainability to policies closely tied to specific GHG reduction measures. Application of these policies is expected to reduce local GHGs by an estimated 387,998 $MTCO_2e$ from "business as usual" levels in 2020. This would equate to a 28.0 percent reduction in GHGs from the 2008 levels of 1,238,926 $MTCO_2e$ annually.

Local

City of Victorville Climate Action Plan (CAP)

The City has prepared a Climate Action Plan (CAP), which provides a framework for reducing GHG emissions and managing resources to best prepare for a changing climate. In order to determine consistency with the CAP, the City of Victorville provided Screening Tables to aid in measuring the reduction of GHG emissions attributable to certain design and construction measures incorporated into development projects. The CAP establishes categories of GHG reduction measures to reduce GHG emissions generated by development projects. CAP GHG reduction measure categories include energy conservation, water use reduction, increased residential density or mixed uses, transportation management, and solid waste recycling. However, as the screening tables are developed to only meet 2020 emissions reduction targets, they are no longer applicable.

San Bernardino County Regional Greenhouse Gas Reduction Plan (2021)

In response to AB 32 and SB 32, an informal project partnership, led by the San Bernardino Council of Governments (SBCOG), compiled a GHG emissions inventory and an evaluation of reduction measures that could be adopted by the 25 Partnership Cities of San Bernardino County. This group is referred to as the SBCOG and Participating San Bernardino County Jurisdictions Partnership (Partnership).

The Partnership has committed to undertake the following actions that will reduce GHG emissions associated with its regional (or countywide) activities.

1. Prepare a baseline (2016) GHG emissions inventory for each of the 25 Partnership jurisdictions in the county.

2. Prepare future year (2020, 2030, and 2045) GHG emissions forecasts for each of the jurisdictions.

3. Develop general GHG reduction measures and jurisdiction-specific measures appropriate for each jurisdiction.

4. Develop consistent baseline information for jurisdictions to use for their development of community climate action plans (CAPs) meeting jurisdiction-identified reduction goals.

Victorville is one of the 25 partnership jurisdictions participating in the GHG Reduction Plan. The GHG Reduction Plan describes the GHG emissions avoided in 2030 associated with each local and state action, and each jurisdiction's predicted progress towards their selected GHG reduction goal. Each jurisdiction has its own section that details the jurisdiction's 2016 GHG emissions inventory, 2030 GHG emissions forecast, reduction goal, jurisdiction-selected (or consultant-identified) GHG reduction measures, and related General Plan policies or other ongoing programs in the jurisdiction.

The GHG Reduction Plan describes the projected GHG reductions that can be achieved for the region through the combined efforts of all Partnership jurisdictions if they were to fully implement the reduction measures identified in the Reduction Plan. The Reduction Plan is intended to serve as a foundation upon which the Partnership jurisdictions can develop individual jurisdiction-specific CAPs to be adopted and enacted according to their own internal procedures.

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact.

Short-Term Construction Greenhouse Gas Emissions

The Project would result in direct emissions of GHGs from construction. The approximate quantity of daily GHG emissions generated by construction equipment utilized to build the Project is depicted in **Table 12,** *Construction-Related Greenhouse Gas Emissions.*

Table 12: Construction-Related Greenhouse Gas Emissions

Category	$MTCO_2e$
Construction	547
30-Year Amortized Construction	18
Source: CalEEMod version 2020.4.0. Refer to Appendix A for model outputs.	

As shown, the Project would result in the generation of approximately 547 $MTCO_2e$ over the course of construction. Construction GHG emissions are typically summed and amortized over the lifetime of the Project (assumed to be 30 years), then added to the operational emissions[23].

[23] The project lifetime is based on the standard 30-year assumption of the South Coast Air Quality Management District (South Coast Air Quality Management District, *Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #13,* August 26, 2009).

The amortized Project construction emissions would be 18 $MTCO_2e$ per year. Once construction is complete, the generation of these GHG emissions would cease.

Long-Term Operational Greenhouse Gas Emissions

Operational or long-term emissions occur over the life of the Project. GHG emissions would result from direct emissions such as Project generated vehicular traffic, on-site combustion of natural gas, and operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power, the energy required to convey water to, and wastewater from the Project, the emissions associated with solid waste generated from the Project, and any fugitive refrigerants from air conditioning or refrigerators.

Total GHG emissions associated with the Project are summarized in **Table 13,** *Project Greenhouse Gas Emissions*. As shown in Table 13, the Project would generate approximately 5,010 $MTCO_2e$ annually from both construction and operations of the Project. Project related GHG emissions would not exceed the threshold of 100,000 MT CO_2e/year and thus would result in a less than significant impact.

Table 13: Project Greenhouse Gas Emissions

Emissions Source	$MTCO_2e$ per Year
Area	0.005
Energy	121
Mobile	4,834
Waste	29
Water	8
Amortized Construction Emissions	18
Total Annual Project GHG Emissions	5,010
Threshold	100,000
Exceeds Threshold?	**No**

Source: CalEEMod version 2020.4.0. Refer to Appendix A for model outputs.
Note: Total values are from CalEEMod and may not add up 100% due to rounding.

Mitigation Measures: No mitigation is required.

Level of Significance: Less than significant impact.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact.

San Bernardino County Regional Greenhouse Gas Reduction Plan Consistency

SBCOG has prepared a Regional GHG Reduction Plan, which provides a framework for GHG emissions inventory and reduction measures for 25 jurisdictions. Victorville is one of the 25 partnership jurisdictions participating in the study to best prepare for a changing climate. The followings determine consistency with the Victorville portion of the San Bernardino County Regional Greenhouse Gas Reduction Plan and explain the measures and the Project's consistency with each measure.

Table 3.66 of the San Bernardino Greenhouse Gas Reduction Plan proposes two main categories of the measures: State Measures and Local measures. State measures include SB 100, SB 350, Title 24, Solar-Water Heater, Increased CHP, OnRoad, and SB 1383. As these measures focus on energy efficiency standards and decarbonizing transportation fuels and the electrical grid, it can be anticipated that operation of the proposed Project would benefit from the implementation of current and potential future state regulations (e.g., improvements in vehicle emissions, SB 100/renewable electricity portfolio improvements, SB 350/clean energy and the energy efficiency savings in electricity and natural gas, CARB's Mobile Source Strategy, etc.) enacted to meet the states GHG reduction targets. The Project would not obstruct or interfere with efforts to increase zero emission vehicles (ZEVs) or state efforts to improve system efficiency. Compliance with applicable State standards (e.g., continuation of the Cap-and-Trade regulation; CARB's Mobile Source Strategy, Sustainable Freight Action Plan, and Advanced Clean Truck Regulation; Executive Order N-79-20; SB 350, SB 100/renewable electricity portfolio improvements that require 60 percent renewable electricity by 2030 and 100 percent renewable by 2045, etc.) would ensure consistency with State and regional GHG reduction planning efforts.

The SBCOG GHG Reduction Plan identifies policies from the City's General Plan that would reduce GHG emissions. The number of GHG emissions direct the City to implement certain programs and regulations to reduce GHG emissions. However, the project would also be consistent and not conflict with these measures, for example the policies that deal with Building Energy Efficiency, Lighting Efficiency, All Electric Buildings, Renewable, and Solar Energy.

Furthermore, the Project would have to comply with Title 24 and CALGreen to reduce energy consumption. Additional policies in the General Plan that are in the reduction strategy include On-Road measures that encourage Alternative Fueled Transit Fleets, Encourage Use of Mass Transit, Transportation Demand Management and Synchronization, and Expand Bike Routes. These measures would not apply to the Project directly as these are municipal measures.

All construction equipment and vehicles operating on the site would be required to meet State's idling restrictions. Additionally, pursuant to AB 1346, landscape equipment and small off-road engines are required to be zero-emissions by 2024.

Since the Project is a fuel station, waste and wastewater treatment measures do not apply to the Project. Regarding the water conveyance measure, the Project would comply with all CALGreen building code standards and water efficient landscape practices.

Regional Transportation Plan/Sustainable Communities Strategy Consistency

On September 3, 2020, SCAG's Regional Council adopted Connect SoCal (*2020-2045 Regional Transportation Plan/Sustainable Communities Strategy* [2020 RTP/SCS]). The RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The RTP/SCS embodies a collective vision for the region's future and is developed with input from local governments, county transportation commissions, tribal governments, nonprofit organizations, businesses, and local stakeholders in the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. SCAG's RTP/SCS establishes GHG emissions goals for automobiles and light-duty trucks for 2020 and 2035 as well as an overall GHG target for the Project region consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of Executive Orders 5-03-05 and B-30-15.

The RTP/SCS contains over 4,000 transportation projects, ranging from highway improvements, railroad grade separations, bicycle lanes, new transit hubs and replacement bridges. These future investments were included in county plans developed by the six county transportation commissions and seek to reduce traffic bottlenecks, improve the efficiency of the region's network, and expand mobility choices for everyone. The RTP/SCS is an important planning document for the region, allowing project sponsors to qualify for federal funding.

The plan accounts for operations and maintenance costs to ensure reliability, longevity, and cost effectiveness. The RTP/SCS is also supported by a combination of transportation and land use strategies that help the region achieve state GHG emissions reduction goals and Federal Clean Air Act (FCAA) requirements, preserve open space areas, improve public health and roadway safety, support our vital goods movement industry, and utilize resources more efficiently. GHG emissions resulting from development-related mobile sources are the most potent source of emissions, and therefore Project comparison to the RTP/SCS is an appropriate indicator of whether the Project would inhibit the post-2020 GHG reduction goals promulgated by the state. The Project's consistency with the RTP/SCS goals is analyzed in detail in **Table 14,** *Regional Transportation Plan/Sustainable Communities Strategy Consistency.*

Compliance with applicable State standards (e.g., continuation of the Cap-and-Trade regulation; CARB's Mobile Source Strategy, Sustainable Freight Action Plan, and Advanced Clean Truck Regulation; Executive Order N-79-20; SB 100/renewable electricity portfolio improvements that require 60 percent renewable electricity by 2030 and 100 percent renewable by 2045, etc.) would ensure consistency with State and regional GHG reduction planning efforts. The goals stated in the RTP/SCS were used to determine consistency with the planning efforts previously stated. As shown in Table 14, the proposed Project would be consistent with the stated goals of the RTP/SCS. Therefore, the proposed Project would not result in any significant impacts or interfere with SCAG's ability to achieve the region's post-2020 mobile source GHG reduction targets.

Table 14: Regional Transportation Plan/Sustainable Communities Strategy Consistency

SCAG Goals		Compliance	
GOAL 1:	Encourage regional economic prosperity and global competitiveness.	N/A:	This is not a project-specific policy and is therefore not applicable. However, the Project is located in a commercial area in proximity to existing development. The development of the site would contribute to regional economic prosperity.
GOAL 2:	Improve mobility, accessibility, reliability, and travel safety for people and goods.	Consistent:	This is not a project-specific policy. However, the Project would not exceed any air quality thresholds. Victor Valley Transit route 45 bus stop is approximately 160 feet southeast of the Project site. Also, it should be noted that the project is a fueling station that would serve existing vehicles to improve mobility, accessibility, reliability, and travel safety for people and goods.
GOAL 3:	Enhance the preservation, security, and resilience of the regional transportation system.	N/A:	This is not a transportation improvement project and is therefore not applicable.
GOAL 4:	Increase person and goods movement and travel choices within the transportation system.	N/A:	This is not a transportation improvement project and is therefore not applicable. However, the Project includes a fueling station use with amenities that would support goods movement.
GOAL 5:	Reduce greenhouse gas emissions and improve air quality.	N/A:	The Project is located within a commercial area in proximity to existing truck routes and freeways. The project is surrounded by existing commercial development and considered an infill site. The California Air Pollution Control Officers Association, *Quantifying Greenhouse Gas Mitigation Measures* (August 2010) identifies that infill developments, such as the proposed Project reduce vehicle miles traveled which reduces fuel consumption. Infill projects such as the proposed Project would have an improved location efficiency, which would reduce GHG and air quality emissions.
GOAL 6:	Support healthy and equitable communities.	Consistent:	The reduction of energy use, improvement of air quality, and promotion of more environmentally sustainable development are encouraged through the development of alternative transportation methods, green design techniques for buildings, and other energy-reducing techniques. This development project is required to comply with the provisions of the California Building Energy Efficiency Standards and the Green Building Standards Code (CALGreen). As discussed in the Air Quality Assessment, the Project would not result in health impacts. The Project is located on a site that is currently zoned Commercial and would

SCAG Goals		Compliance	
			not conflict with the surrounding community's ability to access healthy food or parks.
GOAL 7:	Adapt to a changing climate and support an integrated regional development pattern and transportation network.	N/A:	This is not a project-specific policy and is therefore not applicable.
GOAL 8:	Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	Consistent:	The Project involves a fueling station development and the site is bounded by Nisqualli Road to the south, Interstate-15 Freeway to the west, and Mariposa Road to the east. The Project would not disrupt land use patterns that facilitate transit and motorized/non-motorized transportation. The Project is located in a developed area in proximity to existing truck routes and freeways. As noted above, the project is surrounded by existing commercial development and considered an infill site. The California Air Pollution Control Officers Association, *Quantifying Greenhouse Gas Mitigation Measures* (August 2010) identifies that infill developments, such as the proposed Project reduce vehicle miles traveled which reduces fuel consumption. Infill projects such as the proposed Project would have an improved location efficiency, which would result in more efficient travel.
GOAL 9:	Encourage development of diverse housing types in areas that are supported by multiple transportation options.	N/A:	The Project involves development of a fueling station and does not include housing.
Goal 10:	Promote conservation of natural and agricultural lands and restoration of habitats.		This Project is not located on agricultural or habitat lands.
Source: Southern California Association of Governments, Connect SoCal, *Regional Transportation Plan/Sustainable Communities Strategy*, 2020.			

California Air Resource Board Scoping Plan Consistency

The California State Legislature adopted Assembly Bill (AB) 32 in 2006. AB 32 focuses on reducing GHGs (CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6) to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, CARB adopted the *Climate Change Scoping Plan* (Scoping Plan) in 2008, which outlines actions recommended to obtain that goal. The Scoping Plan provides a range of GHG reduction actions that include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as the cap-and-trade program, and an AB 32 implementation fee to fund the program. As shown in **Table 15,** *Project Consistency with Applicable CARB Scoping Plan Measures*, the Project is consistent with most of the strategies, while others are not applicable to the Project.

The 2017 Scoping Plan Update identifies additional GHG reduction measures necessary to achieve the 2030 target. These measures build upon those identified in the first update to the Scoping Plan in 2013. Although a number of these measures are currently established as policies and measures, some measures have not yet been formally proposed or adopted. It is expected that these actions to reduce GHG emissions will be adopted as required to achieve statewide GHG emissions targets. As such, impacts related to consistency with the Scoping Plan would be less than significant.

Table 15: Project Consistency with Applicable CARB Scoping Plan Measures

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
Transportation	California Cap-and-Trade Program Linked to Western Climate Initiative	Regulation for the California Cap on GHG Emissions and Market-Based Compliance Mechanism October 20, 2015 (CCR 95800)	**Consistent.** The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers. However, the regulation indirectly affects people who use the products and services produced by these industrial sources when increased cost of products or services (such as electricity and fuel) are transferred to the consumers. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, generated in-state or imported. Accordingly, GHG emissions associated with CEQA projects' electricity usage are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and combustion of other fossil fuels not directly covered at large sources in the Program's first compliance period.
	California Light-Duty Vehicle GHG Standards	Pavley I 2005 Regulations to Control GHG Emissions from Motor Vehicles Pavley I 2005 Regulations to Control GHG Emissions from Motor Vehicles	**Consistent**. This measure applies to all new vehicles starting with model year 2012. The Project would not conflict with its implementation as it would apply to all new passenger vehicles purchased in California. Passenger vehicles sold after the effective dates of the standards would comply with the Pavley emissions standards.
		2012 LEV III California GHG and Criteria Pollutant Exhaust and Evaporative Emission Standards	**Consistent.** The LEV III amendments provide reductions from new vehicles sold in California between 2017 and 2025. Passenger vehicles associated with the site would comply with LEV III standards.
	Low Carbon Fuel Standard	2009 readopted in 2015. Regulations to Achieve GHG Emission Reductions Sub-article 7. Low Carbon Fuel Standard CCR 95480	**Consistent.** This measure applies to transportation fuels utilized by vehicles in California. The Project would not conflict with implementation of this measure. Motor vehicles associated with construction and operation of the Project would utilize low carbon transportation fuels as required under this measure.
	Regional Transportation-Related GHG Targets.	SB 375. Cal. Public Resources Code §§ 21155, 21155.1, 21155.2, 21159.28	**Consistent**. The Project would provide development in the region that is consistent with the growth projections in the RTP/SCS.
	Goods Movement	Goods Movement Action Plan January 2007	**Not applicable**. The Project does not propose any changes to maritime, rail, or intermodal facilities or forms of transportation.
	Medium/Heavy-Duty Vehicle	2010 Amendments to the Truck and Bus Regulation, the Drayage Truck Regulation and the	**Consistent**. This measure applies to medium and heavy-duty vehicles that operate in the state. The Project would not conflict with implementation of this measure. Medium and heavy-duty vehicles associated with

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
		Tractor-Trailer GHG Regulation	construction and operation of the Project would be required to comply with the requirements of this regulation.
	High Speed Rail	Funded under SB 862	**Not applicable**. This is a statewide measure that cannot be implemented by a project applicant or Lead Agency.
Electricity and Natural Gas	Energy Efficiency	Title 20 Appliance Efficiency Regulation	**Consistent.** The Project would not conflict with implementation of this measure. The Project would comply with the latest energy efficiency standards.
		Title 24 Part 6 Energy Efficiency Standards for Residential and Non-Residential Building	
		Title 24 Part 11 California Green Building Code Standards	
	Renewable Portfolio Standard/ Renewable Electricity Standard.	2010 Regulation to Implement the Renewable Electricity Standard (33% 2020)	**Consistent**. The Project would obtain electricity from the electric utility, Southern California Edison (SCE). SCE obtained 36 percent of its power supply from renewable sources in 2019. Therefore, the utility would provide power when needed on-site that is composed of a greater percentage of renewable sources.
	Million Solar Roofs Program	SB 350 Clean Energy and Pollution Reduction Act of 2015 (50% 2030)	
	Million Solar Roofs Program	Tax Incentive Program	**Consistent.** This measure is to increase solar throughout California, which is being done by various electricity providers and existing solar programs. The program provides incentives that are in place at the time of construction.
Water	Water	Title 24 Part 11 California Green Building Code Standards	**Consistent.** The Project would comply with the CalGreen standards, which requires a 20 percent reduction in indoor water use. The Project would also comply with the City's Water-Efficient Landscaping Regulations (Chapter 13.60 of the Victorville Municipal Code).
		SBX 7-7—The Water Conservation Act of 2009	
		Model Water Efficient Landscape Ordinance	
Green Buildings	Green Building Strategy	Title 24 Part 11 California Green Building Code Standards	**Consistent.** The State is to increase the use of green building practices. The Project would implement required green building strategies through existing regulation that requires the Project to comply with various CalGreen requirements. The Project includes sustainability design features that support the Green Building Strategy.
Industry	Industrial Emissions	2010 CARB Mandatory Reporting Regulation	**Not applicable.** The Mandatory Reporting Regulation requires facilities and entities with more than 10,000 $MTCO_2e$ of combustion and process emissions, all facilities belonging to certain industries, and all electric power entities to submit an annual GHG emissions data report directly to CARB. As shown above, total Project GHG emissions would not exceed 100,000 $MTCO_2e$. Therefore, this regulation would not apply.
Recycling and Waste Management	Recycling and Waste	Title 24 Part 11 California Green Building Code Standards	**Consistent.** The Project would not conflict with implementation of these measures. The Project is required to achieve the recycling mandates via compliance with the CALGreen code. The City has consistently achieved its state recycling mandates.
		AB 341 Statewide 75 Percent Diversion Goal	
Forests	Sustainable Forests	Cap and Trade Offset Projects	**Not applicable.** The Project is in an area designated for commercial uses. No forested lands exist on-site.

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
High Global Warming Potential	High Global Warming Potential Gases	CARB Refrigerant Management Program CCR 95380	**Not applicable**. The regulations are applicable to refrigerants used by large air conditioning systems and large commercial and industrial refrigerators and cold storage system. The Project would not conflict with the refrigerant management regulations adopted by CARB.
Agriculture	Agriculture	Cap and Trade Offset Projects for Livestock and Rice Cultivation	**Not applicable**. The Project site is designated for commercial development. No grazing, feedlot, or other agricultural activities that generate manure occur currently exist on-site or are proposed to be implemented by the Project.

Source: California Air Resources Board, *California's 2017 Climate Change Scoping Plan*, November 2017 and CARB, *Climate Change Scoping Plan*, December 2008.

The Project would generate approximately 5,010 $MTCO_2e$ per year directly from on-site activities and indirectly from off-site motor vehicles. GHG emissions would not exceed MDAQMD thresholds and would be less than significant.

Regarding goals for 2050 under Executive Order S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures, as they have not yet been developed; nevertheless, it can be anticipated that operation of the proposed Project would benefit from the implementation of current and potential future regulations (e.g., improvements in vehicle emissions, SB 100/renewable electricity portfolio improvements, CARB's Mobile Source Strategy, etc.) enacted to meet an 80 percent reduction below 1990 levels by 2050.

The Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for reducing the emissions of GHGs because the Project would generate low levels of GHGs, and would not impede implementation of the Scoping Plan, or conflict with the policies of the Scoping Plan or any other GHG reduction plan. Therefore, the impacts would be less than significant.

Mitigation Measures: No mitigation is required.

Level of Significance: Less than significant impact.

Cumulative Impacts

Cumulative Setting

Climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and TACs, which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about 1 day), GHGs have much longer atmospheric lifetimes of 1 year to several thousand years that allow them to be dispersed around the globe.

Cumulative Impacts

It is generally the case that an individual project of this size and nature is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. The additive effect of Project-related GHGs would not result in a reasonably foreseeable cumulatively considerable contribution to global climate change. In addition, the Project as well as other cumulative related projects would also be subject to all applicable regulatory requirements, which would further reduce GHG emissions. As shown in **Table 14** and **Table 15**, the Project would not conflict with the RTP/SCS, or the CARB Scoping Plan. As a result, the Project would not conflict with any GHG reduction plans. Therefore, the Project's cumulative contribution of GHG emissions would be less than significant and the Project's cumulative GHG impacts would also be less than cumulatively considerable.

Mitigation Measures: No mitigation is required.

Level of Significance: Less than significant impact.

HAZARDS AND HAZARDOUS MATERIALS

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
9. HAZARDS AND HAZARDOUS MATERIALS. Would the Project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

a, b) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? And, create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less than Significant Impact.

Construction

Any potentially hazardous materials used during Project construction would be handled on-site. This generally includes paints and solvents and other petroleum-based products, usually used for on-site construction equipment and for building exterior finishes. The use or handling of these potentially hazardous materials would be short-term only during the construction phase of Project. Although these materials could be stored on-site, they would be required to comply with the guidelines established by the San Bernardino County Stormwater Pollution Prevention Plan (SWPPP). The transport, removal, and disposal of hazardous materials on the Project site would be conducted by a permitted and licensed service provider consistent with federal, state, and local requirements including the EPA, the California Department of Toxic Substances Control (DTSC), the California Occupational Safety and Health Administration (Cal/OSHA), Caltrans, the Resource Conservation and Recovery Act, and the Victorville Fire Department (VFD) or through the Conditionally Exempt Small Quantity Generator (CESQG) Program. With the compliance with local, state, and federal regulations short-term construction impacts associated with the handling, transport, use, and disposal of hazardous materials would be less than significant.

Operations

Direct hazardous waste would be generated from landscaping involving the use of pesticides/herbicides and fertilizers. Landscaping maintenance best management practices (BMPs) would be conducted according to the California Stormwater Quality Associations; Stormwater BMPs which would reduce pesticides and fertilizers from running off off-site. Indirect hazardous materials such as sediment, metals, oils and grease, trash/debris and other organic compounds that usually known as stormwater pollutants would be captures via infiltration basins to avoid stormwater runoff from seeping off-site.

Additionally, as noted in the General Plan, the Victorville Planning Area is traversed by major transportation arteries including Interstate 15, US Highway 395, State Highway 18, and the Atchison, Topeka, and Santa Fe Railroad right-of-way. Transportation of hazardous materials along these routes exposes people to potential for catastrophic events. Hazardous chemicals in the form of solids, liquids or gases may be released accidentally at an industrial site or from railcars or trucks transporting hazardous materials.

Recognizing the potential risks of hazardous materials, the City has adopted Chapter 6.49 of the Victorville Municipal Code, in compliance with Chapter 6.95 of the California Health and Safety Code, establishing a hazardous materials release response and inventory program. Additionally, the City of Victorville Fire Department has prepared a Hazardous Materials Incident Emergency Response Plan. This plan is subject to occasional amendment as new procedures develop or situations warrant. The objectives of this plan are as follows:

- Save lives and protect the environment and property in case of emergency;
- Describe the overall emergency response organization within the City of Victorville and its relationship to those of County, State, and Federal organizations;

- Establish lines of authority and coordination for hazardous materials incidents; and
- Identify and facilitate mutual aid to supplement needs.

Operations of the gas station would include the use, transport and handling of hazardous materials. Specifically, operation activities would include the regular transportation of gasoline to refill USTs, refilling USTs and pumping gasoline to fuel dispensers, and regular use of the fuel dispensers by motorists. As a result, the proposed Project could result in potentially adverse impacts to people and the environment as a result of hazardous materials being accidentally released into the environment (e.g., operators or motorists could spill gasoline while refueling, USTs or pipes dispensing fuel from USTs could leak, automobiles could crash into fuel dispensers, or motorists could refuel while having engine running causing a fire hazard).

However, the proposed Project would be required to operate in compliance with all with applicable federal, state, and local requirements which lessen the potential for these impacts. Some of these regulations include:

- California State Water Resources Control Board (SWRCB) Health and Safety Code, Section 25280, underground storage tanks (USTs) installed after 1988 are required to have a leak detection system consisting of at least one of the following detection methods: secondary containment with interstitial monitoring, automatic tank gauging systems (including continuous automatic tank gauging systems), vapor monitoring (including tracer compound analysis), groundwater monitoring, statistical inventory reconciliation, or other method meeting established performance standards.
- Efficacy requirements established by Environmental Protection Agency (EPA) require that leak detection methods be able to detect certain leak rates and that they also give the correct answer consistently. In general, methods must detect the specified leak rate with a probability of detection of at least 95 percent and a probability of false alarm of no more than 5 percent. EPA found that, with effective leak detection, operators can respond quickly to signs of leaks and minimize the extent of environmental damage and the threat to human health and safety.
- USTs and associated fuel delivery infrastructure (i.e., fuel dispensers) would be required to comply with applicable federal, state, and local regulations, including those provisions established by Section 2540.7, Gasoline Dispensing and Service Stations, of the California OSHA Regulations; Chapter 38, Liquefied Petroleum Gases, of the California Fire Code; the Resource Conservation and Recovery Act; and the County Fire Department Hazardous Materials Division.
- The proposed Project would also be required to incorporate high-efficiency Phase I and Phase II enhanced vapor recovery (EVR) systems to capture and control gasoline fumes. EVR refers to a new generation of equipment to control emissions at gasoline dispensing facilities in California. EVR systems collect gasoline vapors that would otherwise escape into the atmosphere during bulk fuel delivery (Phase I) or fuel storage and vehicle

refueling (Phase II). Since 2009, the installation of Phase I and Phase II EVR systems has been required for gasoline dispensing facilities.

- The fuel dispensers, USTs, and associated fuel delivery infrastructure would be subject to routine inspection by federal, state, and local regulatory agencies with jurisdiction over convenience service station facilities.
- The handling, transport, use, and disposal of hazardous materials must comply with applicable federal, state, and local agencies and regulations.

In addition to compliance with local, state, and federal requirements, Maverick would take additional measures to prevent environmental and safety impacts. Some of these additional measures, which are proposed as Project design features, include:

- Product, vapor, and vent piping would be noncorrosive and would provide three levels of protection. First, product piping would be monitored with pressure line leak detection. Second, piping would be double wall to provide secondary containment. Third, fiberglass piping would be additionally monitored under vacuum in accordance with AB 2481 regulations such that, if a breach is detected in the vacuum, the product delivery system would shut down, and the system would sound an audible alarm.
- Piping connections to the tanks and dispensers would be flexible. Flexible connectors would be used to prevent rupture from any form of ground movement.
- Piping would slope to the sumps at the USTs. If a piping leak occurs, the gasoline would flow through the secondary pipe to the sump, where a sensor would be triggered to immediately shut down the system and activate an audible/visual alarm.
- Tanks and dispensers would be equipped with latest Phase I and Phase II EVR vapor recovery air pollution control equipment technology in accordance with the California Air Resources Board regulations and associated Executive Orders. The Phase I EVR equipment would control the vapors in the return path from the tanks back to the tanker truck during offloading filling operations. Phase I EVR systems are 98 percent effective in controlling fugitive emissions from escaping into the environment. Phase II EVR equipment, which also includes "in-station diagnostics," would control and monitor the vapors in the return path from the vehicles back to the tanks and are 95 percent effective in controlling fugitive emissions from escaping into the environment.
- The UST monitoring system incorporates automatic shutoffs. If gasoline is detected in the sump at the fuel dispenser, the dispenser would shut down automatically, and an alarm would sound. If a problem is detected with a tank, the tank would be automatically shut down, and an alarm would sound. If the product piping system detects a failure of the 0.1 gallons per hour test, the line would be automatically shut down, and the alarm would sound. Pursuant to federal requirements, monitoring equipment must be able to detect a minimum leak of 3 gallons per hour (equivalent to the accuracy of a mechanical leak detector). Each fuel dispenser would include several safety devices. Specifically, each

dispenser sump would be equipped with an automatic shutoff valve to protect against vehicle impact. In addition, each fuel hose would include a breakaway device that would stop the flow of fuel at both ends of the hose in the event of an accidental drive-off. Also, each dispenser would be equipped with internal fire extinguishers. Lastly, dispensers would include leak detection sensors connected to the alarm console inside the controller closure.

Therefore, based on compliance with federal, state, and local regulations, and the incorporation of the proposed Project design features, impacts associated with the handling, transport, use, and disposal of hazardous materials and the release of hazardous materials into the environment would be less than significant

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less than Significant. Victor Valley Christian School is located just east of the Project site across Mariposa Road. Although the Project would handle hazardous materials, as noted above in Section 9, thresholds a and b, the Project would be in compliance with federal, state, and local regulations and the incorporation of the Project design features. As such, all preventive measures would be in place to limit the hazardous emission and waste to spill in such a way that would impact the neighboring school. As such impacts are expected to be less than significant.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. The Project site and the surrounding vicinity is not included on the Hazardous Waste and Substances Site List (also known as the Cortese list).[24] Therefore, no impacts associated with hazardous materials sites would occur.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

No Impact. The Project site is located approximately 7.5-miles south of the Southern California Logistics Center (aka Victorville Airport). An airport designed for business, military, and freight use. There are no commercial passenger services at this facility. The Project site is not located within any portion of the airport land use plan. As such, the Project would not be impacted by airport noise and no impact is anticipated to occur.

[24] State of California; Department of Toxic Substances Control (EnviroStor). (2021). *Hazardous Waste and Substances Site List (Cortese).* Available at https://www.envirostor.dtsc.ca.gov/public/search.asp?PAGE=3&CMD=search&ocieerp=&business_name=&main_street_number=&main_street_name=&city=&zip=&county=&branch=&status=ACT%2CBKLG%2CCOM&site_type=CSITES%2CFUDS&cleanup_type=&npl=&funding=&reporttype=CORTESE&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29&federal_superfund=&state_response=&voluntary_cleanup=&school_cleanup=&operating=&post_closure=&non_operating=&corrective_action=&tiered_permit=&evaluation=&spec_prog=&national_priority_list=&senate=&congress=&assembly=&critical_pol=&business_type=&case_type=&display_results=&school_district=&pub=&hwmp=False&permitted=&pc_permitted=&inspections=&complaints=&censustract=&cesdecile=&ORDERBY=city&next=Next+50. Accessed January 29, 2021.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant. The City of Victorville Emergency Plan identifies emergency responses and actions. The Plan identifies the available emergency shelters in the event of an evacuation, including schools, fire stations, police stations, hospitals, casualty collection points, emergency operations center, and emergency command center. The Plan directs persons living or working in an area adversely affected by a disaster to report to the appropriate shelters, as directed by local public safety officials. It also explains that persons injured or sick be taken to a casualty collection point (such as Victor Valley College) to obtain medical services. The Project site does not include any emergency or public facilities that would be used during emergency response and would not involve closures of emergency routes. As such, the Project would not impair or interfere with an adopted emergency response plan. No impact would occur.

g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Less Than Significant Impact. The Project site is not located within an area identified as having wildland fire potential. Therefore, the Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. Additionally, according to CALFIRE, the Project site is not located in a Very High Fire Hazard Severity Zone (VHFHSZ), as designated in the VHFHSZ Map.[25] As such, the Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. No impact would occur.

Cumulative Impacts

The incremental effects of the proposed Project related to hazards and hazardous materials, if any, are anticipated to be minimal, and any effects would be site-specific. The Project is not within an area classified as a VHFHSZ. Therefore, the proposed Project would not result in incremental effects to hazards or hazardous materials that could be compounded or increased when considered together with similar effects from other past, present, and reasonably foreseeable probable future projects. The proposed Project would not result in cumulatively considerable impacts to or from hazards or hazardous materials.

[25] CAL FIRE. (2008). *Very High Fire Hazard Severity Zones in LRA; Victorville*. Available at https://osfm.fire.ca.gov. Accessed January 29, 2021.

HYDROLOGY AND WATER QUALITY

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
10. HYDROLOGY AND WATER QUALITY. Would the Project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			X	
i) Result in substantial erosion or siltation on- or off-site?			X	
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
iv) Impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

A Preliminary Water Quality Management Plan (WQMP) and a Hydrology Report were prepared by Kimley-Horn and Associates, dated January 2021. These technical studies are provided as Appendix F and Appendix H, correspondingly, to this IS. The results are summarized herein.

Regional Hydrology

The Project site is located within the Mojave River Watershed, encompassing approximately 4,700 square miles within San Bernardino County; the main waterbody of the watershed is the Mojave River. The Mojave River's headwaters are located in the San Bernardino Mountains, south of the City of Hesperia, and the river flows in a mostly northeasterly direction to terminate in Soda and Silver Dry Lakes near Baker, California. The main impoundment along the river's length is at Silverwood Lake, a reservoir created in 1971 as a part of the State Water Project that is currently managed for recreation and water supply. The Mojave Forks Dam is another impoundment along the river's length located approximately 20 miles south of the City. The river flows 26 miles from the Cedar Springs Dam (Silverwood Lake) in a northerly direction before passing to the east of the Project site through a natural canyon. The Mojave River is approximately one mile east of the Project site. Major tributaries to the Mojave River near the Project site include largely unnamed desert washes. All of the drainages in the Project site flow in a north or easterly direction towards the Mojave River.

Site Hydrology

The site is currently undeveloped and fully pervious. The existing site generally sheet flows northerly direction and is eventually collected in earthen swales that discharge north of the project site. Three existing Caltrans owned culverts discharge on the south side of the Project area. In general, this run-on drainage from these culverts are intercepted in an existing Caltrans drainage channel along the Project's south and west of the perimeter. Due to the Project being a retail gasoline outlet, the Project complied with the preparation of a WQMP along with a Maintenance Agreement and Transfer (Per Planning Priority Project Checklist).

This Mojave River Watershed WQMP is intended to comply with the requirements of the City of Victorville and the Phase II Small MS4 General Permit for the Mojave River Watershed. The property owner is responsible for the implementation of the provisions of this plan and will ensure that this plan is amended as appropriate to reflect up-to-date conditions on the site consistent with the Phase II Small MS4 Permit and the intent of San Bernardino County (unincorporated areas of Phelan, Oak Hills, Spring Valley Lake and Victorville) and the incorporated cities of Hesperia and Victorville and the Town of Apple Valley. Once the undersigned transfers its interest in the property, its successors in interest and the city/county/town shall be notified of the transfer. The new owner will be informed of its responsibility under this WQMP. A copy of the approved WQMP will be available on the Project site in perpetuity.

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact. The California Porter-Cologne Water Quality Control Act (Section 13000 ("Water Quality") et seq., of the California Water Code), and the Federal Water Pollution Control Act Amendment of 1972 (also referred to as the Clean Water Act (CWA)) require

comprehensive water quality control plans developed for all waters within the State of California. The Project's WQMP was created to comply with the requirements of the City of Victorville and the NPDES Areawide Stormwater Program. The Project owner is responsible for the implementation of the provisions of this plan and will ensure that this plan is amended as appropriate to reflect up-to-date conditions on the site.

Construction of the proposed Project would involve grading, building construction, and landscaping activities, which would result in the generation of potential water quality pollutants such as sediment, silt, debris, chemicals, paints, pesticides/herbicides and other solvents with the potential to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during construction of the Project in the absence of any protective or avoidance measures. Operation water quality impacts would arise directly from landscaping maintenance and indirectly from stormwater pollutants such as nitrogen, oil and grease, trash/debris, and other organic compounds.

To minimize water quality impacts during construction and operations, the Project would comply with the WQMP. The WQMP identifies structural and programmatic BMPs and controls to minimize, prevent, and/or otherwise appropriately treat stormwater runoff flows before they are discharged from the site. Mandatory compliance with the WQMP BMPs as shown on **Table 16**, *Non-Structural Source Control BMPs*, and **Table 17**, *Structural Source Control BMPs,* and **Table 18**, *BMP Inspection and Maintenance,* would ensure that the Project does not violate any water quality standards or waste discharge requirements during long-term operation.

Table 16: Non-Structural Source Control BMPs

Identifier	Name	Inspection/Maintenance Activities Required
N1	Education of Property Owners, Tenants and Occupants on Stormwater BMPs	Education Material included in Attachment E of this document will be provided to Property Owners, Tenants and Occupants when taking possession of property.
N2	Activity Restrictions	Pursuant to the Education Material included in Attachment E of this document, the User of the facility will be notified upon possession of the property of all activities that are restricted and or limited and the education material shall be referenced in all lease documents.
N3	Landscape Management BMPs	Leasing documents will require user of property to adhere to Landscape management BMPs listed in the Education Material in Attachment E of this document.
N4	BMP Maintenance	Owner will be responsible for maintain all BMPs per the appropriate O&M and as outlined in the Educational Material included in Attachment E of this document.
N8	Underground Storage Tank Compliance	Fuel Dispensing area are proposed. Appropriate measures shall be taken to prevent spillages from underground tanks.

Identifier	Name	Inspection/Maintenance Activities Required
N9	Hazardous Materials Disclosure Compliance	A gasoline outlet is proposed as part of the Project. Appropriate hazardous waste disclosures and sign will be posted where applicable.
N11	Litter/Debris Control Program	See Section 5 BMP inspection, maintenance and frequency of litter and debris control. See Attachment E for material on litter and debris control.
N12	Employee Training	See Attachment E for BMP specific employee training and Section 5 for post-construction BMP Training.
N14	Catch Basin Inspection Program	See Appendix C for BMP inspection, maintenance and frequency of litter and debris control.
N15	Vacuum Sweeping of Private Streets and Parking Lots	See Road and Maintenance (SC-70) and Parking/Storage Maintenance (SC-43) in Attachment F for sweeping requirements.
N17	Comply with all other applicable NPDES permits	Proposed site will comply with all NPDES permits.

Source:
Kimley-Horn and Associates. January 2020. *Water Quality Management Plan.*

Table 17: Structural Source Control BMPs

Identifier	Name	Inspection/Maintenance Activities Required
S1	Provide storm drain system stencilling and signage (CASQA New Development BMP Handbook SD-13.	Stencilling and signage will be provided.
S3	Design and construct trash and waste storage areas to reduce pollution introduction (CASQA New Development BMP Handbook SD-32)	Covered Trash Enclosure Proposed. Inspection and maintenance outlined in Table 22, Maintenance BMPs.
S4	Use efficient irrigation systems & landscape design, water conservation, smart controllers, and source control (Statewide Model Landscape Ordinance; CASQA New Development BMP Handbook SD-12)	Proposed site follows irrigation requirements described in CASQA New Development BMP SD-12.
S5	Finish grade of landscaped areas at a minimum of 1-2 inches below top of curb, sidewalk, or pavement.	Proposed site has finished grade of landscape area at a minimum of 1-2 inches below top of curb, sidewalk, and pavement.
S10	Covered outdoor processing areas (CASQA New Development BMP Handbook SD-36.	No outdoor processing.
S11	Equipment wash areas with spill containment plans (CASQA New Development BMP Handbook SD-33.	Proposed site follows equipment washing requirements described in CASQA New Development BMP SD-33. See Attachment E. Spill contingency plan prepared by owner for employee.
S12	Fueling areas (CASQA New Development BMP Handbook SD-30)	Runoff will be diverted away from fueling areas.

Source:
Kimley-Horn and Associates. January 2020. *Water Quality Management Plan.*

Table 18: BMP Inspection and Maintenance

BMP	Responsible Party(s)	Inspection/Maintenance Activities Required	Minimum Frequency of Activities
Infiltration Basin (BMP#2 and 3)	Education of Property Owners, Tenants and Occupants on Stormwater BMPs	Inspect and remove accumulated sediment at least twice per year. Inspect and maintain vegetation on a regular basin.	Bi-annual
ADS Storm Tech MC4500 infiltration System (BMP#1)	Owner	Inspect and remove accumulated sediment and debris from isolator row at least twice per year.	Bi-annual
Source: Kimley-Horn and Associates. January 2020. *Water Quality Management Plan.*			

The final Project WQMP would identify all BMP incorporated into the final site design and provide other detailed information to minimize water quality impacts. Therefore, with adherence to Tables 16, 17, and 18, above of the WQMP, water quality impacts associated with construction and operation of the Project would be less than significant and no mitigation measures would be required.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less Than Significant Impact. As discussed above, Groundwater was not encountered to the maximum depth explored of approximately 71.5 feet below the surface. Based upon this condition, it is not expected that groundwater will be encountered during construction. The Project would implement a storm drain system based on a proposed flow pattern to capture stormwater runoff. The stormwater would be conveyed to underground chambers for pre-treatment for water quality volume infiltration. Additionally, infiltration basins would capture any runoff and would recharge groundwater. Additionally, the WQMP notes that the infiltration BMP does not pose significant risk for groundwater.

Therefore, the Project's demand for domestic water service would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Therefore, impacts would be less than significant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in substantial erosion or siltation on- or off-site?

Less Than Significant Impact. The Project would expose large areas of soil during the duration of Project construction. The appropriate soil erosion and control techniques would be employed in conformance to the Construction BMP handbook and the BMPs set in the WQMP. Furthermore,

according to the WQMP preventive Low Impact Development (LID) site design practices will maintain existing drainage patterns and time of concentration. Additionally, the Project will limit erosion or siltation on- or off-site through the of the BMPs with compliance with all applicable NPDES permits. As noted on Tables 16, 17, and 18, the Applicant will be required to comply with the Storm Water Pollution Prevention Plan (SWPPP) and applicable BMPs and erosion control.

The proposed underground system will utilize infiltration to meet treatment criteria for the proposed development to be in compliance with current NPDES General Permit. The proposed site will be a zero-discharge site. Currently there are three existing culverts located on the southern property line of the site which discharges onto the site. The existing offsite flows are intercepted by an existing Caltrans drainage channel and is diverted around the site until it is discharged north of the site. All drive aisles and drainage conveyance devices will be designed to convey the storm flows to historic storm conveyance.

Therefore, with the proposed drainage systems, and implementation of BMPs pursuant to the Project WQMP, impacts would be less than significant.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

Less Than Significant Impact. As discussed above, surface runoff in both construction and operation phases would not runoff in a manner which would result in flooding. Project design features pursuant to the BMPs within the WQMP, which includes a new drainage system, would reduce the rate of runoff from Project activities.

Additionally, the type of soil and soil conditions are major factors affecting infiltration/detention and resultant storm water runoff. The Natural Resources Conservation Service (NRCS) has classified soil into one general hydrologic soil groups for comparing infiltration and runoff rates. Each group is based on properties that influence runoff, such as water infiltration rate, texture, natural discharge and moisture condition. The runoff potential is based on the amount of runoff at the end of a long duration storm that occurs after wetting and swelling of the soil not protected by vegetation. Using the United States Department of Agriculture Natural Resources Conservation Service Web Soil Survey online tool and the Stormwater Facility Mapping online tool for Riverside County, it was determined the hydrologic soil group classification is A. Soil group A is defined as soils having good infiltration rates (low runoff potential). These soils have a good rate of water transmission. Based on the Geotechnical Investigation, it was concluded that the site has good infiltration capacity. The measured infiltration rate for the site was determined to be 1.5 min/in (40 in/hr). Furthermore, the site does not include any streams or rivers, that would be altered by the proposed Project. Therefore, impacts would be less than significant.

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less Than Significant Impact. On-site stormwater runoff associated with the Project would be engineered to be conveyed through the proposed drainage system and detention basin. Additionally, runoff minimizing landscape will be implanted. Therefore, less than significant impacts would occur.

iv) Impede or redirect flood flows?

Less Than Significant Impact. The Project site is proposed to be self-contained and will not include any offsite flows from adjacent properties. The post- and pre- condition flows will be captured on-site.

The proposed Project would include the development of drainage system consistent with City requirements to convey stormwater runoff to the mainline storm drain system. Stormwater management practices as required under City of Victorville Municipal Code, Section 14.12.315 - Surface and stormwater discharge prohibitions would further reduce any impacts to a less than significant level. Therefore, impacts would be less than significant.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact. The Project site is located over 75 miles inland from the Pacific Ocean. As such, the potential for the Project site to be inundated by a tsunami is negligible. No steep slopes are located in the Project vicinity; therefore, the risk of mudflow is also negligible. No associated impacts are anticipated to occur.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less Than Significant Impact. The proposed Project is not anticipated to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The Project would be subject to the WQMP via the County's SWPPP. Impacts would be less than significant.

Cumulative Impacts

The potential impacts related to hydrology and stormwater runoff are generally site-specific. The Project would be designed pursuant to the BMPs listed in the WQMP which would reduce water quality impacts resulting from construction and operation activity. The analysis determined that the implementation of the proposed Project would not result in significant impacts. As a result, the Project is not expected to result in a cumulative impact.

LAND USE AND PLANNING

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
11. LAND USE AND PLANNING. Would the Project:				
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

a) Physically divide an established community?

No Impact. The Project site is an undeveloped portion of land that is bounded by development to the south, east, I-15 to the west, and vacant land to the north. The Project type is not one that would physically divide an existing community. Examples of projects with the potential to divide a community are freeways. Since the Project would not divide an established community, no impact would occur.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less than Significant Impact. The proposed Project site has a current land use designation of (COM) Commercial and a zoning district of (C-2T) General Commercial, which allows for the development of the proposed Project. As such, the Project would be consistent with the City's zoning and General Plan land use designation upon the approval of a CUP. Thus, allowing the development of the proposed Project. Therefore, the Project would not conflict with the City's land use plan, policy, or regulation and therefore, would be less than significant.

Cumulative Impacts

Implementation of the Project would not create a significant cumulative impact to the surrounding region since its surrounding area is planned for industrial use. As a result, no cumulative impacts related to land use and planning would occur.

MINERAL RESOURCES

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
12. MINERAL RESOURCES. Would the Project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X	

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Less than Significant Impact. According to Figure RE-1, *Victorville Planning Area Mineral Land Classification Map*, of the General Plan, the Project site is located in the Mineral Resource Zone (MRZ) 3a. MRZ-3a are areas containing known mineral occurrences of undetermined mineral resource significance. Further exploration work within these areas could result in the reclassification of specific localities into MRZ-2a or MRZ-2b categories which are areas known to contain mineral resources.

Historically, the Project has remained undeveloped and the site has not been used for mining purposes. Similarly, although the Project will require excavation and grading activities, the Project site will not service as a mineral resource. As previously noted, the site is not in a MRZ-2a or 2b area. Rather, the site, as is most of the City is located in the MRZ-3a zone which is not known for containing locally important mineral resources that would be of value to the region and the residents of the state. As such, a less than significant impact would occur.

Cumulative Impacts

No cumulative significant impacts would result from the proposed Project. As a result, no cumulative impacts related to mineral resources would occur.

NOISE

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
13. NOISE. Would the Project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	

An Noise Assessment was prepared by Kimley Horn and Associates, dated September 2021. The technical study is included in Appendix I of this IS/MND, and the results are summarized herein.

Sound and Environmental Noise

Acoustics is the science of sound. Sound can be described as the mechanical energy of a vibrating object transmitted by pressure waves through a medium (e.g., air) to human (or animal) ear. If the pressure variations occur frequently enough (at least 20 times per second), they can be heard and are called sound. The number of pressure variations per second is called the frequency of sound and is expressed as cycles per second, or hertz (Hz).

Noise is defined as loud, unexpected, or annoying sound. In acoustics, the fundamental model consists of a noise source, a receptor, and the propagation path between the two. The loudness of the noise source, obstructions, or atmospheric factors affecting the propagation path, determine the perceived sound level and noise characteristics at the receptor. Acoustics deal primarily with the propagation and control of sound. A typical noise environment consists of a base of steady background noise that is the sum of many distant and indistinguishable noise sources. Superimposed on this background noise is the sound from individual local sources. These sources can vary from an occasional aircraft or train passing by to continuous noise from traffic on a major highway. Perceptions of sound and noise are highly subjective from person to person.

Measuring sound directly in terms of pressure would require a large range of numbers. To avoid this, the decibel (dB) scale was devised. The dB scale uses the hearing threshold of

20 micropascals (µPa) as a point of reference, defined as 0 dB. Other sound pressures are then compared to this reference pressure, and the logarithm is taken to keep the numbers in a practical range. The dB scale allows a million-fold increase in pressure to be expressed as 120 dB, and changes in levels correspond closely to human perception of relative loudness. **Table 19,** *Typical Noise Levels,* provides typical noise levels.

Table 19: Typical Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	– 110 –	Rock Band
Jet fly-over at 1,000 feet		
	– 100 –	
Gas lawnmower at 3 feet		
	– 90 –	
Diesel truck at 50 feet at 50 miles per hour		Food blender at 3 feet
	– 80 –	Garbage disposal at 3 feet
Noisy urban area, daytime		
Gas lawnmower, 100 feet	**– 70 –**	Vacuum cleaner at 10 feet
Commercial area		Normal Speech at 3 feet
Heavy traffic at 300 feet	**– 60 –**	
		Large business office
Quiet urban daytime	**– 50 –**	Dishwasher in next room
Quiet urban nighttime	**– 40 –**	Theater, large conference room (background)
Quiet suburban nighttime		
	– 30 –	Library
Quiet rural nighttime		Bedroom at night, concert hall (background)
	– 20 –	
		Broadcast/recording studio
	– 10 –	
Lowest threshold of human hearing	**– 0 –**	Lowest threshold of human hearing

Source: California Department of Transportation, *Technical Noise Supplement to the Traffic Noise Analysis Protocol*, September 2013.

Noise Descriptors

The dB scale alone does not adequately characterize how humans perceive noise. The dominant frequencies of a sound have a substantial effect on the human response to that sound. Several rating scales have been developed to analyze the adverse effect of community noise on people. Because environmental noise fluctuates over time, these scales consider that the effect of noise on people is largely dependent on the total acoustical energy content of the noise, as well as the time of day when the noise occurs. The equivalent noise level (L_{eq}) is the average noise level averaged over the measurement period, while the day-night noise level (L_{dn}) and Community Equivalent Noise Level (CNEL) are measures of energy average during a 24-hour period, with dB weighted sound levels from 7:00 p.m. to 7:00 a.m. Most commonly, environmental sounds are described in terms of L_{eq} that has the same acoustical energy as the summation of all the time-

varying events. Each is applicable to this analysis and defined in **Table 20,** *Definitions of Acoustical Terms.*

Table 20: Definitions of Acoustical Terms

Term	Definitions
Decibel (dB)	A unit describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure. The reference pressure for air is 20.
Sound Pressure Level	Sound pressure is the sound force per unit area, usually expressed in µPa (or 20 micronewtons per square meter), where 1 pascals is the pressure resulting from a force of 1 newton exerted over an area of 1 square meter. The sound pressure level is expressed in dB as 20 times the logarithm to the base 10 of the ratio between the pressures exerted by the sound to a reference sound pressure (e.g., 20 µPa). Sound pressure level is the quantity that is directly measured by a sound level meter.
Frequency (Hz)	The number of complete pressure fluctuations per second above and below atmospheric pressure. Normal human hearing is between 20 Hz and 20,000 Hz. Infrasonic sound are below 20 Hz and ultrasonic sounds are above 20,000 Hz.
A-Weighted Sound Level (dBA)	The sound pressure level in dB as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise.
Equivalent Noise Level (L_{eq})	The average acoustic energy content of noise for a stated period of time. Thus, the L_{eq} of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure. For evaluating community impacts, this rating scale does not vary, regardless of whether the noise occurs during the day or the night.
Maximum Noise Level (L_{max}) Minimum Noise Level (L_{min})	The maximum and minimum dBA during the measurement period.
Exceeded Noise Levels (L_{01}, L_{10}, L_{50}, L_{90})	The dBA values that are exceeded 1%, 10%, 50%, and 90% of the time during the measurement period.
Day-Night Noise Level (L_{dn})	A 24-hour average L_{eq} with a 10 dBA weighting added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity at nighttime. The logarithmic effect of these additions is that a 60 dBA 24-hour L_{eq} would result in a measurement of 66.4 dBA L_{dn}.
Community Noise Equivalent Level (CNEL)	A 24-hour average L_{eq} with a 5 dBA weighting during the hours of 7:00 a.m. to 10:00 p.m. and a 10 dBA weighting added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the evening and nighttime, respectively. The logarithmic effect of these additions is that a 60 dBA 24-hour L_{eq} would result in a measurement of 66.7 dBA CNEL.
Ambient Noise Level	The composite of noise from all sources near and far. The normal or existing level of environmental noise at a given location.
Intrusive	That noise which intrudes over and above the existing ambient noise at a given location. The relative intrusiveness of a sound depends on its amplitude, duration, frequency, and time of occurrence and tonal or informational content as well as the prevailing ambient noise level.

The A-weighted decibel (dBA) sound level scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. Because sound levels can vary markedly over a short period of time, a method for describing either the average character of the sound or the statistical behavior of the variations must be utilized. Most commonly, environmental sounds are described

in terms of an average level that has the same acoustical energy as the summation of all the time-varying events.

The scientific instrument used to measure noise is the sound level meter. Sound level meters can accurately measure environmental noise levels to within about plus or minus 1 dBA. Various computer models are used to predict environmental noise levels from sources, such as roadways and airports. The accuracy of the predicted models depends on the distance between the receptor and the noise source.

A-Weighted Decibels

The perceived loudness of sounds is dependent on many factors, including sound pressure level and frequency content. However, within the usual range of environmental noise levels, perception of loudness is relatively predictable and can be approximated by dBA values. There is a strong correlation between dBA and the way the human ear perceives sound. For this reason, the dBA has become the standard tool of environmental noise assessment. All noise levels reported in this document are in terms of dBA, but are expressed as dB, unless otherwise noted.

Addition of Decibels

The dB scale is logarithmic, not linear, and therefore sound levels cannot be added or subtracted through ordinary arithmetic. Two sound levels 10 dB apart differ in acoustic energy by a factor of 10. When the standard logarithmic dB is A-weighted, an increase of 10 dBA is generally perceived as a doubling in loudness. For example, a 70-dBA sound is half as loud as an 80-dBA sound and twice as loud as a 60-dBA sound. When two identical sources are each producing sound of the same loudness, the resulting sound level at a given distance would be 3 dBA higher than one source under the same conditions. Under the dB scale, three sources of equal loudness together would produce an increase of 5 dBA.

Sound Propagation and Attenuation

Sound spreads (propagates) uniformly outward in a spherical pattern, and the sound level decreases (attenuates) at a rate of approximately 6 dB for each doubling of distance from a stationary or point source. Sound from a line source, such as a highway, propagates outward in a cylindrical pattern. Sound levels attenuate at a rate of approximately 3 dB for each doubling of distance from a line source, such as a roadway, depending on ground surface characteristics. No excess attenuation is assumed for hard surfaces like a parking lot or a body of water. Soft surfaces, such as soft dirt or grass, can absorb sound, so an excess ground-attenuation value of 1.5 dB per doubling of distance is normally assumed. For line sources, an overall attenuation rate of 3 dB per doubling of distance is assumed.

Noise levels may also be reduced by intervening structures; generally, a single row of buildings between the receptor and the noise source reduces the noise level by about 5 dBA, while a solid wall or berm reduces noise levels by 5 to 10 dBA. The way older homes in California were constructed generally provides a reduction of exterior-to-interior noise levels of about 20 to 25

dBA with closed windows. The exterior-to-interior reduction of newer residential units is generally 30 dBA or more.

Human Response to Noise

The human response to environmental noise is subjective and varies considerably from individual to individual. Noise in the community has often been cited as a health problem, not in terms of actual physiological damage, such as hearing impairment, but in terms of inhibiting general well-being and contributing to undue stress and annoyance. The health effects of noise in the community arise from interference with human activities, including sleep, speech, recreation, and tasks that demand concentration or coordination. Hearing loss can occur at the highest noise intensity levels.

Noise environments and consequences of human activities are usually well represented by median noise levels during the day or night or over a 24-hour period. Environmental noise levels are generally considered low when the CNEL is below 60 dBA, moderate in the 60 to 70 dBA range, and high above 70 dBA. Examples of low daytime levels are isolated, natural settings with noise levels as low as 20 dBA and quiet, suburban, residential streets with noise levels around 40 dBA. Noise levels above 45 dBA at night can disrupt sleep. Examples of moderate-level noise environments are urban residential or semi-commercial areas (typically 55 to 60 dBA) and commercial locations (typically 60 dBA). People may consider louder environments adverse, but most will accept the higher levels associated with noisier urban residential or residential-commercial areas (60 to 75 dBA) or dense urban or industrial areas (65 to 80 dBA). Regarding increases in dBA, the following relationships should be noted:

- Except in carefully controlled laboratory experiments, a 1-dBA change cannot be perceived by humans.
- Outside of the laboratory, a 3-dBA change is considered a just-perceivable difference.
- A minimum 5-dBA change is required before any noticeable change in community response would be expected. A 5-dBA increase is typically considered substantial.
- A 10-dBA change is subjectively heard as an approximate doubling in loudness and would almost certainly cause an adverse change in community response.

Effects of Noise on People

Hearing Loss

While physical damage to the ear from an intense noise impulse is rare, a degradation of auditory acuity can occur even within a community noise environment. Hearing loss occurs mainly due to chronic exposure to excessive noise but may be due to a single event such as an explosion. Natural hearing loss associated with aging may also be accelerated from chronic exposure to loud noise. The Occupational Safety and Health Administration has a noise exposure standard that is set at the noise threshold where hearing loss may occur from long-term exposures. The

maximum allowable level is 90 dBA averaged over 8 hours. If the noise is above 90 dBA, the allowable exposure time is correspondingly shorter.

Annoyance

Attitude surveys are used for measuring the annoyance felt in a community for noises intruding into homes or affecting outdoor activity areas. In these surveys, it was determined that causes for annoyance include interference with speech, radio and television, house vibrations, and interference with sleep and rest. The L_{dn} as a measure of noise has been found to provide a valid correlation of noise level and the percentage of people annoyed. People have been asked to judge the annoyance caused by aircraft noise and ground transportation noise. There continues to be disagreement about the relative annoyance of these different sources. A noise level of about 55 dBA L_{dn} is the threshold at which a substantial percentage of people begin to report annoyance[26].

Groundborne Vibration

Sources of ground-borne vibrations include natural phenomena (earthquakes, volcanic eruptions, sea waves, landslides, etc.) or man-made causes (explosions, machinery, traffic, trains, construction equipment, etc.). Vibration sources may be continuous (e.g., factory machinery) or transient (e.g., explosions). Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Several different methods are typically used to quantify vibration amplitude. One is the peak particle velocity (PPV); another is the root mean square (RMS) velocity. The PPV is defined as the maximum instantaneous positive or negative peak of the vibration wave. The RMS velocity is defined as the average of the squared amplitude of the signal. The PPV and RMS vibration velocity amplitudes are used to evaluate human response to vibration.

Table 21, *Human Reaction and Damage to Buildings for Continuous or Frequent Intermittent Vibrations,* displays the reactions of people and the effects on buildings produced by continuous vibration levels. The annoyance levels shown in the table should be interpreted with care since vibration may be found to be annoying at much lower levels than those listed, depending on the level of activity or the sensitivity of the individual. To sensitive individuals, vibrations approaching the threshold of perception can be annoying. Low-level vibrations frequently cause irritating secondary vibration, such as a slight rattling of windows, doors, or stacked dishes. The rattling sound can give rise to exaggerated vibration complaints, even though there is very little risk of actual structural damage. In high noise environments, which are more prevalent where ground-borne vibration approaches perceptible levels, this rattling phenomenon may also be produced by loud airborne environmental noise causing induced vibration in exterior doors and windows.

[26] Federal Interagency Committee on Noise, Federal Agency Review of Selected Airport Noise Analysis Issues, August 1992.

Table 21: Human Reaction and Damage to Buildings for Continuous or Frequent Intermittent Vibrations

Maximum PPV (in/sec)	Vibration Annoyance Potential Criteria	Vibration Damage Potential Threshold Criteria	FTA Vibration Damage Criteria
0.008	--	Extremely fragile historic buildings, ruins, ancient monuments	--
0.01	Barely Perceptible	--	--
0.04	Distinctly Perceptible	--	--
0.1	Strongly Perceptible	Fragile buildings	--
0.12	--	--	Buildings extremely susceptible to vibration damage
0.2	--	--	Non-engineered timber and masonry buildings
0.25	--	Historic and some old buildings	--
0.3	--	Older residential structures	Engineered concrete and masonry (no plaster)
0.4	Severe	--	--
0.5	--	New residential structures, Modern industrial/commercial buildings	Reinforced-concrete, steel or timber (no plaster)

PPV = peak particle velocity; in/sec = inches per second; FTA = Federal Transit Administration

Source: California Department of Transportation, *Transportation and Construction Vibration Guidance Manual*, 2020 and Federal Transit administration, *Transit Noise and Vibration Assessment Manual*, 2018.

Ground vibration can be a concern in instances where buildings shake, and substantial rumblings occur. However, it is unusual for vibration from typical urban sources such as buses and heavy trucks to be perceptible. Common sources for ground-borne vibration are planes, trains, and construction activities such as earth-moving which requires the use of heavy-duty earth moving equipment. For the purposes of this analysis, a PPV descriptor with units of inches per second (in/sec) is used to evaluate construction-generated vibration for building damage and human complaints.

Regulatory Setting

To limit population exposure to physically or psychologically damaging as well as intrusive noise levels, the Federal government, the State of California, various county governments, and most municipalities in the state have established standards and ordinances to control noise.

State of California

California Government Code

California Government Code Section 65302(f) mandates that the legislative body of each county and city adopt a noise element as part of its comprehensive general plan. The local noise element must recognize the land use compatibility guidelines established by the State Department of Health Services. The guidelines rank noise land use compatibility in terms of "normally acceptable", "conditionally acceptable", "normally unacceptable", and "clearly unacceptable" noise levels for various land use types. Single-family homes are "normally acceptable" in exterior

noise environments up to 60 CNEL and "conditionally acceptable" up to 70 CNEL. Multiple-family residential uses are "normally acceptable" up to 65 CNEL and "conditionally acceptable" up to 70 CNEL. Schools, libraries, and churches are "normally acceptable" up to 70 CNEL, as are office buildings and business, commercial, and professional uses.

Title 24 – Building Code

The State's noise insulation standards are codified in the California Code of Regulations, Title 24: Part 1, Building Standards Administrative Code, and Part 2, California Building Code. These noise standards are applied to new construction in California for interior noise compatibility from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are located near major transportation noise sources, and where such noise sources create an exterior noise level of 65 dBA CNEL or higher. Acoustical studies that accompany building plans must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels. For new multi-family residential and non-residential buildings, the acceptable interior noise limit for new construction is 45 dBA CNEL.

Local

City of Victorville General Plan

The City of Victorville General Plan Noise Element identifies several policies to minimize the impacts of excessive noise levels throughout the community. The Noise Element provides policy guidance which addresses the generation, mitigation, avoidance, and the control of excessive noise. The noise policies specified in the Noise Element provide the guidelines necessary to satisfy these goals. To ensure that the Victorville community is not exposed to excessive noise levels, the noise Element policies provide exterior standards of 65 dBA as "normally acceptable" and 70 dBA as "conditionally acceptable" for retail and commercial land uses. **Applicable** goals and policies are provided below.

Goal #2: Noise Control: manage the effects of noise emissions to help ensure reduction of adverse effects on the community.

Objective 2.1: Ensure existing and future noise sources are properly attenuated.

Policy 2.1.1: Continue to implement acceptable standards for noise for various land uses throughout the City.

Implementation Measure 2.1.1.1: Require a noise study to be performed and appropriate noise attenuation to be incorporated prior to approving any multifamily or mixed-use residential development in an area with a CNEL of 65 dB or greater.

Implementation Measure 2.1.1.2: Monitor noise complaints and enforce provisions of the City noise ordinance.

Implementation Measure 2.1.1.3: Discourage location of new educational facilities in areas with noise levels greater than 65 dB CNEL.

Implementation Measure 2.1.1.5: Continue to restrict noise and require mitigation measures for any noise-emitting construction equipment or activity.

Implementation Measure 2.1.1.6: Reduce speed limits on arterial streets if necessary, to lower sound to appropriate levels for adjacent and surrounding land uses.

City of Victorville Municipal Code

The City of Victorville Municipal Code Noise Control Ordinance (Chapter 13.01) includes regulations and thresholds to control the negative effects of nuisance noise. Sections 13.01.040 and 13.01.050 of the Municipal Code state that the noise levels in all commercial zones shall not exceed 70 dB(A) with the following dB(A) levels for the cumulative period of time specified:

(1) Less than 5dB(A) for a cumulative period of more than thirty minutes in any hour;

(2) Less than 10 dB(A) for a cumulative period of more than fifteen minutes in any hour;

(3) Less than 15 dB(A) for a cumulative period of more than five minutes in any hour;

(4) Less than 20 dB(A) for a cumulative period of more than one minute in any hour;

Section 13.01.060 of the code indicates the noise source exemptions and states: "The following activities shall be exempted from the provisions of this chapter:

(1) All mechanical devices, apparatus or equipment used, related to or connected with emergency machinery, vehicle or work.

(2) The provisions of this regulation shall not preclude the construction, operation, maintenance and repairs of equipment, apparatus or facilities of park and recreation projects, public works projects or essential public works services and facilities, including those utilities subject to the regulatory jurisdiction of the California Public Utilities Commission.

(3) Activities conducted on the grounds of any elementary, intermediate or secondary school or college.

(4) Outdoor gatherings, public dances and shows, provided said events are conducted pursuant to a permit as required by this code.

(5) Activities conducted in public parks and public playgrounds, provided said events are conducted pursuant to a permit as required by this code.

(6) Any activity to the extent regulation thereof has been preempted by state or federal law.

(7) Traffic on any roadway or railroad right-of-way.

(8) The operation of the Southern California Logistics Airport.

(9) Construction activity on private properties that are determined by the director of building and safety to be essential to the completion of a project."

The City excludes the construction activities from the noise provisions and also does not establish any limits to the hours during which construction activity can take place.

Existing Conditions

Existing Noise Sources

The City of Victorville is impacted by various noise sources. Mobile sources of noise, especially cars and trucks, are the most common and significant sources of noise in most communities. Other noise sources are the various land uses (i.e., residential, commercial, industrial, and recreational and parks activities) throughout the City that generate stationary-source noise.

Mobile Sources

The predominant mobile noise source in the Project area is the traffic noise along I-15 to the west, Nisqualli Road to the south, and Mariposa Road to the east. Amargosa Road is approximately 700 feet to the northwest of the Project site.

Stationary Sources

The primary sources of stationary noise in the Project vicinity are those associated with the I-15 Freeway to the left and the Victor Valley Christian School to the right. The Project site and surrounding areas are dominated by constant freeway noise.

Sensitive Receptors

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. Noise sensitive uses typically include residences, hospitals, schools, childcare facilities, and places of assembly. Vibration sensitive receivers are generally similar to noise sensitive receivers but may also include businesses, such as research facilities and laboratories that use vibration-sensitive equipment. Sensitive land uses surrounding the Project consist of Victorville Elementary School and Victor Valley Christian School. Sensitive land uses nearest to the Project are shown in **Table 22,** *Sensitive Receptors.*

Table 22: Sensitive Receptors

Receptor Description	Distance and Direction from the Project
Victor Valley Christian School and First Assembly of God Church	325 feet to the east
Victorville Elementary School	400 feet to the south
Single-Family Residences	750 feet to the northwest
Single-Family Residences	840 feet to the southeast
Source: Google Earth	

Noise Measurements

To quantify existing ambient noise levels in the Project area, Kimley-Horn conducted four short-term noise measurements on September 1, 2021; see Appendix A, Noise Data of the Noise Study. The noise measurement sites were representative of typical existing noise exposure within and immediately adjacent to the Project site. The 10-minute measurements were taken between 9:30 a.m. and 10:15 a.m. near potential sensitive receptors. Short-term L_{eq} measurements are considered representative of the noise levels throughout the day. The noise levels measured at each location are listed in **Table 23,** *Existing Noise Measurements*.

Table 23: Existing Noise Measurements

Site	Location	L_{eq} (dBA)	L_{min} (dBA)	L_{max} (dBA)	Time
1	On the east side of the Project site, along Mariposa Road	66.7	56.7	77.1	09:36 a.m.
2	On the south section of the Project site, along Nisqualli Road, close to I-15 ramp	75.7	58.8	93.0	09:50 a.m.
3	Along Nisqualli Road, approximately 900 feet to the southeast	68.7	57.5	76.3	10:06 a.m.

Source: Noise measurements taken by Kimley-Horn, September 1, 2021. See Appendix A for noise measurement results.

Methodology

Construction

Construction noise levels were based on typical noise levels generated by construction equipment published by the Federal Transit Administration (FTA) and FHWA. Construction noise is assessed in dBA L_{eq}. This unit is appropriate because L_{eq} can be used to describe noise level from operation of each piece of equipment separately, and levels can be combined to represent the noise level from all equipment operating during a given period.

Reference noise levels are used to estimate operational noise levels at nearby sensitive receptors based on a standard noise attenuation rate of 6 dB per doubling of distance (line-of-sight method of sound attenuation for point sources of noise). Noise level estimates do not account for the presence of intervening structures or topography, which may reduce noise levels at receptor locations. Therefore, the noise levels presented herein represent a conservative, reasonable worst-case estimate of actual temporary construction noise.

Operations

The analysis of the operational noise environment is based on noise attenuation calculations (inverse square law) and empirical observations. Reference noise level data are used to estimate the Project operational noise impacts from stationary sources. Noise levels were collected from published sources from similar types of activities and used to estimate noise levels expected with the Project's stationary sources. The reference noise levels are used to represent a worst-case noise environment as noise level from stationary sources can vary throughout the day. Operational noise is evaluated based on the standards within the City's noise standards.

Vibration

Ground-borne vibration levels associated with construction activities for the Project were evaluated utilizing typical ground-borne vibration levels associated with construction equipment, obtained from FTA published data for construction equipment. Potential ground-borne vibration impacts related to building/structure damage and interference with sensitive existing operations were evaluated, considering the distance from construction activities to nearby land uses and typically applied criteria.

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant Impact.

Construction

Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g., land clearing, grading, excavation, paving). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. However, construction noise levels are not anticipated to affect sensitive receptors due to the Project's location. The Project site is located in a commercial (east, south, and southwest) and residential area (east and west). The sensitive land uses nearest to the Project site consist of schools located east and south of the Project site.

Construction activities would include site preparation, grading, building construction, paving, and architectural coating. Such activities would require graders, scrapers, and tractors during site preparation; graders, dozers, and tractors during grading; cranes, forklifts, generators, tractors, and welders during building construction; pavers, rollers, mixers, tractors, and paving equipment during paving; and air compressors during architectural coating. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full power operation followed by 3 to 4 minutes at lower power settings. Other primary sources of acoustical disturbance would be random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. Typical noise levels associated with individual construction equipment are listed in **Table 24,** *Typical Construction Noise Levels*.

Table 24: Typical Construction Noise Levels

Equipment	Typical Noise Level (dBA) at 50 feet from Source	Typical Noise Level (dBA) at 325 feet from Source[1]
Air Compressor	80	63.7
Backhoe	80	63.7
Compactor	82	65.7
Concrete Mixer	85	68.7
Concrete Pump	82	65.7
Concrete Vibrator	76	59.7

Equipment	Typical Noise Level (dBA) at 50 feet from Source	Typical Noise Level (dBA) at 325 feet from Source[1]
Crane, Derrick	88	71.7
Crane, Mobile	83	66.7
Dozer	85	68.7
Generator	82	65.7
Grader	85	68.7
Impact Wrench	85	68.7
Jack Hammer	88	71.7
Loader	80	63.7
Paver	85	68.7
Pile-driver (Impact)	101	84.7
Pile-driver (Sonic)	95	78.7
Pneumatic Tool	85	68.7
Pump	77	60.7
Roller	85	68.7
Saw	76	59.7
Scraper	85	68.7
Shovel	82	65.7
Truck	84	67.7

[1] Calculated using the inverse square law formula for sound attenuation: $dBA_2 = dBA_1+20Log(d_1/d_2)$
dBA_2 = estimated noise level at receptor; dBA_1 = reference noise level; d_1 = reference distance; d_2 = receptor location distance
Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018.

The noise levels calculated in **Table 25,** *Project Construction Noise Levels*, show estimated exterior construction noise without accounting for attenuation from existing physical barriers. The nearest noise sensitive receptors come from the Victor Valley Christian School 325 feet to the east of the Project site. All construction equipment was assumed to operate simultaneously at a construction area nearest to sensitive receptors. These assumptions represent a worst-case noise scenario as construction activities would routinely be spread throughout the construction site further away from noise sensitive receptors.

Table 25: Project Construction Noise Levels

Construction Phase	Receptor Location			Worst Case Modeled Exterior Noise Level (dBA L_{eq})	Noise Threshold (dBA L_{eq})	Exceeded ?
	Land Use	Direction	Distance (feet) [1]			
Site Preparation	Educational	East	470	68.2	80	No
		South	780	63.8	80	No
Grading	Educational	East	470	68.3	80	No
		South	780	63.9	80	No
Construction	Educational	East	470	69.9	80	No
		South	780	65.5	80	No
Paving	Educational	East	470	67.1	80	No
		South	780	62.7	80	No
Architectural Coating	Educational	East	470	54.2	80	No
		South	780	49.8	80	No

1. Per FTA Guidance (Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, 2018) the equipment distance is assumed at the center of the project.
2. The City does not have a quantitative noise threshold for construction. Therefore, FTA's construction noise threshold are conservatively used for this analysis (FTA, *Transit Noise and Vibration Impact Assessment Manual*, September 2018).

Source: Federal Highway Administration, *Roadway Construction Noise Model,* 2006. Refer to Appendix A for noise modeling results.

Table 25 shows that the maximum construction noise levels would not exceed the applicable FTA construction thresholds. The highest exterior noise level at sensitive receptors would occur during the building construction stage and would be 69.9 dBA which is below the FTA's 80 dBA threshold. Construction equipment would operate throughout the Project site and the associated noise levels would not occur at a fixed location for extended periods of time. Although sensitive uses may be exposed to elevated noise levels during project construction, these noise levels would be acoustically dispersed throughout the Project site, masked by roadway and freeway noise, and not concentrated in one area near surrounding sensitive uses.

The City of Victorville Municipal Code does not establish quantitative construction noise standards and allowable hours of construction. Therefore, FTA's 80 dBA threshold has been utilized in this analysis. Therefore, the impact from construction noise would be less than significant level.

Operations

Implementation of the proposed Project would create new sources of noise in the project vicinity. The major noise sources associated with the project would include the following:

- Mechanical equipment (i.e., trash compactors, air conditioners, etc.);
- Slow moving cars and trucks on the Project site, approaching and leaving the fueling areas, and restaurant's drive-through;
- Parking areas (i.e., car door slamming, car radios, engine start-up, and car pass-by); and
- Off-Site Traffic Noise.

Mechanical Equipment

The Project is surrounded by commercial and residential uses. The nearest sensitive receptor to the Project site is Victor Valley Christian School 325 feet to the east of the Project boundaries. Potential stationary noise sources related to long-term operation of the project site would include mechanical equipment. Mechanical equipment (e.g., heating ventilation and air conditioning [HVAC] equipment) typically generates noise levels of approximately 52 dBA at 50 feet.[27] At the closest sensitive receptors located approximately 325 feet away, mechanical equipment noise would attenuate to 35.7 dBA. Operation of mechanical equipment would not increase ambient noise levels beyond the acceptable compatible land use noise levels. Therefore, the proposed Project would result in a less than significant impact related to stationary noise levels.

Truck Noise

Truck noise would be generated by the trucks' diesel engines, exhaust systems, and brakes during low gear shifting' braking activities while approaching the truck fueling stations. In addition, the

[27] Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, July 6, 2010.

Project would also require deliveries of gasoline, diesel, and supplies for the convenience store and the drive-thru restaurant. Typically, heavy truck operations generate a noise level of 68 dBA at a distance of 30 feet. The closest sensitive receptor is located approximately 325 feet to the east; therefore, truck noise would attenuate to approximately 47.3 dBA, well below the City's 70 dBA standard for commercial uses. Noise levels associated with trucks' activities would not exceed the City's standards and impacts would be less than significant.

Parking Noise

The proposed Project would provide parking for trucks and passenger vehicles. Traffic associated with parking lots is typically not of sufficient volume to exceed community noise standards, which are based on a time-averaged scale such as the CNEL scale. The instantaneous maximum sound levels generated by a car door slamming, an engine starting up, and car pass-bys range from 60 to 63 dBA at 50 feet[28] would attenuate to 46.7 dBA at the nearest sensitive receptor approximately 325 feet away. It should be noted that parking lot noises are instantaneous noise levels compared to noise standards in the hourly L_{eq} metric, which are averaged over the entire duration of a time period.

Noise levels over time resulting from parking lot activities would be far lower than the reference levels identified above. Parking lot noise would occur within the surface parking lot on-site. It is also noted that parking lot noise occurs at the adjacent properties under existing conditions. Parking lot noise would be consistent with the existing noise in the vicinity and would be masked by background noise from I-15. Noise associated with parking lot activities is not anticipated to exceed the City's noise standards during operation. Therefore, noise impacts from parking lots would be less than significant.

Off-Site Traffic Noise

Implementation of the Project would generate increased traffic volumes along nearby roadway segments. In general, a traffic noise increase of less than 3 dBA is barely perceptible to people, while a 5-dBA increase is readily noticeable.[29] Traffic volumes on Project area roadways would have to approximately double for the resulting traffic noise levels to increase by 3 dBA.[30] Therefore, permanent increases in ambient noise levels of less than 3 dBA would be less than significant. Project related trips would occur along Nisqualli Road and Mariposa Road.

The City of Victorville Traffic Counts shows the total 24-hour directional volume counts (Average Daily Traffic [ADT]) for Mariposa Road north of Nisqualli Road is 12,788. The report also shows 11,987 ADT and 8,662 ADT for Mariposa Road south of Nisqualli Road and Nisqualli Road west of Hesperia Road, respectively.[31] The proposed Project would generate approximately 2,772 net

[28] Hebert G. Kariel, University of Calgary, *Noise in Rural Recreational Environments*, 1991.
[29] Federal Highway Administration, *Highway Traffic Noise Analysis and Abatement Policy and Guidance, Noise Fundamentals*, https://www.fhwa.dot.gov/environMent/noise/regulations_and_guidance/polguide/polguide02.cfm, accessed July 12, 2021.
[30] California Department of Transportation, Technical Noise Supplement to the Traffic Noise Analysis Protocol, 2013.
[31] City of Victorville Traffic Counts, 2013-24hour- Directional volume counts taken over a 24-hour period, 2013.

daily vehicle trips, which would not double the existing traffic volumes and would not result in a perceivable noise increase. Therefore, operational noise impacts would be less than significant.

Mitigation Measures: No mitigation is required.

Level of Significance: Less than significant impact.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant Impact.

Once operational, the Project would not be a source of ground-borne vibration. Increases in ground-borne vibration levels attributable to the proposed Project would be primarily associated with short-term construction-related activities. Construction on the Project site would have the potential to result in varying degrees of temporary ground-borne vibration, depending on the specific construction equipment used and the operations involved.

The Federal Transit Administration (FTA) has published standard vibration velocities for construction equipment operations. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 in/sec) appears to be conservative. The types of construction vibration impacts include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. For example, for a building that is constructed with reinforced concrete with no plaster, the FTA guidelines show that a vibration level of up to 0.20 in/sec is considered safe and would not result in any construction vibration damage.

Table 26, *Typical Construction Equipment Vibration Levels*, lists vibration levels at 25 feet for typical construction equipment. Ground-borne vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. As indicated in Table 26, based on FTA data, vibration velocities from typical heavy construction equipment operations that would be used during Project construction range from 0.003 to 0.089 in/sec PPV at 25 feet from the source of activity.

Table 26: Typical Construction Equipment Vibration Levels

Equipment	Peak Particle Velocity at 25 Feet (in/sec)	Peak Particle Velocity at 130 Feet (in/sec)[1]
Large Bulldozer	0.089	0.0075
Caisson Drilling	0.089	0.0075
Loaded Trucks	0.076	0.0064
Rock Breaker	0.059	0.0050

Equipment	Peak Particle Velocity at 25 Feet (in/sec)	Peak Particle Velocity at 130 Feet (in/sec)[1]
Jackhammer	0.035	0.0030
Small Bulldozer/Tractors	0.003	0.0003

[1] Calculated using the following formula: $PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$
where: PPV_{equip} = the peak particle velocity in in/sec of the equipment adjusted for the distance
PPV_{ref} = the reference vibration level in in/sec from Table 7-4 of the Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, 2018.
D = the distance from the equipment to the receiver

Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, 2018.

The nearest sensitive receptor is an educational use approximately 325 feet to the east and the nearest structure, related to Victor Valley Christian School, is approximately 130 feet or more from the active construction zone. Using the calculation shown in Table 26, at 130 feet the vibration velocities from construction equipment would not exceed 0.0075 in/sec PPV, which is below the FTA's 0.20 PPV threshold. It is also acknowledged that construction activities would occur throughout the Project site and would not be concentrated at the point closest to the nearest residential structure. Therefore, vibration impacts associated with the proposed Project would be less than significant.

Mitigation Measures: No mitigation is required.

Level of Significance: Less than significant impact.

c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

Less than Significant Impact.

The Hesperia Airport, located approximately 8 miles south of the Project site, is the nearest airport. There are no other airports within two miles of the project site. Therefore, there is no impact surrounding the proposed Project concerning airport noise, including from a private airstrip.

Mitigation Measures: No mitigation is required.

Level of Significance: Less than significant impact.

Cumulative Impacts

Cumulative Construction Noise

The Project's construction activities would not exceed the FTA's noise standards and would not result in a substantial temporary increase in ambient noise levels. Construction noise would be periodic and temporary noise impacts that would cease upon completion of construction activities. The Project would contribute to other proximate construction project noise impacts if

construction activities were conducted concurrently. However, based on the noise analysis above, the Project's construction-related noise impacts would be less than significant following the City of Victorville Municipal Code.

Construction activities at other planned and approved projects near the Project site would be required to comply with applicable City rules related to noise and would take place during daytime hours on the days permitted by the applicable Municipal Code, and projects requiring discretionary City approvals would be required to evaluate construction noise impacts, comply with the City's standard conditions of approval, and implement mitigation, if necessary, to minimize noise impacts. Construction noise impacts are by nature localized. Based on the fact that noise dissipates as it travels away from its source, noise impacts would be limited to the Project site and vicinity. Therefore, Project construction would not result in a cumulatively considerable contribution to significant cumulative impacts, assuming such a cumulative impact existed, and impacts in this regard are not cumulatively considerable.

Cumulative Operational Noise

Stationary noise sources of the proposed Project would result in an incremental increase in non-transportation noise sources in the Project vicinity. However, as discussed above, operational noise caused by the proposed Project would be less than significant. Additionally, due to site distance to sensitive receptors cumulative stationary noise impacts would not occur. Similar to the proposed Project, other planned and approved projects would be required to mitigate for stationary noise impacts at nearby sensitive receptors, if necessary. As stationary noise sources are generally localized, there is a limited potential for other projects to contribute to cumulative noise impacts.

No known past, present, or reasonably foreseeable projects would combine with the operational noise levels generated by the Project to increase noise levels above acceptable standards because each project must comply with applicable County/City regulations that limit operational noise. Therefore, the Project, together with other projects, would not create a significant cumulative impact, and even if there was such a significant cumulative impact, the Project would not make a cumulatively considerable contribution to significant cumulative operational noises.

Given that noise dissipates as it travels away from its source, operational noise impacts from on-site activities and other stationary sources would be limited to the Project site and vicinity. Thus, cumulative operational noise impacts from related projects, in conjunction with Project specific noise impacts, would not be cumulatively significant.

Mitigation Measures: No mitigation is required.

Level of Significance: Less than significant impact.

POPULATION AND HOUSING

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
14. POPULATION AND HOUSING. Would the Project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

Demographic Setting

According to the Department of Finance (DOF), as of 2021, the City of Victorville has a total population of 127,170 residents and 36,658 housing units.[32] A low vacancy rate indicates that residents may have difficulty finding housing within their price range and/or a high supply of vacant units may indicate either the demand of desired or oversupplied units. A healthy vacancy rate is generally accepted at seven or eight percent while a low vacancy rate is about two percent. According to DOF, the City of Victorville has a vacancy rate of 7.2%.

SCAG projects the City to grow in population to approximately 194,500 persons by 2045. Housing is estimated to grow to 61,800 household units by 2045. Additionally, employment is anticipated to grow from 41,200 in 2016 to 61,200 in 2045.[33]

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Less Than Significant Impact. The Project would employ between 10 to 12 persons. This growth would not represent a significant impact to population or housing in the area. As noted above, SCAG projects employment growth in the City to increase to 61,200 jobs by 2045. The proposed Project is anticipated to fill a small portion of the job growth anticipated for the City. The Project would not induce unplanned population growth. Impacts from the Project on population growth are expected to be less than significant.

[32] California department of Finance. 2021. *Table 2: E-5 City/County Population and Housing Estimates, 1/1/2021.* Available at https://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/. Accessed June 8, 2021.
[33] Southern California Association of Governments. 2016. *2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).* Available at http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx. Accessed on January 29, 2021.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. The Project site is undeveloped and therefore, would not displace substantial numbers of existing people or housing. No impacts would occur.

PUBLIC SERVICES

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
15. PUBLIC SERVICES. Would the Project:				
a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?			X	
ii) Police protection?			X	
iii) Schools?			X	
iv) Parks?			X	
v) Other public facilities?			X	

a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i) Fire protection?

Less Than Significant Impact. Fire protection and emergency medical services for the City of Victorville are provided by the City of Victorville Fire Department (VFD). Within the City, there are six fire stations with Fire Station 313 located 1.8-miles west of the Project site. In addition to the City fire stations, there are two County of San Bernardino Fire Stations located within the city limits. Both of these fire stations (Baldy Mesa and Mountain View) are currently listed as in active. The City of Victorville Fire Department will review the development plans for the Project to ensure the development adheres to the VFD's requirements and the Project would include the payment of standard City development impact fees, which include a fee for fire protection service impacts. With this, the Project would have less than significant effects on firefighting services and no effect on fire department facilities.

ii) Police protection?

Less Than Significant Impact. The San Bernardino County Sheriff's Department is under contract to the City of Victorville to provide police protection and public safety services within the city, including the Project site. This is done through the Victorville Police Department, which provides public safety services to a geographical area of over 74 square miles and to a population of approximately 126,432 residents. The addition of the proposed Project to the community would result in a negligible increase in the demand on these police services and would not result in the need for new or expanded police facilities. The San Bernardino Sheriff's Department will review the development plans for the Project to ensure the development adheres to the Department's requirements and the Project would include the payment of standard City development impact fees, which include a fee for policing service impacts. With this, the Project would have less than significant effects on police services and no effect on police facilities.

iii) Schools?

Less Than Significant Impact. As discussed in Section 4.14, Population and Housing, a negligible amount of population growth is anticipated from implementation of the Project. Regardless of the population growth, SCAG forecasts that the City of Victorville is anticipated to grow in population and housing numbers. As such, due to the type of Project, no additional school facilities would be necessary. Additionally, according to Government Code Section 65996, the payment of development fees authorized by SB 50 are deemed to be full and complete school facilities mitigation. The Project would be required to pay mandated development fees for residential buildings. As such, impacts are anticipated to be less than significant impact.

iv) Parks?

Less Than Significant Impact. The Project would not need or create additional need for more recreational facilities. Therefore, a less than significant would occur.

v) Other public facilities?

Less Than Significant Impact. Other public facilities in the area such as health care, production, commercial, retail, residential, etc. would not be adversely impacted because the proposed Project is consistent with the City of Victorville General Plan and is consistent with City Zoning Maps. Therefore, impacts would be less than significant.

Cumulative Impacts

SCAG projects the City to have an increase in population and housing through 2045. Because the Project is consistent with current General Plan and Zoning designations, the Project would not result in substantial incremental effects to public services or facilities that could be compounded or increased when considered together with similar effects from other past, present, and reasonably foreseeable Projects. The Project alone would not result in cumulatively considerable impacts to public services or facilities.

RECREATION

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
16. RECREATION. Would the Project:				
a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

Outdoor recreation resources in the Victorville Planning Area include public parks, public golf courses, public access lakes, bicycle paths and pedestrian trails, and ground-level linkages between recreation areas and urbanized places. The City currently maintains 198.4 acres of park land throughout the Planning Area.

a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less than Significant Impact. Refer to Response Public Service (15-a.iv) above. The Project would not substantially increase the use of existing neighborhood, regional parks or other recreational facilities in the immediate area. A less than significant impact would occur in this regard.

b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Less than Significant Impact. Refer to Response Public Service (15-a.iv) above. The proposed Project does not include recreational facilities. Due to the type of proposed Project, no additional recreational facilities or expansion of existing facilities would be required. A less than significant impact would occur.

Cumulative Impacts

Development of the proposed Project is not anticipated to create a significant cumulative increase of recreational facilities nor requires construction or expansion of existing recreational facilities. Therefore, no cumulative impacts on recreational facilities would occur.

TRANSPORTATION

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

The following analysis is based on the Traffic Study prepared by Kimley-Horn and Associates dated July 2021 and is included as Appendix J of this IS/MND.

California Environmental Quality Act (CEQA) and State Senate Bill 743

SB 743, also known as the Environmental Act) was enacted in 2013 is to shift from level of service (LOS) to vehicle miles traveled (VMT) for assessing transportation impacts under CEQA. As a result, the Governor's Office of Planning and Research (OPR) amended the State CEQA Guidelines in December 2018 to clarify that reduced LOS can no longer be considered an environmental impact under CEQA. LOS was replaced with VMT as an alternative metric for transportation impact evaluations to encourage GHG emission reductions, support the development of multi-modal transportation networks, and promote a diversity of land uses. The OPR released a December 2018 Technical Advisory that contains recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures.

On June 23, 2020, the City of Victorville City Council adopted local CEQA Guidelines to add significance thresholds and implementation procedures for the review of transportation-related impacts analysis in accordance with CEQA to clarify the local implementation procedures for SB 743. Effective July 1, 2020, the City would no longer consider auto mobile delay, as measured by "level of service' (LOS) and other similar metrics, a significant environmental effect under CEQA Guidelines section 15064.3.

Based on the screening criteria outlined in the City of Victorville Vehicle Miles Traveled (VMT) Analysis Guidelines (Resolution No. 20-031), retail land uses under 122,000 square feet are

screened out of VMT analysis, therefore the project is screened out of VMT analysis using the project's land use type.

Although this section of the IS/MND contains additional information concerning delay to an intersection or roadway segment, this information provided in the Transportation Study.

a) Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact. The Project would be consistent with SB 375 by complying with Southern California Association of Government's (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) or Connect SoCal Plan, and the San Bernardino San Bernardino County Transportation Authority's (SBCTA)'s Congestion Management Plan (CMP). The Project would also comply with the Complete Streets Act of 2008 by being consistent with the City's General Plan. Although not required by CEQA, all intersections would operate at an acceptable LOS during peak hours towards Project Opening Year. Therefore, the Project would be consistent with the City's Community Mobility and Circulation Element in terms of LOS.

The City's General Plan Land Use Map designates the Project site as is Commercial (COM) which allows for commercial activity. Similarly, the existing Project site Zoning district is General Commercial (C-2T) which allows gas station and restaurant activity after acquiring a conditional use permit. The Project applicant shall acquire a conditional use permit to be consistent with existing land use designation and zoning district.

The Project is undeveloped, fully pervious, and vegetated with annual grasses and weeds and does not include any roadway, pedestrian, bicycle, or public transit facilities. The Project proposes two unsignalized site access driveways along Mariposa Road, 42 passenger car parking stalls, 24 passenger car fuel pumps, and 9 truck fueling stations, including pedestrian walkways. As discussed above, the Project's roadway/circulation improvements would be developed consistency to the policies and implementation measures identified in the City's General Plan Circulation Element and provisions set in Title 12, Vehicles and traffic of the City's Municipal Code to ensure that Project's circulation infrastructure is developed safely and efficiently. Therefore, the Project is not anticipated to conflict with a known program plan, ordinance, or policy and a less than significant impact would occur.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less Than Significant Impact. CEQA Guidelines Section 15064.3 contains several subdivisions. In brief, these Guidelines provide that transportation impacts of projects are, in general, best measured by evaluating the project's VMT. Methodologies for evaluating such impacts are already in use for most land use projects, as well as many transit and active transportation projects. Methods for evaluating VMT for roadway capacity projects continue to evolve,

however, and so these Guidelines recognize a lead agency's discretion to analyze such projects, provided such analysis is consistent with CEQA and applicable planning requirements.

Section 15064.3(b) Criteria for Analyzing Transportation Impacts states the following:

(1) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

As discussed above, State guidelines now require all projects, unless the environmental document was circulated for public review before July 1, 2020, to be analyzed using VMT metrics. Based on the screening criteria outlined in the City of Victorville Vehicle Miles Traveled (VMT) Analysis Guidelines (Resolution No. 20-031), retail land uses under 122,000 square feet are screened out of VMT analysis. therefore the proposed Project is screened out of VMT analysis using the Project's land use type and a less than significant impact would occur regarding VMT.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less than significant Impact. The proposed Project design features would not incorporate any hazardous or incompatible features. The Project's access points would not include sharp turns, but rather be designed to allow safe egress and ingress to the Project site. The Project would also provide off-site improvements including striping to Mariposa Road. Furthermore, the drive aisles/fire lanes within the Project site have been designed to be both efficient and safe for vehicular traffic pursuant to City Standards approved by the Victorville Fire Department Therefore, the Project would not be an incompatible use, nor would it be hazardous due to its design. Therefore, a less than significant impact would occur.

d) Result in inadequate emergency access?

Less Than Significant Impact. The Project would provide two driveway entries on Mariposa Road. Project design features in regard to ingress and egress would be developed in compliance with all relevant emergency regulations pursuant to the Victorville Fire Department standards and with the provisions set in Title 12 of the City's Municipal Code. Furthermore, all driveways shall be constructed per City standard plans. Additionally, construction of the proposed Project is not expected to require road closures or otherwise adversely affect emergency access around the site perimeter. If any road closures (complete or partial) were to occur, the Victorville Police and Fire Department shall be notified of the construction schedule and any required detours would allow emergency vehicles to use alternate routes for emergency response. The impact on emergency access would be less than significant.

Cumulative Impacts

Cumulative projects have been downsized or may not be developed by Project Opening Year (2023). In addition, many of the related projects have been or will be subject to individual discretionary review pursuant to CEQA to identify potential environmental impacts associated with those and feasible mitigation and design features to reduce those impacts. However, those mitigation measures have not been considered in projecting the environmental impact of the related projects. The proposed Project would not result in traffic beyond what was contemplated for the Project site and surrounding land uses.

Traffic Impact Analysis

Traffic Study Area – Information Only

The study area consists of the following intersections listed in **Table 27,** *Traffic Intersections Study Area* below:

Table 27: Traffic Intersections Study Area

North-South Street	East-West Street
1. Nisqualli Road	1. mariposa Road (Signalized)
2. Mariposa Road	2. South Site Driveway (Unsignalized-proposed-full access)
3. Mariposa Road	3. School Driveway (Unsignalized – existing)
4. Mariposa Road	4. North Site Driveway (Unsignalized-proposed-partial access)

The TIA analyzed traffic conditions of the study intersections for the following scenarios in accordance to the City of Victorville:

- Existing (2021) Conditions;
- Opening Year (2023) Conditions;
- Opening Year (2023) Plus Project Conditions;
- Future Year (2031) Conditions; and
- Future Year (2031) Plus Project Conditions.

In coordination with the City of Victorville staff, the TIA is a local access study using LOS metrics that is performed for the adjacent signalized intersection and Project driveways. This evaluation adheres to the City's General Guidelines for Conducting Traffic Studies and Determination of Intersection Level of Service and Improvement Needs (dated January 20, 2005).

Intersection Peak Hour Level of Service Analysis Methodology – Information only

Peak hour intersection operations were evaluated using the methodology outlines in the Highway Capacity Manual (HCM) 6th Edition, consistent with the requirements of the City of Victorville.

According to the HCM Methodology, Level of Service (LOS) for signalized intersections and all-way stop-controlled intersections is defined in terms of average vehicle delay. Specifically, LOS

criteria are stated in terms of the average control delay per vehicle during the peak hours. The average control delay includes initial deceleration delay, queue move-up time, and final acceleration time in addition to the stop delay.

The procedure for unsignalized intersection analysis determines the average total delay, expressed in seconds of delay per vehicle, for left turns from the major street and from the stop-controlled minor street traffic stream. Delay values are calculated based on the relationship between traffic on the major street and the availability of acceptable "gaps" in this stream through which conflicting traffic movements can be made.

The HCM level of service definitions are provided below:

- LOS A: The volume-to-capacity ratio is low and either progression is exceptionally favorable, or the cycle length is very short. If it is due to favorable progression, most vehicles arrive during the green indication and travel through the intersection without stopping.
- LOS B: Progression is highly favorable, or the cycle length is short. More vehicles stop than with LOS A.
- LOS C: is Progression is favorable or the cycle length is moderate. The number of vehicles stopping is significant, although many vehicles still pass through the intersection without stopping.
- LOS D: Progression is favorable, or the cycle length is moderate. The number of vehicles stopping is significant, although many vehicles still pass through the intersection without stopping.
- LOS E: The volume-to-capacity ratio is high, progression is unfavorable, and the cycle length is long. Individual cycle failures are frequent.
- LOS F: The volume-to-capacity ratio is very high, progression is very poor, and the cycle length is long. Most cycles fail to clear the queue.

The levels of service are defined for the various analysis methodologies in **Table 28**, *HCM Intersection LOS Criteria.*

Table 28: HCM Intersection LOS Criteria

LOS	Intersection LOS Criteria	
	Signalized Delay (Seconds)	Unsignalized Delay (Seconds)
A	0.00 – 10.00	0.00 – 10.00
B	10.01 - 20.00	10.01 – 15.00
C	20.01 – 35.00	15.01 – 25.00
D	35.01 – 55.00	25.01 – 35.00
E	55.01 – 80.00	35.01 – 50.00
F	>80.01	>50.01

The City uses LOS D as the minimum level of service standard for intersection operations. However, as discussed above in accordance with SB 743 which became effective July 1, 2020, LOS is no longer considered a potentially significant environmental impact under CEQA. While a VMT analysis is included in this section above, the following LOS analysis is provided for informational purposes only, as additional delay to an intersection or roadway segment can no longer be considered a significant impact under CEQA.

LOS Analysis & Significant Impact Summary – Information only

Existing Conditions

Street System

Nisqualli Road is classified as an east-west super arterial by the City of Victorville Circulation Element Interactive Map Viewer between Interstate 15 in the west Balsam Avenue in the east. The roadway spans between Interstate 15 in the west, where it turns into La Mesa Road west of this point, and dead ends in the east near the city limit. The posted speed limit for Nisqualli Road is 45 mph both ways and there are three through lanes in each direction. On-street parking is not permitted on Nisqualli Road near the project site. There are bike lanes and bike "sharrows" for the eastbound and westbound directions.

Mariposa Road is classified as a north-south arterial by the City of Victorville Circulation Element Interactive Map Viewer that stretches between Palmdale Road/Seventh Street in the north and beyond the city limit in the south. The posted speed limit for Mariposa Road is 45 mph south of Nisqualli Road and 50 mph north of Nisqualli Road. There are two through lanes in each direction with a two-way left-turn (TWLTL) painted median. On-street parking is not permitted on Mariposa Road near the project site.

Existing Transit Service

Transit service to the project area is provided by Victor Valley Transit Authority (VVTA), which operates as Victor Valley Transit, and serves Victorville, Barstow, and other nearby cities by providing local and commuter buses. The bus stops closest to the project site are:

- Northeast corner of Nisqualli/Mariposa – 50: Victorville – Hesperia Post Office
- South leg of Nisqualli/Mariposa – 68: Hesperia Victor Valley Mall

Descriptions of the bus route serving the project area is provided below:

- VVT Route 50 operates in the cities of Victorville and Hesperia, traveling mainly along Nisqualli Road and Mariposa Road in the project vicinity. Route 50 operates on weekdays from approximately 6:00 AM to 8:00 PM with approximately 1-hour headways, Saturdays from approximately 7:00 AM to 7:00 PM with 1-hour headways, and Sundays from approximately 8:00 AM to 5:00 PM with 1-hour headways.
- VVT Route 68 operates in the cities of Victorville and Hesperia, traveling mainly along Nisqualli Road and Mariposa Road in the project vicinity. Route 68 operates on weekdays

from approximately 6:30 AM to 8:30 PM with approximately 1-hour headways, Saturdays from approximately 7:30 AM to 7:30 PM with 1-hour headways, and Sundays from approximately 8:30 AM to 5:30 PM with 1-hour headways.

Existing Traffic

Existing turning movement counts were collected at all existing study intersections on February 10, 2021. The City of Victorville approved existing turning movement counts for use in this analysis on February 17, 2021. Traffic volume counts can be found in Appendix B of the Traffic Study, provided as Appendix J to this IS/MND. Existing lane configuration and traffic control for the study intersections are illustrated in **Exhibit 7**, *Existing Lane Configuration Diagrams*, and **Exhibit 8**, *Existing Turning Movement Counts,* shows the existing conditions turning movement counts at the study intersections. Refer to **Table 29**, *Existing Peak-Hour Level of Service Summary*.

Table 29: Existing Peak-Hour Level of Service Summary

Intersection		Traffic Control	Peak Hour	Existing	
				Delay (a)	LOS (b)
1	Mariposa RD & Nisqualli Rd	Signal	AM	15.4	B
			PM	27.9	C
3	Mariposa RD & Church/School Dwy	One-Way Stop	AM	9.6	A
			PM	11.0	B

Notes:
(a) Delay refers to the average control delay for the entire intersection, measured in seconds per vehicle. At a two-way stop-controlled intersection, delay refers to the worst movement.
(b) LOS calculations are based on the methodology outlined in the Highway Capacity Manual 6th Edition and performed using Synchro 10.

All study area intersections are currently operating at an acceptable level of service (LOS D or better) during the peak hours for Existing Conditions.

Opening Year (2023) Conditions

The Project Opening Year is anticipated to be 2023. Opening Year Conditions are Existing Conditions plus traffic from other development projects within one mile of the project site, as provided by City staff. "Other Projects" consist of development projects that have been approved but are not yet constructed/occupied, and projects that are in various stages of the application and approval process but have not yet been approved.

Intersection Level of Service analysis was conducted for the morning and evening peak hours using the analysis procedures and assumptions described previously in this report. The results are shown below in **Table 30**, *Opening Year Peak-Hour Level of Service Summary*.

Table 30: Opening Year Peak-Hour Level of Service Summary

Intersection		Traffic Control	Peak Hour	Existing	
				Delay (a)	LOS (b)
1	Mariposa RD & Nisqualli Rd	Signal	AM	14.8	B
			PM	25.8	C
3	Mariposa RD & Church/School Dwy	One-Way Stop	AM	9.6	A
			PM	11.1	B

Notes:
(a) Delay refers to the average control delay for the entire intersection, measured in seconds per vehicle. At a two-way stop-controlled intersection, delay refers to the worst movement.
(b) LOS calculations are based on the methodology outlined in the Highway Capacity Manual 6th Edition and performed using Synchro 10.

Review of Table 30 indicates that all study intersections would continue to operate at an acceptable level of service in both peak hours.

Project Opening Year (2023) With Project Conditions

Project-related traffic for the Maverik Project was added to the Opening Year Plus Other Projects traffic volumes. Intersection Level of Service analysis was conducted for the Opening Year Plus Other Projects Plus Project condition. The results are shown below in **Table 31**, *Opening Year Peak-Hour Level of Service Summary*.

Table 31: Opening Year Peak-Hour Level of Service Summary

Intersection		Peak Hour	Opening Year		Opening Year Plus Project	
			Delay (a)	LOS (b)	Delay (a)	LOS (b)
1	Mariposa RD & Nisqualli Rd	AM	14.8	B	23,8	C
		PM	25.8	C	49.0	D
2	Mariposa RD & Maverick South Driveway	AM	-	-	11.5	B
		PM	-	-	12.9	B
3	Mariposa RD & Church/School Dwy	AM	9.6	A	10.2	B
		PM	11.1	B	12.0	B
4	Mariposa Rd & Maverick North Driveway	AM	-	-	9.4	A
		PM	-	-	10.6	B

Notes:
(a) Delay refers to the average control delay for the entire intersection, measured in seconds per vehicle. At a two-way stop-controlled intersection, delay refers to the worst movement.
(b) LOS calculations are based on the methodology outlined in the Highway Capacity Manual 6th Edition and performed using Synchro 10.
(C) Change in delay due to addition of project traffic.

Review of Table 31 indicates that, with addition of Project traffic, all study intersections would continue to operate at an acceptable level of service in both peak hours.

Future Year (2031) Conditions

Based on coordination with City of Victorville staff, an ambient growth rate of 2% was applied to Existing Conditions traffic counts to obtain Future Year volumes. Intersection Level of Service analysis was conducted for the Future Year 2031 Conditions, and the results are shown below in **Table 32**, *Future Year Peak-Hour Level of Service Summary*.

Table 32: Future Year Peak-Hour Level of Service Summary

Intersection		Traffic Control	Peak Hour	Existing	
				Delay (a)	LOS (b)
1	Mariposa RD & Nisqualli Rd	Signal	AM	15.6	B
			PM	32.8	C
3	Mariposa RD & Church/School Dwy	One-Way Stop	AM	9.8	A
			PM	11.7	B

Notes:
(a) Delay refers to the average control delay for the entire intersection, measured in seconds per vehicle. At a two-way stop-controlled intersection, delay refers to the worst movement.
(b) LOS calculations are based on the methodology outlined in the Highway Capacity Manual 6th Edition and performed using Synchro 10.

Review of Table 32 indicates that all study intersections would continue to operate at an acceptable level of service in both peak hours.

Future Year (2031) with Project Conditions

Intersection Level of Service analysis was conducted for the Future Year 2031 Conditions, and the results are shown below in **Table 33**, *Future Year Peak-Hour Level of Service Summary*.

Table 33: Future Year Peak-Hour Level of Service Summary

Intersection		Peak Hour	Opening Year		Opening Year Plus Project	
			Delay (a)	LOS (b)	Delay (a)	LOS (b)
1	Mariposa RD & Nisqualli Rd	AM	15.6	B	22.4	C
		PM	32.8	C	54.4	D
2	Mariposa RD & Maverick South Driveway	AM	-	-	11.9	B
		PM	-	-	13.8	B
3	Mariposa RD & Church/School Dwy	AM	9.8	A	10.4	B
		PM	11.7	B	12.7	B
4	Mariposa Rd & Maverick North Driveway	AM	-	-	9.6	A
		PM	-	-	11.0	B

Notes:
(a) Delay refers to the average control delay for the entire intersection, measured in seconds per vehicle. At a two-way stop-controlled intersection, delay refers to the worst movement.
(b) LOS calculations are based on the methodology outlined in the Highway Capacity Manual 6th Edition and performed using Synchro 10.
(C) Change in delay due to addition of project traffic.

Review of Table 33 indicates that all study intersections would continue to operate at an acceptable level of service in both peak hours.

As noted above, all study area intersections are forecast to continue to operate at an acceptable level of service (LOS D or better) during the peak hours for Project Opening Year (2023) With Project Conditions. Based on the agency-established thresholds, the proposed Project is forecast to not require improvements to the study intersections for Project Opening Year (2023) With Project Conditions. However, the Project includes the implementation of site access and circulation features. As noted in Exhibit 3, which indicates that vehicular access provision for the Project would consist of two driveways, both located on Mariposa Road. As such, the following Conditions of Approval (COA) improvements will occur:

- Maverick North Driveway: Three-quarter access driveway with full inbound access and right-out only access for trucks only.
- Maverick South Driveway: Full-movement driveway for passenger vehicles and left-turn out allowed for trucks.

The following are striping changes along Mariposa Road:

- Maverick North Driveway
    - Adding a 120' northbound left-turn pocket into the driveway with a 50' opening.
    - Shifting southbound turn pocket laterally to the west into school/church driveway to accommodate new northbound left-turn pocket
- Maverick South Driveway
    - Adding a 100' northbound left-turn pocket into the driveway with a 50' opening.

Additionally, the Project would be consistent with SB 375 by complying with Southern California Association of Governments (SCAG)'s Regional Transportation Plan, and the San Bernardino County Transportation Authority's (SBCTA)'s Congestion Management Plan (CMP). The Project would comply with the Complete Streets Act of 2008 by being consistent with the City's General Plan. The Complete Streets Act of 2008 requires that General Plans accommodate a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways in a manner that is suitable to applicable rural, suburban, or urban contexts. The Act defines users to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and riders of public transportation.

Although not required by CEQA, based on the previous information from the TIA, all intersections would operate at an acceptable LOS during peak hours towards Project Opening Year. Therefore, the Project would be consistent with the City's Community Mobility and Circulation Element in terms of LOS.

The City's General Plan Land Use Map designates the Project site as is Commercial (COM) which allows for commercial activity. Similarly, the existing Project site Zoning district is General Commercial (C-2T) which allows gas station and restaurant activity after acquiring a conditional use permit. The Project applicant shall acquire a conditional use permit to be consistent with existing land use designation and zoning district.

Existing Transit Service

Transit service to the project area is provided by Victor Valley Transit Authority (VVTA), which operates as Victor Valley Transit, and serves Victorville, Barstow, and other nearby cities by providing local and commuter buses. The bus stops closest to the Project site are:

- Northeast corner of Nisqualli/Mariposa – 50: Victorville – Hesperia Post Office

VVT Route 50 operates in the cities of Victorville and Hesperia, traveling mainly along Nisqualli Road and Mariposa Road in the project vicinity. Route 50 operates on weekdays from approximately 6:00 AM to 8:00 PM with approximately 1-hour headways, Saturdays from approximately 7:00 AM to 7:00 PM with 1-hour headways, and Sundays from approximately 8:00 AM to 5:00 PM with 1-hour headways.

- South leg of Nisqualli/Mariposa – 68: Hesperia Victor Valley Mall

VVT Route 68 operates in the cities of Victorville and Hesperia, traveling mainly along Nisqualli Road and Mariposa Road in the project vicinity. Route 68 operates on weekdays from approximately 6:30 AM to 8:30 PM with approximately 1-hour headways, Saturdays from approximately 7:30 AM to 7:30 PM with 1-hour headways, and Sundays from approximately 8:30 AM to 5:30 PM with 1-hour headways.

Bicycle System

The Project site is located in between a proposed Class 1 Trail/Path (along Mariposa Road) and an existing Class 3 Shared Route (along Nisqualli Road).[34] Aside from the proposed restriping changes to Mariposa Road, the Project does not propose off-site construction that would alter an existing or future bicycle path. Therefore, since the Project would adhere to relevant regional and local circulation regulations, the Project would have a less than significant impact on a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

[34] City of Victorville. 2030. General Plan 2030 – Figure CIRC-6: Non-Motorized Transportation Plan Map.

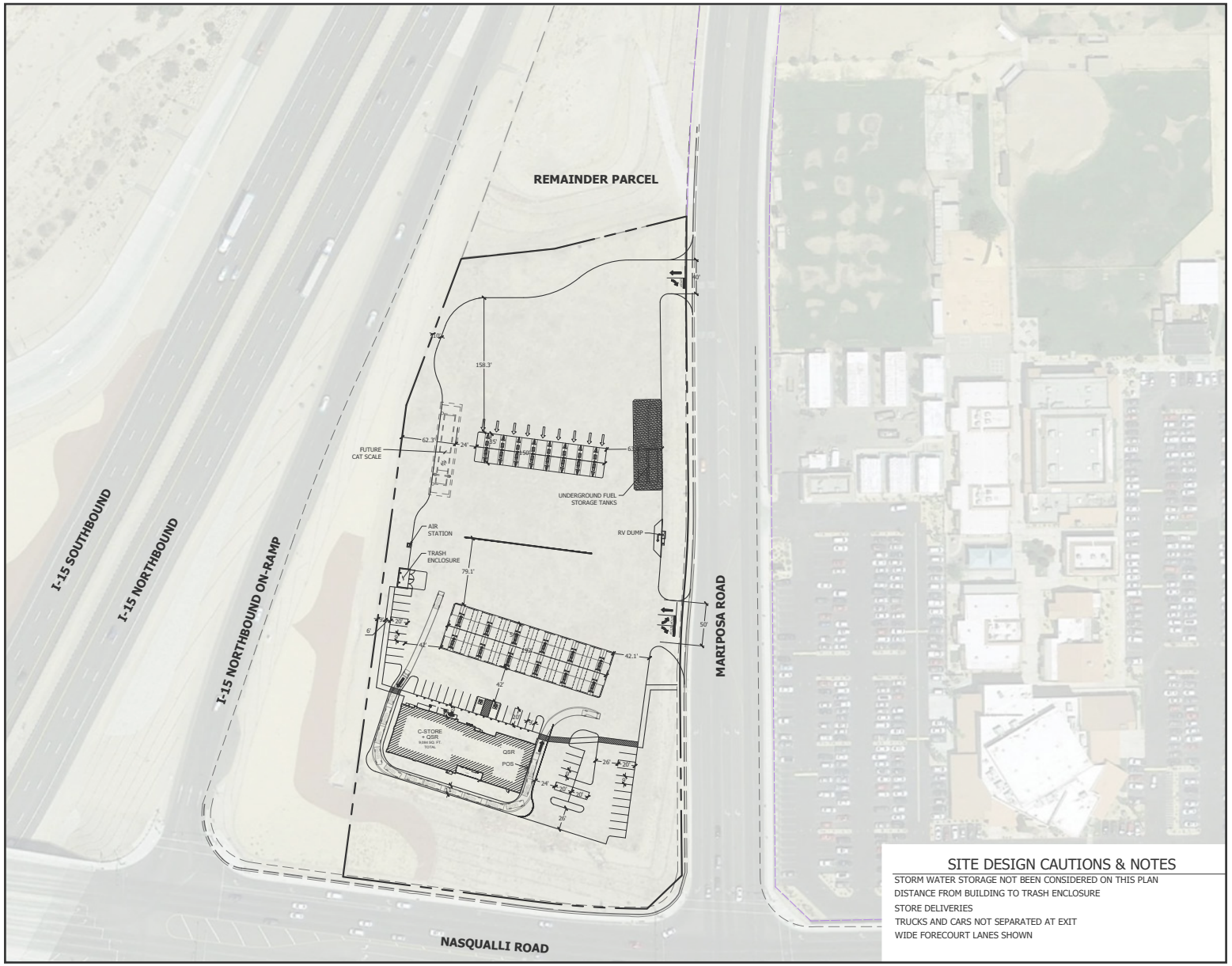

EXHIBIT 7: Existing Lane Configuration Diagrams
Victorville Nisqualli Project

Not to Scale

Kimley»Horn
Expect More. Experience Better.

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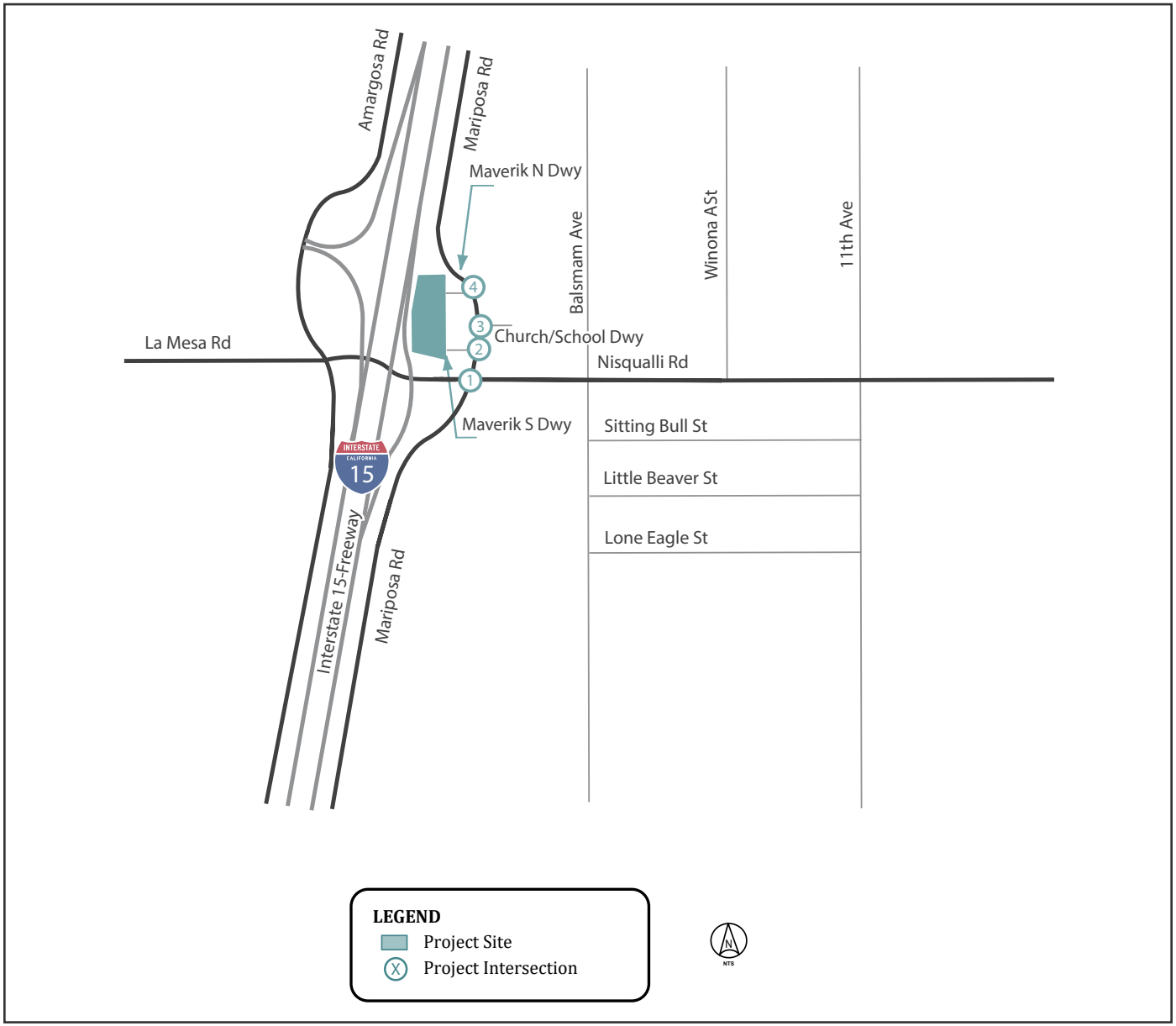

EXHIBIT 8: Existing Turning Movement Counts
Victorville Nisqualli Project

Not to Scale

Kimley»Horn
Expect More. Experience Better.

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TRIBAL CULTURAL RESOURCES

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
18. TRIBAL CULTURAL RESOURCES. Would the Project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) 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)?				X
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code 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?		X		

Assembly Bill 52

Effective July 1, 2015, AB 52 amended CEQA to require that: 1) a lead agency provide notice to those California Native American tribes that requested notice of projects proposed by the lead agency; and 2) for any tribe that responded to the notice within 30 days of receipt with a request for consultation, the lead agency must consult with the tribe. Topics that may be addressed during consultation include Tribal Cultural Resources (TCRs), the potential significance of project impacts, type of environmental document that should be prepared, and possible mitigation measures and project alternatives. Pursuant to AB 52, Section 21073 of the Public Resources Code defines California Native American tribes as "a Native American tribe located in California that is on the contact list maintained by the California Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004." This includes both federally and non-federally recognized tribes. Section 21074(a) of the Public Resource Code defines TCRs for the purpose of CEQA as:

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

a) included or determined to be eligible for inclusion in the California Register of Historical Resources; and/or

b) included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; and/or

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

Because criteria a and b also meet the definition of a historical resource under CEQA, a TCR may also require additional consideration as a historical resource. TCRs may or may not exhibit archaeological, cultural, or physical indicators.

Recognizing that California tribes are experts in their tribal cultural resources and heritage, AB 52 requires that CEQA lead agencies provide tribes that requested notification an opportunity to consult at the commencement of the CEQA process to identify TCRs. Furthermore, because a significant effect on a TCR is considered a significant impact on the environment under CEQA, consultation is used to develop appropriate avoidance, impact minimization, and mitigation measures.

Summary of AB 52 Consultation

On July 20, 2021, the City of Victorville sent notification letters via mail to the following California Native American tribes, which had previously submitted general consultation request letters pursuant to 21080.3.1(d) of the Public Resources Code:

- Cabazon Band of Mission Indians
- San Manuel Band of Mission Indians
- Twenty-Nine Palms Band of Mission Indians
- Morongo Band of Mission Indians (SMBMI)

Each recipient was provided a brief description of the proposed Project, its location and the site-specific cultural resources assessment, the lead agency contact information, and a notification that the tribe has 30 days to request consultation. In addition, each recipient was provided a California cultural history that summarized the Mojave Desert region from prehistoric times up through the historical period for the Project area. The 30-day response period concluded on August 20, 2021.

On August 8, 2021, the SMBMI responded to the July 20, 2021 AB52 Consultation via email and notes that the proposed Project area exists within Serrano ancestral territory and, therefore, is of interest to the SMBMI. However, due to the nature and location of the proposed Project and given their Cultural Resources Management Department's present state of knowledge, SMBMI

does not have any concerns with the project's implementation, as planned, at this time. As a result, SMBMI limited their comment to requesting that Mitigation Measures CUL-1 through CUL-3, TCR-1, and TCR-2, be made a part of the Project/permit/plan conditions. At this time, none of the tribes have responded to the original tribal consultation letter provided on July 20, 2021.

a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i) 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)?

As indicated in Section 5, Cultural Resources, the records search performed at the SCCIC for the Project site identified seven previous cultural resource studies, of which six cultural resources have been identified within a 0.5-mile radius of the Project site. No cultural resources have been identified within the boundaries of the Project site. As such, no impact is anticipated on historical resources.

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code 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?

According to the City's General Plan, the City contacted the Native American Heritage Commission (NAHC) requesting a review of the sacred lands files for any Native American cultural resources that may be affected by the proposed Project. The Sacred Lands File did identify the potential for significant cultural resources in the City.

The City has begun the Assembly Bill (AB) 52 tribal consultation. On July 20, 2021, the City initiated tribal consultation with interested California Native American tribes consistent with AB52. The City requested consultation from the following tribes: Cabazon Band of Mission Indians, San Manuel Band of Mission Indians, Twenty-Nine Palms Band of Mission Indians, Morongo Band of Mission Indians.

As noted above, only SMBMI responded to consultation. None of the balance of the Tribes have contacted the City of Victorville with questions regarding the Project, and no further consultation was requested. Based on earlier consultation, the following mitigation measures are applied to the project:

Mitigation Measures

TCR-1: Cultural Monitor

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

TCR-2: *Archaeological/Cultural Documents*

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.

Tribal consultation is officially concluded.

Cumulative Impacts

The proposed Project would not result in tribal cultural resources impacts beyond what was contemplated for the Project site. Therefore, no cumulative impacts related to tribal cultural resources would result from Project implementation.

UTILITIES AND SERVICE SYSTEMS

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
19. UTILITIES AND SERVICE SYSTEMS. Would the Project:				
a) 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?			x	
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?			x	
c) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?			x	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			x	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			x	

a) 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?

Less Than Significant Impact.

Water

The proposed project would entail the construction and development of a fueling station with a convenience store and QSR with a drive thru on vacant land among other ancillary amenities. The Project would result in the installation of new pipelines and utilities to accommodate the new development and water demand on-site. The project would install a domestic water connection to connect to the City's existing water main located on Mariposa Road near the southeastern property line. The 8-inch water line would be extended westerly to connect at the proposed

building. Additionally, a fire water line lateral would extend from the water main towards the west, to serve the site for domestic and fire protection services. These impacts would occur within the boundaries of the Project site, the effects of which have been analyzed within this Initial Study. As such, less than significant impact would occur in this regard.

Wastewater

As mentioned above, the proposed Project would entail the construction and development of a gas fueling station, including a convenience store, a QSR, and drive thru requiring new pipelines and utilities to accommodate the proposed new development and associated wastewater generation. An existing 8-inch sewer main exists on Mariposa Road just west of the Project site's northern property line. The project would construct a sewer laterals from the existing sewer main to serve the proposed building. These impacts would occur within the boundaries of the project site, the effects of which have been analyzed within this Initial Study. As such, less than significant impact would occur in this regard.

Stormwater

The proposed Project would include the development of new facilities on what was previously vacant land. The Project would include three infiltration systems and a stormwater pipeline network to convey the anticipated stormwater runoff to the northeast of the site to the sewer main. According to the Hydrology Report, the Project site consists of 5 drainage areas (DA), in which 2 areas are self-treating, DAs C and E), and one area is a de minims area (DA D). See Appendix C of the Hydrology Report, provided as Appendix F of this IS/MND, for a visual reference of the location of the drainage areas.

For the proposed condition, drainage from DA A sheet flows through the parking area and drive aisles before making its way to a curb cut on the southwest corner of the site. Runoff from DA A discharges to an infiltration basin where it will be treated and retained. Drainage from DA B sheet flows through the site making its way to a curb cut at the northeast corner of the site. Runoff from DA B discharges to an infiltration basin where it will be treated and retained. Runoff exceeding the capacity of the infiltration basin will discharge to an underground ADS StormTech MC-4500 infiltration system.

According to the Geotechnical Report, measured infiltration rates of 40 in/hr were encountered at the site; therefore, infiltration BMPs are feasible. The proposed underground infiltration system was sized to treat the design capture the volume (DCV), as outlined in the WQMP, and to retain the storm water volume required to not create adverse impacts downstream. The required DCV for DA A is 1371 c.f. and the required DCV for DA B is 9224 c.f. Each infiltration system has been sized to treat and retain the 100-year storm event; therefore, enough capacity has been provided to retain the DCV.

These stormwater facilities and associated impacts would occur within the boundaries of the Project site, the effects of which have been analyzed within this Initial Study. As such, are less than significant impacts would occur in this regard.

Dry Utilities

It is anticipated that the City of Victorville Municipal Utility Services (VMUS) and Southern California Edison (SCE) would provide natural gas and electrical services to the Project site, respectively. The project would involve constructing new private on-site dry utility lines to serve the proposed use. Payment of standard utility connection fees and ongoing user fees to VMUS and SCE would be required to ensure these utility services would be able to accommodate the proposed development. Construction of the project's dry utilities would be subject to compliance with all applicable local, State, and Federal laws, ordinances, and regulations. These dry utilities and associated impacts would occur within the boundaries of the Project site, the effects of which have been analyzed within this Initial Study. As such, project impacts would be less than significant in this regard.

b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. Domestic water service to the Project site is provided by the Victorville Water District (VWD). VWD's potable water system supplies water solely from groundwater pumped from the Mojave River Basin (Basin). The Basin is adjudicated, and Mojave Water Agency (MWA) serves as the Watermaster. According to the Mojave Basin Area Judgment, producers in the Mojave Basin Area are allocated a Free Production Allowance (FPA). Producers may pump more than their FPA, provided they purchase replacement water. Funds collected for replacement water are then used by MWA to purchase imported water supplies in wet years and recharge them into the Basin for use in dry years.

According to the VWD Urban Water Management Plan (UWMP), natural groundwater supply estimates are based on the long-term averages, which account for inconsistency in natural supplies (i.e., historic periods of drought are included in the long-term average). VWD does not have any inconsistent water sources that result in reduced supplies in dry or multiple-dry years. Therefore, VWD's UWMP concludes that VWD has adequate supplies to meet demands during average, single-dry, and multiple-dry years throughout the 25-year planning period. VWD anticipates continuing aggressive water conservation efforts, increased use of recycled water to offset potable water demand, and participation in new water supply projects with MWA to ensure that supplies continue to meet current and projected demands.[35] Therefore, the Project would have sufficient water supplies during the foreseeable future development during normal, dry and multiple dry years. Impacts would be less than significant.

[35] Victorville Water District. 2020. Urban Water Management Plan. Available at https://www.victorvilleca.gov/home/showpublisheddocument/6573/637581546575430000. Accessed June 9, 2021.

c) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. The City operates a 2 1/2 million gallon per day (gpd) Wastewater Treatment Plant. This plant is located at the former George Air Force Base, now known as the Southern California Logistics Airport (SCLA). This plant treats industrial waste from a Dr. Pepper/Snapple bottling plant along with domestic waste from the SCLA and the northwestern area of the City of Victorville. High-quality recycled water is produced from the plant that is used for irrigation at the SCLA and cooling water for a power generation plant. The remainder of wastewater from the City of Victorville flows through the Victor Valley Water Reclamation Authority's (VVWRA) wastewater treatment plant.

The City through its Public Works Department provides sewer service to residents and businesses within the city limits. The City owns, operates, and maintains a sanitary sewer collection system including approximately 411 miles of sewers. The existing land uses utilized in the preparation of the sewer master plan (SMP) were primarily based on the City's 2008 General Plan land use map.

According to the SMP, Per discussions with the City staff, it was determined that Year 2040 should be the planning horizon for the SMP. The City anticipates most of the vacant lots to be developed by Year 2040. In addition, the City is considering providing sewer service to all of the parcels that are with septic tanks and are within 200 feet of existing sewers by Year 2040. The SMP shows that the Project site is located within the East Bear Valley Planning Area (EBVPA). The EBVPA was anticipated to grow in development to approximately 85% residential, 70% commercial, and 90% industrial developments by year 2040.

It is the City's policy to ensure development pays the cost of its infrastructure and service needs (Land Use Element Policy 3.1.1) and require new development to pay the capital costs of public facilities and services needed to serve those development (Land Use Element Implementation Measure 3.1.1.4). In conformance with Land Use Element Policy 3.1.1, the Project applicant would be responsible for payment of applicable development impact fees to pay for infrastructure improvements as identified in the City's Capital Improvement Plan. As such, impacts in this regard would be less than significant.

As discussed above, the SMP notes that all existing and projected to be developed parcels were considered in the preparation of the SMP. It was determined that the City has sufficient wastewater treatment facilities and capacity to service the Project. The Project would also be required to develop appropriately sized water and wastewater conveyance facilities to and from the Project site. Thus, less than significant impacts would occur.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact.

Construction

All construction activities would be subject to conformance with relevant Federal, State, and local requirements related to solid waste disposal. The Project would be required to demonstrate compliance with the California Integrated Waste Management Act of 1989 (AB 939), which requires all California cities to "reduce, recycle, and reuse solid waste generated in the State to the maximum extent feasible." Additionally, AB 939 requires that at least 50 percent of waste produced is recycled, reduced, or composted. All local jurisdictions, including the City of Victorville, are monitored by the State (CalRecycle) to verify if waste disposal rates set by CalRecycle are met to comply with the intent of AB 939.

As of the latest data available (2018), the City has met the target rates set by CalRecycle.[36] The Project would also be required to demonstrate compliance with CALGreen, which includes design and construction measures that act to reduce construction-related waste through material conservation measures and other construction related efficiency measures. Compliance would be verified by the City through review of Project plans and specifications. Lastly, the Project would be subject to compliance with all applicable solid waste handling, processing, and disposal requirements stipulated under Chapter 6.36 of the Victorville Municipal Code. Compliance with these programs and policies would ensure the Project's construction-related solid waste impacts are less than significant.

Operation

Victorville Landfill has a maximum daily throughput of 3,000 tons per day and a remaining capacity of 79,400,000 cubic yards. Based on the Project's air quality and GHG modeling, Project operations are expected to generate approximately 57.51 tons of waste per year, or approximately 0.16 tons per day (tpd); refer to Appendix A, Air Quality. This represents a nominal 0.005 percent of the maximum tons per day accepted by Victorville Landfill. As such, the Project is not anticipated to generate solid waste in excess of State or local standards (such as waste disposal targets established under AB 939), or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Impacts would be less than significant in this regard.

Table 34: Landfills Serving the City

Landfill	Amount Disposed by City in 2019 (tons/day)	Maximum Daily Throughput (tons per day)	Remaining Capacity (Cubic Yards)	Anticipated Closure Date
El Sobrante Landfill	1,212	16,054	143,977,170	01/01/2051
Mid-Valley Sanitary Landfill	3,384	7,500	61,219,377	04/01/2045
Victorville Sanitary Landfill	103,159.2	3,000	79,400,000	10/01/2047
Source: CalRecycle, SWIS Facility/Site Search. https://www2.calrecycle.ca.gov/SolidWaste/Site/Search. accessed June 9, 2021.				

[36] CalRecycle. Jurisdiction Diversion/Disposal Rate Summary. Available at https://www.calrecycle.ca.gov/lgcentral/datatools/reports/divdisprtsum. Accessed June 9, 2021.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact. The proposed Project would be consistent with the City's General Plan goals, policies, and actions based on solid waste handling. The Project is required to adhere to City ordinances with respect to waste reduction and recycling. As a result, no impacts related to State and local statutes governing solid waste are anticipated and no mitigation is required.

Cumulative Impacts

The proposed Project would have a less than significant impact with respect to utilities/service systems. The Project would require water and wastewater infrastructure, as well as solid waste disposal for building facility construction and operation. Development of public utility infrastructure is part of an extensive planning process involving utility providers and jurisdictions with discretionary review authority. The coordination process associated with the preparation of development and infrastructure plans is intended to ensure that adequate resources are available to serve both individual projects and cumulative demand for resources and infrastructure as a result of cumulative growth and development in the area. Each individual project is subject to review for utility capacity to avoid unanticipated interruptions in service or inadequate supplies. Coordination with the utility companies would allow for the provision of utility service to the proposed Project and other developments. The Project and other planned projects are subject to connection and service fees to assist in facility expansion and service improvements triggered by an increase in demand. Because of the utility planning and coordination activities described above, no significant cumulative utility impacts are anticipated.

WILDFIRE

ENVIRONMENTAL IMPACTS Issues		Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
20.	**WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:**				
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

Wildfire Hazard

CAL FIRE's VHFHSZ in Local Responsibility Areas (LRA) and State Responsibility Area (SRA) Maps show that the City of Victorville is neither in a LRA or SRA. No portion of the City is located in a very high fire hazard severity zone (VHFHSZ).[37] The City is urbanized and generally built out with established commercial, residential, and industrial development.[38]

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact. The Project site is not located in or near a LRA or SRA, nor is the site designated as a VHFHSZ. Additionally, the Project would comply with all local regulations related to emergency access/evacuation. As such, no impact would occur in this regard.

[37] CAL Fire. (2008). *Very High Fire Hazard Severity Zones in LRA; City of Victorville*. Available at https://osfm.fire.ca.gov/media/6783/fhszl_map62.pdf. Accessed June 9, 2021.
[38] City of Victorville. (2018). *Local Hazard Mitigation Plan – Wildfire Hazards Profile*. Available at https://Victorville.org/3196/Local-Hazard-Mitigation-Plan-LHMP. Accessed January 18, 2021.

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

No Impact. Refer to the previous response, Wildfire (a).

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

Less Than Significant Impact. All proposed Project components would be located within the boundaries of the Project site, and impacts associated with the development of the Project within are analyzed throughout this document. The Project does not propose off-site improvements that would exacerbate fire risks. Furthermore, the Victorville Fire Department will review all plans for adequate fire suppression (California Fire Code Chapter 9), fire access (California Fire Code Chapter 5), and emergency evacuation (California Fire Code Chapter 4) as part of the City's review process to ensure compliance with the California Fire Code, as adopted by the City of Victorville. As such, a less than significant impact would occur.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Less Than Significant Impact. As discussed above in threshold b), the Project site is not in a VHFHSZ nor located near steep slopes or hillsides. The Project would implement efficient landscape maintenance practices to decrease the release of stormwater running off the site; therefore, the Proposed project site would not expose people to downstream flooding or landslides as a result of runoff. Impacts would be less than significant.

Cumulative Impacts

The proposed Project area is not subject to natural wildfire areas. Consequently, Project implementation would not create a significant cumulative impact that would exacerbate wildfires. Impacts would be less than significant.

MANDATORY FINDINGS OF SIGNIFICANCE

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
21. MANDATORY FINDINGS OF SIGNIFICANCE. Does the Project:				
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X		
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant with Mitigation Incorporated. All impacts to the environment, including impacts to habitat for fish and wildlife species, fish and wildlife populations, plant and animal communities, rare and endangered plants and animals, and historical and pre-historical resources were evaluated as part of this IS/MND in their respective sections. Where impacts were determined to be potentially significant, mitigation measures have been imposed to reduce those impacts to less-than-significant levels. Accordingly, with incorporation of Mitigation Measure BIO-1, the Project would not substantially degrade the quality of the environment and impacts would be less than significant.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less Than Significant with Mitigation Incorporated. As discussed throughout this IS/MND, implementation of the proposed Project has the potential to cumulatively impact its immediate and surrounding area. In some instances where the proposed Project has the potential to contribute to a cumulatively considerable impact to the environment, mitigation measures BIO-1, CUL-1 through CUL-3, GHG-1, TCR-1, and TCR-2 have been imposed to reduce potential effects to less-than significant levels. As such, the Project would not contribute to environmental effects that are individually limited, but cumulatively considerable, and impacts would be less than significant.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant with Mitigation Incorporated. The Project's potential to result in environmental effects that could adversely affect human beings, either directly or indirectly, has been discussed throughout this IS/MND in each respective section. In instances where the Project has potential to result in direct or indirect adverse effects to human beings, mitigation measures BIO-1, CUL-1 through CUL-3, GHG-1, TCR-1, and TCR-2 have have been applied to reduce the impact to below a level of significance. With required implementation of mitigation measures identified in this IS/MND, construction and operation of the proposed Project would not involve any activities that would result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

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