

DRAFT
INITIAL STUDY AND
MITIGATED NEGATIVE DECLARATION

HATTER HOLDINGS.
APN 0459-432-23
CUP 21-27 & LDP 21-27
ADELANTO, CALIFORNIA



LEAD AGENCY:

CITY OF ADELANTO
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
11600 AIR EXPRESSWAY
ADELANTO, CALIFORNIA 92301

REPORT PREPARED BY:

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MAY 26, 2022

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MITIGATED NEGATIVE DECLARATION

PROJECT NAME: Hatter Holdings CUP 21-27 & LDP 21-27 APN: 0459-432-23.

PROJECT APPLICANT: Michael Pontious, Pontious Architecture 17995 Hwy. 18 South, Suite 4 Apple Valley, California 92307

PROJECT LOCATION: Adelanto, California 92301. The corresponding Assessor Parcel Number (APN) is 0459-432-23. The proposed project site is located on the east side of Panther Avenue in the southwestern portion of the City.

CITY AND COUNTY: City of Adelanto, San Bernardino County.

PROJECT: The City of Adelanto is reviewing an application to develop a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).

FINDINGS: The environmental analysis provided in the attached Initial Study indicates that the proposed project will not result in any significant adverse unmitigable impacts. For this reason, the City of Adelanto determined that a *Mitigated Negative Declaration* is the appropriate CEQA document for the proposed project. The following findings may be made based on the analysis contained in the attached Initial Study:

- The proposed project *will not* have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
- The proposed project *will not* have impacts that are individually limited, but cumulatively considerable.
- The proposed project *will not* have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The environmental analysis is provided in the attached Initial Study prepared for the proposed project. The project is also described in greater detail in the attached Initial Study.



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TABLE OF CONTENTS

<u>Section No.</u>	<u>Page</u>
1.0 INTRODUCTION	7
1.1 Purpose of this Initial Study	7
1.2 Initial Study’s Organization	8
2.0 PROJECT DESCRIPTION	9
2.1 Project Overview	9
2.2 Project Location.....	9
2.3 Environmental Setting	9
2.4 Project Description.....	14
2.5 Discretionary Actions.....	18
3.0 ENVIRONMENTAL ANALYSIS	19
3.1 Aesthetics	20
3.2 Agriculture & Forestry Resources	23
3.3 Air Quality.....	26
3.4 Biological Resources	32
3.5 Cultural Resources	40
3.6 Energy	46
3.7 Geology & Soils	50
3.8 Greenhouse Gas Emissions.....	55
3.9 Hazards & Hazardous Materials.....	59
3.10 Hydrology & Water Quality	64
3.11 Land Use & Planning.....	68
3.12 Mineral Resources.....	71
3.13 Noise	73
3.14 Population & Housing.....	77
3.15 Public Services	79
3.16 Recreation.....	82
3.17 Transportation.....	84
3.18 Tribal Cultural Resources	86
3.19 Utilities and Service Systems.....	88
3.20 Wildfire	91
3.21 Mandatory Findings of Significance	94
4.0 CONCLUSIONS	95
4.1 Findings	95
4.2 Mitigation Monitoring	95
5.0 REFERENCES.....	109
5.1 Preparers.....	109
5.2 References.....	109
APPENDICES	111

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SECTION 1 INTRODUCTION

1.1 PURPOSE OF THIS INITIAL STUDY

This Initial Study analyzes the environmental impacts associated with the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, manufacturing, and distribution. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).¹

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

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

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

¹ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6,2021.

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

³ Ibid. (CEQA Guidelines) §15050.

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

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

Mary Blais, Contract Planner
City of Adelanto, Planning Division
11600 Air Expressway
Adelanto, California 92301

1.2 INITIAL STUDY’S ORGANIZATION

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

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



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

SECTION 2 PROJECT DESCRIPTION

2.1 PROJECT OVERVIEW

This Initial Study analyzes the environmental impacts associated with the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).⁶

2.2 PROJECT LOCATION

The City of Adelanto is located approximately 60 miles northeast of Downtown Los Angeles and 30 miles north of the City of San Bernardino. Adelanto is bounded on the north by unincorporated San Bernardino County; on the east by Victorville and unincorporated San Bernardino County; the south by Hesperia and unincorporated San Bernardino County; and on the west by unincorporated San Bernardino County.⁷ Regional access to the City of Adelanto is provided by three area highways: the Mojave Freeway (Interstate 15), extending in a southwest to northeast orientation approximately three miles east of the City; U.S. Highway 395, traversing the eastern portion of the City in a northwest to southeast orientation; and Palmdale Road (State Route 18), which traverses the southern portion of the City in an east to west orientation.⁸ The location of Adelanto, in a regional context, is shown in Exhibit 2-1. A citywide map is provided in Exhibit 2-2.

The proposed project site has an Assessor Parcel Number (APN) of 0459-432-23. The proposed project site is located to the southeast of the intersection of Panther Avenue and Air Expressway in the southcentral portion of the City. Panther Avenue extends along the project site's west side while the Air Expressway extends along the project site's north side. The project site is located within the Adelanto 7¹/₂ USGS Quadrangle (Township 6 North, Range 6 West, Section 36), 1956. The project site's latitude and longitude are 34.570822 and -117.446306. A local vicinity map is provided in Exhibit 2-3. An aerial photograph of the site and the surrounding area is provided in Exhibit 2-4.

2.3 ENVIRONMENTAL SETTING

The proposed project site is located on a 2.74-acre parcel that is currently vacant and undeveloped. The property currently has a General Plan and Zoning land use designation of Light Manufacturing (LM).

⁶ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6, 2021.

⁷ Blodgett Baylosis Environmental Planning. 2021.

⁸ Google Earth. Website accessed August 4, 2021.

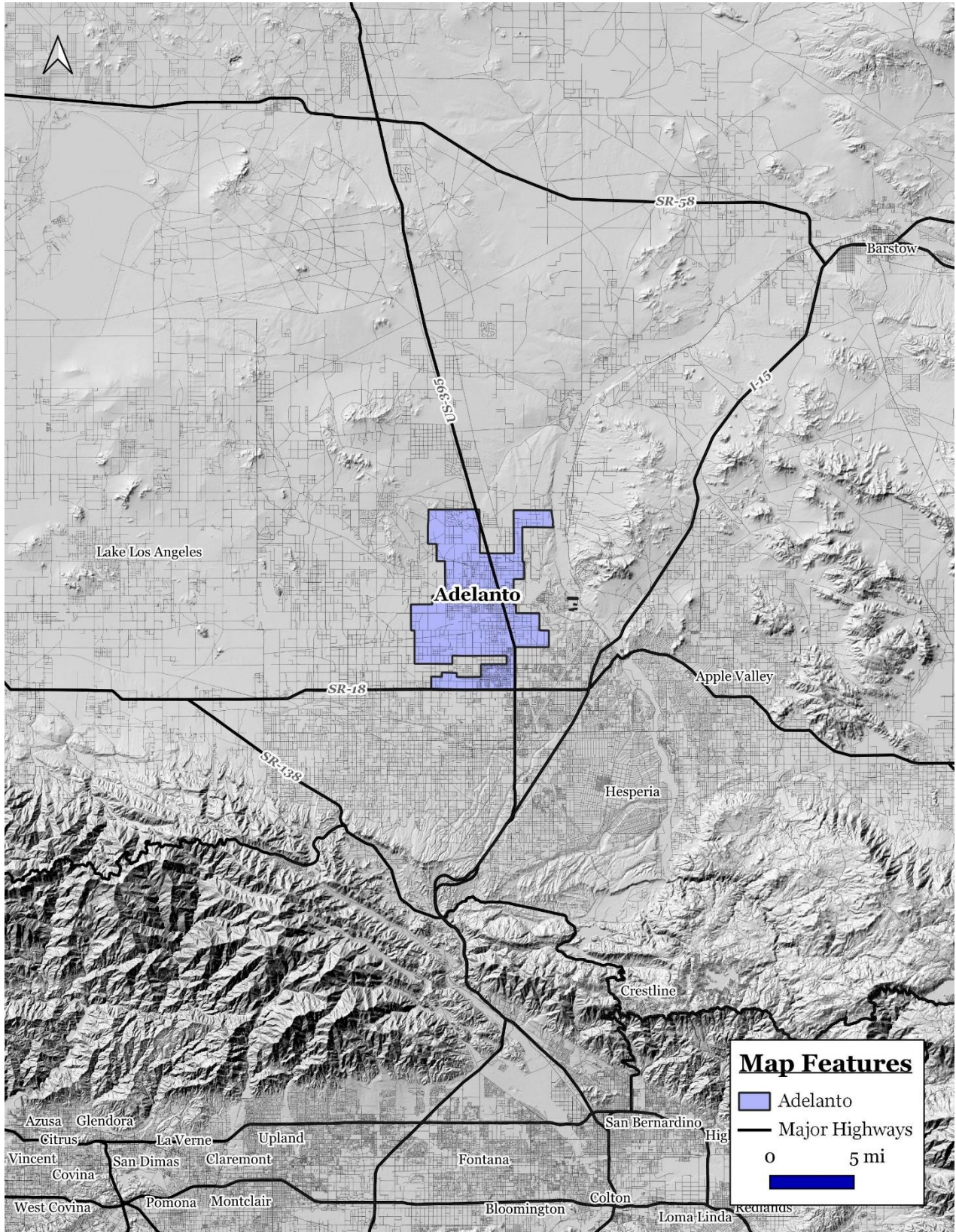


EXHIBIT 2-1 REGIONAL MAP

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

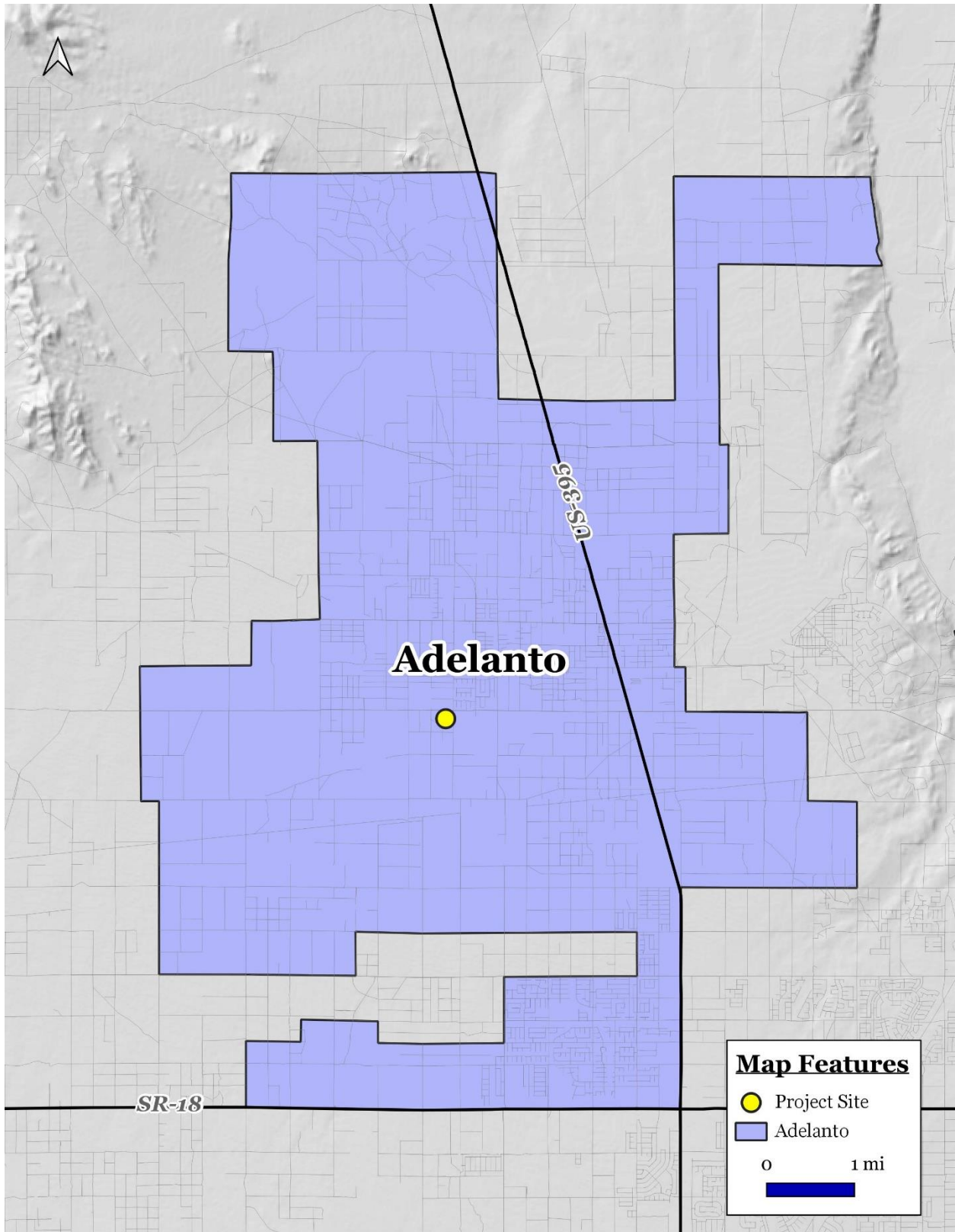


EXHIBIT 2-2 CITYWIDE MAP

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

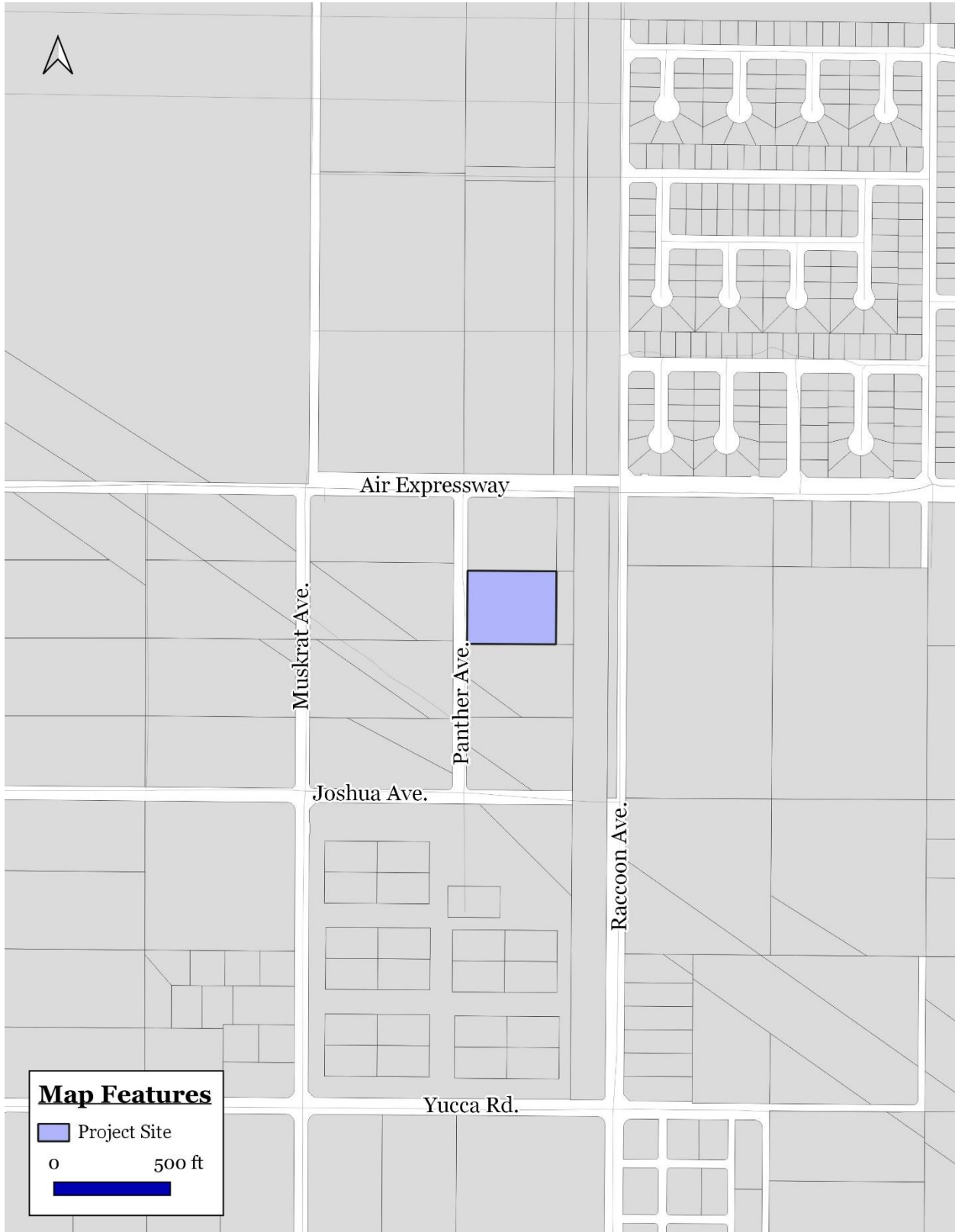


EXHIBIT 2-3 LOCAL MAP

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING



EXHIBIT 2-4
AERIAL IMAGE OF PROJECT SITE
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

Access to the project site would be provided by two roadway connections on the west side of the project site along Panther Avenue. Land uses and development located in the vicinity of the proposed project are outlined below:

- *North of the project site:* Vacant and undisturbed land parcels are located directly to the north of the project site. These parcels are zoned as *Manufacturing/Industrial (MI)*. Single Family Residential housing (R-S5) is located to the northeast of the project site.⁹
- *East of the project site:* Vacant land abuts the project site along Raccoon Avenue. This area is zoned as *Light Manufacturing (LM)*.
- *South of the project site:* Vacant land is located to the south along Joshua Avenue. Light Manufacturing (LM) land uses are located to the southwest of the project site. Yellow Dream Farm Cultivation, Modern Forest, Centerline Wood Products are among the businesses located to the south of the project site.
- *West of the project site:* Vacant and undisturbed land abuts the project site to the west along Panther Avenue. These parcels are zoned Light Manufacturing (LM).

As indicated previously, the proposed project site is located on a 2.74-acre parcel that is currently vacant and undeveloped. The site contains a disturbed creosote bush community that supports vegetation such as Nevada joint fir, silver cholla, Joshua tree, rubber rabbitbrush, California buckwheat, and paper bag plant. The site has exhibited considerable human disturbance including illegal dumping and off-road activities. An aerial photograph of the project site and the surrounding area is provided in Exhibit 2-4.

2.4 PROJECT DESCRIPTION

2.4.1 PHYSICAL CHARACTERISTICS OF THE PROPOSED PROJECT

The proposed project site is located on a 2.74-acre parcel that is currently vacant and undeveloped. Key elements of the proposed project are summarized below and on the following page.

- *Proposed Site Plan.* The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, a total of 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).¹⁰

⁹ Google Maps and City of Adelanto Zoning Map. Website accessed on August 5, 2021.

¹⁰ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6, 2021.

- *Building No. 1.* This building would consist of two levels and would have a total floor area of 24,375 square feet. The first floor will be 19,375 square feet with a 5,000 square feet mezzanine second floor. A total of 21 standard parking spaces and 2 ADA compliant parking spaces would be provided.
- *Building No. 2.* This building would consist of two levels and would have a total floor area of 24,375 square feet. The first floor will be 19,375 square feet with a 5,000 square feet mezzanine second floor. A total of 21 standard parking spaces and 2 ADA compliant parking spaces would be provided.
- *Building No. 3.* This building would consist of two levels and would have a total floor area of 24,375 square feet. The first floor will be 19,375 square feet with a 5,000 square feet mezzanine second floor. A total of 21 standard parking spaces and 2 ADA compliant parking spaces would be provided.
- *Access and Parking.* Access to the project site will be provided by two driveway connections with Panther Avenue. The new development would be met by 63 standard parking spaces and 6 ADA compliant parking stalls provided, for a total of 69 parking spaces. All internal roadways and parking areas will be paved. The adjacent roadways, Panther Avenue and Air Expressway, must also be improved pursuant to the City's requirements.
- *On-Site Improvements.* Power (electrical) would be met with connections to the existing utility lines located in Raccoon Avenue including a new 8-inch water line and a new 6-inch sanitary sewer line.
- *Security.* On-site security will be provided twenty-four hours a day, seven days a week by security guards. In addition, shielded security lighting that would conform with all municipal lighting regulations will be installed on the premises.
- *Landscaping and Drainage Easement.* 11,276 square feet of the project site will be dedicated to landscaping equating to 9.4% coverage. The landscaped areas will surround the project site.

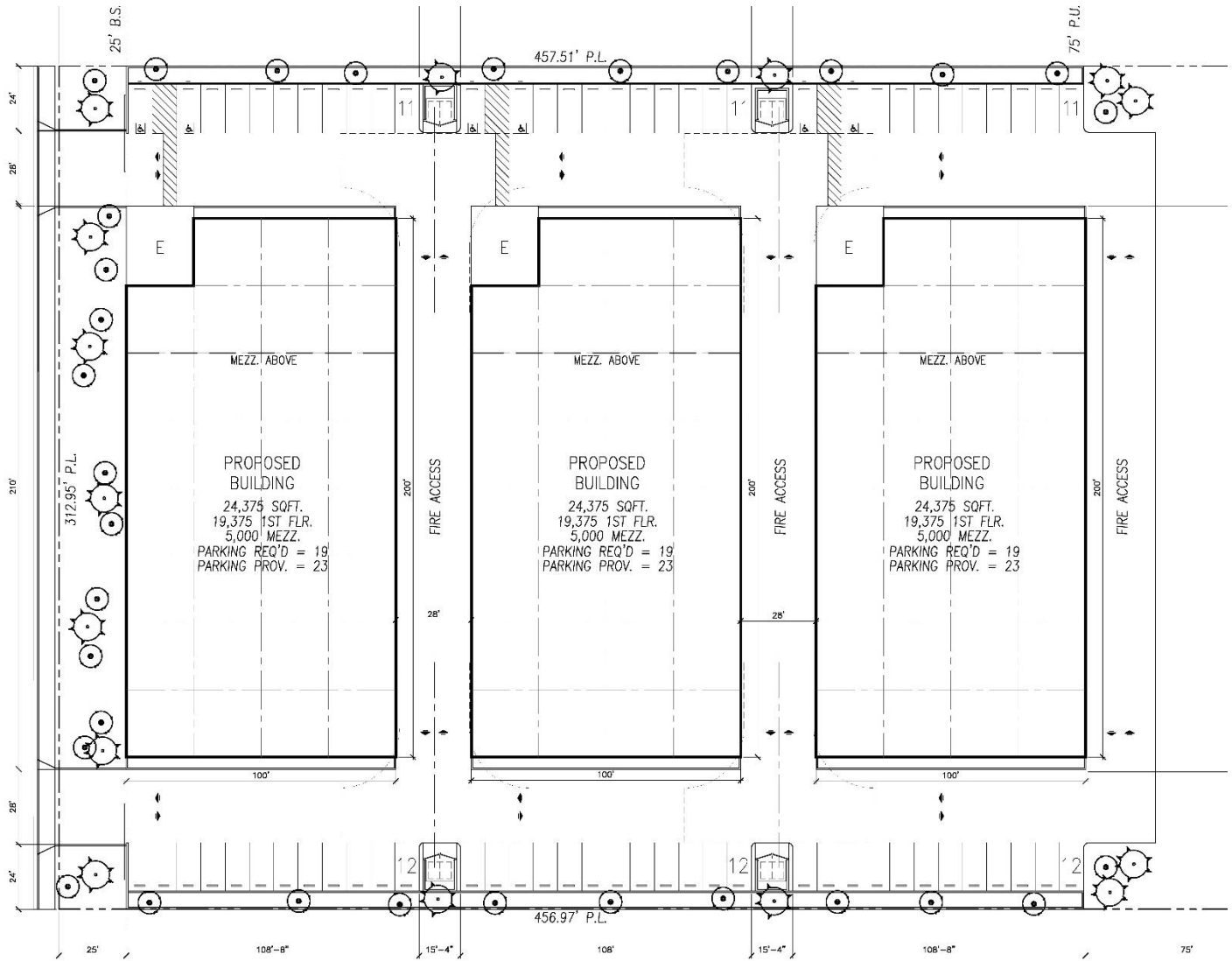


EXHIBIT 2-5
SITE PLAN
 SOURCE: PONTIUS ARCHITECTURE

2.4.2 OPERATIONAL CHARACTERISTICS OF THE PROPOSED PROJECT

As indicated previously, the proposed development will involve the construction of three, two-story cannabis cultivation, distribution, and manufacturing facilities with a total floor area of 73,125 square-feet. Key operational elements are outlined below:

- *Cultivation Method.* The cultivation method will be soil based or organic. Organic cultivation involves the use of soil and plant or manure-based composts. Organic soils are generally rich with living microbes that slowly break down components in the soil and release nutrients to the plant. Each of the new buildings will have approximately 50% of their floor area devoted to cultivation.
- *Equipment.* The cultivation and manufacturing would occur inside the individual buildings. As a result, the equipment would be limited to that suitable for use in an indoor environment. Planting, cultivation, and trimming would be undertaken by trained staff. Organic cultivation involves the use of soil and plant or manure-based composts. Organic soils are rich with living microbes that slowly break down components in the soil and release nutrients to the plant.
- *Utilities.* The proposed project will include a new 8-inch water line and a 6-inch sewer line connection to existing lines in Raccoon Avenue. Two-inch laterals will then provide connections to the individual buildings. Water and sewer service would be provided by the Adelanto Water Department. Electrical service would be provided by Southern California Edison.
- The project will be required to implement mitigation to control odors, air, and volatile organic chemicals (VOC) emissions (refer to Section 2.2 and Section 3.9).
- *Employment.* The new cultivation facility is projected to employ 75 persons per day at full capacity.
- *Hours of Operation.* The hours of on-site operations for the proposed new development will be Monday through Sunday, 8:00 AM to 5:00 PM and 24-hours a day security.¹¹

2.4.3 CONSTRUCTION CHARACTERISTICS

The construction for the current proposed project is assumed to commence in January 2023 and would take approximately nine months to complete.¹² The key construction phases are outlined in the paragraphs that follow.

- *Phase 1 Grading.* The project site would be graded and readied for the construction. The site would be graded to a depth of approximately 3-inches to 6-inches in depth. The typical heavy equipment used during this construction phase would include graders, bulldozers, offroad trucks, back-hoes, and trenching equipment. This phase would require one month to complete.
- *Phase 2 Site Preparation.* During this phase, the building footings, utility lines, and other underground infrastructure would be installed. The typical heavy equipment used during this

¹¹ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6,2021.

¹² Ibid.

construction phase would include bulldozers, offroad trucks, back-hoes, and trenching equipment. This phase would require one month to complete.

- *Phase 3 Building Construction.* The new buildings would be constructed during this phase. The typical heavy equipment used during this construction phase would include offroad trucks, cranes, and fork-lifts. This phase will take approximately five months to complete.
- *Phase 4 Paving and Finishing.* This concluding phase would involve the paving and finishing. The typical heavy equipment used during this construction phase would include trucks, backhoes, rollers, pavers, and trenching equipment. The completion of this phase will take approximately two months to complete.

2.5 DISCRETIONARY ACTIONS

A Discretionary Action is an action taken by a government agency (for this project, the government agency is the City of Adelanto) that calls for an exercise of judgment in deciding whether to approve a project. The following discretionary approvals are required:

- Approval of a Conditional Use Permit (CUP 21-27);
- Approval of a Land Development Plan (LDP 21-27); and
- Approval of the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP).

In addition, the proposed project would require a manufacturing license, a distribution license, and one or more cultivation licenses from the State Department of Cannabis Control (DCC). The DCC is responsible for licensing, regulation, and enforcement of commercial cannabis business activities, as defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and DCC regulations related to cannabis business activities (Bus. & Prof. Code, § 26012(a)).



SECTION 3 ENVIRONMENTAL ANALYSIS

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

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

The environmental analysis included in this section reflects the Initial Study Checklist format used by the City of Adelanto in its environmental review process (refer to Section 1.3 herein). Under each issue area, an analysis of impacts is provided in the form of questions followed by corresponding detailed responses. For the evaluation of potential impacts, questions are stated, and an answer is provided according to the analysis undertaken as part of this Initial Study's preparation. To each question, there are four possible responses:

- *No Impact.* The proposed project *will not* have any measurable environmental impact on the environment.
- *Less Than Significant Impact.* The proposed project *may have* the potential for affecting the environment, although these impacts will be below levels or thresholds that the City of Adelanto or other responsible agencies consider to be significant.
- *Less Than Significant Impact with Mitigation.* The proposed project *may have* the potential to generate impacts that will have a significant impact on the environment. However, the level of impact may be reduced to levels that are less than significant with the implementation of mitigation measures.
- *Potentially Significant Impact.* The proposed project may result in environmental impacts that are significant.

This Initial Study will assist the City of Adelanto in deciding as to whether there is a potential for significant adverse impacts on the environment associated with the implementation of the proposed project.

3.1 AESTHETICS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Except as provided in Public Resources Code Section 21099, would the project have a substantial adverse effect on a scenic vista?				✘
B. Except as provided in Public Resources Code Section 21099, would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?				✘
C. Except as provided in Public Resources Code Section 21099, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from a publicly accessible vantage point)? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				✘
D. Except as provided in Public Resources Code Section 21099, would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				✘

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Except as provided in Public Resources Code Section 21099, would the project have a substantial adverse effect on a scenic vista? • No Impact

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).¹³

The dominant scenic views from the project site include the views of the San Bernardino and San Gabriel Mountains, located 20 miles south and southeast of the site. In addition, local views are already dominated by regional Southern California Edison (SCE) transmissions towers and transmission lines. Views from the mountains will not be obstructed. Once operational, views of the aforementioned mountains will continue to be visible from the public right-of-way. *As a result, no impacts will occur.*

¹³ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6, 2021.

B. *Except as provided in Public Resources Code Section 21099, would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? • No Impact.*

According to the California Department of Transportation, none of the streets located adjacent to the proposed project site are designated scenic highways and there are no state or county designated scenic highways in the vicinity of the project site.¹⁴ There are no officially designated highways located near the city. The nearest highways that are eligible for designation as a scenic highway include SR-2 (from SR-210 to SR-138), located 11 miles southwest of the City; SR-58 (from SR-14 to I-15), located 20 miles north of the City; SR-138 (from SR-2 to SR-18), located 13 miles south of the City; SR-173 (from SR-138 to SR-18), located 15 miles southeast of the City; and, SR-247 (from SR-62 to I-15), located 23 miles east of the City. The City of Adelanto 2035 Sustainable Plan identifies prominent view sheds within the city. These view sheds are comprised primarily of undeveloped desert land, the Mojave River, and distant views of the mountains.¹⁵ The site would not qualify as undeveloped desert land since the site is currently zoned as Light Manufacturing (LM) with adjacent land parcels disturbed with the presence of telecommunication towers. The proposed site does not contain any sensitive habitats. Lastly, the project site does not contain any buildings listed in the State or National registrar. *As a result, no impacts will occur.*

C. *Except as provided in Public Resources Code Section 21099, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from a publicly accessible vantage point)? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? • No Impact*

There are no protected views in the vicinity of the project site and the City does not contain any scenic vistas or protected viewsheds within the City's corporate boundaries. In addition, the City does not have any zoning regulations or other regulations governing scenic quality other than the development standards for which the new buildings will conform to. *As a result, no impacts will occur.*

D. *Except as provided in Public Resources Code Section 21099, would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? • No Impact*

The nearest sensitive receptor is located 0.23 miles to the northeast of the project site. Project-related sources of nighttime light would include parking area exterior lights, security lighting, and vehicular headlights. The proposed project will not expose any sensitive receptors to daytime or nighttime light trespass since the project will be in conformance with Section 17.90.040 – Lighting of the City of Adelanto Municipal Code. The City's Code requirements includes the following requirements related to outdoor lighting:

- (a) All on-site lighting shall be energy efficient, stationary, and directed away from adjoining properties and public rights-of-way.

¹⁴ California Department of Transportation. *Official Designated Scenic Highways*.

¹⁵ MIG Hogle-Ireland. *Adelanto North 2035 Comprehensive Sustainable Plan*. August 27, 2014.

- (b) Light fixtures shall be shielded so no light is emitted above the horizontal plane of the bottom of the light fixture.
- (c) Light fixtures shall be shielded so no light above 0.5 footcandle spills over onto adjacent properties and rights-of-way. There shall be no spillover (0.0 footcandle) onto adjacent residential used or zoned properties.

The proposed project must also comply with the DCC's applicable regulatory specifications requirements that all outdoor lighting for security purposes must be shielded and downward facing. (Cal. Code Regs., tit. 3 § 16304(a)(7). *As a result, no light-related impacts are anticipated.*

MITIGATION MEASURES

The proposed project will not expose any sensitive receptors to daytime or nighttime light trespass since the project will be in conformance with Section 17.90.040 – Lighting of the City of Adelanto Municipal Code. The proposed project must also comply with the DCC's applicable regulatory specifications requirements that all outdoor lighting for security purposes must be shielded and downward facing. (Cal. Code Regs., tit. 3 § 16304(a)(7). *As a result, no light-related impacts are anticipated.* The analysis of aesthetics concluded that no impact on these resources would occur as part of the proposed project's implementation. *As a result, no mitigation is required.*

3.2 AGRICULTURE & FORESTRY RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses?				✘
B. Would the project conflict with existing zoning for agricultural uses, or a Williamson Act Contract?				✘
C. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				✘
D. Would the project result in the loss of forest land or conversion of forest land to a non-forest use?				✘
E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to a non-forest use?				✘

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses? • No Impact.*

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).¹⁶ *The proposed project would not result in any farmland conversion impacts.*

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

The project site is currently zoned as Light Manufacturing (LM). The property is vacant and undeveloped and there are no agricultural uses located within the site that would be affected by the project's implementation. According to the California Department of Conservation Division of Land Resource

¹⁶ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6, 2021.

Protection, the project site is not subject to a Williamson Act Contract.¹⁷ *As a result, no impacts on existing Williamson Act Contracts will result from the proposed project's implementation.*

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

The proposed project involves the construction of three, two-story cannabis cultivation, distribution, and manufacturing facilities with a total floor area of 73,125 square-feet. There are no forest lands or timber lands located within or adjacent to the site. Furthermore, the site's existing zoning designation does not contemplate forest land or timber land uses. *As a result, no impacts will occur.*

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

No forest lands are located within the project site. The proposed use will be restricted to the site and will not affect any land under the jurisdiction of the Bureau of Land Management (BLM). No loss or conversion of forest lands to urban uses will result from the proposed project's implementation. *As a result, no impacts will result.*

E. *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to a non-forest use?* • *No Impact.*

The project would not involve the disruption or damage of the existing environment that would result in a loss of farmland to nonagricultural use or conversion of forest land to non-forest use. *As a result, no farmland conversion impacts will occur with the implementation of the proposed project.*

MITIGATION MEASURES

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

¹⁷ California Department of Conservation. *State of California Williamson Act Contract Land.*

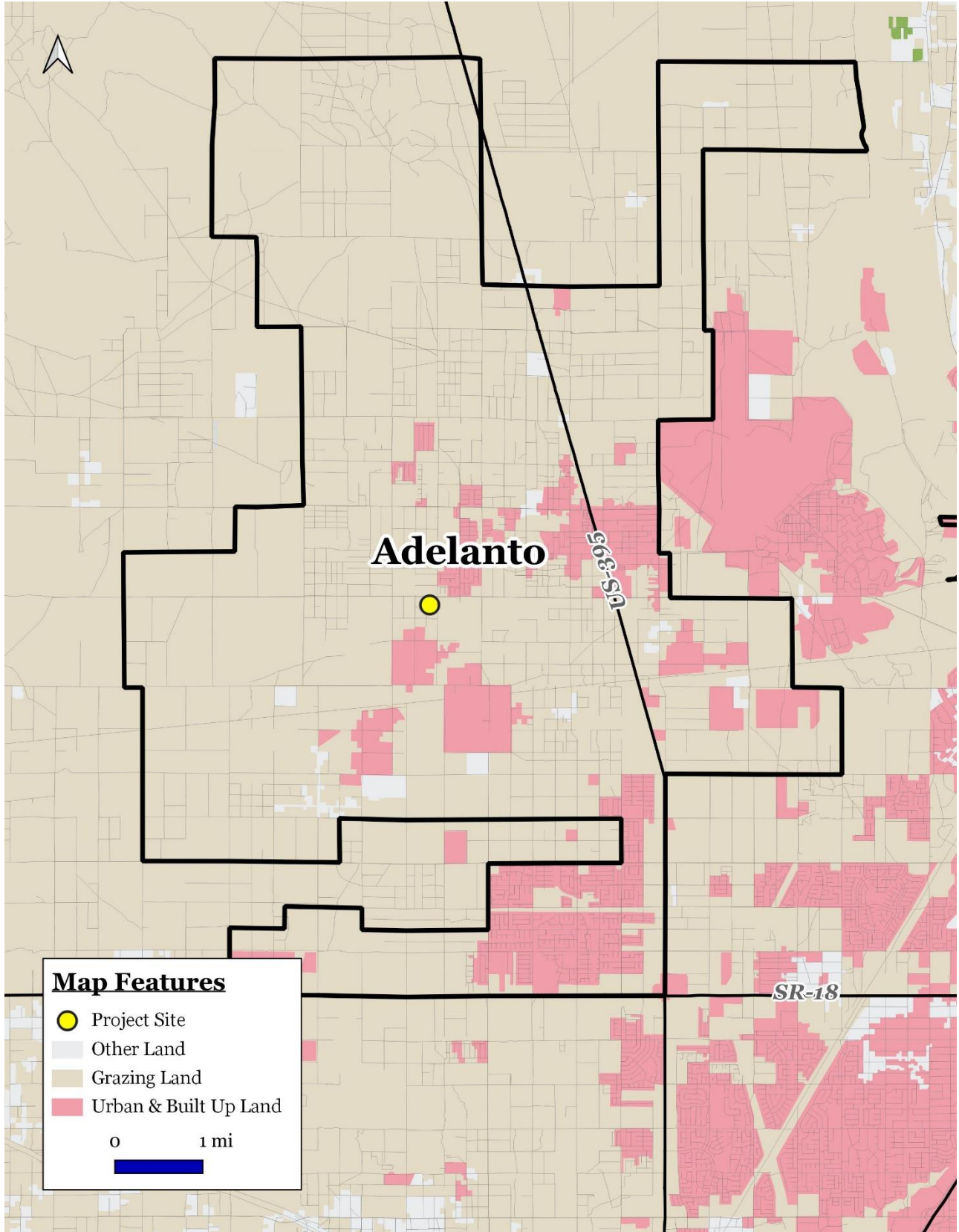


EXHIBIT 3-1
AGRICULTURE MAP
SOURCE: DEPARTMENT OF CONSERVATION

3.3 AIR QUALITY

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project conflict with or obstruct implementation of the applicable air quality plan?				✘
B. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?			✘	
C. Would the project expose sensitive receptors to substantial pollutant concentrations?				✘
D. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?		✘		

ANALYSIS OF ENVIRONMENTAL IMPACTS

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

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).¹⁸

Air quality impacts may occur during the construction or operation of a project, and may come from stationary (e.g., industrial processes, generators), mobile (e.g., automobiles, trucks), or area (e.g., residential water heaters) sources. The City is located within the Mojave Desert Air Basin (MDAB) and is under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The district covers the majority of the MDAB. The MDAB is an assemblage of mountain ranges interspersed with long broad valleys that often contain dry lakes. The MDAB is separated from the southern California coastal and central California valley regions by mountains (highest elevation approximately 10,000 feet). The Antelope Valley is bordered in the northwest by the Tehachapi Mountains and in the south by the San Gabriel Mountains. The adjacent Mojave Desert is bordered in the southwest by the San Bernardino Mountains.¹⁹ The Mojave Desert Air Quality Management District (MDAQMD) has established quantitative thresholds for short-term (construction) emissions and long-term (operational) emissions for the criteria pollutants listed below. Projects in the Mojave Desert Air Basin (MDAB) generating construction and operational-

¹⁸ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6, 2021.

¹⁹ Mojave Desert Air Quality Management District (MDAQMD). *California Environmental Quality Act (CEQA) and Federal Conformity Guidelines*. Report dated August 2016.

related emissions that exceed any of the following emissions thresholds are considered to be significant under CEQA.

- *Ozone (O₃)* is a nearly colorless gas that irritates the lungs, damages materials, and vegetation. Ozone is formed by photochemical reaction (when nitrogen dioxide is broken down by sunlight).
- *Carbon Monoxide (CO)* is a colorless, odorless toxic gas that interferes with the transfer of oxygen to the brain and is produced by the incomplete combustion of carbon-containing fuels emitted as vehicle exhaust. The threshold is 548 pounds per day of carbon monoxide (CO).
- *Nitrogen Oxide (NO_x)* is a yellowish-brown gas, which at high levels can cause breathing difficulties. NO_x is formed when nitric oxide (a pollutant from burning processes) combines with oxygen. The daily threshold is 137 pounds per day of nitrogen oxide (NO_x).
- *Sulfur Dioxide (SO₂)* is a colorless, pungent gas formed primarily by the combustion of sulfur-containing fossil fuels. Health effects include acute respiratory symptoms. The daily threshold is 137 pounds per day of sulfur oxides (SO_x).
- *PM₁₀ and PM_{2.5}* refers to particulate matter less than ten microns and two and one-half microns in diameter, respectively. Particulates of this size cause a greater health risk than larger-sized particles since fine particles can more easily cause irritation. The daily threshold is 82 pounds per day of PM₁₀ and 65 pounds per day of PM_{2.5}.
- *Reactive Organic Gasses (ROG)* refers to organic chemicals that, with the interaction of sunlight photochemical reactions may lead to the creation of “smog.” The daily threshold is 137 pounds per day of ROG.

Projects that are consistent with the projections of employment and population forecasts identified in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) prepared by SCAG are considered consistent with the MDAQMP growth projections, since the RTP/SCS forms the basis of the land use and transportation control portions of the MDAQMP. According to the Growth Forecast Appendix prepared by SCAG for the 2016-2040 RTP/SCS, the City of Adelanto is projected to add a total of 38,900 new residents and 3,900 new employees through the year 2040.²⁰ The proposed project will not introduce new residents and is anticipated to employ 75 persons at full capacity. Therefore, the proposed project is not in conflict with the growth projections established for the City by SCAG. The project’s construction emissions would be below the thresholds of significance established by the MDAQMD (the project’s daily construction emissions are summarized in Table 3-1). In addition, the proposed project’s long-term (operational) airborne emissions will be below levels that the MDAQMD considers to be a significant impact (refer to Table 3-2). *As a result, no conformity impacts will occur.*

B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? • Less than Significant Impact.

²⁰ Southern California Association of Governments. *Regional Transportation Plan/Sustainable Communities Strategy 2016-2040. Demographics & Growth Forecast.* April 2016.

The existing parcel is vacant and undisturbed. According to the MDAQMD, any project is significant if it triggers or exceeds the MDAQMD daily emissions threshold identified previously and noted at the bottom of Tables 3-1 and 3-2. In general, a project will have the potential for a significant air quality impact if any of the following are met:

- Generates total emissions (direct and indirect) that exceeds the MDAQMD thresholds (the proposed project emissions are less than the thresholds as indicated in Tables 3-1 and 3-2);
- Results in a violation of any ambient air quality standard when added to the local background (the proposed project will not result, in any violation of these standards);
- Does not conform with the applicable attainment or maintenance plan(s) (the proposed project is in conformance with the City's Zoning and General Plan); and,
- Exposes sensitive receptors to substantial pollutant concentrations, including those resulting in a cancer risk greater than or equal to 10 in a million and/or a Hazard Index (HI) (non-cancerous) greater than or equal to 1 (the proposed project will not expose sensitive receptors to substantial pollutant concentrations nor is the site located near any sensitive receptors).

The construction for the current proposed project is assumed to commence in January 2023 and would take approximately nine months to complete.²¹ The key construction phases are outlined in the paragraphs that follow.

- **Phase 1 Grading.** The project site would be graded and readied for the construction. The site would be graded to a depth of approximately 3-inches to 6-inches in depth. The typical heavy equipment used during this construction phase would include graders, bulldozers, offroad trucks, back-hoes, and trenching equipment. This phase would require one month to complete.
- **Phase 2 Site Preparation.** During this phase, the building footings, utility lines, and other underground infrastructure would be installed. The typical heavy equipment used during this construction phase would include bulldozers, offroad trucks, back-hoes, and trenching equipment. This phase would require one month to complete.
- **Phase 3 Building Construction.** The new buildings would be constructed during this phase. The typical heavy equipment used during this construction phase would include offroad trucks, cranes, and fork-lifts. This phase will take approximately five months to complete.
- **Phase 4 Paving and Finishing.** This concluding phase would involve the paving and finishing. The typical heavy equipment used during this construction phase would include trucks, backhoes, rollers, pavers, and trenching equipment. The completion of both phases will take approximately two months to complete.

The proposed project's construction and operation will not lead to a violation of the above-mentioned criteria. The analysis of daily construction and operational emissions was prepared utilizing the California Emissions Estimator Model (CalEEMod V.2020.4.0). For air quality modeling purposes, a nine-month period of construction for all four phases were assumed. As shown in Table 3-1, daily construction emissions

²¹ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6, 2021.

will not exceed the MDAQMD significance thresholds. The short-term construction emissions will be limited to those emissions generated during project construction.

Table 3-1
Estimated Daily Construction Emissions

Construction Phase	ROG	NOx	CO	SO2	PM10	PM2.5
Site Preparation (on-site)	2.70	27.52	18.24	0.04	19.47	11.11
Site Preparation (off-site)	0.06	0.04	0.53	--	0.15	0.04
Total Site Preparation	2.76	27.56	18.77	0.04	19.62	11.15
Grading (on-site)	1.71	17.94	14.75	0.03	6.93	4.04
Grading (off-site)	0.05	0.03	0.44	--	0.12	0.03
Total Grading	1.76	17.97	15.19	0.03	7.05	4.07
Building Construction (on-site)	1.57	14.38	16.24	0.03	0.70	0.66
Building Construction (off-site)	0.12	0.45	1.04	--	0.32	0.10
Total Building Construction	1.69	14.83	17.28	0.03	1.02	0.76
Paving (on-site)	0.88	8.27	12.22	0.02	0.40	0.37
Paving (off-site)	0.07	0.03	0.54	--	0.17	0.04
Total Paving	0.95	8.30	12.76	0.02	0.57	0.41
Architectural Coating (on-site)	53.29	1.22	1.81	--	0.06	0.06
Architectural Coating (off-site)	0.02	0.01	0.16	--	0.05	0.01
Total Architectural Coating	53.31	1.23	1.97	--	0.11	0.07
Maximum Daily Emissions	54.26	60.36	51.25	0.10	27.69	15.97
Daily Thresholds	137	137	548	137	82	65
Significant Impact?	No	No	No	No	No	No

Source: CalEEMod V.2020.4.0.

Long-term emissions refer to those air quality impacts that will occur once the proposed project has been constructed and is operational. These impacts will continue over the operational life of the project. The analysis of long-term operational impacts summarized in Table 3-2 also used the CalEEMod V.2020.4.0 computer model. The analysis summarized in Table 3-2 indicates that the operational (long-term) emissions will be below the MDAQMD daily emissions thresholds.

Table 3-2
Estimated Operational Emissions in lbs/day

Emission Source	ROG	NOx	CO	SO2	PM10	PM2.5
Area-wide (lbs/day)	1.91	--	--	0.00	--	--
Energy (lbs/day)	0.04	0.33	0.28	--	0.02	0.02
Mobile (lbs/day)	1.59	1.97	13.47	0.03	2.75	0.75
Total (lbs/day)	3.54	2.30	13.76	0.03	2.77	0.77
Daily Thresholds	55	55	550	150	150	55
Significant Impact?	No	No	No	No	No	No

Source: CalEEMod V.2020.4.0.

The analysis presented in Tables 3-1 and 3-2 reflect projected emissions that are typically higher during the summer months and represent a worse-case scenario. As indicated in Tables 3-1 and 3-2, the impacts are considered to be less than significant. In addition, the MDAQMD Rule Book contains numerous regulations

governing various activities undertaken within the district. Among these regulations is Rule 403.2 – Fugitive Dust Control for the South Coast Planning Area, which was adopted in 1996 for the purpose of controlling fugitive dust. Adherence to Rule 403.2 regulations is required for all projects undertaken within the district. All internal roadways and parking areas will be paved. The adjacent roadways, Air Expressway and Panther Avenue, must also be improved pursuant to the City’s requirements. Future construction truck drivers must also adhere to Title 13 - §2485 of the California Code of Regulations, which limits the idling of diesel-powered vehicles to less than five minutes.³ Adherence to the aforementioned standard condition will minimize odor impacts from diesel trucks. *Adherence to Rule 403 Regulations and Title 13 - §2485 of the California Code of Regulations will reduce potential impacts to levels that are less than significant.*

C. *Would the project expose sensitive receptors to substantial pollutant concentrations? • No Impact.*

According to the MDAQMD, residences, schools, daycare centers, playgrounds, and medical facilities are considered sensitive receptor land uses. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated: any industrial project within 1,000 feet; a distribution center (40 or more trucks per day) within 1,000 feet; a major transportation project within 1,000 feet; a dry cleaner using perchloroethylene within 500 feet; and a gasoline dispensing facility within 300 feet. The nearest sensitive receptor is 0.23 miles away and is classified as single family residential. *As a result, no impacts will occur.*

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

Cannabis cultivation directly impacts air quality in two (2) predominant operations, plant growth and extraction processes. Cannabis cultivation and, to a lesser degree, the manufacturing process, are often accompanied by the generation of strong odors. The majority of the odors of cannabis come from a class of chemicals called terpenes. Terpenes are among the most common compounds produced by flowering plants and vary widely between plants.²² Cannabis produces over 140 different terpenes, and these chemicals are found in varying concentrations in different cannabis varieties. Tetrahydrocannabinol (THC), the cannabinoid primarily responsible for cannabis’ psychoactivity, has no odor whatsoever.

The type and potency of cannabis odors range widely from variety to variety, as do receptors’ opinions regarding whether the odor is pleasant or objectionable.²³¹⁶ The natural growth of the cannabis plants, and other processes at cultivation facilities, emit terpenes. Terpenes, known for their strong odor, are volatile organic compounds (VOCs). At facilities such as that being considered, the evaporation of solvents, and other processes in the production cycle also result in VOC emissions. The project Applicant will employ certain technologies that will be beneficial in controlling odors including the following:

- **Carbon Filters.** Also known as carbon scrubbers, carbon filters are historically one of the best methods for odor control. This type of filter uses pellets of charcoal to trap the terpenes. Carbon filters are simple to install, effective, and reliable. Carbon filters will be installed at key locations in the facility and will be monitored and replaced by staff on a regular basis. These carbon filters will also be effective in eliminating VOCs from the indoor air envelope.

²⁰ Cannabis Environmental Best Management Practices Draft Section for Review: Air Quality January 9, 2020.

- *Air Filters.* Standard air filters, also referred to as air purifiers, are typically made of densely woven fiber screens. These filters trap particles as air circulates through the filter, which can either be a stand-alone unit or incorporated into a ventilation system depending on the exact specifications.
- *Negative Ion Generators.* The machines will use a negative charge to attract positively charged particles in the air. This equipment will be installed in areas that do not interfere with the production activities but instead can proactively treat the air in order to meet regulations.
- *Air-tight Seals.* The proposed facility will utilize air-tight seals throughout the facility. Predominately used in the exhaust system, these airtight seals will be used in order to keep the exhaust system efficient and effective.
- *Negative Air Pressure.* The Applicant will make use of negative air pressure in order to retain odor for treatment. This will help to serve as a safeguard of odor escaping into the ambient air until it can be treated using the techniques above.
- *Staff Training.* The facility's employees will be trained regarding compliance with the industry's best standards and facility regulations in order to achieve successful odor control. Employees will be trained in the use of odor control methods as well as any new techniques and technologies that may be added in the future.

The project Applicant will also be required to prepare an Odor Management Plan pursuant to San Bernardino County Department of Public Health construction guidelines. The following mitigation measures will be required to control odors and to ensure that the indoor air is safe for the workers:

- The Applicant will be required to prepare an Odor Management Plan that must be approved by the City of Adelanto and the San Bernardino County Department of Public Health. The Odor Management Plan must be approved prior to the issuance of an Occupancy Permit.
- Indoor air must be filtered to remove VOCs from the indoor air envelope. The filtration equipment must be installed prior to the issuance of an Occupancy Permit.

The above mitigation will reduce the potential impacts to levels that are less than significant.

MITIGATION MEASURES

The analysis of air quality impacts indicated that the projected emissions would be below the MDAQMD's thresholds of significance. However, the following mitigation would be required to address potential odor impacts:

Air Quality Mitigation Measure No. 1. The Applicant will be required to prepare an Odor Management Plan that must be approved by the City of Adelanto and San Bernardino County Department of Public Health. The Odor Management Plan must be approved prior to the issuance of an Occupancy Permit.

Air Quality Mitigation Measure No. 2. Indoor air must be filtered so as to remove VOCs from the indoor air envelope. The filtration equipment must be installed prior to the issuance of an Occupancy Permit.

3.4 BIOLOGICAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		✘		
B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				✘
C. Would the project have a substantial adverse effect on State or Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✘
D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites?				✘
E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✘		
F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?				✘

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? • Less than Significant Impact with Mitigation.*

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).

The site is approximately 895 meters above sea level and relatively flat with no slope and supports a moderately disturbed desert scrub habitat common in the region. The property consists of Cajon, Manet, Kimberlina, and Helendale sand with a 0 to 2 percent slope. Both have well drainage, with a moderate available water capacity, and no frequency of flooding. The vegetation community on site is creosote bush scrub habitat encompassing mainly native plants and some non-native grasses. The site is dominated by

creosote bush (*Larrea tridentata*), Nevada jointfir (*Ephedra nevadensis*), kelch grass (*Schismus barbatus*), white bursage (*Ambrosia dumosa*), and Asian mustard (*Brassica tournefortii*). Section 5.0 provides a more detailed discussion of the various plant species observed during the surveys. The site supports a variety of wildlife, with many of them being birds. One mammal was observed on site, the antelope ground squirrel (*Ammospermophilus leucurus*). Other mammals that are expected to occur include desert cottontails (*Sylvilagus audubonii*), California ground squirrel (*Otospermophilus beecheyi*), black-tailed jackrabbit (*Lepus californicus*), and coyote (*Canis latrans*). Birds observed included ravens (*Corvus corax*), white-crowned sparrow (*Zonotrichia leucophrys*), rock pigeon (*Columba livia*), and black throated sparrow (*Amphispiza bilineata*). Section 5.0 provides a more detailed discussion of the various species observed during the surveys. One reptile was observed during the survey, the common side-blotched lizard (*Uta stansburiana*). Other reptiles that may occur on the site include desert spiny lizard (*Sceloporus magister*), long nose leopard lizard (*Gambelia wislizenii*), and western whiptail lizard (*Cnemidophorus tigris*). Table 2 provides a compendium of wildlife species. In addition, no sensitive habitats (e.g., sensitive species critical habitats, etc.) have been documented in the immediate area according to the CNDDDB (2021) and none were observed during the field investigations.

The site supports a slightly disturbed desert scrub plant community which sparsely covers the property. Species present on the site included kelch grass (*Schismus barbatus*), creosote bush (*Larrea tridentata*), Asian mustard (*Brassica tournefortii*), Western Joshua Tree (*Yucca brevifolia*), Nevada jointfir (*Ephedra nevadensis*), rubber rabbitbrush (*Ericameria nauseosa*), and fiddleneck (*Amsinckia tessellata*). Birds observed included ravens (*Corvus corax*), white-crowned sparrow (*Zonotrichia leucophrys*), rock pigeon (*Columba livia*), and black throated sparrow (*Amphispiza bilineata*). One reptile was observed on the property being the common side-blotched lizard (*Uta stansburiana*). One mammal was observed on site, the Antelope ground squirrels (*Ammospermophilus leucurus*), although California ground squirrel (*Otospermophilus beecheyi*), black-tailed jackrabbit (*Lepus californicus*), desert cottontails (*Sylvilagus audubonii*) and Merriam's kangaroo rats (*Dipodomys merriami*) may also occur on the site given their wide-spread distribution in the region. No distinct wildlife corridors were identified on the site or in the immediate area. No sensitive habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were observed on the site during the field investigations.

The proposed project involves the construction of three, two-story cannabis cultivation, distribution, and A literature search was performed on the CDFW's Natural Diversity Data Base (CNDDDB) for the Adelanto, California USGS 7.5-minute quadrangle to determine the special-status species recorded in the area. Currently, there are seven wildlife species considered of special concern status in the Adelanto USGS quadrangle. These species include northern harrier, loggerhead shrike, Le Conte's thrasher, burrowing owl, southern grasshopper mouse, American badger, coast horned lizard, and prairie falcon. Implementing Biological Resources Mitigations 1,2 and 3 would reduce impacts to candidate special-status species and special status species to be less than significant with mitigations incorporated. The site contains a disturbed creosote bush community that supports vegetation such as Nevada joint fir, silver cholla, Joshua tree, rubber rabbitbrush, California buckwheat, and paper bag plant. On September 22, 2020, CDFW has listed the western Joshua Tree as a temporary endangered candidate for one year until a final decision is made and is therefore illegal to remove or transplant a tree without an approved Incidental Take Permit (ITP) provided by CDFW. The Joshua Tree is also a protected plant in the County of San Bernardino under the Native Desert Plant Protection Plan (Ordinance Chapter 88.01.060). There are Joshua trees on the property. Construction activities, including grading, vehicle access, equipment staging area, development of access roads and construction-related activities have the potential to result in temporary impacts to desert flora within the project.

The closest desert tortoise reported near site was four miles southeast in 2007, and the closest burrowing owl sighting was reported 3 miles east of the site in 2007. No Mojave ground squirrels were detected on the site, although there are suitable burrows, the most recent sighting occurred three miles northwest in 2011, the species is not expected to occur on site due to urbanization expansion. *Mitigation measures 1, 2, and 3 would reduce the impact to species as a candidate sensitive, or special status to less than significant.*

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

According to the United States Fish and Wildlife Service and the results of the site visits, there are no wetland or migratory bird nesting areas located within the project site. The site in its entirety is undeveloped. In addition, there is no riparian habitat located on-site or in the surrounding areas. No offsite wetland or migratory bird nesting areas will be affected by the proposed development since all development will be confined to the project site. *As a result, no impacts are anticipated.*

C. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? • No Impact.

No wetland areas or riparian habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were observed on the site during the field investigations.¹⁹ The site in its entirety is undeveloped and undisturbed. *As a result, no impacts are anticipated.*

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

The site's utility as a habitat and a migration corridor is constrained by the presence of an adjacent roadway and the development that is present in the neighboring areas. *As a result, no impacts are anticipated.*

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

Joshua Trees are protected under Chapter 17.57 – Biotic Resources of the City of Adelanto's Municipal Code. In addition, the City of Adelanto enforces Title 8, Division 9 of San Bernardino County Code, which requires that every Joshua Tree proposed for removal be inspected by the City to assure the Joshua tree is not a "specimen" class tree requiring preservation and transplantation. Joshua trees occur throughout the Mojave Desert in Southern California and are typically found at an elevation of 1,200 to 5,400 feet. The California Department of Fish and Wildlife consider Joshua tree woodlands as areas that support relatively high species diversity and as such are considered to be a sensitive desert community. Joshua trees are also considered a significant resource under the California Environmental Quality Act (CEQA) and are included in the Desert Plant Protection Act, Food, and Agricultural Code (80001 – 80006). There are Joshua Trees located within the site. *As a result, the proposed project will be required to implement Mitigation Measure No. 4*

¹⁹ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6, 2021.

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

The proposed project's implementation would not be in conflict with the provisions of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plans. *As a result, no impacts are anticipated.*

MITIGATION MEASURES

The analysis of biological impacts determined that the following mitigation measures would be required to reduce the project's impacts to levels that would be less than significant.

Biological Resources Mitigation Measure No. 1. If construction occurs during the non-nesting season (typically September 16 through December 31), a pre-construction sweep shall be performed to verify absence of nesting birds. A qualified biologist shall conduct the pre-activity sweep within the Project areas (including access routes) and a 300-foot buffer surrounding the Project areas, within 2 hours prior to initiating Project activities. If project activities are planned during bird nesting season (generally, raptor nesting season is January 1 through September 15; and passerine bird nesting season is February 1 through September 1, a nesting bird survey shall be conducted by a qualified biologist within no more than three (3) days prior to the initiation of project activities, including, but not limited to clearing, grubbing, and/or rough grading to prevent impacts to birds and their nests. If nesting bird activity is present, a no disturbance buffer zone shall be established by the qualified biologist around each nest. The buffer shall be a minimum of 300 feet for raptors and 100 feet for songbirds, unless a smaller buffer is specifically determined by a qualified biologist familiar with the nesting phenology of the nesting species. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. If there is no nesting activity, then no further action is need for this measure.

Biological Resources Mitigation Measure No. 2. Prior to grading or any other ground-disturbing activity, a pre-construction burrowing owl clearance survey must be conducted in accordance with the Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game, May 7, 2012, by a qualified biologist within 14 days prior to the beginning of project activities a secondary survey must be conducted by a qualified biologist within 24 hours prior to the beginning of project construction to determine if the project site contains burrowing owl or sign thereof to avoid any potential impacts to the species. The surveys shall include 100 percent coverage of the project site. If both surveys reveal no burrowing owls are present or sign thereof, no additional actions related to this measure are required and a letter shall be prepared by the qualified biologist documenting the results of the survey. The letter shall be submitted to CDFW prior to construction. If occupied active burrows or sign thereof are found within the development footprint during the pre-construction clearance survey, Biological Resources Mitigation Measure 3 shall also apply.

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

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

As of September 22, 2020, the California Department of Fish and Wildlife temporarily listed the western Joshua Tree (*Yucca brevifolia*) as an endangered species for one year until a final decision is made in 2021. Therefore, any attempt to remove a Joshua tree or part of a Joshua tree, dead or alive from its current position will require an Incidental Take Permit (ITP). As a result, the proposed project will be required to implement the following mitigation measure.

Biological Resources Mitigation Measure No. 4. The project Applicant will be required to obtain a California Endangered Species Act (CESA) Incidental Take Permit (ITP) from the State of California Department of Fish and Wildlife (CDFW) related to the removal, replanting or any development activity that may affect the Joshua Trees located on-site. around each western Joshua tree parent, seedling, and sprout. No project activities may occur within the buffer. Should avoidance be infeasible (during candidacy or if the species is listed under CESA), CDFW recommends that the Project Proponent apply for an Incidental Take Permit from CDFW prior to initiating Project activities.

CDFW has concerns that the Project is within the range of the CESA threatened Mohave ground squirrel (MGS), and the ISMND confirms the presence of burrows suitable for the species. However, the ISMND does not anticipate the presence of Mohave ground squirrel due to urbanization. Because CDFW is aware of an occurrence of Mohave ground squirrel in 2020 in the vicinity of the Project, just north of the Southern California Logistics Airport, CDFW is concerned that surveys were not performed to confirm presence. Therefore, CDFW recognizes the potential for Mohave ground squirrel at the start of construction and recommends pre-construction Mohave ground squirrel surveys and observations and requests the City adopt the following mitigation measures:

Biological Resources Mitigation Measure No. 5. Pre-construction surveys following the Mohave Ground Squirrel Survey Guidelines (CDFG 2010) or most recent version shall be performed by a qualified biologist authorized by a Memorandum of Understanding issued by CDFW. The pre-construction surveys shall cover the Project Area and a 50-foot buffer zone. Should Mohave ground squirrel presence be confirmed during the survey, the Project Proponent should obtain an ITP for Mohave ground squirrel prior to the start of Project activities. CDFW shall be notified if Mohave ground squirrel presence is confirmed during the pre-construction survey. If a Mohave ground squirrel is observed during Project activities, and the Project Proponent does not have an ITP, all work shall immediately stop, and the observation shall be immediately reported to CDFW.

Desert Tortoise is a state-threatened, proposed endangered species, as such CDFW is concerned that the ISMND lacks a mitigation measure for pre-construction desert tortoise surveys, because the Project site is within the desert tortoise range and contains suitable habitat for desert tortoise: creosote bush scrub. To address potential direct/indirect impacts to desert tortoise, CDFW recommends the inclusion of the following mitigation measure prior to the City adopting the ISMND:

Biological Resources Mitigation Measure No. 6. A CDFW-approved biologist shall conduct a protocol level presence or absence survey within the Project area and 50-foot buffer no more than 48 hours prior to Project activities during desert tortoise active season (April to May or September to October), in accordance with the U.S. Fish and Wildlife Service 2019 desert tortoise survey methodology. The survey shall utilize perpendicular survey routes and 100-percent visual coverage for desert tortoise and their sign. Results of the survey shall be submitted to CDFW. If the survey confirms absence, the CDFW-approved biologist shall ensure desert tortoise do not enter the Project area. If the survey confirms presence, the Project proponent shall submit to CDFW for review and approval a desert tortoise-specific avoidance plan detailing the protective avoidance measures to be implemented to ensure complete avoidance of take to desert tortoise. If complete avoidance cannot be achieved, CDFW recommends Project proponent not undertake Project activities and Project activities be postponed until appropriate authorization (i.e., CESA ITP under Fish and Game Code section 2081) is obtained.

CDFW recommends that prior to adopting the ISMND, the City complete focused surveys following accepted protocol/methods and updates the ISMND to reflect the survey results and any changes in mitigation to address Project impacts. CDFW recommends the below measure be added to the ISMND to fully avoid and otherwise protect sensitive plant communities from Project-related direct and indirect impacts. If species are documented on-site during surveys and avoidance is infeasible, to adequately offset impacts, CDFW recommends the City considers purchasing credits from a mitigation bank or acquiring and conserving in perpetuity lands with the target resources.

Biological Resources Mitigation Measure No. 7. Prior to Project implementation, and during the appropriate season, the City shall conduct botanical field survey following protocols set forth in the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). The surveys shall be conducted by a CDFW-approved botanist(s) experienced in conducting floristic botanical field surveys, knowledgeable of plant taxonomy and plant community ecology and classification, familiar with the plants of the area, including special status and locally significant plants, and familiar with the appropriate state and federal statutes related to plants and plant collecting. The botanical field surveys shall be conducted at the appropriate time of year when plants will both be evident and identifiable (usually, during flowering or fruiting) and, in a manner, which maximizes the likelihood of locating special status plants and sensitive natural communities that may be present. Botanical field surveys shall be conducted floristic in nature, meaning that every plant taxon that occurs in the project area is identified to the taxonomic level necessary to determine rarity and listing status. If any rare plants or sensitive vegetation communities are identified, the City shall either avoid the occurrence, with an appropriate buffer, or mitigate the loss of the occurrence through the purchase of mitigation credits from a CDFW-approved bank or land acquisition and conservation at a minimum 3:1 (replacement-to-impact) ratio. Note that a higher ratio may be warranted if the proposed mitigation lands are located far away from the Project site (i.e., within a separate watershed) or is not occupied by or available to special status species. If the Project has the potential to impact a State-listed species, the City should apply for a California Endangered Species Act Incidental Take Permit with the California Department of Fish and Wildlife.

Based on review of aerial photography from the California State Water Resources Control Board, at least two ephemeral drainage features, merging into one, traverse the central portion of the Project site. The California Department of Cannabis Control (DCC) requires cannabis cultivators to demonstrate compliance with Fish and Game Code section 1602 prior to issuing a cultivation license (Business and Professions Code, § 26060.1). To qualify for an Annual License from DCC, cultivators must have an LSA Agreement or written verification from CDFW that one is not needed. Cannabis cultivators may apply online for an LSA Agreement through the Environmental Permit Information Management System (EPIMS;

<https://epims.wildlife.ca.gov>). Cannabis cultivators may learn more about cannabis cultivation permitting at <https://wildlife.ca.gov/Conservation/Cannabis/Permitting>. CDFW recommends MM No. 8 below, considering CDFW's role in cannabis permitting:

Biological Resources Mitigation Measure No. 8. Prior to construction and issuance of any grading permit, the Project applicant should obtain written correspondence from the California Department of Fish and Wildlife (CDFW) stating that notification under section 1602 of the Fish and Game Code is not required for the Project, or the Project applicant should obtain a CDFW-executed Lake and Streambed Alteration Agreement, authorizing impacts to Fish and Game Code section 1602 resources associated with the Project.

Cannabis cultivation sites (whether indoor or outdoor) often use substantial quantities of pesticides, including fungicides, herbicides, insecticides, and rodenticides. Wildlife, including beneficial arthropods, birds, mammals, amphibians, reptiles, and fish, can be poisoned by pesticides after exposure to a toxic dose through ingestion, inhalation, or dermal contact (Fleischli et al. 2004, Pimentel 2005, Berny 2007). They can also experience secondary poisoning through feeding on animals that have been directly exposed to the pesticides. (Even if used indoors, rodenticides may result in secondary poisoning through ingestion of sickened animals that leave the premises or ingestion of lethally poisoned animals disposed of outside.) Nonlethal doses of pesticides can negatively affect wildlife; pesticides can compromise immune systems, cause hormone imbalances, affect reproduction, and alter growth rates of many wildlife species. CDFW recommends that the City include a mitigation measure conditioning the Project to develop a plan to avoid, minimize, and mitigate the impacts of pesticides used in cannabis cultivation. CDFW recommends inclusion of the following mitigation measure focused on avoiding impacts to biological resources:

Biological Resources Mitigation Measure No. 9. Prior to construction and issuance of any grading permit, the City of Adelanto shall develop a plan with measures to avoid, minimize, or mitigate the impacts of pesticides used in cannabis cultivation, including fungicides, herbicides, insecticides, and rodenticides. The plan should include, but is not limited to, the following elements: (1) Proper use, storage, and disposal of pesticides, in accordance with manufacturers' directions and warnings. (2) Avoidance of pesticide use where toxic runoff may pass into waters of the State, including ephemeral streams. (3) Avoidance of pesticides that cannot legally be used on cannabis in the state of California, as set forth by the Department of Pesticide Regulation. (4) Avoidance of anticoagulant rodenticides and rodenticides with "flavorizers." (5) Avoidance of sticky/glue traps. (6) Inclusion of alternatives to toxic rodenticides, such as sanitation (removing food sources like pet food, cleaning up refuse, and securing garbage in sealed containers) and physical barriers.

Cannabis cultivation operations often use artificial lighting or "mixed-light" techniques in greenhouse structures and indoor operations to increase yields. If not disposed of properly, these lighting materials pose significant environmental risks because they contain mercury and other toxins (O'Hare et al. 2013). In addition to containing toxic substances, artificial lighting often results in light pollution, which has the potential to significantly and adversely affect fish and wildlife. Night lighting can disrupt the circadian rhythms of many wildlife species. Many species use photoperiod cues for communication (e.g., birdsong; Miller 2006), determining when to begin foraging (Stone et al. 2009), behavioral thermoregulation (Beiswenger 1977), and migration (Longcore and Rich 2004). Phototaxis, a phenomenon that results in attraction and movement toward light, can disorient, entrap, and temporarily blind wildlife species that experience it (Longcore and Rich 2004). The ISMND indicates that Project activities will involve glass or translucent plastic on building roofs and gables for greenhouses to allow natural daylight use. Because of the potential for artificial light to impact nocturnal wildlife species and migratory birds that fly at night, CDFW recommends the following mitigation measure:

Biological Resources Mitigation Measure No. 10. Light shall not be visible outside of any structure used for cannabis cultivation. This shall be accomplished by: employing blackout curtains where artificial light is used to prevent light escapement, eliminating all nonessential lighting from cannabis sites and avoiding or limiting the use of artificial light during the hours of dawn and dusk when many wildlife species are most active, ensuring that lighting for cultivation activities and security purposes is shielded, cast downward, and does not spill over onto other properties or upward into the night sky (see the International Dark-Sky Association standards at <http://darksky.org/>), and using LED lighting with a correlated color temperature of 3,000 Kelvins or less. All hazardous waste associated with lighting shall be disposed of properly and lighting that contains toxic compounds shall be recycled with a qualified recycler.

Construction and operation of cannabis facilities may result in a substantial amount of noise through road use, equipment, and other project-related activities. This may adversely affect wildlife species in several ways as wildlife responses to noise can occur at exposure levels of only 55 to 60 decibels (Barber et al. 2009). (For reference, normal conversation is approximately 60 decibels, and natural ambient noise levels [e.g., forest habitat] are generally measured at less than 50 decibels.). Anthropogenic noise can disrupt the communication of many wildlife species including frogs, birds, and bats (Sun and Narins 2005, Patricelli and Blickley 2006, Gillam and McCracken 2007, Slabbekoorn and Ripmeester 2008). Noise can also affect predator-prey relationships as many nocturnal animals such as bats and owls primarily use auditory cues (i.e., hearing) to hunt. Additionally, many prey species increase their vigilance behavior when exposed to noise because they need to rely more on visual detection of predators when auditory cues may be masked by noise (Rabin et al. 2006, Quinn et al. 2017). Noise has also been shown to reduce the density of nesting birds (Francis et al. 2009) and cause increased stress that results in decreased immune responses (Kight and Swaddle 2011). Considering the above, CDFW recommends MM No. 11 below to restrict the use of equipment to hours least likely to disrupt wildlife and to suppress device noise.

Biological Resources Mitigation Measure No. 11. Project construction shall not occur during the hours of dawn and dusk when many wildlife species are most active. To suppress Project noise, the Project shall implement the use of mufflers and all generators shall be enclosed.

3.5 CULTURAL RESOURCES

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

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines? • No Impact.

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).²⁴

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

- Districts, sites, buildings, structures, and objects that are associated with the lives of significant persons in or past;
- Districts, sites, buildings, structures, and objects that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high

²⁴ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6, 2021.

artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or,

- Districts, sites, buildings, structures, and objects that have yielded or may be likely to yield, information important in history or prehistory.

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

- A religious property deriving primary significance from architectural or artistic distinction or historical importance;
- Districts, sites, buildings, structures, and objects that are associated with events that have made a significant contribution to the broad patterns of our history;
- A building or structure removed from its original location that is significant for architectural value, or which is the surviving structure is associated with a historic person or event;
- A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building associated with his or her productive life;
- A cemetery that derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events;
- A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived;
- A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or,
- A property achieving significance within the past 50 years if it is of exceptional importance.²⁵

The State has established *California Historical Landmarks* that include sites, buildings, features, or events that are of statewide significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value. *California Points of Historical Interest* has a similar definition, except they are deemed of local significance. A search of the National Register of Historic Places and the list of California Historical Resources was conducted, and it was determined that no historic resources were listed within the City of Adelanto.²⁶

The proposed project will not affect any structures or historical resources listed on the National or State Register or those identified as being eligible for listing on the National or State Register. Furthermore, the

²⁵ U. S. Department of the Interior, National Park Service. *National Register of Historic Places*. 2021.

²⁶ U. S. Department of the Interior, National Park Service. *National Register of Historic Places*. Secondary Source: California State Parks, Office of Historic Preservation. *Listed California Historical Resources*. Website accessed August 16, 2021.

project site is not present on the list of historic resources identified by the State Office of Historic Preservation (SHPO).²⁷ The proposed project will be limited to the project site and will not affect any structures or historical resources listed on the National or State Register or those identified as being eligible for listing on the National or State Register. Furthermore, the project site is not present on the list of historic resources identified by the State Office of Historic Preservation (SHPO).²² The project site is vacant and undisturbed though the developments in surrounding areas do not have any historical or cultural significance. *Since the project's implementation will not impact any Federal, State, or locally designated historic resources, no impacts will occur.*

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

An intensive-level cultural resources field survey of the subject property was conducted on January 5, 2022. The survey was conducted by walking parallel transects spaced approximately 10-15 meters apart across 100 percent of the subject property. Digital photographs were taken at various points within the subject property boundaries, including overviews as well as detail photographs of field conditions. Hand-held Global Positioning Systems (GPS) were available for mapping purposes. The records search revealed that 10 cultural resources studies have taken place resulting in the recording of two cultural resources within one half-mile of the project site. The project site has been subject to one previous cultural resources assessment and no cultural resources have been previously recorded within its boundaries. A summary of the records search is included below, and the records search bibliography is provided in Appendix A of the cultural resources report. The project site exhibited approximately 90 percent surface visibility. Disturbances related to sheet washing and drilling were evident. The project site exhibits a northerly aspect and runoff flows towards intermittent drainages and eventually into the Fremont Wash, located approximately five miles to the northwest. Soils include sandy silt, and vegetation includes creosote scrub, Joshua trees, and mixed seasonal grasses. No cultural resources of any kind were identified.

No signs of human habitation nor any cemeteries are apparent within or near the project, and no signs of development on the parcel appear on any historic aerial map reviewed, nor on later USGS maps. Since it is possible that previously unrecognized resources could exist at the site, the proposed project would be required to adhere to Cultural Resources Mitigation Measures 1, 2, 3 and 4. As part of the AB-52 consultation, the San Manuel Band of Mission Indians (SMBMI) reviewed the project and had the following comments. The proposed project area exists within Serrano ancestral territory and, therefore, is of interest to the Tribe. However, due to the nature and location of the proposed project, and given the CRM 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 requests that the following language be made a part of the project/permit/plan conditions:

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 San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds

²⁷ California Department of Parks and Recreation. *California Historical Resources*. Website accessed on August 16, 2021.

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.

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.
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.

Tribal Cultural Resources Mitigation Measures

1. 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 resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.
2. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

The proposed project's impacts will be less than significant with adherence to the aforementioned mitigation measures.

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

There are no dedicated cemeteries located in the vicinity of the project site.²⁸ The proposed project will be restricted to the project site and therefore will not affect any dedicated cemeteries in the vicinity. Notwithstanding, the following mitigation is mandated by the California Code of Regulations (CCR) Section 15064.5(b)(4):

“A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of an historical resource. The lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures.”

Additionally, Section 5097.98 of the Public Resources Code states:

“In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with (b) Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.”

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

MITIGATION MEASURES

The following mitigation measures will be required to address potential cultural resources impacts:

Cultural Resources Mitigation Measure No. 1. Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Adelanto that a qualified archaeologist/paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.

Cultural Resources Mitigation Measure No. 2. The archaeologist/paleontologist monitor shall conduct full-time monitoring during grading and excavation operations in undisturbed, very old alluvial fan sediments at or below four (4) feet below ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The archaeologist/paleontologist monitor shall be empowered to temporarily halt or divert equipment to allow of removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by qualified archaeologist/paleontologist personnel to have a low potential to contain or yield fossil resources.

Cultural Resources Mitigation Measure No. 3. Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage, such as the San Bernardino County Museum in San Bernardino, California, is required for significant discoveries. The archaeologist/paleontologist must have a written

repository agreement in hand prior to initiation of mitigation activities.

Cultural Resources Mitigation Measure No. 4. A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Adelanto prior to building final.

As part of the AB-52 consultation, the San Manuel Band of Mission Indians (SMBMI) reviewed the project and had the following comments. The proposed project area exists within Serrano ancestral territory and, therefore, is of interest to the Tribe. However, due to the nature and location of the proposed project, and given the CRM 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 requests that the following language be made a part of the project/permit/plan conditions:

Cultural Resources Mitigation Measure No.5. 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 San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted.

Cultural Resources Mitigation Measure No. 6. 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.

Cultural Resources Mitigation Measure No. 7. 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.

Cultural Resources Mitigation Measure No. 8. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in the mitigation measure, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.

Cultural Resources Mitigation Measure No. 9. 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.

3.6 ENERGY

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

ANALYSIS OF ENVIRONMENTAL IMPACTS

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

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Manufacturing/Industrial (MI).²⁹

The growing (cultivation) of cannabis is an agricultural production process where the environmental conditions, temperature, and humidity are tightly controlled to optimize the quality of the cannabis plants and to reduce crop loss. The quality and amount of light provided is the primary variable affecting crop yield and quality once air temperature and humidity needs are met. Dehumidification is generally achieved mechanically by sub-cooling the air to remove water and then reheating the air to the desired supply air temperature through traditional dehumidification units or by absorbing moisture in the air through a desiccant dehumidifier. The indoor air conditioning will also involve electrical consumption.

For indoor grow operations (as opposed to greenhouse operations), LED lighting fixtures are being successfully applied to vegetative rooms, saving up to 50% of the lighting energy compared to the standard practice. For flower rooms, double ended, high-pressure sodium (HPS) fixtures save 20-25% compared to the standard HPS fixtures. While less common, some growers are successfully applying LED fixtures or LED/HPS hybrid designs for up to 30-40% energy savings in flower rooms. For cooling and dehumidification, smaller grow operations are saving energy by using split ductless air conditioning units in place of standard rooftop units. Medium and large-sized grow operations are using chilled water systems to accomplish both cooling and dehumidification, with energy savings of up to 40% compared to the standard practice. By implementing all these best practices, a medium-size or larger indoor grow operation

²⁹ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6, 2021.

can achieve up to 30-35% energy savings compared to a standard indoor grow.²³ The total energy costs for indoor cannabis grow operations typically varies between 20-50% of total operating costs. By comparison, for a typical medium-size or larger brewery, energy use accounts for about 6-12% of total operating costs. The proposed project's electric power service would be provided by the Southern California Edison Company (SCE) which operates and maintains a transmission line adjacent to the project site. Major utility lines run through Koala Road to the east of the project site.

Indoor cannabis cultivation facilities consume up to ~150 kilowatt-hours of electricity per year per square foot, which is about 10 times as much as a typical office building in the Southwest. Assuming this rate of consumption, the proposed project would consume approximately 10,000 kWh of electricity on a daily basis. The project applicant will be required to closely work with the local electrical utility company to identify existing and future strategies that will be effective in reducing energy consumption. The project Applicant will be required to implement the following mitigation measures as a means to reduce electrical consumption:

- Use of glass or translucent plastic (corrugated polycarbonate 90% light transmission) materials on building roof and gables for greenhouse areas to allow natural daylight in work areas and for plant growth.
- Use of 90% Transmission materials internal walls in the greenhouse areas to allow natural daylight use.

In addition, since some operations and security functions may be carried out during non-daylight hours, an additional mitigation measure is suggested to reduce energy consumption during those times.

- The Use of motion activated lighting in the greenhouse areas to reduce energy use at night.

The aforementioned mitigation will reduce the impacts to levels that are less than significant.

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

The proposed project will be required to conform to all pertinent energy conservation requirements. While the proposed project is a privately owned manufacturing/industrial use, the implementation of similar programs would prove effective in reducing potential energy consumption. The proposed project will be required to comply with all pertinent Title 24 requirements along with other Low Impact Development (LID) requirements. Pursuant to the California Code of Regulations, Section 16305, beginning January 1, 2023, all holders of indoor, tier 2 mixed-light license types of any size, and all holders of nursery licenses using indoor or tier 2 mixed-light techniques shall ensure that electrical power used for commercial cannabis activity meets the average electricity greenhouse gas emissions intensity required by their local utility provider pursuant to the California Renewables Portfolio Standard Program in division 1, part 1, chapter 2.3, article 16 (commencing with section 399.11) of the Public Utilities Code. The Renewables Portfolio Standard (RPS) is one of California's key programs for advancing renewable energy statewide. The program sets continuously escalating renewable energy procurement requirements for the state's load-serving entities. Generation must be procured from RPS-certified facilities. The California Energy

²³ Trends and Observations of Energy Use in the Cannabis Industry," Jesse Remillard and Nick Collins, ERS, ACEEE Summer Study of Energy Efficiency in Industry, 2017.

Commission verifies RPS claims. *The project's adherence to the mitigation measures outlined in the previous subsection and its conformance to the requirements outlined above will reduce the potential energy impacts to levels that are less than significant.*

MITIGATION MEASURES

The analysis determined that the following mitigation measures will be required to reduce potential energy consumption:

Energy Mitigation Measure No. 1. The project must employ, as much as possible, the use of glass or translucent plastic (corrugated polycarbonate 90% light transmission) materials on building roof and gables for greenhouse areas to allow natural daylight in work areas and for plant growth.

Energy Mitigation Measure No. 2. The project must use 90% Transmission materials internal walls in the greenhouse areas to allow natural daylight use.

Since some operations and security functions may be carried out during non-daylight hours, an additional mitigation measure is suggested to reduce energy consumption during those times.

Energy Mitigation Measure No. 3. The project must use motion activated lighting in the greenhouse areas to reduce energy use at night.

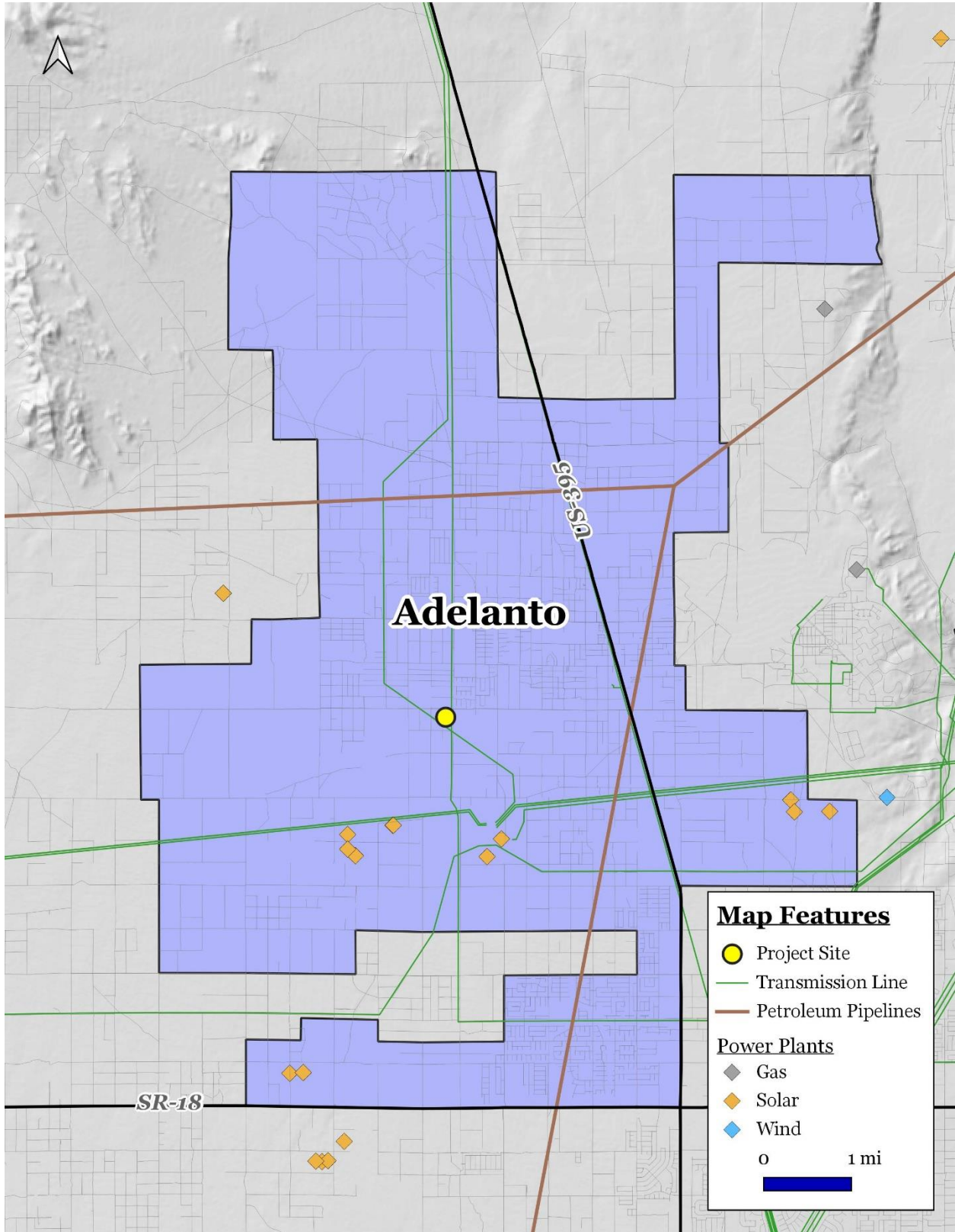


EXHIBIT 3-2 ENERGY MAP

SOURCE: CALIFORNIA ENERGY COMMISSION

3.7 GEOLOGY & SOILS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project, directly or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides?			✘	
B. Would the project result in substantial soil erosion or the loss of topsoil?			✘	
C. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			✘	
D. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2012), creating substantial direct or indirect risks to life or property?			✘	
E. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?			✘	
F. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✘		

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project, directly or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides? • Less than Significant Impact.*

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).³⁰

³⁰ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6,2021.

The City of Adelanto is located in a seismically active region. Earthquakes from several active and potentially active faults in the Southern California region could affect the proposed project site. In 1972, the Alquist-Priolo Earthquake Zoning Act was passed in response to the damage sustained in the 1971 San Fernando Earthquake. The Alquist-Priolo Earthquake Fault Zoning Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. A list of cities and counties subject to the Alquist-Priolo Earthquake Fault Zones is available on the State's Department of Conservation website. The City of Adelanto is not on the list.³¹ The closest fault to the project site is the Mirage Valley Fault, which is located approximately 6.8 miles west of the City.

Surface ruptures are visible instances of horizontal or vertical displacement, or a combination of the two. The amount of ground shaking depends on the intensity of the earthquake, the duration of shaking, soil conditions, type of building, and distance from epicenter or fault. The potential impacts from fault rupture and ground shaking are considered no greater for the project site than for the surrounding areas given the distance between the site and the fault trace. Other potential seismic issues include ground failure and liquefaction. Ground failure is the loss in stability of the ground and includes landslides, liquefaction, and lateral spreading. The project site is in a moderate liquefaction zone.³² According to the United States Geological Survey, liquefaction is the process by which water-saturated sediment temporarily loses strength and acts as a fluid. The risk for liquefaction is no greater on-site than it is for the region. *As a result, the potential impacts regarding liquefaction and landslides are less than significant.*

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

The University of California, Davis SoilWeb database was consulted to determine the nature of the soils that underlie the project site. According to the University of California, Davis SoilWeb database, the property is underlain by soils of various associations including Cajon, Manet, Kimberlina, and Helendale soils associations which consist of moderate to fine and well drained soils with slopes ranging from 0 to 2 percent.³³ The future use within this site will involve the cultivation of medicinal cannabis. The proposed project's contractors will be required to adhere to specific requirements that govern wind and water erosion during site preparation and construction activities. Following development, the project site would be paved over and landscaped, which would minimize soil erosion. The project's construction will not result in soil erosion with adherence to those development requirements that restrict storm water runoff (and the resulting erosion) and require soil stabilization. In addition, stormwater discharges from construction activities that disturb one or more acres, or smaller sites disturbing less than one acre that are part of a common plan of development or sale, are regulated under the National Pollutant Discharge Elimination System (NPDES) stormwater permitting program. Prior to initiating construction, contractors must obtain coverage under a NPDES permit, which is administered by the State. In order to obtain an NPDES permit, the project Applicant must prepare a Stormwater Pollution Prevention Plan (SWPPP). The County has identified sample construction Best Management Practices (BMPs) that may be included in the mandatory SWPPP. The use of these construction BMPs identified in the mandatory SWPPP will prevent soil erosion and the discharge of sediment into the local storm drains during the project's construction phase. *As a*

³¹ California Department of Conservation. *Table 4, Cities and Counties Affected by Alquist Priolo Earthquake Fault Zones as of January 2010.*

³² San Bernardino County. *Multi-Jurisdictional Hazard Mitigation Plan* - July 13, 2017.

³³ UC Davis. *SoilWeb*. Website accessed May 31, 2022.

result, the impacts will be less than significant.

C. *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? • Less than Significant Impact.*

The proposed project's construction will not result in soil erosion since the project's contractors must implement the construction BMPs identified in the mandatory SWPPP. The BMPs will minimize soil erosion and the discharge of sediment off-site. Additionally, the project site is not located within an area that could be subject to landslides or liquefaction.²⁸ The soils that underlie the project site possess a low potential for shrinking and swelling. Soils that exhibit certain shrink swell characteristics become sticky when wet and expand according to the moisture content present at the time. Since the soils have a low shrink-swell potential, lateral spreading resulting from an influx of groundwater is slim. *As a result, the potential impacts will be less than significant.*

D. *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2012), creating substantial direct or indirect risks to life or property? • Less than Significant Impact.*

The University of California, Davis SoilWeb database was consulted to determine the nature of the soils that underlie the project site. According to the University of California, Davis SoilWeb database, the property is underlain by soils of various associations including Cajon, Manet, Kimberlina, and Helendale soil associations.³⁴ According to the U.S. Department of Agriculture, these soils are acceptable for the development of smaller commercial buildings.³⁰ The applicant is required to adhere to all requirements detailed by the USDA. *As a result, the impacts will be less than significant.*

E. *Would the project 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.*

The proposed project will connect to sanitary sewers. A new 6-inch sewer line will connect to an existing line in Raccoon Avenue. *As a result, no impacts associated with the use of septic tanks will occur.*

F. *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? • Less than Significant Impact with Mitigation.*

The surface deposits in the proposed project area are composed entirely of younger Quaternary Alluvium. This younger Quaternary Alluvium is unlikely to contain significant vertebrate fossils, at least in the uppermost layers. The closest fossil vertebrate locality is LACM 7786, between Adelanto and the former George Air Force Base. This locality produced a fossil specimen of meadow vole, *Microtus*. The next closest vertebrate fossil locality from these deposits is LACM 1224, west of Spring Valley Lake, which produced a

²⁸ United States Department of Agriculture, Soil Conservation Service. *Soil Survey of Riverside California – Palm Spring Area*. Report dated 1978.

³⁴ UC Davis. *SoilWeb*. Website accessed August 11, 2021.

³⁰ United States Department of Agriculture. *Natural Resources Conservation Service*. Website accessed August 11, 2021.

specimen of fossil camel, *Camelops*. Additionally, on the western side of the Mojave River below the bluffs, an otherwise unrecorded specimen of mammoth was collected in 1961 from older Quaternary Alluvium deposits.³⁵

In Section 3.5, Cultural Resources Mitigation Measure No. 4 requires that a final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Adelanto prior to building final. *This mitigation measure will reduce the impacts to levels that are less than significant.*

MITIGATION MEASURES

In Section 3.5, Cultural Resources Mitigation Measure No. 4 requires that a final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Adelanto prior to building final. This mitigation measure will reduce the impacts to levels that are less than significant.

³⁵ Natural History Museum. *Vertebrate Paleontology Collections*. Website accessed August 17, 2021.

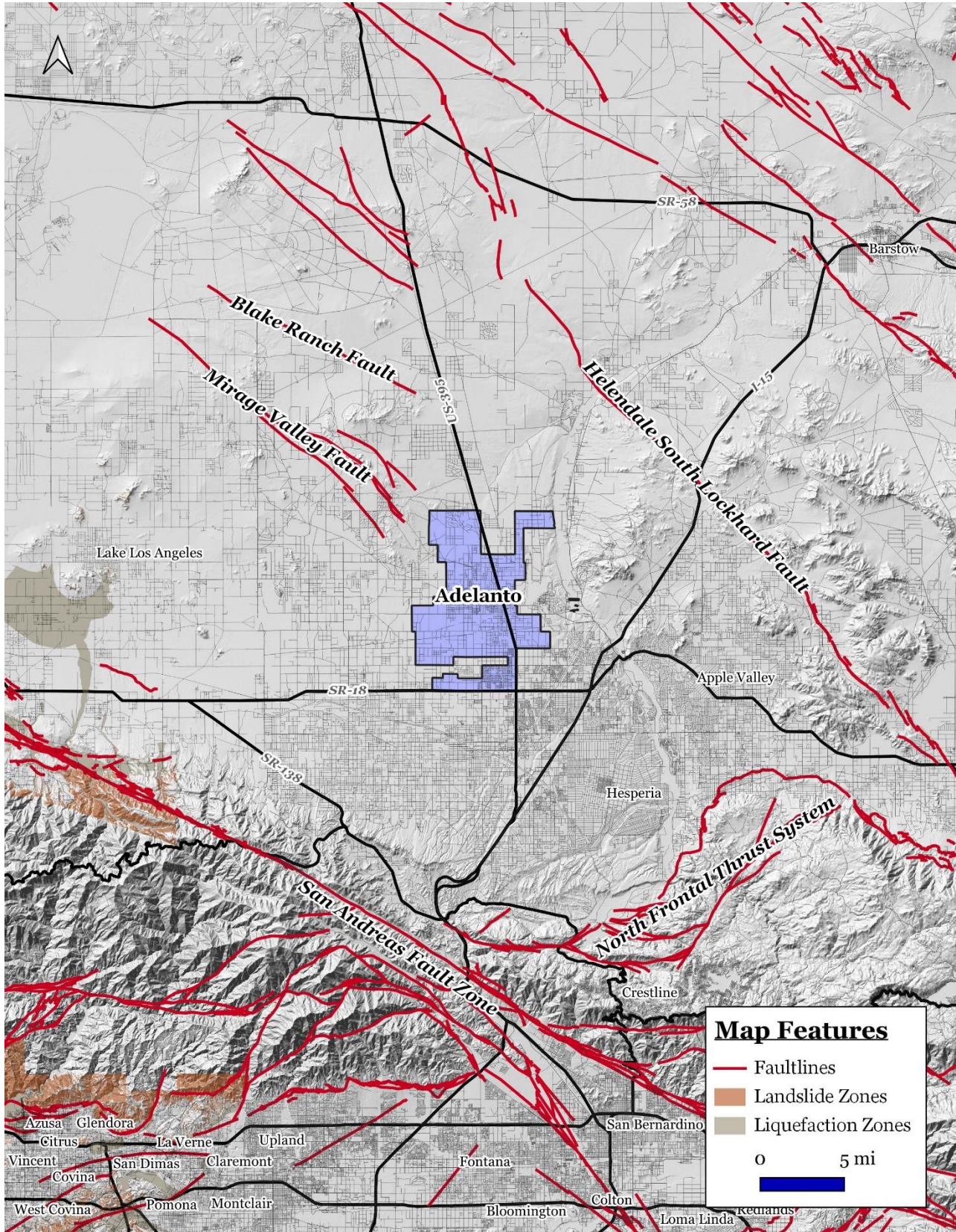


EXHIBIT 3-3 GEOLOGY MAP

SOURCE: DEPARTMENT OF CONSERVATION

3.8 GREENHOUSE GAS EMISSIONS

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

ANALYSIS OF ENVIRONMENTAL IMPACTS

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

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).

The State of California requires CEQA documents to include an evaluation of greenhouse gas (GHG) emissions of gases that trap heat in the atmosphere. GHG are emitted by both natural processes and human activities. Examples of GHG that are produced both by natural and industrial processes include carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O). Carbon dioxide equivalent, or CO₂E, is a term that is used for describing different greenhouses gases in a common and collective unit. The MDAQMD established the 10,000 MTCO₂ threshold for industrial land uses. As indicated in Table 3-4, the operational CO₂E is 3,301.87 metric tons per year which is well below the threshold.

**Table 3-4
Greenhouse Gas Emissions Inventory**

Source	GHG Emissions (metric tons/year)			
	CO ₂	CH ₄	N ₂ O	MTCO ₂ E
Long-Term – Area Emissions	0.01	--	0.00	0.02
Long-Term - Energy Emissions	397.98	--	--	400.35
Long-Term - Mobile Emissions	2,855.21	0.15	0.14	2,901.50
Long-Term - Total Emissions	3,253.21	0.16	0.15	3,301.87
Significance Threshold				100,000 MTCO₂E

Furthermore, as mentioned in Section 3.17, Transportation, the projected vehicle trips to and from the site will not be significant given the proposed use. All vehicle, equipment and machinery sales transactions will be completed through an online auction-style website. Very few customers will visit the project site since

the new business will be closed to the general public. Because of security protocols, the mobile emissions related to operations will be limited to employees, vendors, deliveries, and repair/maintenance personnel. As indicated in Table 3-3, the majority of the GHG emissions (2,901.50 MTCO₂E) will originate from mobile sources. *As a result, the potential impacts are considered to be less than significant.*

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

AB-32 requires the reduction of GHG emissions to 1990 levels, which would require a minimum 28% in "business as usual" GHG emissions for the entire State. Additionally, Governor Edmund G. Brown signed into law Executive Order (E.O.) B-30-15 on April 29, 2015, the Country's most ambitious policy for reducing Greenhouse Gas Emissions. Executive Order B-30-15 calls for a 40% reduction in greenhouse gas emissions below 1990 levels by 2030.³⁶

The San Bernardino County Transit Authority (SBCTA) authorized the preparation of a county-wide Regional Greenhouse Gas Reduction Plan. This plan was adopted in March 2021. The plan contains multiple reduction measures that would be effective in reducing GHG emissions throughout the SBCTA region. The lack of development in the immediate area may preclude residents from obtaining employment or commercial services within City boundaries, thus compelling residents to travel outside of City boundaries for employment and commercial services. It is important to note that the California Department of Transportation as well as the Counties of Los Angeles and San Bernardino are engaged in an effort to construct a multi-modal transportation corridor consisting of public transit, a new freeway, and bicycle lanes known as the High Desert Corridor (HDC). The aforementioned regional program will reduce potential GHG emissions related to excessive VMTs to levels that are less than significant.

Those Partnership jurisdictions, including Adelanto, choosing to complete and adopt local CAPs that are consistent with the County's GHG Reduction Plan and with the prior Regional Plan Program EIR and the addendum or supplemental CEQA document prepared by SBCOG will be able to tier their future project-level CEQA analyses of GHG emissions from their CAP. This can help to streamline project-level CEQA review. The City of Adelanto selected a goal to reduce its community GHG emissions to a level that is 40% below its 2020 GHG emissions level by 2030. The City will meet and exceed this goal subject to reduction measures that are technologically feasible and cost effective through a combination of state (~60%) and local (~40%) efforts. The Pavley vehicle standards, the state's LCFS, the RPS, and other state measures will reduce GHG emissions in Adelanto's on-road, off-road, and building energy sectors in 2030. An additional reduction of 59,812 MTCO₂e will be achieved primarily through the following local measures, in order of reductions achieved: GHG Performance Standard for New Development (PS-1); solar installation for existing commercial/industrial facilities (Energy-8); and waste diversion and reduction (Waste-2).³⁷

Adelanto's reduction plan has the greatest effect on GHG emissions in the building energy, waste, and on-road transportation. The City of Adelanto adopted the North Adelanto Sustainable Community Plan which is a City planning framework that contains many transportation and land use-related actions to reduce vehicle-related GHG emissions throughout the region. This community plan supports the goals of SB 375

³⁶ Office of Governor Edmund G. Brown Jr. *New California Goal Aims to Reduce Emissions 40 Percent Below 1990 Levels by 2030.*

³⁷ San Bernardino County. *San Bernardino County Regional Greenhouse Gas Reduction Plan (SBCRGGRP).* March, 2021.

and the Sustainable Communities Strategy (On Road-STATE-SCS) through a wide range of actions which include the following.

- Integrate state, regional, and local sustainable community/smart growth principles into the development and entitlement process.
- Develop a system of trails and corridors that facilitates and encourages bicycling and walking.
- Require new development to provide transit facilities, such as bus shelters, transit bays, and turnouts, as necessary.
- Require the future development of community-wide servicing facilities to be sites in transit-ready areas that can be served and made accessible by public transit.
- Provide development-related incentives for projects that promote transit use.
- Designate and maintain a network of City truck routes that provide for the effective transport of goods while minimizing negative impacts on local circulation and noise sensitive land uses.
- Transition the City fleet to low emission/fuel-efficient vehicles as they are retired from service. λ Encourage carpooling.
- Work with the regional transit provider to provide shade, weather protection, seating, and lighting at all stops.

Key general plan policies that support the City of Adelanto’s GHG reduction measures or would contribute to GHG reductions and sustainable practices in the City are listed below:

- *Policy NR 1.4:* All new developments will be required to implement energy conservation techniques into the development design.
- *Policy NR 1.6:* Conservation techniques shall be required for proposed development (both domestic and industrial) to minimize consumption levels of renewable and non-renewable natural resources including water resources.
- *Policy NR 1.1:* The City shall promote the development and use of alternative energy sources, such as passive solar in industrial, commercial, and residential developments.
- *Policy NR 1.1:* The City shall promote the development and use of alternative energy sources, such as passive solar in industrial, commercial, and residential developments.
- *Policy NR 1.6:* Conservation techniques shall be required for proposed development (both domestic and industrial) to minimize consumption levels of renewable and non-renewable natural resources including water resources.
- *Policy AQ 1.1:* The City shall continue to work with the Mojave Desert Air Quality Management District and any other agencies in order to enforce and implement regional air quality plans.

- *Policy WQ 1.1:* The City will require that development be designed and constructed to conserve water utilizing low flow irrigation and plumbing fixtures and facilities.

- *Policy WQ 1.5:* The City will require that all new development utilize water conservation techniques to conserve water resources, such as the use of low-flow irrigation and plumbing systems in new and existing development.

The proposed project will not involve or require any variance from an adopted plan, policy, or regulation governing GHG emissions. *As a result, no potential conflict with an applicable greenhouse gas policy plan, policy, or regulation will occur and the potential impacts are considered to be less than significant.*

MITIGATION MEASURES

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

3.9 HAZARDS & HAZARDOUS MATERIALS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✘	
B. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✘	
C. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✘
D. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✘
E. Would the project for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				✘
F. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✘
G. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?				✘

ANALYSIS OF ENVIRONMENTAL IMPACTS

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

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).³⁸

The project's construction would require the use of diesel fuel to power the construction equipment. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous

³⁸ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6, 2021.

materials that would be used on-site during the project's construction phase include, but are not limited to, gasoline, solvents, architectural coatings, and equipment lubricants. These products are strictly controlled and regulated and in the event of any spill, cleanup activities would be required to adhere to all pertinent protocols. Once operational, the potentially hazardous materials that are often associated with the new development that involves the cultivation of cannabis are outlined below.

- *Mold.* Marijuana production requires increased levels of humidity and this increased humidity in the presence of organic material, promotes the growth of mold. Previous studies of illegal indoor cultivation operations have reported elevated levels of airborne mold spores, especially during activities such as plant removal by law enforcement personnel. Physiological effects include allergic reactions, hypersensitivity, and anaphylaxis to marijuana.
- *Skin Sensitivity.* Skin contact through personal handling of plant material or occupational exposure has been associated with hives, itchy skin, and swollen or puffy eyes. As with most sensitizers, initial exposure results in a normal response, but over time, repeated exposures can lead to progressively strong and abnormal responses.
- *Carbon dioxide (CO₂).* CO₂ is used in the marijuana industry to increase plant growth and to produce concentrates. In addition to the liquid gas form, solid carbon dioxide or dry ice can be used for extraction processes. Compressed gases can present a physical hazard and has additional safety regulations that must be adhered to.
- *Carbon monoxide (CO).* CO is a colorless, odorless, toxic gas which interferes with the oxygen-carrying capacity of blood. At elevated concentrations, CO can overcome persons without warning. Sources of carbon monoxide exposure include furnaces, hot water heaters, portable generators/generators in buildings; concrete cutting saws, compressors; forklifts, power trowels, floor buffers, space heaters, welding, and gasoline powered pumps.
- *Indoor Air Quality.* Workers may encounter ozone as a product of the chemical reaction of nitrogen oxides and volatile organic compounds (e.g., terpenes emitted from the marijuana plant) present inside a cultivation facility. Terpenes and nitric oxides are associated with eye, skin, and mucous irritation. Ozone generators may also be found in facilities for odor control. Ozone can cause decreased lung function and/or exacerbate pre-existing health effects, especially in workers with asthma or other respiratory complications.
- *Pesticides.* Cannabis cultivation facilities may have insecticides and fungicides used within the facility. Some pesticides, including pyrethrins and neem oil are non-persistent and have low volatility (neem oil is an organic pest repellent derived from the neem tree). However, these pesticides have been associated with dermal and respiratory toxicity for the workers who apply them. Depending on the pesticide, requirements from 40 CFR Part 170 also known as the EPA's Agricultural Worker Protection Standard or WPS may need to be implemented.
- *Nutrients and Corrosive Chemicals.* Cannabis Cultivation facilities may encounter corrosive chemicals in the mixing of nutrients used for plant growth. Respiratory hazards may also occur from breathing in corrosive vapors or particles that irritate or burn the inner lining of the nose, throat, and lungs.

The Applicant will be required to prepare a safety and hazard mitigation plan (SHMP) that indicates those protocols that must be adhered to in the event of an accident. The SHMP would first identify the initial steps that can be performed to establish a safety and health program within the proposed facility. The SHMP would consist of the following elements:

- The SHMP would outline the hazards for the facility by category (biological, chemical, and physical).
- For each hazard, a general description is given followed by information on the job role that might be specifically affected by the hazard, considerations for a hazard assessment, best practices for eliminating or managing the hazard, Federal, state, or local regulations that may apply to that hazard, and additional resources to assist in hazard recognition and management.
- A detailed outline of safety and health programs that should be implemented within the facility and provides examples and tools to help develop these programs.

The SHMP will be reviewed and approved by the County of San Bernardino Fire Department prior to the issuance of the Occupancy Permit. *As a result, less than significant impacts will occur.*

B. *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? • Less than Significant Impact.*

Cannabis “manufacturer” refers to the production, preparation, propagation, or compounding of cannabis products, including extraction processes, infusion processes, the packaging or repackaging of manufactured medical cannabis or medical cannabis products, and labeling or relabeling the packages of manufactured medical cannabis or medical cannabis products. In addition, the facility’s use of nonvolatile or volatile solvents will determine what kind of California cannabis manufacturing license will be required. “Nonvolatile solvent” refers to any solvent used in the extraction process that is not a volatile solvent, including carbon dioxide. “Volatile solvent” refers to any solvent that is or produces a flammable gas or vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures. Examples of volatile solvents include butane, hexane, propane, and ethanol. A Type 6 cannabis manufacturing licensee can only use nonvolatile solvents while a Type 7 licensee can use both nonvolatile and volatile solvents in its extractions and infusions. For purposes of this analysis, it has been assumed that the facility’s operation would require a Type 7 license. All chemical extractions must take place within a professional, closed-loop system, which also has its own state law requirements. The rules also contain strict packaging and labeling requirements, require all personnel to be trained, and mandates that the manufacturing licensee to adhere to strict quality control requirements.

The project’s construction would require the use of diesel fuel to power the construction equipment. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project’s construction phase include, but are not limited to, gasoline, solvents, architectural coatings, and equipment lubricants. These products are strictly controlled and regulated and in the event of any spill, cleanup activities would be required to adhere to all pertinent protocols. The Applicant will be required to prepare a safety and hazard mitigation plan that indicates those protocols that must be adhered to in the event of an accident. This plan will be reviewed and approved by the County of San Bernardino Fire Department prior to the issuance of the Occupancy Permit. As indicated in Subsection D, the project site is not listed in either the CalEPA’s Cortese List or the Environstor database.

As a result, the likelihood of encountering contamination or other environmental concerns during the project's construction phase is remote. *As a result, the impacts will be less than significant.*

C. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? • No Impact.*

There are no schools located within one-quarter of a mile from the project site. The nearest school is Adelanto Elementary School located approximately 2 miles to the east of the project site. *As a result, the proposed project will not create a hazard to any local school and no impacts are anticipated.*

D. *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? • No Impact.*

Government Code Section 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List. The Cortese List is a planning document used by the State and other local agencies to comply with CEQA requirements that require the provision of information regarding the location of hazardous materials release sites. A search was conducted through the California Department of Toxic Substances Control Envirostor website to identify whether the project site is listed in the database as a Cortese site. The project site is not identified as a Cortese site.³² *Therefore, no impacts will occur.*

E. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? • No Impact.*

The project site is not located within an airport land use plan and is not located within two miles of a public airport or public use airport. The nearest airport to the site is the Adelanto Airport located approximately 3 miles to the northeast. The project will not introduce a structure that will interfere with the approach and take off airplanes utilizing any airport. *As a result, no impacts related to this issue will occur.*

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

At no time will any adjacent street be completely closed to traffic during the proposed project's construction. In addition, all construction staging must occur on-site. *As a result, no impacts are associated with the proposed project's implementation.*

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

The project site and the adjacent properties are vacant and undeveloped. The project site is not located within a "moderate fire hazard severity zone."³³ *As a result, no impacts will result.*

³² CalEPA. *DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List)*.

³³ CalFire. *Very High Fire Hazard Severity Zone Map for SW San Bernardino County*.

MITIGATION MEASURES

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

3.10 HYDROLOGY & WATER QUALITY

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?			✘	
B. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✘	
C. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner in which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or, impede or redirect flood flows?		✘		
D. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?				✘
E. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				✘

ANALYSIS OF ENVIRONMENTAL IMPACTS

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

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).³⁹

The project Applicant will be required to adhere to Chapter 17.93 - Erosion and Sediment Control, of the municipal code regulates erosion and sediment control. These regulations outlined in Section 17.93.050 – Soil Erosion and Sediment Control Plan. The project Applicant will also be required to conform to Section 17.93.060 – Runoff Control of the City's Municipal Code. In addition, stormwater discharges from construction activities that disturb one or more acres are regulated under the National Pollutant Discharge

³⁹ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6,2021.

Elimination System (NPDES) stormwater permitting program. *As a result, the construction impacts will be less than significant.*

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

Water used to control fugitive dust will be transported to the site via truck. No direct ground water extraction will occur. Furthermore, the construction and post-construction BMPs will address contaminants of concern from excess runoff, thereby preventing the contamination of local groundwater. These BMP controls may include, but not be limited to, the following:

- Stabilization practices for all areas disturbed by construction and grading.
- Structural practices for all drainage/discharge locations.
- Stormwater management controls, including measures used to control pollutants occurring in stormwater discharges after construction activities are complete & Velocity dissipation devices to provide nonerosive flow conditions from the discharge point along the length of any outfall channel.
- Other controls, including waste disposal practices that prevent discharge of solid materials.

In addition, there would be no direct groundwater withdrawals associated with the proposed project's implementation. *As a result, the impacts are considered to be less than significant.*

C. *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner in which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or, impede or redirect flood flows? • Less than Significant Impact.*

The proposed project's location would be restricted to the proposed project site and will not alter the course of any stream or river that would lead to on- or off-site siltation or erosion. The site is presently undeveloped though there are no stream channels or natural drainages that occupy the property but are located within the vicinity of the project site. The site would be designed so the proposed hardscape surfaces (the building and paved areas) will percolate into the landscape parkway areas. *As a result, the potential impacts will be less than significant.*

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

According to the Federal Emergency Management Agency (FEMA) flood insurance maps obtained for the City of Adelanto, the proposed project site is located in an Undetermined Flood Hazard zone.³⁴ The

³⁴ Federal Emergency Management Agency. *Flood Insurance Rate Mapping Program*. 2020.

proposed project site is not located in an area that is subject to inundation by seiche or tsunami. *As a result, no impacts are anticipated.*

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

The proposed project is required to be in compliance with Chapter 17.93 the City of Adelanto Municipal Code. Chapter 17.93 of the City of Adelanto Municipal Code is responsible for implementing the NPDES and MS4 stormwater runoff requirements. In addition, the project's operation will not interfere with any groundwater management or recharge plan because there are no active groundwater management recharge activities on-site or in the vicinity. *As a result, no impacts are anticipated.*

MITIGATION MEASURES

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

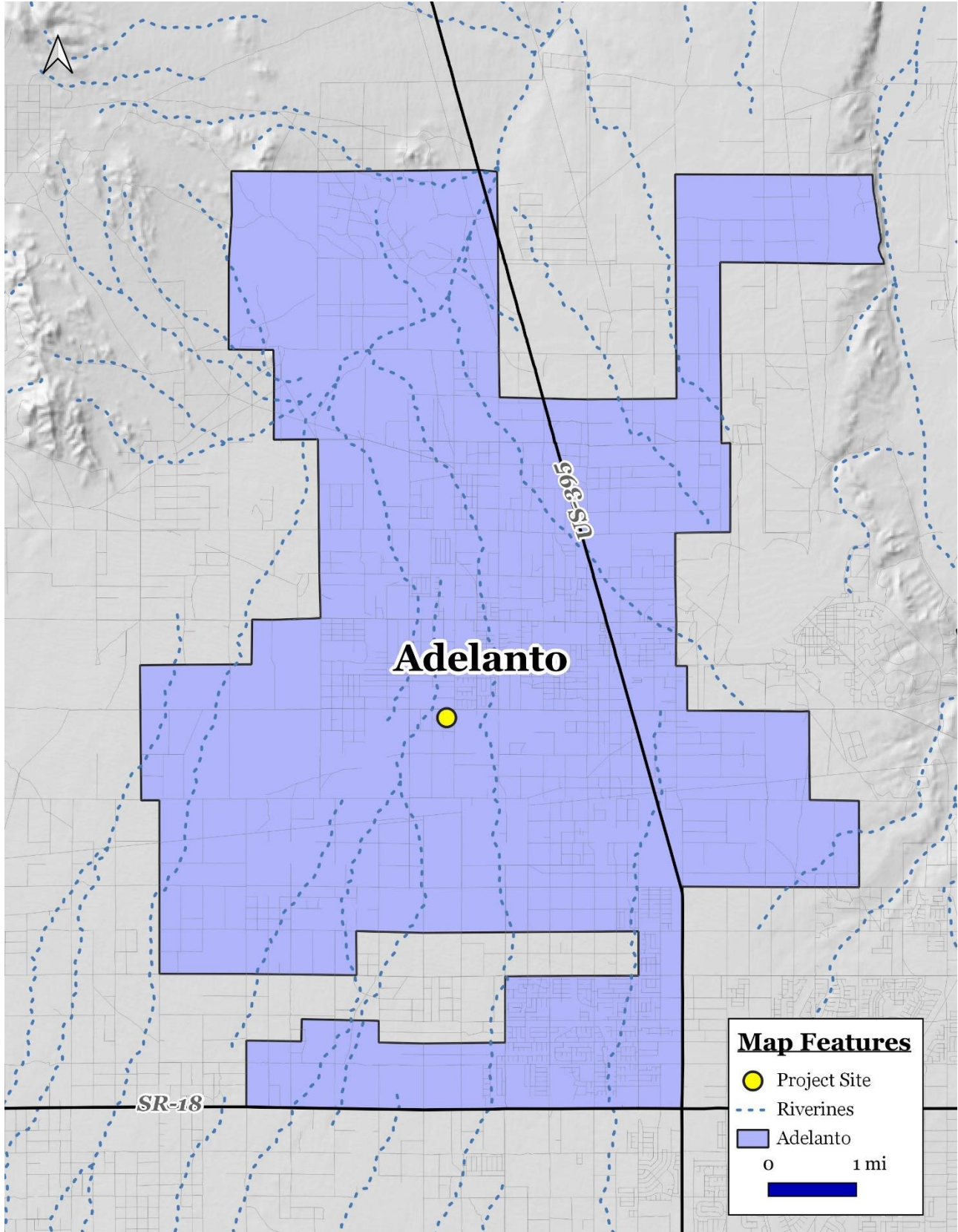


EXHIBIT 3-4
WATER RESOURCES MAP
SOURCE: FEMA

3.11 LAND USE & PLANNING

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

ANALYSIS OF ENVIRONMENTAL IMPACTS

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

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).⁴⁰

Access to the project site will be provided by a secured driveway located along Koala Road. Land uses and development in the vicinity of the proposed project include the following:

- *North of the project site:* Vacant and undisturbed land parcels are located directly to the north of the project site. These parcels are zoned as *Manufacturing/Industrial (MI)*. Single Family Residential housing (R-S5) is located to the northeast of the project site.⁴¹
- *East of the project site:* Vacant land abuts the project site along Raccoon Avenue. This area is zoned as *Light Manufacturing (LM)*.
- *South of the project site:* Vacant land is located to the south along Joshua Avenue. Light Manufacturing (LM) land uses are located to the southwest of the project site. Yellow Dream Farm Cultivation, Modern Forest, Centerline Wood Products are among the businesses located to the south of the project site.
- *West of the project site:* Vacant and undisturbed land abuts the project site to the west along Panther Avenue. These parcels are zoned Light Manufacturing (LM).

⁴⁰ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6,2021.

⁴¹ Google Maps and City of Adelanto Zoning Map. Website accessed on May 31,2022.

The granting of the requested entitlements and subsequent construction of the proposed project will not result in any expansion of the use beyond the current boundaries. As a result, the project will not lead to any division of an existing established neighborhood and no impacts will occur.

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

The City of Adelanto permits and regulates Medicinal and Adult Use Cannabis activities in designated zones. Cannabis activity is permitted with a Conditional Use Permit (CUP) in the following zones: Manufacturing/Industrial (MI), Light Manufacturing Cannabis Only (LMCO), Manufacturing Industrial (MI), and Airport Development District (ADD). A zoning map is provided in Exhibit 3-5. Because the proposed project site is located within a Light Manufacturing zoning designation in the southwestern portion of the City, a CUP is required. *As a result, no impacts will occur.*

MITIGATION MEASURES

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

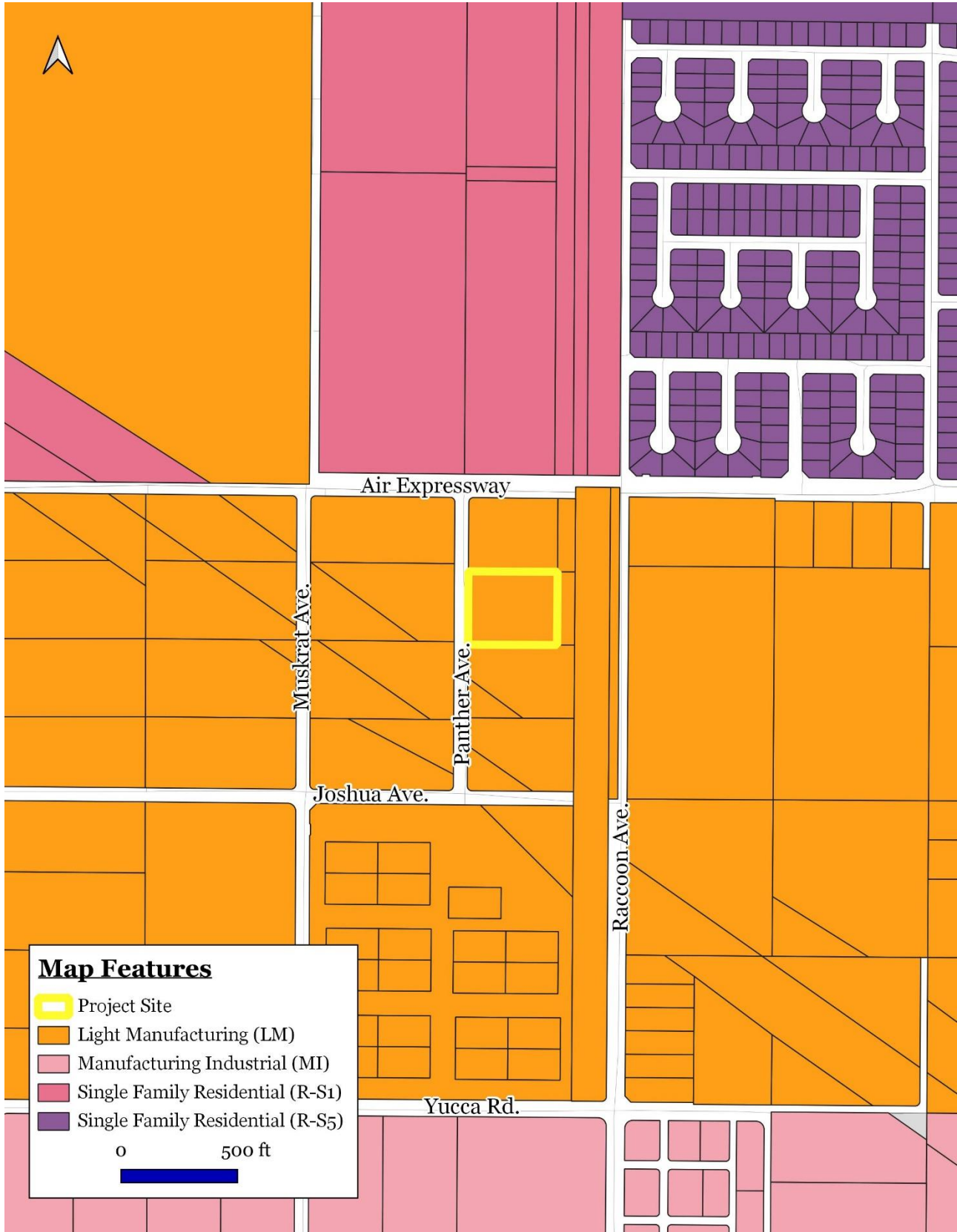


EXHIBIT 3-5
LAND USE MAP
SOURCE: CITY OF ADELANTO

3.12 MINERAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?				✘
B. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✘

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? • No Impact.*

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).⁴²

A review of California Division of Oil, Gas, and Geothermal Resources well finder indicates that there are no wells located in the vicinity of the project site. The Surface Mining and Reclamation Act of 1975 (SMARA) has developed mineral land classification maps and reports to assist in the protection and development of mineral resources. According to the SMARA, the following four mineral land use classifications are identified:

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

⁴² Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6, 2021.

the quality of material in these areas could either upgrade the classification to MRZ-2 or downgraded it to MRZ-1.

- Mineral Resource Zone 4 (MRZ-4): This land use classification refers to areas where available information is inadequate for assignment to any other mineral resource zone.

The project site is not located in a Significant Mineral Aggregate Resource Area (SMARA) nor is it located in an area with active mineral extraction activities. A review of California Division of Oil, Gas, and Geothermal Resources well finder indicates that there are no wells located in the vicinity of the project site.⁴³ The project site is located within Mineral Resource Zone (MRZ-3A), meaning there may be significant mineral resources present.⁴⁴ As indicated previously, the site develop and there are no active mineral extraction activities occurring on-site or in the adjacent properties. *As a result, no impacts to mineral resources will occur.*

B. *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? • No Impact.*

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

MITIGATION MEASURES

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

⁴³ California, State of. Department of Conservation. *California Oil, Gas, and Geothermal Resources Well Finder*.

⁴⁴ California Department of Conservation. *Mineral Land Classification Map for the Adelanto Quadrangle*. Map accessed August 11, 2021.

3.13 NOISE

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✘	
B. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?			✘	
C. For a project located within the vicinity of a private airstrip or- an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✘

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? • Less than Significant Impact.*

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).⁴⁵

The most commonly used unit for measuring the level of sound is the decibel (dB). Zero on the decibel scale represents the lowest limit of sound that can be heard by humans. The eardrum may rupture at 140 dB. In general, an increase of between 3.0 dB and 5.0 dB in the ambient noise level is considered to represent the threshold for human sensitivity.(refer to Exhibit 3-6) In other words, increases in ambient noise levels of 3.0 dB or less are not generally perceptible to persons with average hearing abilities.³⁸

Future sources of noise generated on-site will include noise from vehicles traveling to and from the project and noise emanating from back-up alarms, air conditioning units, and other equipment. All of the

⁴⁵ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6,2021.

³⁸ Bugliarello, et. al. *The Impact of Noise Pollution*, Chapter 127, 1975.

cultivation and manufacturing of cannabis products will occur indoors. In addition, the operation of the facility will not expose surrounding uses to excessive noise since interior noise will be further attenuated by the building's exterior shell. Finally, there are no noise sensitive land uses located in the vicinity of the site. As a result, the proposed project will not expose sensitive receptors to excessive noise levels and the potential impacts are considered to be less than significant. *As a result, the impacts will be less than significant.*

B. *Would the project result in generation of excessive groundborne vibration or groundborne noise levels? • Less than Significant Impact.*

Once in operation, the proposed project will not significantly raise groundborne noise levels. Slight increases in ground-borne noise levels could occur during the construction phase. The limited duration of construction activities and the City's construction-related noise control requirements will reduce the potential impacts to levels that are less than significant. Furthermore, there are no sensitive receptors or noise sensitive land uses located near the project site. *As a result, the impacts will be less than significant.*

C. *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? • No Impact.*

The project site is not located within an airport land use plan and is not located within two miles of a public airport or private airport. The proposed use is not considered to be a sensitive receptor and as a result, the proposed project will not expose people residing or working in the project area to excessive noise levels related to airport uses. *As a result, no impacts will occur.*

MITIGATION MEASURES

The analysis of potential noise impacts indicated that no significant adverse impacts would result from the proposed project's construction and operation. As a result, no mitigation measures are required.

Noise Levels – in dBA






 Serious Injury	165	
	160	
	155	
	150	
 Pain	145	
	140	<i>sonic boom</i>
	135	
	130	
	125	<i>jet take off at 200 feet</i>
	120	
 Discomfort	115	<i>music in night club interior</i>
	110	<i>motorcycle at 20 feet</i>
	105	<i>power mower</i>
	100	
	95	<i>freight train at 50 feet</i>
	90	<i>food blender</i>
 Range of Typical Noise Levels	85	<i>typical construction noise/electric mixer</i>
	80	
	75	
	70	<i>portable fan/roadway traffic at 50 feet</i>
	65	
	60	<i>dishwasher/air conditioner</i>
	55	
	50	<i>normal conversation</i>
	45	<i>refrigerator/light traffic at 100 feet</i>
	40	
 Threshold of Hearing	35	<i>library interior (quiet study area)</i>
	30	
	25	
	20	
	15	
	10	<i>rustling leaves</i>
	5	
	0	

EXHIBIT 3-6
TYPICAL NOISE SOURCES AND LOUDNESS SCALE

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

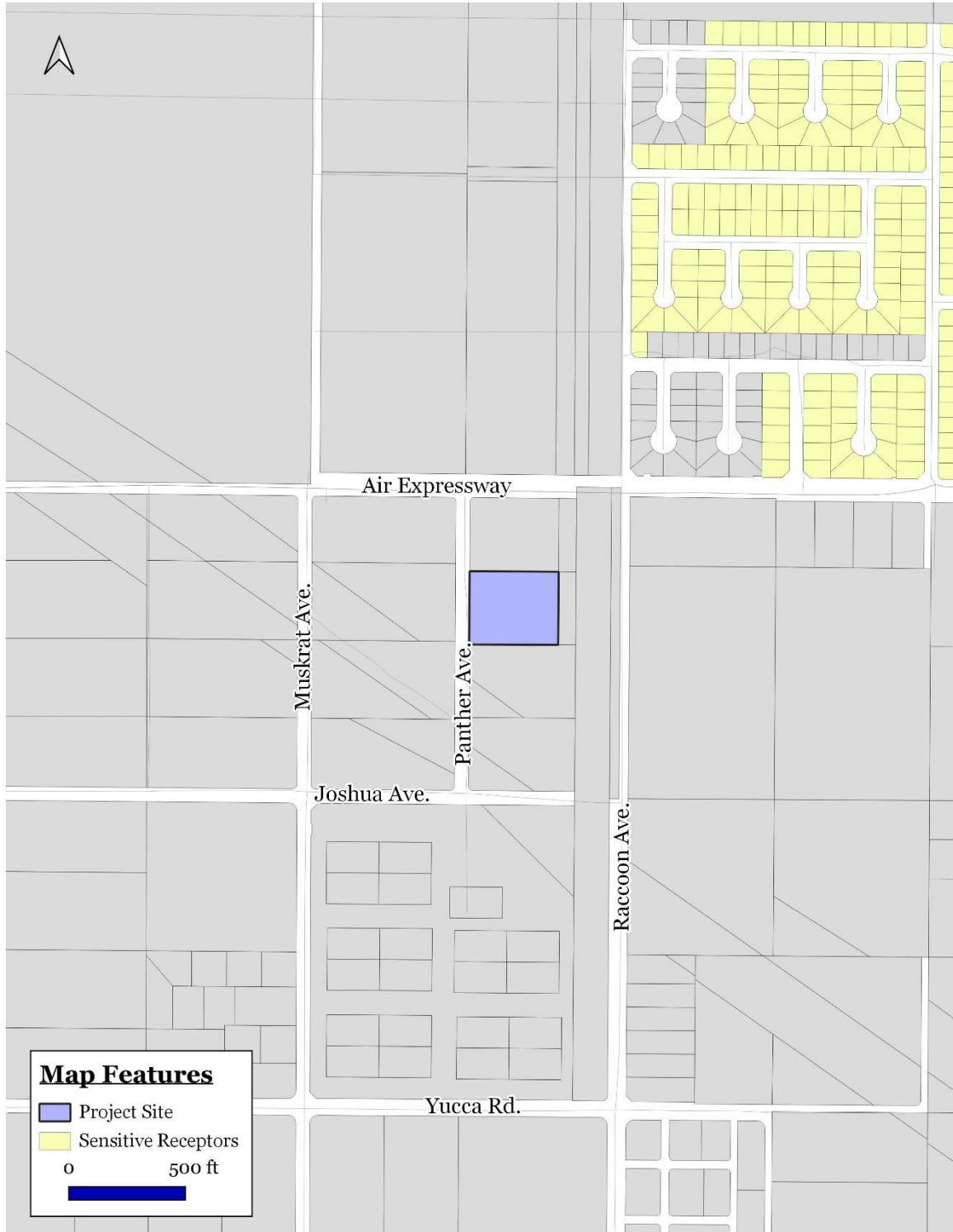


EXHIBIT 3-7 SENSITIVE RECEPTORS

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

3.14 POPULATION & HOUSING

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				✘
B. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✘

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?* • No Impact.

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).⁴⁶

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

- *New development in an area presently undeveloped and economic factors which may influence development.* The site is currently undeveloped and undisturbed. All land use surrounding the property has been designated as Light Manufacturing (LM), Manufacturing Industrial (MI), and Single Family Residential (R-S5).
- *Extension of roadways and other transportation facilities.* Future roadway and infrastructure connections will serve the proposed project site only. The existing, as well as approximately 2 miles of roadway that serves the project site will need to be improved, including an additional lane along Panther Avenue.
- *Extension of infrastructure and other improvements.* The installation of any new utility lines will not lead to subsequent offsite development since these utility connections will serve the site only.

⁴⁶ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6, 2021.

The project's potential utility impacts are analyzed in Section 3.19.

- *Major off-site public projects (treatment plants, etc.).* The project's increase in demand for utility services can be accommodated without the construction or expansion of landfills, water treatment plants, or wastewater treatment plants. The project's potential utility impacts are further analyzed in Section 3.19.
- *The removal of housing requiring replacement housing elsewhere.* The site does not contain any housing units. As a result, no replacement housing will be required.
- *Additional population growth leading to increased demand for goods and services.* The project will result in a limited increase in employment which can be accommodated by the local labor market. The cultivation facility is projected to employ 75 persons at full capacity. The hours of on-site operations for the proposed new development will be Monday through Friday, 8:00 AM to 5:00 PM.
- *Short-term growth-inducing impacts related to the project's construction.* The project will result in temporary employment during the construction phase.

The proposed project will utilize existing roadways and infrastructure. The newly established roads and existing utility lines will serve the project site only and will not extend into undeveloped areas. The proposed project will not result in any unplanned growth. *Therefore, no impacts will result.*

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

The project site is vacant and undisturbed. This property and surrounding areas have a General Plan and zoning designations of Light Manufacturing (LM). No housing units will be permitted, and none will be displaced as a result of the proposed project's implementation. *Therefore, no impacts will result.*

MITIGATION MEASURES

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

3.15 PUBLIC SERVICES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for: fire protection; police protection; schools; parks; or other public facilities?			✘	

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in fire protection; police protection; schools; parks; or other public facilities? • Less than Significant Impact.*

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).⁴⁷

Fire Department

The City of Adelanto contracts fire protection services with the San Bernardino County Fire Department from two fire stations located within the City limits. The Fire Department currently reviews all new development plans. The proposed project will be required to conform to all fire protection and prevention requirements, including, but not limited to, building setbacks, emergency access, and fire flow (or the flow rate of water that is available for extinguishing fires). The proposed project would only place an incremental demand on fire services since the project will be constructed with strict adherence to all pertinent building and fire codes. In addition, the proposed project would be required to implement all pertinent Fire Code Standards including the installation of fire hydrants and sprinkler systems inside the buildings. Furthermore, the project will be reviewed by City and County Fire officials to ensure adequate fire service and safety as a result of project implementation. *As a result, the potential impacts to fire*

⁴⁷ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6, 2021.

protection services will be less than significant.

Law Enforcement

Law enforcement services within the City are provided by the San Bernardino County Sheriff's Department which serves the community from one police station located 1.7 miles to the southwest of the project site. The proposed project will not be open or be accessible to the general public. On-site security will include security personnel, gates, cameras, and detailed background checks of employees. The facility will be closed to the public at all times. Non-employees will only be allowed to enter the facility with a permitted escort. The proposed facility will also be required to comply with the County and City security requirements. *As a result, the potential impacts to law enforcement services will be less than significant.*

Schools

Due to the nature of the proposed project, no direct enrollment impacts regarding school services will occur. The proposed project will not directly increase demand for school services. In addition, the proposed project will be required to pay school development fees to the school district. *As a result, the impacts on school-related services will be less than significant.*

Recreational Services

The proposed project will not result in any local increase in residential development (directly or indirectly) which could potentially impact the local recreational facilities. *As a result, less than significant impacts on parks will result from the proposed project's implementation.*

Governmental Services

The proposed project will not create direct local population growth which could potentially create demand for other governmental service. *As a result, less than significant impacts will result from the proposed project's implementation.*

MITIGATION MEASURES

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

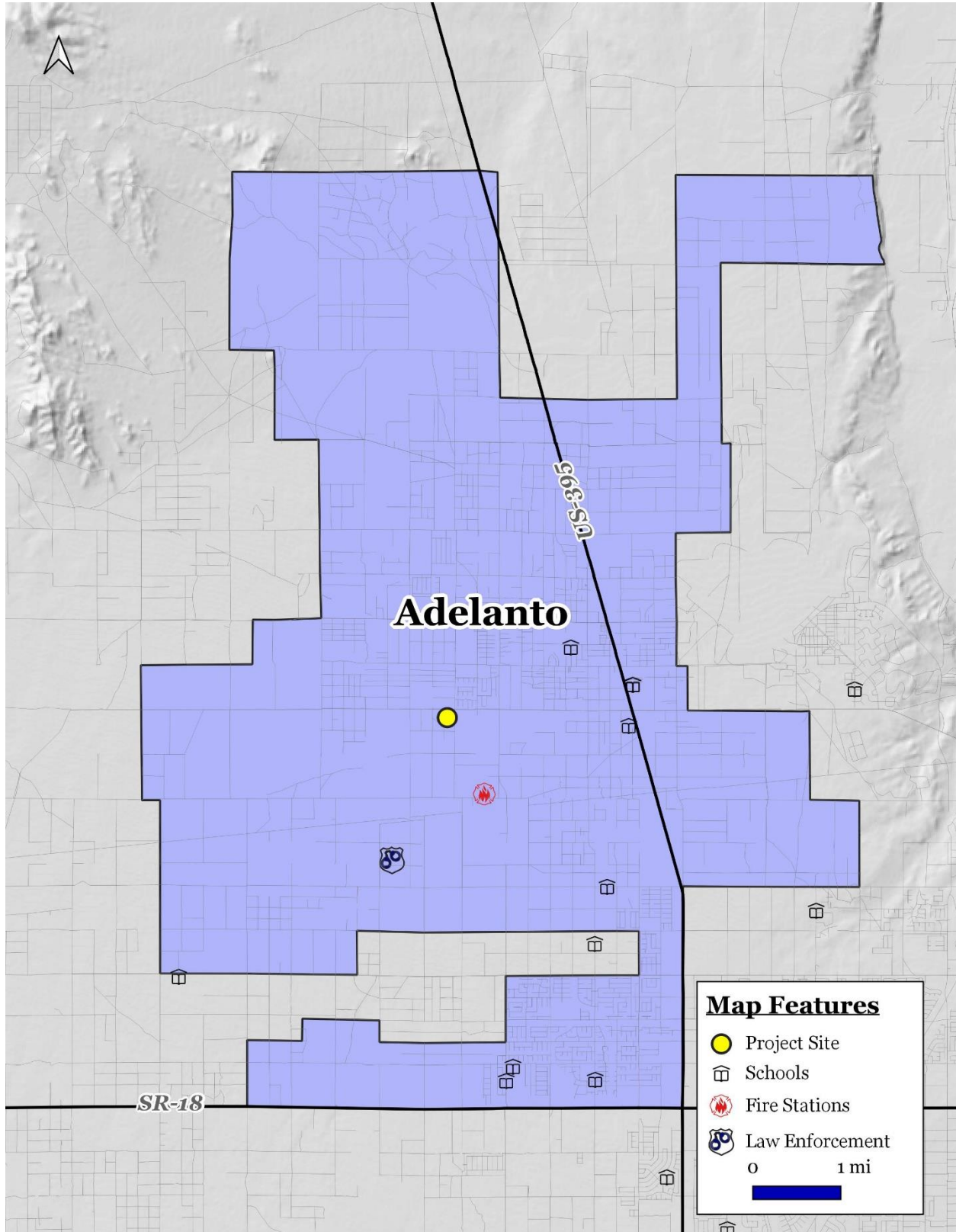


EXHIBIT 3-8
PUBLIC SERVICES MAP
SOURCE: CITY OF ADELANTO

3.16 RECREATION

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✘
B. Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✘

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?* • No Impact.

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).⁴⁸ Due to the industrial nature of the proposed project, no significant increase in the use of City parks and recreational facilities is anticipated to occur. No parks are located adjacent to the site. The nearest public park, Richardson Park, is located approximately 2.5 miles northeast of the project site. The proposed project would not result in any improvements that would potentially significantly physically alter any public park facilities and services. *As a result, no impacts are anticipated.*

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

As previously indicated, the implementation of the proposed project would not affect any existing parks and recreational facilities in the city. No such facilities are located adjacent to the project site. *As a result, no impacts will occur.*

⁴⁸ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6, 2021.

MITIGATION MEASURES

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

3.17 TRANSPORTATION

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project conflict with a plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			✘	
B. Conflict or be inconsistent with CEQA Guidelines §15064.3 subdivision (b)?				✘
C. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✘	
D. Would the project result in inadequate emergency access?				✘

ANALYSIS OF ENVIRONMENTAL IMPACTS

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

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).⁴⁹

The key operational assumptions used in determining potential daily traffic generation are summarized below:

- The proposed project will operate the cannabis cultivation, manufacturing and distribution facility from 8:00 AM to 5:00 PM, Monday through Friday. A total of between 150 and 180 full-time staff will be on-site though the facility will be closed to the public at all times. Non-employees such as vendors, delivery persons, and maintenance personnel, will only be allowed to enter the facility with a permitted escort.
- The existing full-time security guards will continue to be stationed at the facility 24 hours a day, seven days a week.

The total trip generation assumed 300 trip ends (150 round trips) per day for the employees and 16 trip ends (8 round trips) per day for the vendors. A maximum of 316 new trip ends per day are anticipated for

⁴⁹ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6, 2021.

the proposed project. As a result, the impacts will be less than significant.

B. *Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b)? • No Impact.*

CEQA Guidelines Section 15064.3 subdivision (b)(2) focuses on impacts that result from certain transportation projects. The proposed project is not a transportation project. As a result, no impacts on this issue will result. CEQA Guidelines Section 15064.3 subdivision (b)(3) and (b)(4) focuses on the evaluation of a project's VMT. As previously mentioned in Subsection A, the proposed project will not create a significant amount of traffic in the surrounding area. As a result, the proposed project will not result in a conflict or be inconsistent with Section 15064.3 subdivision (b) of the CEQA Guidelines and no impacts will occur.

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

Access to the project site would be provided by an improved road that will be located along the site's west side (Panther Avenue). The proposed project will not expose future drivers to dangerous intersections or sharp curves and the proposed project will not introduce incompatible equipment or vehicles to the adjacent roads. *As a result, the potential impacts will be less than significant.*

D. *Would the project result in inadequate emergency access? • No Impact.*

The proposed project would not affect emergency access to any adjacent parcels. At no time during construction will adjacent streets, Panther Avenue or Air Expressway, be completely closed to traffic. All construction staging must occur on-site. *As a result, no impacts are associated with the proposed project's implementation.*

MITIGATION MEASURES

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

3.18 TRIBAL CULTURAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place?			✘	
B. Would the project cause a substantial adverse change in the significance of an object with cultural value to a California Native American Tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code Section 5024.1 In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe5020.1(k)?				✘

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place?, or object with cultural value to a California Native American Tribe, and that is: listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code Section 5024.1 In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe? • Less than Significant Impact.*

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).⁵⁰ The

⁵⁰ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6,2021.

proposed project site is located on a 2.74-acre parcel that is currently vacant and undisturbed. A Tribal Resource is defined in Public Resources Code section 21074 and includes the following:

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

Adherence to the standard condition presented in Subsection B under Cultural Resources will minimize potential impacts to levels that are less than significant.

B. *Would the project cause a substantial adverse change in the significance of an object with cultural value to a California Native American Tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code Section 5024.1 In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe 5020.1(k)? ● No Impact.*

The project site is located on recognized Yuhaaviatam/Maarenga'yam (Serrano) ancestral territory. A search of the National Register of Historic Places and the list of California Historical Resources was conducted, and it was determined that no Native historic resources were listed within the City of Adelanto. Since the project's implementation will not impact any Federal, State, or locally designated historic resources, no impacts will occur.

MITIGATION MEASURES

Adherence to the standard condition presented in Subsection B under Cultural Resources will minimize potential impacts to levels that are less than significant. As a result, no mitigation is required.

3.19 UTILITIES AND SERVICE SYSTEMS

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

ANALYSIS OF ENVIRONMENTAL IMPACTS

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

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).⁵¹

There are no existing water or wastewater treatment plants, electric power plants, telecommunications facilities, natural gas facilities, or stormwater drainage infrastructure located on-site. Therefore, the

⁵¹ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6, 2021.

project's implementation will not require the relocation of any of the aforementioned facilities. The project site is currently undeveloped and has existing electrical connections adjacent to the project site. The proposed project will connect to sanitary sewers. A new 6-inch sewer line will connect to an existing line in Raccoon Avenue. As a result, no impacts associated with the use of septic tanks will occur. *As a result, the potential impacts will be less than significant.*

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

The City of Adelanto Water Department (AWD) provides water service and wastewater service to approximately 38,118 residents of Adelanto. The AWD employs a staff of twelve to manage and maintain the Department and its water resources. The Director of Public Utilities and the five-member Public Utilities Authority are responsible for providing adequate water services to the City. According to the City's 2020 Urban Water Management Plan, the City is projected to have an adequate supply of water to meet the increase in demand. In addition, the City is projected to have enough water to meet demand during a single dry year, and a multiple dry year scenario.⁵² The project's implementation will require the site's connection to the City's water and sewer line in Raccoon Avenue. A new 4-inch water line and 6-inch sewer line will be constructed. There are existing water lines and sewer lines located on Raccoon Avenue running in a north and south direction.⁵³ The indoor agricultural areas will utilize an automated irrigation system. The medicinal cannabis will be cultivated, harvested, dried, packaged, stored, and distributed from this facility. In addition, the project will be equipped with water efficient fixtures and hydroponics. *As a result, the impacts will be less than significant.*

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

The City operates a 1.5-million-gallons-per-day activated sludge wastewater treatment facility through an operations and maintenance contract with PERC Water Corporation. In addition to operations, PERC performs routine collection system cleaning, sewage spill response and cleanup, and industrial sewage pretreatment program. The City is currently constructing a 2.5-million-gallons-per-day upgrade that will increase wastewater treatment capabilities to 4.0 million gallons per day and produce treated water that can be used for lawn/public parks irrigation, construction and dust control and other beneficial uses. The project's implementation will require the site's connection to the City's water and sewer line in Raccoon Avenue. A new 4-inch water line and 6-inch sewer line will be constructed. *As a result, the impacts are expected to be less than significant.*

⁵² City of Adelanto. *2020 Urban Water Management Plan*. Report dated August 25, 2021.

⁵³ City of Adelanto. [City of Adelanto Existing Sewer and Water](#).

⁴⁵ Census Quickfacts Adelanto City California

D. *Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? • Less than Significant Impact.*

The cannabis waste will be controlled using a “track and trace” system. In addition, licensed waste haulers must remove the organic waste. Other conventional solid waste may be handled by commercial waste disposal companies. *As a result, the potential impacts will be less than significant.*

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

The proposed project, like all other development in Adelanto and San Bernardino County, will be required to adhere to City and County ordinances with respect to waste reduction and recycling. As a result, no impacts related to State and local statutes governing solid waste are anticipated.

MITIGATION MEASURES

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

3.20 WILDFIRE

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?				✘
B. If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				✘
C. If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				✘
D. If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				✘

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan? • No Impact.*

The proposed project involves the development of a 2.74-acre site within the southcentral portion of the City of Adelanto. The proposed project involves the construction of three, two-story buildings that would be used for cannabis cultivation, distribution, and manufacturing. The total floor area of the new buildings would be 73,125 square-feet, 24,375 square feet each. In addition, 69 parking spaces would be provided. Vehicular access to the proposed development would be provided by two driveway connections with Panther Avenue on the western side of the project site. The project site is currently vacant and undeveloped. The site currently doesn't have a legal address but has an Assessor's Parcel Number (APN) of 0459-432-23. The property has a General Plan and Zoning land use designation of Light Manufacturing (LM).⁵⁴ Surface streets that will be improved at construction will serve the project site and adjacent area. Furthermore, the proposed project would not involve the closure or alteration of any existing evacuation routes that would

⁵⁴ Pontious Architecture. Hatter Holdings, LLC Panther Ave. Site Plan A-001. August 6, 2021.

be important in the event of a wildfire. At no time during construction will adjacent streets be completely closed to traffic. All construction staging must occur on-site. *As a result, no impacts will occur.*

B. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones would the project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? • No Impact.*

The project site is located in the midst of an urbanized zoned area. The proposed project may be exposed to particulate emissions generated by wildland fires in the mountains (the site is located approximately 20 miles north and northwest of the San Gabriel and San Bernardino Mountains). However, the potential impacts would not be exclusive to the project site since criteria pollutant emissions from wildland fires may affect the entire City as well as the surrounding cities and unincorporated county areas. *As a result, no impacts will occur.*

C. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? • No Impact.*

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

D. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? • No Impact.*

There is no risk from wildfire within the project site or the surrounding area given the project site's distance from any area that may be subject to a wildfire event. In addition, the site is located within a moderate fire risk and state responsibility area. Therefore, the project will not expose future employees to flooding or landslides facilitated by runoff flowing down barren and charred slopes. *As a result, no impacts will occur.*

MITIGATION MEASURES

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

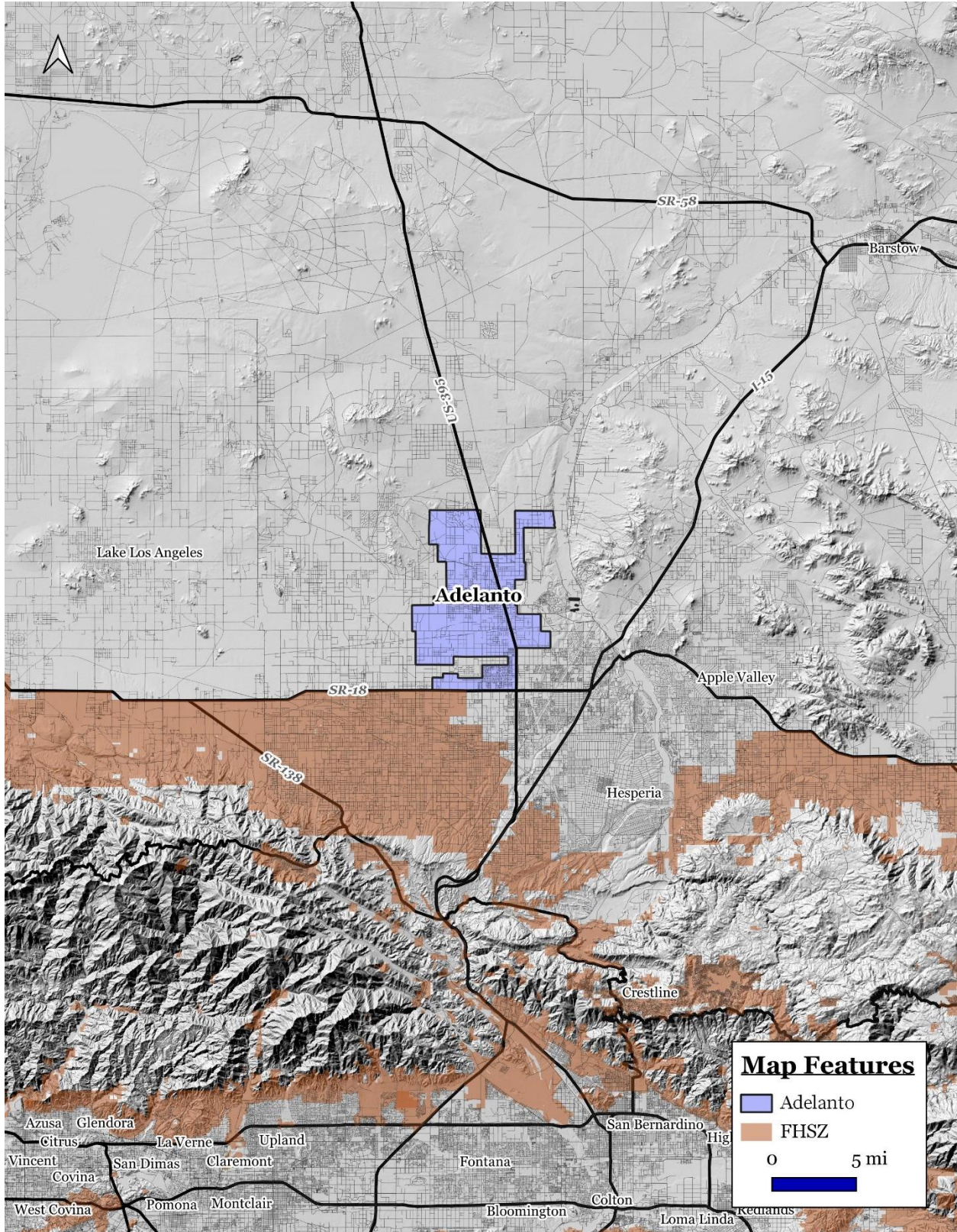


EXHIBIT 3-9
FIRE HAZARD SEVERITY ZONE MAP

SOURCE: CALIFORNIA DEPARTMENT OF FORESTRY

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				✘
B. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				✘
C. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				✘

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

A. The proposed project *will not* have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

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

B. The proposed project *will not* have impacts that are individually limited, but cumulatively considerable.

The environmental impacts will not lead to a cumulatively significant impact on any of the issues analyzed herein.

C. The proposed project *will not* have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

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

SECTION 4 CONCLUSIONS

4.1 FINDINGS

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

- The proposed project *will not* have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare or threatened species or eliminate important examples of the major periods of California history or prehistory.
- The proposed project *will not* have impacts that are individually limited, but cumulatively considerable.
- The proposed project *will not* have environmental effects which will cause substantially adverse effects on human beings, either directly or indirectly.

4.2 MITIGATION MONITORING

Section 21081(a) of the Public Resources Code states that findings must be adopted by the decision-makers coincidental to the approval of a Mitigated Negative Declaration. These findings shall be incorporated as part of the decision-maker's findings of fact, in response to AB-3180. In accordance with the requirements of Section 21081(a) and 21081.6 of the Public Resources Code, the following additional findings may be made:

- A mitigation reporting or monitoring program will be required;
- Site plans and/or building plans, submitted for approval by the responsible monitoring agency, shall include the required standard conditions; and,
- An accountable enforcement agency or monitoring agency shall be identified for the mitigations adopted as part of the decision-maker's final determination.

The analysis determined the following mitigation would be required.

Air Quality Mitigation Measure No. 1. The Applicant will be required to prepare an Odor Management Plan that must be approved by the City of Adelanto and San Bernardino County Department of Public Health. The Odor Management Plan must be approved prior to the issuance of an Occupancy Permit.

Air Quality Mitigation Measure No. 2. Indoor air must be filtered so as to remove VOCs from the indoor air envelope. The filtration equipment must be installed prior to the issuance of an Occupancy Permit.

The analysis of biological impacts determined that the following mitigation measures would be required to reduce the project's impacts to levels that would be less than significant.

Biological Resources Mitigation Measure No. 1. If construction occurs during the non-nesting season (typically September 16 through December 31), a pre-construction sweep shall be performed to verify absence of nesting birds. A qualified biologist shall conduct the pre-activity sweep within the Project areas (including access routes) and a 300-foot buffer surrounding the Project areas, within 2 hours prior to initiating Project activities. If project activities are planned during bird nesting season (generally, raptor nesting season is January 1 through September 15; and passerine bird nesting season is February 1 through September 1, a nesting bird survey shall be conducted by a qualified biologist within no more than three (3) days prior to the initiation of project activities, including, but not limited to clearing, grubbing, and/or rough grading to prevent impacts to birds and their nests. If nesting bird activity is present, a no disturbance buffer zone shall be established by the qualified biologist around each nest. The buffer shall be a minimum of 300 feet for raptors and 100 feet for songbirds, unless a smaller buffer is specifically determined by a qualified biologist familiar with the nesting phenology of the nesting species. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. If there is no nesting activity, then no further action is need for this measure.

Biological Resources Mitigation Measure No. 2. Prior to grading or any other ground-disturbing activity, a pre-construction burrowing owl clearance survey must be conducted in accordance with the Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game, May 7, 2012, by a qualified biologist within 14 days prior to the beginning of project activities a secondary survey must be conducted by a qualified biologist within 24 hours prior to the beginning of project construction to determine if the project site contains burrowing owl or sign thereof to avoid any potential impacts to the species. The surveys shall include 100 percent coverage of the project site. If both surveys reveal no burrowing owls are present or sign thereof, no additional actions related to this measure are required and a letter shall be prepared by the qualified biologist documenting the results of the survey. The letter shall be submitted to CDFW prior to construction. If occupied active burrows or sign thereof are found within the development footprint during the pre-construction clearance survey, Biological Resources Mitigation Measure 3 shall also apply.

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

Biological Resources Mitigation Measure No. 4. The project Applicant will be required to obtain a California Endangered Species Act (CESA) Incidental Take Permit (ITP) from the State of California Department of Fish and Wildlife (CDFW) related to the removal, replanting or any development activity that may affect the Joshua Trees located on-site. around each western Joshua tree parent, seedling, and sprout. No project activities may occur within the buffer. Should avoidance be infeasible (during candidacy or if the species is listed under CESA), CDFW recommends that the Project Proponent apply for an Incidental Take Permit from CDFW prior to initiating Project activities.

Biological Resources Mitigation Measure No. 5. Pre-construction surveys following the Mohave Ground Squirrel Survey Guidelines (CDFG 2010) or most recent version shall be performed by a qualified biologist authorized by a Memorandum of Understanding issued by CDFW. The pre-construction surveys shall cover the Project Area and a 50-foot buffer zone. Should Mohave ground squirrel presence be confirmed during the survey, the Project Proponent should obtain an ITP for Mohave ground squirrel prior to the start of Project activities. CDFW shall be notified if Mohave ground squirrel presence is confirmed during the pre-construction survey. If a Mohave ground squirrel is observed during Project activities, and the Project Proponent does not have an ITP, all work shall immediately stop, and the observation shall be immediately reported to CDFW.

Biological Resources Mitigation Measure No. 6. A CDFW-approved biologist shall conduct a protocol level presence or absence survey within the Project area and 50-foot buffer no more than 48 hours prior to Project activities during desert tortoise active season (April to May or September to October), in accordance with the U.S. Fish and Wildlife Service 2019 desert tortoise survey methodology. The survey shall utilize perpendicular survey routes and 100-percent visual coverage for desert tortoise and their sign. Results of the survey shall be submitted to CDFW. If the survey confirms absence, the CDFW-approved biologist shall ensure desert tortoise do not enter the Project area. If the survey confirms presence, the Project proponent shall submit to CDFW for review and approval a desert tortoise-specific avoidance plan detailing the protective avoidance measures to be implemented to ensure complete avoidance of take to desert tortoise. If complete avoidance cannot be achieved, CDFW recommends Project proponent not undertake Project activities and Project activities be postponed until appropriate authorization (i.e., CESA ITP under Fish and Game Code section 2081) is obtained.

Biological Resources Mitigation Measure No. 7. Prior to Project implementation, and during the appropriate season, the City shall conduct botanical field survey following protocols set forth in the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). The surveys shall be conducted by a CDFW-approved botanist(s) experienced in conducting floristic botanical field surveys, knowledgeable of plant taxonomy and plant community ecology and classification, familiar with the plants of the area, including special status and locally significant plants, and familiar with the appropriate state and federal statutes related to plants and plant collecting. The botanical field surveys shall be conducted at the appropriate time of year when plants will both be evident and identifiable (usually, during flowering or fruiting) and, in a manner, which maximizes the likelihood of locating special status plants and sensitive natural communities that may be present. Botanical field surveys shall be conducted floristic in nature, meaning that every plant taxon that occurs in the project area is identified to the taxonomic level necessary to determine rarity and listing status. If any rare plants or sensitive vegetation communities are identified, the City shall either avoid the occurrence, with an appropriate buffer, or mitigate the loss of the occurrence through the purchase of mitigation credits from a CDFW-approved bank or land acquisition and conservation at a minimum 3:1 (replacement-to-impact) ratio. Note that

a higher ratio may be warranted if the proposed mitigation lands are located far away from the Project site (i.e., within a separate watershed) or is not occupied by or available to special status species. If the

Project has the potential to impact a State-listed species, the City should apply for a California Endangered Species Act Incidental Take Permit with the California Department of Fish and Wildlife.

Biological Resources Mitigation Measure No. 8. Prior to construction and issuance of any grading permit, the Project applicant should obtain written correspondence from the California Department of Fish and Wildlife (CDFW) stating that notification under section 1602 of the Fish and Game Code is not required for the Project, or the Project applicant should obtain a CDFW-executed Lake and Streambed Alteration Agreement, authorizing impacts to Fish and Game Code section 1602 resources associated with the Project.

Biological Resources Mitigation Measure No. 9. Prior to construction and issuance of any grading permit, the City of Adelanto shall develop a plan with measures to avoid, minimize, or mitigate the impacts of pesticides used in cannabis cultivation, including fungicides, herbicides, insecticides, and rodenticides. The plan should include, but is not limited to, the following elements: (1) Proper use, storage, and disposal of pesticides, in accordance with manufacturers' directions and warnings. (2) Avoidance of pesticide use where toxic runoff may pass into waters of the State, including ephemeral streams. (3) Avoidance of pesticides that cannot legally be used on cannabis in the state of California, as set forth by the Department of Pesticide Regulation. (4) Avoidance of anticoagulant rodenticides and rodenticides with "flavorizers." (5) Avoidance of sticky/glue traps. (6) Inclusion of alternatives to toxic rodenticides, such as sanitation (removing food sources like pet food, cleaning up refuse, and securing garbage in sealed containers) and physical barriers.

Biological Resources Mitigation Measure No. 10. Light shall not be visible outside of any structure used for cannabis cultivation. This shall be accomplished by: employing blackout curtains where artificial light is used to prevent light escapement, eliminating all nonessential lighting from cannabis sites and avoiding or limiting the use of artificial light during the hours of dawn and dusk when many wildlife species are most active, ensuring that lighting for cultivation activities and security purposes is shielded, cast downward, and does not spill over onto other properties or upward into the night sky (see the International Dark-Sky Association standards at <http://darksky.org/>), and using LED lighting with a correlated color temperature of 3,000 Kelvins or less. All hazardous waste associated with lighting shall be disposed of properly and lighting that contains toxic compounds shall be recycled with a qualified recycler.

Biological Resources Mitigation Measure No. 11. Project construction shall not occur during the hours of dawn and dusk when many wildlife species are most active. To suppress Project noise, the Project shall implement the use of mufflers and all generators shall be enclosed.

Cultural Resources Mitigation Measure No. 1. Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Adelanto that a qualified archaeologist/paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.

Cultural Resources Mitigation Measure No. 2. The archaeologist/paleontologist monitor shall conduct

full-time monitoring during grading and excavation operations in undisturbed, very old alluvial fan sediments at or below four (4) feet below ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The archaeologist/paleontologist monitor shall be empowered to temporarily halt or divert equipment to allow of removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by qualified archaeologist/paleontologist personnel to have a low potential to contain or yield fossil resources.

Cultural Resources Mitigation Measure No. 3. Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage, such as the San Bernardino County Museum in San Bernardino, California, is required for significant discoveries. The archaeologist/paleontologist must have a written repository agreement in hand prior to initiation of mitigation activities.

Cultural Resources Mitigation Measure No. 4. A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Adelanto prior to building final.

Cultural Resources Mitigation Measure No.5. 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 San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted.

Cultural Resources Mitigation Measure No. 6. 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.

Cultural Resources Mitigation Measure No. 7. 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.

Cultural Resources Mitigation Measure No. 8. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in the mitigation measure, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with

SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.

Cultural Resources Mitigation Measure No. 9. 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.

Energy Mitigation Measure No. 1. The project must employ, as much as possible, the use of glass or translucent plastic (corrugated polycarbonate 90% light transmission) materials on building roof and gables for greenhouse areas to allow natural daylight in work areas and for plant growth.

Energy Mitigation Measure No. 2. The project must use 90% Transmission materials internal walls in the greenhouse areas to allow natural daylight use.

Energy Mitigation Measure No. 3. The project must use motion activated lighting in the greenhouse areas to reduce energy use at night.

Table 4-1 Mitigation-Monitoring Program			
Measure	Enforcement Agency	Monitoring Phase	Verification
Air Quality Mitigation Measure No. 1. The Applicant will be required to prepare an Odor Management Plan that must be approved by the City of Adelanto and San Bernardino County Department of Public Health. The Odor Management Plan must be approved prior to the issuance of an Occupancy Permit.	Director of Community Development • <i>(Applicant is responsible for implementation)</i>	<i>Over the project's operational lifetime</i> • Mitigation continues over the project's operational life.	Date: Name & Title:
Air Quality Mitigation Measure No. 2. Indoor air must be filtered so as to remove VOCs from the indoor air envelope. The filtration equipment must be installed prior to the issuance of an Occupancy Permit.	Community Development Director and California Fish & Wildlife • <i>(Applicant is responsible for implementation)</i>	<i>Over the project's operational lifetime</i> • Mitigation continues over the project's operational life.	Date: Name & Title:

<p>Biological Resources Mitigation Measure No. 1. If construction occurs during the non-nesting season (typically September 16 through December 31), a pre-construction sweep shall be performed to verify absence of nesting birds. A qualified biologist shall conduct the pre-activity sweep within the Project areas (including access routes) and a 300-foot buffer surrounding the Project areas, within 2 hours prior to initiating Project activities. If project activities are planned during bird nesting season (generally, raptor nesting season is January 1 through September 15; and passerine bird nesting season is February 1 through September 1, a nesting bird survey shall be conducted by a qualified biologist within no more than three (3) days prior to the initiation of project activities, including, but not limited to clearing, grubbing, and/or rough grading to prevent impacts to birds and their nests. If nesting bird activity is present, a no disturbance buffer zone shall be established by the qualified biologist around each nest. The buffer shall be a minimum of 300 feet for raptors and 100 feet for songbirds, unless a smaller buffer is specifically determined by a qualified biologist familiar with the nesting phenology of the nesting species. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. If there is no nesting activity, then no further action is need for this measure.</p>	<p style="text-align: center;">Community Development Director and California Fish & Wildlife • (Applicant is responsible for implementation)</p>	<p style="text-align: center;"><i>Prior to the issuance of building permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>
<p>Biological Resources Mitigation Measure No. 2. Prior to grading or any other ground-disturbing activity, a pre-construction burrowing owl clearance survey must be conducted in accordance with the Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game, May 7, 2012, by a qualified biologist within 14 days prior to the beginning of project activities a secondary survey must be conducted by a qualified biologist within 24 hours prior to the beginning of project construction to determine if the project site contains burrowing owl or sign thereof to avoid any potential impacts to the species. The surveys shall include 100 percent coverage of the project site. If both surveys reveal no burrowing owls are present or sign thereof, no additional actions related to this measure are required and a letter shall be prepared by the qualified biologist documenting the results of the survey. The letter shall be submitted to CDFW prior to construction. If occupied active burrows or sign thereof are found within the development footprint during the pre-construction clearance survey, Biological Resources Mitigation Measure 3 shall also apply.</p>	<p style="text-align: center;">Community Development Director and California Fish & Wildlife • (Applicant is responsible for implementation)</p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

<p>Biological Resources Mitigation Measure No. 3. If active burrows or signs thereof are found within the development footprint during the pre-construction clearance surveys, site-specific non-disturbance buffer zones shall be established by the qualified biologist shall be no less than 300 feet. If determined appropriate, a smaller buffer may be established by the qualified biologist following monitoring and assessments of the Project's effects on the burrowing owls. If it is not possible to avoid active burrows, passive relocation shall be implemented if a qualified biologist has determined there are no nesting owls and/or juvenile owls are no longer dependent on the burrows. A qualified biologist, in coordination with the applicant and the City, shall prepare and submit a passive relocation program in accordance with Appendix E (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012) for CDFW review/approval prior to the commencement of disturbance activities onsite and proposed mitigation for permanent loss of occupied burrow(s) and habitat consistent with the 2012 Staff Report on Burrowing Owl Mitigation. When a qualified biologist determines that burrowing owls are no longer occupying the Project site and passive relocation is complete, construction activities may begin. A final letter report shall be prepared by the qualified biologist documenting the results of the passive relocation. The letter shall be submitted to CDFW.</p>	<p style="text-align: center;">Community Development Director and California Fish & Wildlife • (Applicant is responsible for implementation)</p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>
<p>Biological Resources Mitigation Measure No. 4. The project Applicant will be required to obtain a California Endangered Species Act (CESA) Incidental Take Permit (ITP) from the State of California Department of Fish and Wildlife (CDFW) related to the removal, replanting or any development activity that may affect the Joshua Trees located on-site, around each western Joshua tree parent, seedling, and sprout. No project activities may occur within the buffer. Should avoidance be infeasible (during candidacy or if the species is listed under CESA), CDFW recommends that the Project Proponent apply for an Incidental Take Permit from CDFW prior to initiating Project activities.</p>	<p style="text-align: center;">Community Development Director and California Fish & Wildlife • (Applicant is responsible for implementation)</p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>
<p>Biological Resources Mitigation Measure No. 5. Pre-construction surveys following the Mohave Ground Squirrel Survey Guidelines (CDFG 2010) or most recent version shall be performed by a qualified biologist authorized by a Memorandum of Understanding issued by CDFW. The pre-construction surveys shall cover the Project Area and a 50-foot buffer zone. Should Mohave ground squirrel presence be confirmed during the survey, the Project Proponent should obtain an ITP for Mohave ground squirrel prior to the start of Project activities. CDFW shall be notified if Mohave ground squirrel presence is confirmed during the pre-construction survey. If a Mohave ground squirrel is observed during Project activities, and the Project Proponent does not have an ITP, all work shall immediately stop, and the observation shall be immediately reported to CDFW.</p>	<p style="text-align: center;">Community Development Director and California Fish & Wildlife • (Applicant is responsible for implementation)</p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

<p>Biological Resources Mitigation Measure No. 6. A CDFW-approved biologist shall conduct a protocol level presence or absence survey within the Project area and 50-foot buffer no more than 48 hours prior to Project activities during desert tortoise active season (April to May or September to October), in accordance with the U.S. Fish and Wildlife Service 2019 desert tortoise survey methodology. The survey shall utilize perpendicular survey routes and 100-percent visual coverage for desert tortoise and their sign. Results of the survey shall be submitted to CDFW. If the survey confirms absence, the CDFW-approved biologist shall ensure desert tortoise do not enter the Project area. If the survey confirms presence, the Project proponent shall submit to CDFW for review and approval a desert tortoise-specific avoidance plan detailing the protective avoidance measures to be implemented to ensure complete avoidance of take to desert tortoise. If complete avoidance cannot be achieved, CDFW recommends Project proponent not undertake Project activities and Project activities be postponed until appropriate authorization (i.e., CESA ITP under Fish and Game Code section 2081) is obtained.</p>	<p style="text-align: center;">Community Development Director and California Fish & Wildlife • (Applicant is responsible for implementation)</p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>
<p>Biological Resources Mitigation Measure No. 7. Prior to Project implementation, and during the appropriate season, the City shall conduct botanical field survey following protocols set forth in the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). The surveys shall be conducted by a CDFW-approved botanist(s) experienced in conducting floristic botanical field surveys, knowledgeable of plant taxonomy and plant community ecology and classification, familiar with the plants of the area, including special status and locally significant plants, and familiar with the appropriate state and federal statutes related to plants and plant collecting. The botanical field surveys shall be conducted at the appropriate time of year when plants will both be evident and identifiable (usually, during flowering or fruiting) and, in a manner, which maximizes the likelihood of locating special status plants and sensitive natural communities that may be present. Botanical field surveys shall be conducted floristic in nature, meaning that every plant taxon that occurs in the project area is identified to the taxonomic level necessary to determine rarity and listing status. If any rare plants or sensitive vegetation communities are identified, the City shall either avoid the occurrence, with an appropriate buffer, or mitigate the loss of the occurrence through the purchase of mitigation credits from a CDFW-approved bank or land acquisition and conservation at a minimum 3:1 (replacement-to-impact) ratio. Note that a higher ratio may be warranted if the proposed mitigation lands are located far away from the Project site (i.e., within a separate watershed) or is not occupied by or available to special status species. If the Project has the potential to impact a State-listed species, the City should apply for a California Endangered Species Act Incidental Take Permit with the California Department of Fish and Wildlife.</p>	<p style="text-align: center;">Community Development Director and California Fish & Wildlife • (Applicant is responsible for implementation)</p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

<p>Biological Resources Mitigation Measure No. 8. Prior to construction and issuance of any grading permit, the Project applicant should obtain written correspondence from the California Department of Fish and Wildlife (CDFW) stating that notification under section 1602 of the Fish and Game Code is not required for the Project, or the Project applicant should obtain a CDFW-executed Lake and Streambed Alteration Agreement, authorizing impacts to Fish and Game Code section 1602 resources associated with the Project.</p>	<p style="text-align: center;">Community Development Director and California Fish & Wildlife • <i>(Applicant is responsible for implementation)</i></p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>
<p>Biological Resources Mitigation Measure No. 9. Prior to construction and issuance of any grading permit, the City of Adelanto shall develop a plan with measures to avoid, minimize, or mitigate the impacts of pesticides used in cannabis cultivation, including fungicides, herbicides, insecticides, and rodenticides. The plan should include, but is not limited to, the following elements: (1) Proper use, storage, and disposal of pesticides, in accordance with manufacturers' directions and warnings. (2) Avoidance of pesticide use where toxic runoff may pass into waters of the State, including ephemeral streams. (3) Avoidance of pesticides that cannot legally be used on cannabis in the state of California, as set forth by the Department of Pesticide Regulation. (4) Avoidance of anticoagulant rodenticides and rodenticides with "flavorizers." (5) Avoidance of sticky/glue traps. (6) Inclusion of alternatives to toxic rodenticides, such as sanitation (removing food sources like pet food, cleaning up refuse, and securing garbage in sealed containers) and physical barriers.</p>	<p style="text-align: center;">Community Development Director and California Fish & Wildlife • <i>(Applicant is responsible for implementation)</i></p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>
<p>Biological Resources Mitigation Measure No. 10. Light shall not be visible outside of any structure used for cannabis cultivation. This shall be accomplished by: employing blackout curtains where artificial light is used to prevent light escapement, eliminating all nonessential lighting from cannabis sites and avoiding or limiting the use of artificial light during the hours of dawn and dusk when many wildlife species are most active, ensuring that lighting for cultivation activities and security purposes is shielded, cast downward, and does not spill over onto other properties or upward into the night sky (see the International Dark-Sky Association standards at http://darksky.org/), and using LED lighting with a correlated color temperature of 3,000 Kelvins or less. All hazardous waste associated with lighting shall be disposed of properly and lighting that contains toxic compounds shall be recycled with a qualified recycler.</p>	<p style="text-align: center;">Community Development Director and California Fish & Wildlife • <i>(Applicant is responsible for implementation)</i></p>	<p style="text-align: center;"><i>Over the project's operational lifetime</i> • Mitigation continues over the project's operational life.</p>	<p>Date: Name & Title:</p>
<p>Biological Resources Mitigation Measure No. 11. Project construction shall not occur during the hours of dawn and dusk when many wildlife species are most active. To suppress Project noise, the Project shall implement the use of mufflers and all generators shall be enclosed.</p>	<p style="text-align: center;">Community Development Director and California Fish & Wildlife • <i>(Applicant is responsible for implementation)</i></p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

<p>Cultural Resources Mitigation Measure No. 1. Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Adelanto that a qualified archaeologist/paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.</p>	<p style="text-align: center;">Community Development Director • <i>(Applicant is responsible for implementation)</i></p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>
<p>Cultural Resources Mitigation Measure No. 2. The archaeologist/paleontologist monitor shall conduct full-time monitoring during grading and excavation operations in undisturbed, very old alluvial fan sediments at or below four (4) feet below ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The archaeologist/paleontologist monitor shall be empowered to temporarily halt or divert equipment to allow of removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by qualified archaeologist/paleontologist personnel to have a low potential to contain or yield fossil resources</p>	<p style="text-align: center;">Community Development Director • <i>(Applicant is responsible for implementation)</i></p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>
<p>Cultural Resources Mitigation Measure No. 3. Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage, such as the San Bernardino County Museum in San Bernardino, California, is required for significant discoveries. The archaeologist/paleontologist must have a written repository agreement in hand prior to initiation of mitigation activities.</p>	<p style="text-align: center;">Community Development Director • <i>(Applicant is responsible for implementation)</i></p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>
<p>Cultural Resources Mitigation Measure No. 4. A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Adelanto prior to building final.</p>	<p style="text-align: center;">Community Development Director • <i>(Applicant is responsible for implementation)</i></p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

<p>Cultural Resources Mitigation Measure No.5. 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 San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted.</p>	<p style="text-align: center;">Community Development Director • <i>(Applicant is responsible for implementation)</i></p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>
<p>Cultural Resources Mitigation Measure No. 6. 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.</p>	<p style="text-align: center;">Community Development Director • <i>(Applicant is responsible for implementation)</i></p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>
<p>Cultural Resources Mitigation Measure No. 7. 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.</p>	<p style="text-align: center;">Community Development Director • <i>(Applicant is responsible for implementation)</i></p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>
<p>Cultural Resources Mitigation Measure No. 8. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in the mitigation measure, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.</p>	<p style="text-align: center;">Community Development Director • <i>(Applicant is responsible for implementation)</i></p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>
<p>Cultural Resources Mitigation Measure No. 9. 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.</p>	<p style="text-align: center;">Community Development Director • <i>(Applicant is responsible for implementation)</i></p>	<p style="text-align: center;"><i>Prior to the issuance of grading permits.</i> • Mitigation ends when construction is completed.</p>	<p>Date: Name & Title:</p>

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

<p>Energy Mitigation Measure No. 1. The project must employ, as much as possible, the use of glass or translucent plastic (corrugated polycarbonate 90% light transmission) materials on building roof and gables for greenhouse areas to allow natural daylight in work areas and for plant growth.</p>	<p style="text-align: center;">Community Development Director • <i>(Applicant is responsible for implementation)</i></p>	<p style="text-align: center;"><i>Over the project's operational lifetime</i> • Mitigation continues over the project's operational life.</p>	<p>Date: Name & Title:</p>
<p>Energy Mitigation Measure No. 2. The project must use 90% Transmission materials internal walls in the greenhouse areas to allow natural daylight use.</p>	<p style="text-align: center;">Community Development Director • <i>(Applicant is responsible for implementation)</i></p>	<p style="text-align: center;"><i>Over the project's operational lifetime</i> • Mitigation continues over the project's operational life.</p>	<p>Date: Name & Title:</p>
<p>Energy Mitigation Measure No. 3. The project must use motion activated lighting in the greenhouse areas to reduce energy use at night.</p>	<p style="text-align: center;">Community Development Director • <i>(Applicant is responsible for implementation)</i></p>	<p style="text-align: center;"><i>Over the project's operational lifetime</i> • Mitigation continues over the project's operational life.</p>	<p>Date: Name & Title:</p>

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SECTION 5 REFERENCES

5.1 PREPARERS

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

Marc Blodgett, Project Principal
Karla Nayakarathne, Project Geographer

5.2 REFERENCES

The references that were consulted have been identified using footnotes.

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APPENDIX A – AIR QUALITY WORKSHEETS

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

CalEEMod Version: CalEEMod.2020.4.0

Page 1 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Hatter Holdings
Mojave Desert Air Basin, Summer

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Heavy Industry	68.75	1000sqft	3.79	68,750.00	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.6	Precipitation Freq (Days)	31
Climate Zone	9			Operational Year	2024
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	390.98	CH4 Intensity (lb/MWhr)	0.033	N2O Intensity (lb/MWhr)	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - 3.79 acre site

Construction Phase - construction characteristics

Off-road Equipment - no demo

Grading - 3.79 Acre site

Trips and VMT - no demo

Area Mitigation -

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	18.00	30.00
tblConstructionPhase	NumDays	230.00	150.00
tblConstructionPhase	NumDays	20.00	0.00

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

CalEEMod Version: CalEEMod.2020.4.0

Page 2 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

tblConstructionPhase	NumDays	8.00	30.00
tblConstructionPhase	NumDays	18.00	30.00
tblConstructionPhase	NumDays	5.00	30.00
tblConstructionPhase	PhaseEndDate	2/22/2024	3/11/2024
tblConstructionPhase	PhaseEndDate	1/3/2024	9/13/2023
tblConstructionPhase	PhaseEndDate	1/27/2023	12/30/2022
tblConstructionPhase	PhaseEndDate	2/15/2023	3/17/2023
tblConstructionPhase	PhaseEndDate	1/29/2024	2/14/2024
tblConstructionPhase	PhaseEndDate	2/3/2023	3/10/2023
tblGrading	AcresOfGrading	30.00	3.79
tblGrading	AcresOfGrading	45.00	3.79
tblLandUse	LotAcreage	1.58	3.79
tblOffRoadEquipment	HorsePower	81.00	0.00
tblOffRoadEquipment	HorsePower	158.00	0.00
tblOffRoadEquipment	HorsePower	247.00	0.00
tblOffRoadEquipment	LoadFactor	0.73	0.00
tblOffRoadEquipment	LoadFactor	0.38	0.00
tblOffRoadEquipment	LoadFactor	0.40	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	2.00	0.00
tblOffRoadEquipment	UsageHours	8.00	0.00
tblOffRoadEquipment	UsageHours	8.00	0.00
tblOffRoadEquipment	UsageHours	8.00	0.00
tblTripsAndVMT	HaulingTripLength	20.00	0.00
tblTripsAndVMT	VendorTripLength	7.30	0.00
tblTripsAndVMT	WorkerTripLength	10.80	0.00

2.0 Emissions Summary

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

CalEEMod Version: CalEEMod.2020.4.0

Page 3 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2023	6.1856	60.3653	51.2522	0.1015	24.9402	2.7468	27.6870	13.4264	2.5418	15.9683	0.0000	9,813.7713	9,813.7713	2.7439	0.0444	9,895.5836
2024	54.2594	9.5379	14.7349	0.0238	0.2136	0.4606	0.6742	0.0567	0.4303	0.4870	0.0000	2,277.7361	2,277.7361	0.5882	4.8400e-003	2,293.8839
Maximum	54.2594	60.3653	51.2522	0.1015	24.9402	2.7468	27.6870	13.4264	2.5418	15.9683	0.0000	9,813.7713	9,813.7713	2.7439	0.0444	9,895.5836

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2023	6.1856	60.3653	51.2522	0.1015	24.9402	2.7468	27.6870	13.4264	2.5418	15.9683	0.0000	9,813.7713	9,813.7713	2.7439	0.0444	9,895.5836
2024	54.2594	9.5379	14.7349	0.0238	0.2136	0.4606	0.6742	0.0567	0.4303	0.4870	0.0000	2,277.7361	2,277.7361	0.5882	4.8400e-003	2,293.8839
Maximum	54.2594	60.3653	51.2522	0.1015	24.9402	2.7468	27.6870	13.4264	2.5418	15.9683	0.0000	9,813.7713	9,813.7713	2.7439	0.0444	9,895.5836

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

CalEEMod Version: CalEEMod.2020.4.0

Page 4 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

CalEEMod Version: CalEEMod.2020.4.0

Page 5 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	1.9084	6.0000e-005	7.0100e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005		0.0151	0.0151	4.0000e-005		0.0160
Energy	0.0365	0.3317	0.2786	1.9900e-003		0.0252	0.0252		0.0252	0.0252		397.9855	397.9855	7.6300e-003	7.3000e-003	400.3505
Mobile	1.5921	1.9689	13.4750	0.0280	2.7224	0.0239	2.7463	0.7261	0.0225	0.7486		2,855.2129	2,855.2129	0.1524	0.1426	2,901.5024
Total	3.5370	2.3006	13.7606	0.0300	2.7224	0.0491	2.7716	0.7261	0.0477	0.7738		3,253.2135	3,253.2135	0.1600	0.1499	3,301.8689

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	1.9084	6.0000e-005	7.0100e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005		0.0151	0.0151	4.0000e-005		0.0160
Energy	0.0365	0.3317	0.2786	1.9900e-003		0.0252	0.0252		0.0252	0.0252		397.9855	397.9855	7.6300e-003	7.3000e-003	400.3505
Mobile	1.5921	1.9689	13.4750	0.0280	2.7224	0.0239	2.7463	0.7261	0.0225	0.7486		2,855.2129	2,855.2129	0.1524	0.1426	2,901.5024
Total	3.5370	2.3006	13.7606	0.0300	2.7224	0.0491	2.7716	0.7261	0.0477	0.7738		3,253.2135	3,253.2135	0.1600	0.1499	3,301.8689

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

CalEEMod Version: CalEEMod.2020.4.0

Page 6 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	1/1/2023	12/30/2022	5	0	
2	Site Preparation	Site Preparation	1/28/2023	3/10/2023	5	30	
3	Grading	Grading	2/4/2023	3/17/2023	5	30	
4	Building Construction	Building Construction	2/16/2023	9/13/2023	5	150	
5	Paving	Paving	1/4/2024	2/14/2024	5	30	
6	Architectural Coating	Architectural Coating	1/30/2024	3/11/2024	5	30	

Acres of Grading (Site Preparation Phase): 3.79

Acres of Grading (Grading Phase): 3.79

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 103,125; Non-Residential Outdoor: 34,375; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Paving	Cement and Mortar Mixers	2	6.00	9	0.56
Demolition	Concrete/Industrial Saws	0	0.00	0	0.00
Building Construction	Cranes	1	7.00	231	0.29
Demolition	Excavators	0	0.00	0	0.00

**INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO**

CalEEMod Version: CalEEMod.2020.4.0

Page 7 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Grading	Excavators	1	8.00	158	0.38
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Grading	Graders	1	8.00	187	0.41
Paving	Pavers	1	8.00	130	0.42
Paving	Paving Equipment	2	6.00	132	0.36
Paving	Rollers	2	6.00	80	0.38
Demolition	Rubber Tired Dozers	0	0.00	0	0.00
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Grading	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	0	0.00	0.00	0.00	0.00	0.00	0.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	29.00	11.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	8	20.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	6.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

**INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO**

CalEEMod Version: CalEEMod.2020.4.0

Page 8 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.3 Site Preparation - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					18.2002	0.0000	18.2002	9.9452	0.0000	9.9452			0.0000			0.0000
Off-Road	2.6595	27.5242	18.2443	0.0381		1.2660	1.2660		1.1647	1.1647		3,687.3081	3,687.3081	1.1926		3,717.1219
Total	2.6595	27.5242	18.2443	0.0381	18.2002	1.2660	19.4663	9.9452	1.1647	11.1099		3,687.3081	3,687.3081	1.1926		3,717.1219

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0658	0.0360	0.5299	1.3500e-003	0.1479	7.3000e-004	0.1486	0.0392	6.8000e-004	0.0399		136.4336	136.4336	3.8800e-003	3.6200e-003	137.6094
Total	0.0658	0.0360	0.5299	1.3500e-003	0.1479	7.3000e-004	0.1486	0.0392	6.8000e-004	0.0399		136.4336	136.4336	3.8800e-003	3.6200e-003	137.6094

**INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO**

CalEEMod Version: CalEEMod.2020.4.0

Page 9 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.3 Site Preparation - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					18.2002	0.0000	18.2002	9.9452	0.0000	9.9452			0.0000			0.0000
Off-Road	2.6595	27.5242	18.2443	0.0381		1.2660	1.2660		1.1647	1.1647	0.0000	3,687.3081	3,687.3081	1.1926		3,717.1219
Total	2.6595	27.5242	18.2443	0.0381	18.2002	1.2660	19.4663	9.9452	1.1647	11.1099	0.0000	3,687.3081	3,687.3081	1.1926		3,717.1219

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0658	0.0360	0.5299	1.3500e-003	0.1479	7.3000e-004	0.1486	0.0392	6.8000e-004	0.0399		136.4336	136.4336	3.8800e-003	3.6200e-003	137.6094
Total	0.0658	0.0360	0.5299	1.3500e-003	0.1479	7.3000e-004	0.1486	0.0392	6.8000e-004	0.0399		136.4336	136.4336	3.8800e-003	3.6200e-003	137.6094

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

CalEEMod Version: CalEEMod.2020.4.0

Page 10 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.4 Grading - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Fugitive Dust					6.1561	0.0000	6.1561	3.3247	0.0000	3.3247			0.0000				0.0000
Off-Road	1.7109	17.9359	14.7507	0.0297		0.7749	0.7749		0.7129	0.7129		2,872.6910	2,872.6910	0.9291			2,895.9182
Total	1.7109	17.9359	14.7507	0.0297	6.1561	0.7749	6.9310	3.3247	0.7129	4.0376		2,872.6910	2,872.6910	0.9291			2,895.9182

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0548	0.0300	0.4416	1.1200e-003	0.1232	6.1000e-004	0.1238	0.0327	5.6000e-004	0.0333		113.6947	113.6947	3.2400e-003	3.0200e-003	114.6745
Total	0.0548	0.0300	0.4416	1.1200e-003	0.1232	6.1000e-004	0.1238	0.0327	5.6000e-004	0.0333		113.6947	113.6947	3.2400e-003	3.0200e-003	114.6745

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

CalEEMod Version: CalEEMod.2020.4.0

Page 11 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.4 Grading - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Fugitive Dust					6.1561	0.0000	6.1561	3.3247	0.0000	3.3247			0.0000				0.0000
Off-Road	1.7109	17.9359	14.7507	0.0297		0.7749	0.7749		0.7129	0.7129	0.0000	2,872.6910	2,872.6910	0.9291			2,895.9182
Total	1.7109	17.9359	14.7507	0.0297	6.1561	0.7749	6.9310	3.3247	0.7129	4.0376	0.0000	2,872.6910	2,872.6910	0.9291			2,895.9182

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0548	0.0300	0.4416	1.1200e-003	0.1232	6.1000e-004	0.1238	0.0327	5.6000e-004	0.0333		113.6947	113.6947	3.2400e-003	3.0200e-003	114.6745
Total	0.0548	0.0300	0.4416	1.1200e-003	0.1232	6.1000e-004	0.1238	0.0327	5.6000e-004	0.0333		113.6947	113.6947	3.2400e-003	3.0200e-003	114.6745

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

CalEEMod Version: CalEEMod.2020.4.0

Page 12 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584		2,555,209.9	2,555,209.9	0.6079		2,570,406.1
Total	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584		2,555,209.9	2,555,209.9	0.6079		2,570,406.1

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0160	0.3963	0.1879	2.1700e-003	0.0746	3.5600e-003	0.0782	0.0215	3.4000e-003	0.0249		228.6242	228.6242	9.9000e-004	0.0319	238.1498
Worker	0.1059	0.0581	0.8537	2.1700e-003	0.2382	1.1800e-003	0.2394	0.0632	1.0900e-003	0.0643		219.8098	219.8098	6.2600e-003	5.8300e-003	221.7040
Total	0.1220	0.4544	1.0417	4.3400e-003	0.3128	4.7400e-003	0.3176	0.0847	4.4900e-003	0.0892		448.4340	448.4340	7.2500e-003	0.0377	459.8537

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

CalEEMod Version: CalEEMod.2020.4.0

Page 13 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Building Construction - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584	0.0000	2,555,209.9	2,555,209.9	0.6079		2,570,406.1
Total	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584	0.0000	2,555,209.9	2,555,209.9	0.6079		2,570,406.1

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0160	0.3963	0.1879	2.1700e-003	0.0746	3.5600e-003	0.0782	0.0215	3.4000e-003	0.0249		228.6242	228.6242	9.9000e-004	0.0319	238.1498
Worker	0.1059	0.0581	0.8537	2.1700e-003	0.2382	1.1800e-003	0.2394	0.0632	1.0900e-003	0.0643		219.8098	219.8098	6.2600e-003	5.8300e-003	221.7040
Total	0.1220	0.4544	1.0417	4.3400e-003	0.3128	4.7400e-003	0.3176	0.0847	4.4900e-003	0.0892		448.4340	448.4340	7.2500e-003	0.0377	459.8537

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

CalEEMod Version: CalEEMod.2020.4.0

Page 14 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.6 Paving - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.8814	8.2730	12.2210	0.0189		0.3987	0.3987		0.3685	0.3685		1,805.6205	1,805.6205	0.5673		1,819.8039
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.8814	8.2730	12.2210	0.0189		0.3987	0.3987		0.3685	0.3685		1,805.6205	1,805.6205	0.5673		1,819.8039

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0676	0.0355	0.5414	1.4500e-003	0.1643	7.7000e-004	0.1651	0.0436	7.1000e-004	0.0443		146.6674	146.6674	3.8800e-003	3.7200e-003	147.8737
Total	0.0676	0.0355	0.5414	1.4500e-003	0.1643	7.7000e-004	0.1651	0.0436	7.1000e-004	0.0443		146.6674	146.6674	3.8800e-003	3.7200e-003	147.8737

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

CalEEMod Version: CalEEMod.2020.4.0

Page 15 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.6 Paving - 2024

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.8814	8.2730	12.2210	0.0189		0.3987	0.3987		0.3685	0.3685	0.0000	1,805.6205	1,805.6205	0.5673		1,819.8039
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.8814	8.2730	12.2210	0.0189		0.3987	0.3987		0.3685	0.3685	0.0000	1,805.6205	1,805.6205	0.5673		1,819.8039

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0676	0.0355	0.5414	1.4500e-003	0.1643	7.7000e-004	0.1651	0.0436	7.1000e-004	0.0443		146.6674	146.6674	3.8800e-003	3.7200e-003	147.8737
Total	0.0676	0.0355	0.5414	1.4500e-003	0.1643	7.7000e-004	0.1651	0.0436	7.1000e-004	0.0443		146.6674	146.6674	3.8800e-003	3.7200e-003	147.8737

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

CalEEMod Version: CalEEMod.2020.4.0

Page 16 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.7 Architectural Coating - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	53.1094					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1808	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609		281.4481	281.4481	0.0159		281.8443
Total	53.2901	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609		281.4481	281.4481	0.0159		281.8443

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0203	0.0106	0.1624	4.4000e-004	0.0493	2.3000e-004	0.0495	0.0131	2.1000e-004	0.0133		44.0002	44.0002	1.1600e-003	1.1200e-003	44.3621
Total	0.0203	0.0106	0.1624	4.4000e-004	0.0493	2.3000e-004	0.0495	0.0131	2.1000e-004	0.0133		44.0002	44.0002	1.1600e-003	1.1200e-003	44.3621

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

CalEEMod Version: CalEEMod.2020.4.0

Page 17 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.7 Architectural Coating - 2024

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	53.1094					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1808	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609	0.0000	281.4481	281.4481	0.0159		281.8443
Total	53.2901	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609	0.0000	281.4481	281.4481	0.0159		281.8443

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0203	0.0106	0.1624	4.4000e-004	0.0493	2.3000e-004	0.0495	0.0131	2.1000e-004	0.0133		44.0002	44.0002	1.1600e-003	1.1200e-003	44.3621
Total	0.0203	0.0106	0.1624	4.4000e-004	0.0493	2.3000e-004	0.0495	0.0131	2.1000e-004	0.0133		44.0002	44.0002	1.1600e-003	1.1200e-003	44.3621

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

CalEEMod Version: CalEEMod.2020.4.0

Page 18 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	1.5921	1.9689	13.4750	0.0280	2.7224	0.0239	2.7463	0.7261	0.0225	0.7486		2,855,212	2,855,212	0.1524	0.1426	2,901,502
Unmitigated	1.5921	1.9689	13.4750	0.0280	2.7224	0.0239	2.7463	0.7261	0.0225	0.7486		2,855,212	2,855,212	0.1524	0.1426	2,901,502

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
General Heavy Industry	270.19	441.38	349.94	893,475	893,475
Total	270.19	441.38	349.94	893,475	893,475

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
General Heavy Industry	9.50	7.30	7.30	59.00	28.00	13.00	92	5	3

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
General Heavy Industry	0.531780	0.056022	0.172399	0.135630	0.029743	0.007796	0.007114	0.023242	0.000520	0.000194	0.028649	0.001160	0.005752

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

CalEEMod Version: CalEEMod.2020.4.0

Page 19 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0365	0.3317	0.2786	1.9900e-003		0.0252	0.0252		0.0252	0.0252		397.9855	397.9855	7.6300e-003	7.3000e-003	400.3505
NaturalGas Unmitigated	0.0365	0.3317	0.2786	1.9900e-003		0.0252	0.0252		0.0252	0.0252		397.9855	397.9855	7.6300e-003	7.3000e-003	400.3505

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
General Heavy Industry	3382.88	0.0365	0.3317	0.2786	1.9900e-003		0.0252	0.0252		0.0252	0.0252		397.9855	397.9855	7.6300e-003	7.3000e-003	400.3505
Total		0.0365	0.3317	0.2786	1.9900e-003		0.0252	0.0252		0.0252	0.0252		397.9855	397.9855	7.6300e-003	7.3000e-003	400.3505

**INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO**

CalEEMod Version: CalEEMod.2020.4.0

Page 20 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
General Heavy Industry	3.38288	0.0365	0.3317	0.2786	1.9900e-003		0.0252	0.0252		0.0252	0.0252		397.9855	397.9855	7.6300e-003	7.3000e-003	400.3505
Total		0.0365	0.3317	0.2786	1.9900e-003		0.0252	0.0252		0.0252	0.0252		397.9855	397.9855	7.6300e-003	7.3000e-003	400.3505

6.0 Area Detail

6.1 Mitigation Measures Area

- Use Low VOC Paint - Non-Residential Interior
- Use Low VOC Paint - Non-Residential Exterior

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Page 21 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Mitigated	1.9084	6.0000e-005	7.0100e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005			0.0151	0.0151	4.0000e-005		0.0160
Unmitigated	1.9084	6.0000e-005	7.0100e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005			0.0151	0.0151	4.0000e-005		0.0160

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
SubCategory	lb/day										lb/day						
Architectural Coating	0.4365					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000	
Consumer Products	1.4713					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000	
Landscaping	6.5000e-004	6.0000e-005	7.0100e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005			0.0151	0.0151	4.0000e-005		0.0160
Total	1.9084	6.0000e-005	7.0100e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005			0.0151	0.0151	4.0000e-005		0.0160

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CalEEMod Version: CalEEMod.2020.4.0

Page 22 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.4365					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	1.4713					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	6.5000e-004	6.0000e-005	7.0100e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005		0.0151	0.0151	4.0000e-005		0.0160
Total	1.9084	6.0000e-005	7.0100e-003	0.0000		2.0000e-005	2.0000e-005		2.0000e-005	2.0000e-005		0.0151	0.0151	4.0000e-005		0.0160

7.0 Water Detail

7.1 Mitigation Measures Water

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HATTER HOLDINGS • CUP 21-27 & LDP 21-27 • APN 0459-432-23 • CITY OF ADELANTO

CalEEMod Version: CalEEMod.2020.4.0

Page 23 of 23

Date: 5/27/2022 10:01 AM

Hatter Holdings - Mojave Desert Air Basin, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	-----------	-------------	-------------	-----------

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	------------	-------------	-------------	-----------

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
----------------	--------	----------------	-----------------	---------------	-----------

User Defined Equipment

Equipment Type	Number
----------------	--------

11.0 Vegetation

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APPENDIX B – BIOLOGICAL STUDY

GENERAL BIOLOGICAL RESOURCES ASSESSMENT

ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA
(Township 6 North, Range 5 West, Section 31)
(APN: 0459-432-23)

Prepared for:

Pontious Architecture

Prepared by:

RCA Associates, Inc.
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Principal Investigators:

Ryan Hunter, Senior Environmental Scientist/Biologist
Jessica Hensley, Environmental Scientist/Biologist
Brian Bunyi, Environmental Scientist/Wildlife Biologist



Project: #2022-83 BA

May 19, 2022

TITLE PAGE

Date Report Written: March 19, 2022

Date Field Work Completed: May 10, 2022

Report Title: General Biological Resources Assessment

Project Location: Adelanto, California
APN: 0459-432-23

Prepared for: Pontious Architecture

Principal Investigators: Ryan Hunter, Senior Environmental Scientist/Biologist
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Table of Contents

1.0	INTRODUCTION AND SUMMARY	1
2.0	EXISTING CONDITIONS	2
3.0	METHODOLOGIES	4
4.0	LITERATURE SEARCH	5
5.0	RESULTS	6
5.1	General Biological Resources	6
5.2	Federal and State Listed Species	7
5.3	Species of Special Concern	8
5.4	Jurisdictional Waters and Riparian Habitat	8
5.5	Protected Plants	8
6.0	IMPACTS AND MITIGATION MEASURES	9
6.1	General Biological Resources	9
6.2	Federal and State Listed and Species of Special Concern	9
7.0	CONCLUSIONS AND RECOMMENDATIONS	10
8.0	BIBLIOGRAPHY	11
	CERTIFICATION	13

Appendix A – Tables and Figures
REGULATORY CONTEXT

1.0 INTRODUCTION AND SUMMARY

Biological surveys were conducted on a 2.74-acre parcel (Approximate), located on the southeast corner of the intersection of Air Expressway Blvd. and Panther Ave. in the City of Adelanto, California (Township 5 North, Range 5 West, Section 18, USGS Adelanto, California Quadrangle, 1956) (Figures 1 and 2). The property is located in an area zoned for light manufacturing usage (LM) in Adelanto, California.

As part of the environmental process, California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) data sources were reviewed. Following the data review, surveys were performed on the site on May 10, 2022, during which the biological resources on the site and in the surrounding areas were documented by biologists from RCA Associates, Inc. As part of the surveys, the property and adjoining areas were evaluated for the presence of native habitats which may support populations of sensitive wildlife species. The property was also evaluated for the presence of sensitive habitats including wetlands, vernal pools, riparian habitats, and jurisdictional areas.

Habitat assessments were also conducted for the desert tortoise, burrowing owl, and Mohave ground squirrel. Based on data from USFWS, CDFW, and a search of the California Natural Diversity Database (CNDDB, 2022). Scientific nomenclature for this report is based on the following references: Hickman (1993), Munz (1974), Stebbins (2003), Sibley (2016) and Whitaker (1980).

2.0 EXISTING CONDITIONS

The property is approximately 2.74-acres and is located southeast of the intersection of Air Expressway Blvd. and Panther Ave in the City of Adelanto, California (APN: 0459-432-23). The site is located in Section 31, Township 6 North, Range 5 West (USGS Adelanto, CA 7.5-minute quadrangle) (Figures 1 and 2). Vacant land surrounds the property in the immediate vicinity with residential communities located directly north east of the site and manufacturing companies in the south.

The relatively flat site is approximately 920 meters above sea level and contains no slope. The vegetation community present on site supports a heavily disturbed desert scrub habitat encompassing mainly native plants and some non-native grasses. The site is dominated by creosote bush (*Larrea tridentata*), rubber rabbitbrush (*Ericameria nauseosa*), Nevada jointfir (*Ephedra nevadensis*), Asian mustard (*Brassica tournefortii*), Flatspine burr ragweed (*Ambrosia acanthicarpa*) and cheatgrass (*Bromus tectorum*). Section 5.0 provides a more detailed discussion of the various plant species observed during the surveys.

The site supports a minimal amount of wildlife, with many of them being birds. Although not seen, coyote signs were also observed on site including canid digs and scat throughout the property. Species that were not observed, but are expected to occur on site given their abundance in the surrounding areas include California ground squirrel (*Otospermophilus beecheyi*) and antelope ground squirrel (*Ammospermophilus leucurus*).

Birds observed included common ravens (*Corvus corax*), house finch (*Carpodacus mexicanus*), house sparrow (*Passer domesticus*) and rock pigeon (*Columba livia*). Section 5.0 provides a more detailed discussion of the various species observed during the surveys.

No reptiles were observed during the field investigation due to the temperature and time of year. Species that are expected to occur on site include the common side-blotched lizard (*Uta stansburiana*) and western whiptail lizard (*Cnemidophorus tigris*). Table 2 provides a compendium of wildlife species.

During the field surveys, a potential channel was observed that runs through the middle of the property from south to north. It is the opinion of RCA Associates, Inc. that additional surveys maybe required at another time.

In addition, no sensitive habitats (e.g., sensitive species, critical habitats, etc.) have been documented in the immediate area according to the CNDDDB (2022) and none were observed during the field investigations.

3.0 METHODOLOGIES

General biological surveys were conducted on May 10, 2022, during which biologists from RCA Associates, Inc. initially walked meandering transects throughout the property. During the surveys, data was collected on the plant and animal species present on the site. All plants and animals detected during the surveys were recorded and are provided in Tables 1 & 2 (Appendix A). The property was also evaluated for the presence of habitats which might support sensitive species. Scientific nomenclature for this report is based on the following references: Hickman (1993), Munz (1974), Stebbins (2003), Sibley (2016) and Whitaker (1980). Following completion of the initial reconnaissance survey, habitat assessments were conducted for the desert tortoise, burrowing owl, and Mohave ground squirrel. Weather conditions consisted of wind speeds of 0 to 5 mph, temperatures in the low to mid 60's (°F) (AM), and 0% cloud cover. The applicable methodologies are summarized below.

General Plant and Animal Surveys: Meandering transects were walked on the site and in surrounding areas (i.e., the zone of influence) where accessible at a pace that allowed for careful documentation of the plant and animal species present on the site. All plants observed were identified in the field or sampled and brought back for further identification. Wildlife was identified through visual observations and/or by vocalizations. Habitat assessments were conducted for the desert tortoise, burrowing owl, and Mohave ground squirrel. Tables 1 and 2 (Appendix A) provides a comprehensive compendium of the various plant and animal; species observed during the field investigations.

4.0 LITERATURE SEARCH

As part of the environmental process, a search of the California Natural Diversity Database (CNDDDB) search was performed. Based on this review, it was determined that five special status species have been documented within the Adelanto quad of the property. The following tables provide data on each special status species which has been documented in the area.

Table 4-1: Federal and State Listed Species and State Species of Special Concern.

E = Endangered; T = Threatened; SSC = Species of special concern; CNPS = California Native Plant Society; CNDDDB = California Natural Diversity Data Base

NAME	STATUS	HABITAT REQUIREMENTS	PRESENCE/ ABSENCE ON PROPERTY
Wildlife Species			
Within Adelanto Quadrangle			
Desert tortoise (<i>Gopherus agassizii</i>)	Federal: Threatened State: Threatened	Desert scrub	The site is located within the known distribution of the species. An evaluation of the area and property was conducted and no tortoises or suitable habitat was observed.
Burrowing owl (<i>Athene cunicularia</i>)	Federal: None State: None CDFW: SSC	Grasslands and desert habitats	The site does support minimal suitable habitat for the species and no owls or owl sign, or suitable burrows, were observed during field surveys.
Mohave ground squirrel (<i>Xerospermophilus mohavensis</i>)	Federal: None State: Threatened	Desert scrub	The site does support minimal suitable habitat for the species due to the presence of occupiable burrows however, species has not been identified in the immediate or surrounding area; therefore, species is not likely to inhabit the site.
Swainson's Hawk (<i>Buteo swainsoni</i>)	Federal: None State: Threatened	Open grasslands	Site does not support suitable habitat for the species; and no Swainson's hawks were observed during the field survey.
Le Conte's thrasher (<i>Toxostoma lecontei</i>)	Federal: None State: None CDFW: SSC	Desert scrub	Site does not support suitable habitat for the species. Given the size of the property the thrasher is not expected to occur on site in the future; and no thrashers were observed during the field survey.

5.0 RESULTS

5.1 General Biological Resources

The site supports a heavily disturbed desert scrub community which sparsely covers the property (Figure 3). Species present on the site included kelch grass (*Schismus barbatus*), creosote bush (*Larrea tridentata*), Asian mustard (*Brassica tournefortii*), Nevada jointfir (*Ephedra nevadensis*), white bursage (*Ambrosia dumosa*), California buckwheat (*Eriogonum fasciculatum*), and rubber rabbitbrush (*Ericameria nauseosa*). Table 1 provides a compendium of all plants occurring on the site and/or in the immediate surrounding area.

Birds observed included ravens (*Corvus corax*), rock pigeon (*Columba livia*), European starling (*Sturnus vulgaris*) and house finch (*Haemorhous mexicanus*). Table 2 provides a complete compendium of wildlife species occurring on site or in the surrounding area

Mammals that were observed on site black-tailed jackrabbit (*Lepus californicus*). Although the Antelope Ground squirrel (*Ammospermophilus leucurus*) were not present during the field investigation we can assume they are in the area due to current conditions and population distributions. Coyote (*Canis latrans*) scat and tracks were observed during the field investigations and the species is expected to traverse the site during hunting activities. Other wildlife species that may occur on site include desert cottontails (*Sylvilagus audubonii*) and California ground squirrels (*Otospermophilus beecheyi*), and Merriam's kangaroo rats (*Dipodomys merriami*) may also occur on the site given their wide-spread distribution in the region. Tables 1 and 2 (Appendix A) provides a compendium of the various plant and animal species identified during the field investigations and those common to the area. No distinct wildlife corridors were identified on the site or in the immediate area.

No reptiles were observed on site during the May 2022 field investigations. However, some reptiles that may inhabit the site include the Side-blotched lizard (*Uta stansburiana*), and the Western Whiptail Lizard (*Cnemidophorus tigris*).

No sensitive habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were observed on the site during the field investigations.

The following are the listed and special status species that have the ability to occur on the project site. It is not a comprehensive list of all the species in the quad. This information has been taken from the California Natural Diversity Database and is using the most current version.

5.2 Federal and State Listed Species

Desert Tortoise: The site is located within the documented tortoise, a state and federal threatened species, habitat according to CNDDDB (2022). The property supports marginal habitat for the desert tortoise based on the location of the site in a semi-developed area of Adelanto. No tortoises were observed anywhere within the property boundaries during the May 10, 2022 surveys. The species is not expected to move onto the site in the near future based on the absence of any potential burrows or sign, absence of any recent observations in the immediate area, and the presence of busy roadways and developments in the immediate area which may act as barriers to migration of tortoises. The protocol survey results are valid for one year as per CDFW and USFWS requirements.

Mohave Ground Squirrel: The Mohave ground squirrel is a California state threatened species that have a short, flat, furred, white, underside tail, uniformly brown (with no spots or stripes). They inhabit open desert scrub, alkali desert scrub, and annual grasslands on sandy to gravelly surfaces in the Mojave Desert. Occupiable burrows were found on the site, but no Mohave ground squirrels were detected. It is the opinion of RCA Associates, Inc. that the habitat is not prime Mohave ground squirrel habitat and is very unlikely to support populations of the species based on the following criteria, that there have been two recent sightings, within 20 years, of the species in the Adelanto quadrangle.

Swainson's Hawk: The site is located within documented Swainson's hawk habitat, a state threatened raptor, according to CNDDDB (2022). No hawks were seen on the property during the survey, and no suitable habitat was observed. Swainson's hawks occupy grasslands and breed in trees that are the only ones seen for miles. Swainson's hawks are not expected to occur on the site due to lack of habitat and prime vegetation.

5.3 Species of Special Concern

Burrowing Owl: The site is located within documented burrowing owl habitat according to CNDDDB (2022). No owls were seen on the property during the survey, and minimal suitable habitat was observed. Burrowing owls are not expected to occur on the site due to lack of suitable vegetation and burrows.

Le Conte's thrasher: Le Conte's thrashers have not been recently observed in the area according to CNDDDB (2022). Thrashers are not expected to occur on the site due to lack of critical vegetation used by the species, such as saltbush and catclaw acacia. Thrashers may be very infrequent in the area given the low population levels in the region as well as the lack of any recent sightings according to the CNDDDB.

5.4 Jurisdictional Waters and Riparian Habitat

No riparian vegetation (e.g., cottonwoods, willows, etc.) exist on the site. Potential drainage channels were not observed within the site boundary.

5.5 Protected Plants

As of September 22, 2020, the California Department of Fish and Wildlife temporarily listed the western Joshua tree (*Yucca brevifolia*) as an endangered species until a final decision is made in 2022. Joshua trees were observed on site during the May 10, 2022 field investigations. Any attempt to remove dead or alive Joshua trees from the property will require an Incidental Take Permit.

6.0 IMPACTS AND MITIGATION MEASURES

6.1 General Biological Resources

Future development of the site will impact the general biological resources present on site, because most if not all of the vegetation will be removed during future construction activities. The site is expected to support very few wildlife species which will be impacted by development activities. Those species with limited mobility (i.e., small mammals and reptiles) will experience increases in mortality during the construction phase. However, more mobile species (i.e., birds, large mammals) will be displaced into adjacent areas and will likely experience minimal impacts. Therefore, loss of about 2.74-acres of a relatively disturbed desert scrub habitat is not expected to have a significant cumulative impact on the overall biological resources in the region given the presence of similar habitat throughout the surrounding area. No sensitive habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were observed on the site during the field investigations.

6.2 Federal and State Listed and Species of Special Concern

No federal or State-listed species were observed on the site during the field investigations including the Mohave ground squirrel and desert tortoise. In addition, there are no documented observations of these species either on the site or in the immediate area. The site is not expected to support populations of the desert tortoise based on the absence of habitat, suitable burrows, or signs.

The Western Joshua tree (*Yucca brevifolia*), a candidate threatened species under the California Endangered Species Act (CESA), was observed on site. Refer to section 5.5 for more information on the status and requirements on this species.

A pre-construction burrowing owl survey may be required by CDFW to determine if any owls have moved on to the site since the May 10, 2022 surveys. As stated in CDFW's *Staff Report on Burrowing Owl Mitigation*, the most effective method of completing a pre-construction survey (take avoidance survey) should be performed within 30 days of ground disturbance, followed by a final pre-construction survey within 24 hours of breaking ground.

7.0 CONCLUSIONS AND CONSIDERATIONS

Future development activities include the grading and removal of all vegetation from the 2.74-acre parcel; however, cumulative impacts to the general biological resources (plants and animals) in the surrounding area are expected to be negligible. This assumption is based on the habitat containing scarce vegetation of non-native species. As discussed above, the site does not support any desert tortoises or burrowing owls due to the lack of suitable habitat and potential burrows. Joshua trees (a state candidate species) were observed in the field investigations during May 2022 survey and will require an Incidental Take Permit if removed from the property. The following mitigation measures should be considered:

1. Pre-construction surveys for burrowing owls, desert tortoise, and nesting birds protected under the Migratory Bird Treaty Act and Section 3503 of the California Fish and Wildlife Code shall be conducted prior to the commencement of Project-related ground disturbance.
 - a. Appropriate survey methods and timeframes shall be established, to ensure that chances of detecting the target species are maximized. In the event that listed species, such as the desert tortoise, are encountered, authorization from the USFWS and CDFW must be obtained. If nesting birds are detected, avoidance measures shall be implemented to ensure that nests are not disturbed until after young have fledged.
 - b. Pre-construction surveys shall encompass all areas within the potential footprint of disturbance for the project, as well as a reasonable buffer around these areas.
2. A focused plant survey should be considered for all special status plant species that have the potential to occur on the site to be performed during the blooming season (April - June) to determine the potential environmental effects of the proposed projects on special status plants and sensitive natural communities following recommended protocols by the Department of Fish and Wildlife.

If any sensitive species are observed on the property during future activities, CDFW and USFWS (as applicable) should be contacted to discuss specific mitigation measures which may be required for the individual species. CDFW and USFWS are the only agencies which can grant authorization for the “take” of any sensitive species and can approve the implementation of any applicable mitigation measures.

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CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits, presents the data and information required for this biological evaluation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. Fieldwork conducted for this assessment was performed by Ryan Hunter, Jessica Hensley, and Brian Bunyi. I certify that I have not signed a non-disclosure or consultant confidentiality agreement with the project applicant or applicant's representative and that I have no financial interest in the project.

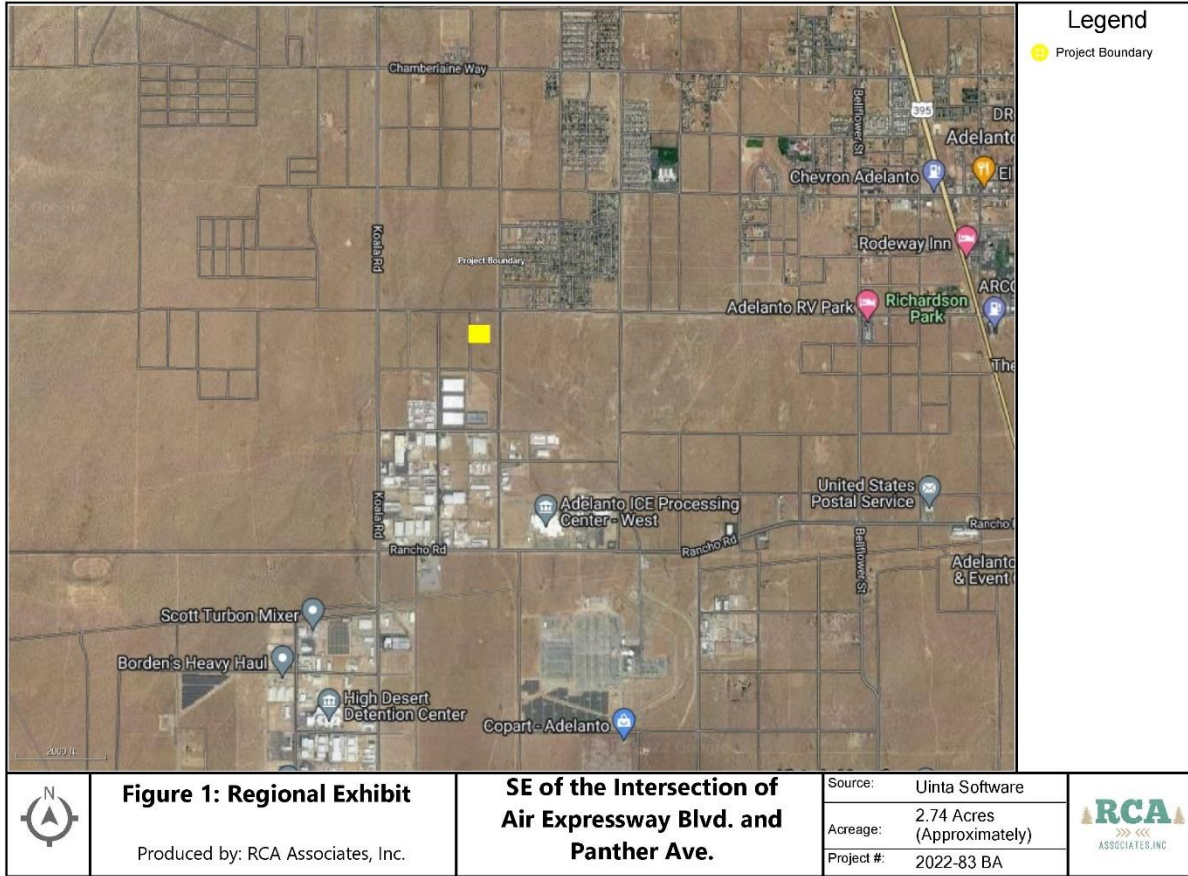
Date: 05/19/2022 Signed: *Ryan Hunter*
Jessica Hensley
Brian Bunyi

Field Work Performed By: Ryan Hunter
Senior Environmental Scientist/Biologist

Field Work Performed By: Jessica Hensley
Environmental Scientist/Biologist

Field Work Performed By: Brian Bunyi
Environmental Scientist/Wildlife Biologist

**Appendix A
Tables and Figures**



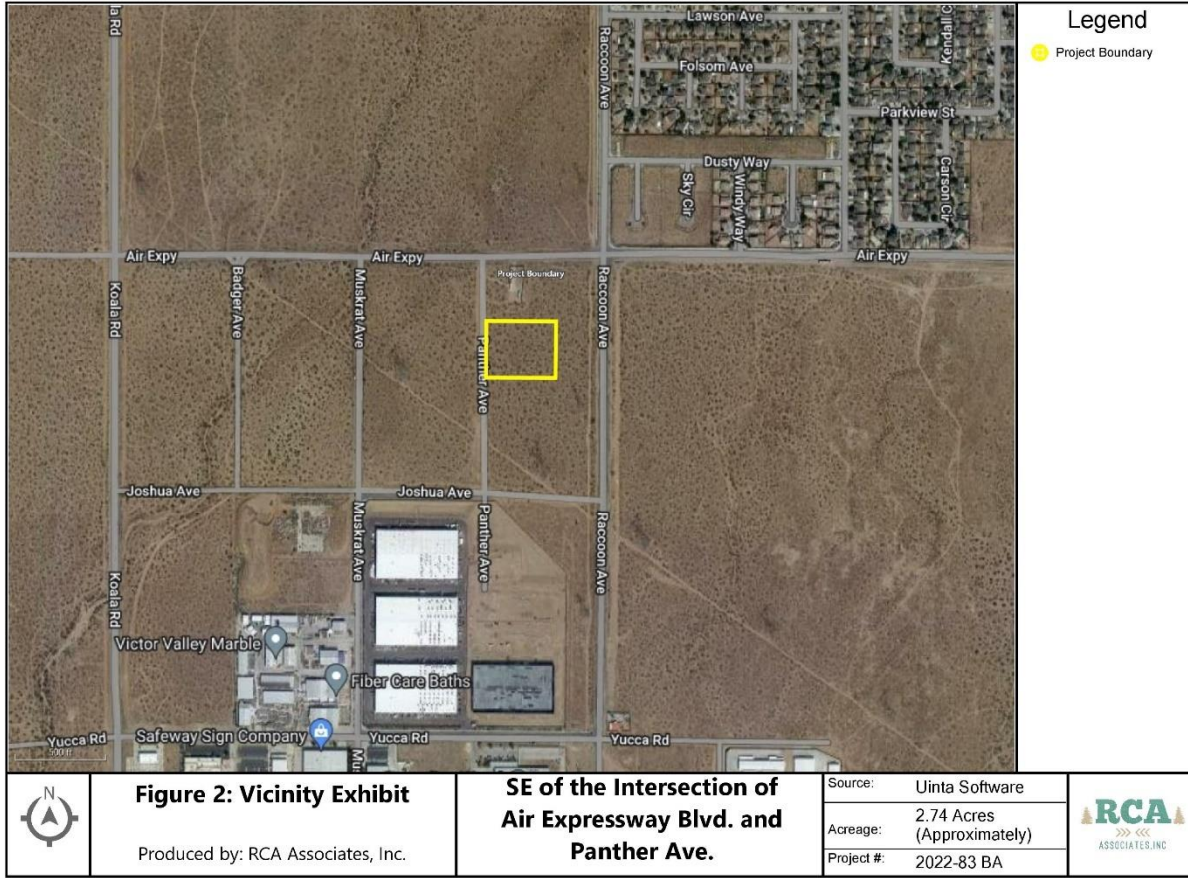




FIGURE 3: PHOTOGRAPHS OF SITE

CENTER OF SITE LOOKING SOUTH



CENTER OF SITE LOOKING WEST



FIGURE 3, cont: PHOTOGRAPHS OF SITE

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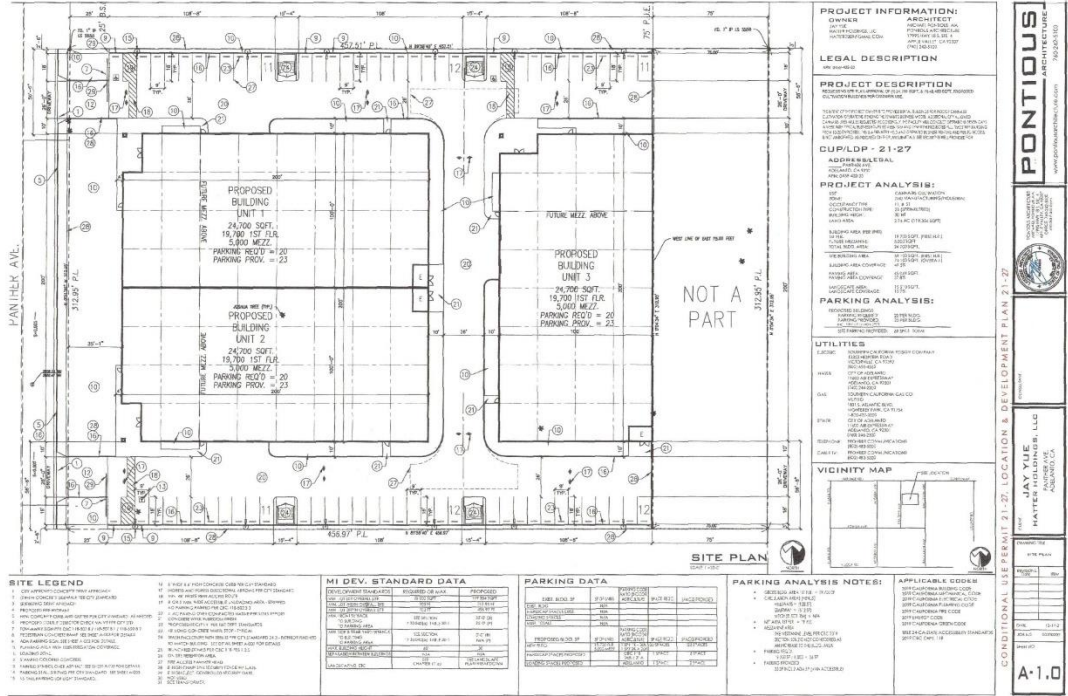


Figure 4: Site Plans

Table 1 - Plants observed on the site and known to occur in the immediate surrounding area.

Common Name	Scientific Name	Location
Asian mustard	<i>Brassica tournefortii</i>	On Site and in the surrounding area.
Joshua Tree	<i>Yucca brevifolia</i>	
Rubber rabbitbrush	<i>Ericameria nauseosa</i>	“
Silver cholla	<i>Cylindropuntia echinocarpa</i>	“
Nevada jointfir	<i>Ephedra nevadensis</i>	“
Creosote bush	<i>Larrea tridentata</i>	“
Cheatgrass	<i>Bromus tectorum</i>	“
Tumbleweed	<i>Kali tragus var. tragus</i>	“
Flatspine bur ragweed	<i>Ambrosia acanthicarpa</i>	“
Shortpod mustard	<i>Hirschfeldia incana</i>	“
Western tansymustard	<i>Descurainia pinnata</i>	“
White bursage	<i>Ambrosia dumosa</i>	“
California buckwheat	<i>Eriogonum fasciculatum</i>	“
Common burrobrush	<i>Ambrosia salsola</i>	“
Kelch grass	<i>Schismus barbatus</i>	“

Note: The above list is not intended to be a comprehensive list of every plant which may occur on the site or in the zone of influence.

Table 2 - Wildlife observed on the site during the field investigations.

Common Name	Scientific Name	Location
Common raven	<i>Corvus corax</i>	On-site and in the surrounding area.
House finch	<i>Carpodacus mexicanus</i>	“
Rock pigeon	<i>Columba livia</i>	“
European Starling	<i>Sturnus vulgaris</i>	“
California Gull	<i>Larus californicus</i>	“
Black-tailed jackrabbit	<i>Lepus californicus</i>	“
House sparrow	<i>Passer domesticus</i>	“
Coyote (Scat)	<i>Canis Latrans</i>	“

Note: The above Table is not a comprehensive list of every animal species which may occur in the area, but is a list of those common species which were identified on the site or which have been observed in the region by biologists from RCA Associates, Inc.

REGULATORY CONTEXT

The following provides a summary of federal and state regulatory jurisdiction over biological and wetland resources. Although most of these regulations do not directly apply to the site, given the general lack of sensitive resources, they provide important background information.

Federal Endangered Species Act

The USFWS has jurisdiction over federally listed threatened and endangered plant and animal species. The federal Endangered Species Act (ESA) and its implementing regulations prohibit the take of any fish or wildlife species that is federally listed as threatened or endangered without prior approval pursuant to either Section 7 or Section 10 of the ESA. ESA defines “take” as “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Federal regulation 50CFR17.3 defines the term “harass” as an intentional or negligent act that creates the likelihood of injuring wildlife by annoying it to such an extent as to significantly disrupt normal behavior patterns such as breeding, feeding, or sheltering (50CFR17.3). Furthermore, federal regulation 50CFR17.3 defines “harm” as an act that either kills or injures a listed species. By definition, “harm” includes habitat modification or degradation that actually kills or injures a listed species by significantly impairing essential behavior patterns such as breeding, spawning, rearing, migrating, feeding, or sheltering (50CFR217.12).

Section 10(a) of the ESA establishes a process for obtaining an incidental take permit that authorizes non federal entities to incidentally take federally listed wildlife or fish. Incidental take is defined by ESA as take that is “incidental to, and not the purpose of, the carrying out of another wise lawful activity.” Preparation of a habitat conservation plan, generally referred to as an HCP, is required for all Section 10(a) permit applications. The USFWS and National Oceanic and Atmospheric Administration’s National Marine Fisheries Service (NOAA Fisheries Service) have joint authority under the ESA for administering the incidental take program. NOAA Fisheries Service has jurisdiction over anadromous fish species and USFWS has jurisdiction over all other fish and wildlife species.

Section 7 of the ESA requires all federal agencies to ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of any species listed under the ESA, or result in the destruction or adverse modification of its habitat. Federal agencies are also required

to minimize impacts to all listed species resulting from their actions, including issuance or permits or funding. Section 7 requires consideration of the indirect effects of a project, effects on federally listed plants, and effects on critical habitat (ESA requires that the USFWS identify critical habitat to the maximum extent that it is prudent and determinable when a species is listed as threatened or endangered). This consultation results in a Biological Opinion prepared by the USFWS stating whether implementation of the HCP will result in jeopardy to any HCP Covered Species or will adversely modify critical habitat and the measures necessary to avoid or minimize effects to listed species.

Although federally listed animals are legally protected from harm no matter where they occur, section 9 of the ESA provides protection for endangered plants by prohibiting the malicious destruction on federal land and other “take” that violates State law. Protection for plants not living on federal lands is provided by the California Endangered Species Act.

California Endangered Species Act

CDFW has jurisdiction over species listed as threatened or endangered under Section 2080 of the California Fish and Wildlife Code. Section 2080 prohibits the take of a species listed by CDFW as threatened or endangered. The state definition of take is similar to the federal definition, except that Section 2080 does not prohibit indirect harm to listed species by way of habitat modification. To qualify as take under the state ESA, an action must have direct, demonstrable detrimental effect on individuals of the species. Impacts on habitat that may ultimately result in effects on individuals are not considered take under the state ESA but can be considered take under the federal ESA.

Proponents of a project affecting a state-listed species must consult with CDFW and enter into a management agreement and take permit under Section 2081. The state ESA consultation process is similar to the federal process. California ESA does not require preparation of a state biological assessment; the federal biological assessment and the CEQA analysis or any other relevant information can provide the basis for consultation. California ESA requires that CDFW coordinate consultation for joint federally listed and state-listed species to the extent possible; generally, the state opinion for the listed species is brief and references provisions under the federal opinion.

Clean Water Act, Section 404

The COE and the U.S. Environmental Protection Agency regulate the placement of dredged or fill material into “Waters of the United States” under Section 404 of the Clean Water Act. Waters of the United States include lakes, rivers, streams, and their tributaries, and wetlands. Wetlands are defined for regulatory purposes as “areas inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 Code of Federal Regulations [CFR] 328.3, 40 CFR 230.3).

The COE may issue either individual permits on a case-by-case basis or general permits on a program level. General permits are pre-authorized and are issued to cover similar activities that are expected to cause only minimal adverse environmental effects. Nationwide permits (NWP’s) are general permits issued to cover particular fill activities. All NWP’s have general conditions that must be met for the permits to apply to a particular project, as well as specific conditions that apply to each NWP.

Clean Water Act, Section 401

Section 401 of the Clean Water Act requires water quality certification and authorization of placement of dredged or fill material in wetlands and Other Waters of the United States. In accordance with Section 401 of the Clean Water Act, criteria for allowable discharges into surface waters have been developed by the State Water Resources Control Board, Division of Water Quality. As such, proponents of any new project which may impair water quality as a result of the project are required to create a post construction stormwater management plan to ensure offsite water quality is not degraded. The resulting requirements are used as criteria in granting National Pollution Discharge Elimination System (NPDES) permits or waivers, which are obtained through the Central Valley Regional Water Quality Control Board (RWQCB). Any activity or facility that will discharge waste (such as soils from construction) into surface waters, or from which waste may be discharged, must obtain an NPDES permit or waiver from the RWQCB. The RWQCB evaluates an NPDES permit application to determine whether the proposed discharge is consistent with the adopted water quality objectives of the basin plan.

California Fish and Wildlife Code, Sections 1600-1616

Under the California Fish and Wildlife Code, Sections 1600-1616 CDFW regulates projects that divert, obstruct, or change the natural flow or bed, channel, or bank of any river, stream, or lake. Proponents of such projects must notify CDFW and enter into a streambed alteration agreement with them.

Section 1602 of the California Fish and Wildlife Code requires a state or local government agency, public utility, or private entity to notify CDFW before it begins a construction project that will: (1) divert, obstruct, or change the natural flow or the bed, bank, channel, or bank of any river, stream, or lake; (2) use materials from a streambed; or (3) result in the disposal or deposition of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into any river, stream, or lake. Once the notification is filed and determined to be complete, CDFW issues a streambed alteration agreement that contains conditions for construction and operations of the proposed project.

California Fish and Wildlife Code, Section 3503.5

Under the California Fish and Wildlife Code, Section 3503.5, it is unlawful to take, possess, or destroy any birds in the order Falconiformes (hawks, eagles, and falcons) or Strigiformes (owls). Take would include the disturbance of an active nest resulting in the abandonment or loss of young.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits the taking, hunting, killing, selling, purchasing, etc. of migratory birds, parts of migratory birds, or their eggs and nests. As used in the MBTA, the term “take” is defined as “to pursue, hunt, shoot, capture, collect, kill, or attempt to pursue, hunt, shoot, capture, collect, or kill, unless the context otherwise requires.” Most bird species native to North America are covered by this act.

Sensitive Natural Communities

The California Office of Planning and Research and the Office of Permit Assistance (1986) define project effects that substantially diminish habitat for fish, wildlife, or plants, or that disrupt or divide the physical arrangement of an established community as significant impacts under CEQA.

This definition applies to certain natural communities because of their scarcity and ecological values and because the remaining occurrences are vulnerable to elimination. For this study, the term “sensitive natural community” includes those communities that, if eliminated or substantially degraded, would sustain a significant adverse impact as defined under CEQA. Sensitive natural communities are important ecologically because their degradation and destruction could threaten populations of dependent plant and wildlife species and significantly reduce the regional distribution and viability of the community. If the number and extent of sensitive natural communities continue to diminish, the status of rare, threatened, or endangered species could become more precarious, and populations of common species (i.e., not special status species) could become less viable. Loss of sensitive natural communities also can eliminate or reduce important ecosystem functions, such as water filtration by wetlands and bank stabilization by riparian woodlands for example.

Protected Plants

The California Desert Native Plant Act was passed in 1981 to protect non-listed California desert native plants from unlawful harvesting on both public and privately-owned lands. Harvest, transport, sale, or possession of specific native desert plants is prohibited unless a person has a valid permit. The following plants are under the protection of the California Desert Native Plants Act:

- Dalea spinosa (smoketree)
- All species of the genus Prosopis (mesquites)
- All species of the family Agavaceae (century plants, nolinias, yuccas)
- All species of Cactus
- Creosote Rings, ten feet in diameter or greater
- All Joshua Trees

The project would be required to comply with the County of San Bernardino Desert Native Plant Protection Ordinance. The removal of any trees listed under Section 88.01.060 would be required to comply with Section 88.01.050, which requires the project applicant to apply for a Tree or Plant Removal Permit prior to removal from the project site.

APPENDIX C – CULTURAL REPORT

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