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NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT AND SCOPING MEETING

DATE: August 29, 2022

TO: State Clearinghouse, Public Agencies, Organizations, and Interested Parties

PROJECT: Site Plan Review 22-012

The City of Palmdale, as lead agency under the California Environmental Quality Act (CEQA), will prepare an Environmental Impact Report (EIR) for the Palmdale 8th Street project (hereinafter "Project"). In accordance with Section 15082 of the CEQA Guidelines, the City of Palmdale has issued this Notice of Preparation (NOP) to provide responsible agencies, trustee agencies, and other interested parties with information describing the proposed project and its potential environmental effects. The City of Palmdale is requesting input from reviewing agencies and the public regarding the scope and content of the EIR.

This Notice of Preparation (NOP) is also available on the City's website at: https://cityofpalmdale.org/176/Planning

Due to time limits mandated by State law, your response must be sent at the earliest possible date but no later than 30 days after the date of this notice.

Date of Notice: August 29, 2022
Notice of Preparation Review Period: August 30, 2022, to September 30, 2022
Scoping Meeting: September 15, 2022, at 5:00 p.m.

REVIEW EXTENDED TO OCTOBER 27, 2022

The subject site comprises a vacant approximately 18-acre property located south of Rancho Vista Boulevard between Sierra Highway and 8th Street East (Assessor Parcel Number (APN) 3022-001-027) in the City of Palmdale, CA. The site has an IND (Industrial) General Plan land use designation and M-2 (General Industrial) zone. Pursuant to Palmdale Municipal Code (PMC) Chapter 17.62, the M-2 zone is intended for a variety of light and heavy industrial uses. The General Plan designation of the site is anticipated to change to IND as part of the City's General Plan Update. This designation is intended for a variety of heavy industrial uses, including manufacturing and assembly of products and goods, warehousing, distribution, and similar uses. The specific uses allowed within the IND zone will be determined in conjunction with a comprehensive Zoning Ordinance Amendment, which will be processed after the General Plan Update.

The Project Applicant proposes to develop the property with one 384,800 square foot industrial building with dock doors facing north and south. The future building user/tenant is unknown at this time. Associated site improvements would include parking areas, drive aisles, landscaping, lighting, and signage.

The proposed development requires City of Palmdale review and approval of a Site Plan Review application. The Application filed with the City of Palmdale includes the following:

- Site Plan Review 22-012 is a proposed site plan for the development of one industrial building on the subject property.

Scope of the EIR

In accordance with CEQA, the City of Palmdale requests that agencies review the description of the Project provided in this NOP and provide comments or guidance on the scope of environmental issues related to the statutory responsibilities of the Lead Agency. The EIR will be used by the City of Palmdale when considering the Project for approval and by other Responsible and Trustee Agencies to support their discretionary actions related to the Project, as applicable. The City of Palmdale is also seeking comments from other interested parties regarding issues they believe should be addressed in the EIR. A location map, USGS Topographical Map, and the proposed Site Plan for the proposed development of the site are attached hereto.

The City of Palmdale in its capacity as Lead Agency has determined that an Environmental Impact Report (EIR) will be prepared for the proposed Project. The Lead Agency opted not to prepare an Initial Study and has determined that the environmental factors checked below would be potentially affected by the proposed project, thereby, requiring analysis in the proposed Project's EIR:

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

The EIR will assess the effects of the proposed Project on the environment, identify potentially significant impacts, identify feasible mitigation measures to reduce or eliminate potentially significant environmental impacts, and discuss potentially feasible alternatives to the Project that may accomplish basic objectives while lessening or eliminating any potentially significant Project-related impacts.

Scoping Meeting

Pursuant to California Public Resources Code Section 21083.9(a)(2) of the CEQA Statute and CEQA Guidelines Section 15082(c), the City of Palmdale will hold a public scoping meeting, where agencies, organizations, and members of the public will receive a brief presentation on the Project, the scope of environmental review, and the overall EIR process. While the issues raised in this meeting will be summarized in the required EIR, anyone wishing to make formal comments on the Notice of Preparation must do so in writing.

The scoping meeting will be held on:

Date and Time:	September 15, 2022, at 5:00 p.m.
Access:	https://us06web.zoom.us/j/82232730429?pwd=VGZ6UUdlSjZaN2FrTUJveldaRGl4dz09
Meeting ID:	822 3273 0429
Passcode:	023835

The scoping meeting will include time for attendees to provide input on the scope and content of the EIR, including any input regarding potential mitigation measures or possible alternatives to the project.

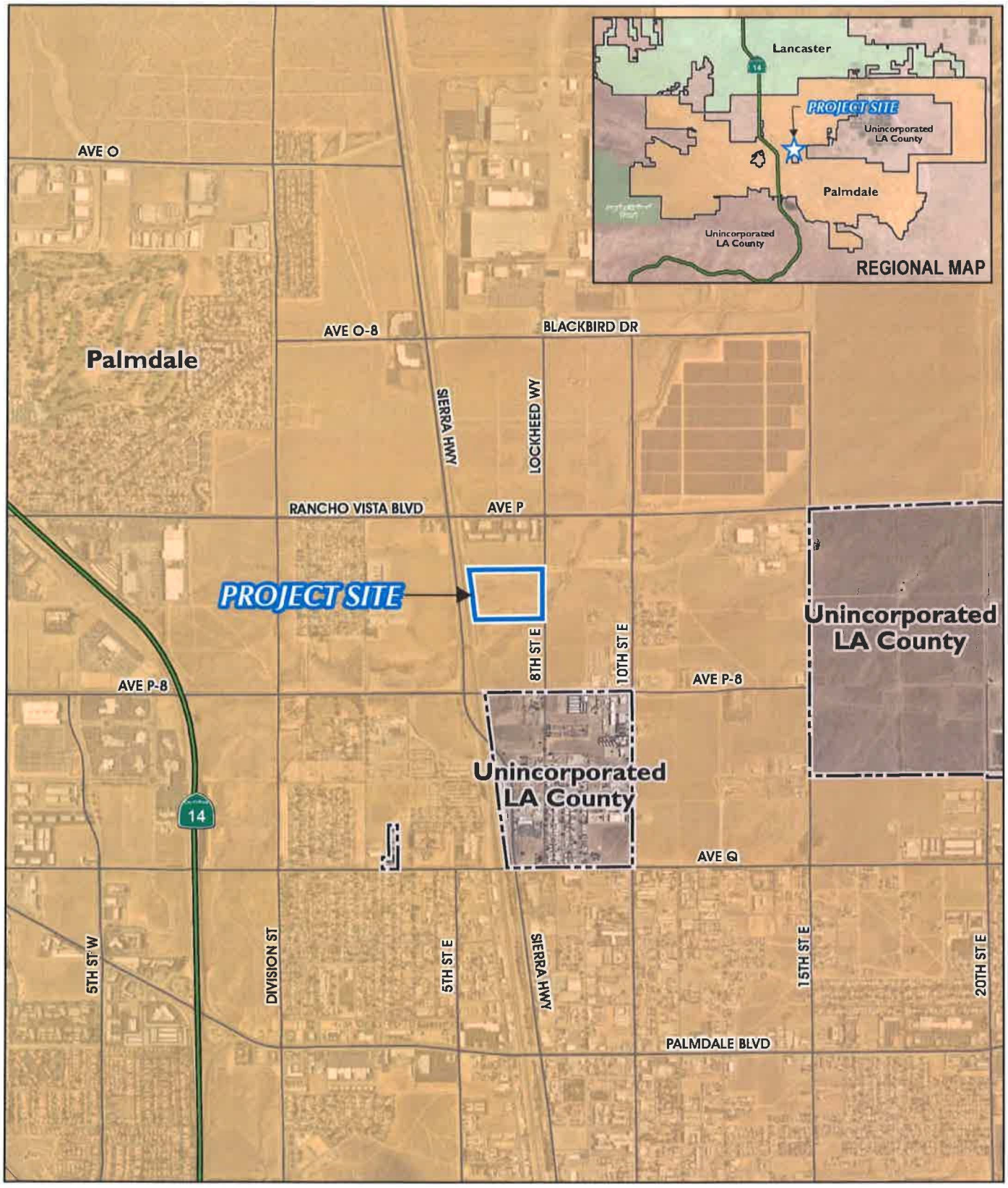
Opportunity for Public Review and Comment

The issuance of this NOP begins a 30-day public scoping period. The scoping period begins on **August 30, 2022,** and ends on **September 30, 2022**. Comments may be sent to the City of Palmdale at any time during the 30-day public scoping period. Please focus your comments on issues related to the scope and content of the environmental analysis that will be included in the EIR. All scoping comments must be received by the City of Palmdale or postmarked by September 30, 2022]. Due to the time limits mandated by State law, the City of Palmdale, recommends that your feedback is provided at the earliest possible date, but not provided later than 30 days after the date of this notice. Trustee Agencies and Responsible agencies are asked to identify their statutory authorities pertaining to the Project. If applicable, please include the name and contact information of a contact person for your agency. Direct all comments to:

City of Palmdale – Department of Economic and Community Development
Attn: Megan Taggart, Planning Manager
38250 Sierra Highway
Palmdale, CA 93550

Comments may also be emailed to: mtaggart@cityofpalmdale.org

Attachments:
Figure 1 – Location Map
Figure 2 – USGS Topographic Map
Figure 3 – Proposed Site Plan

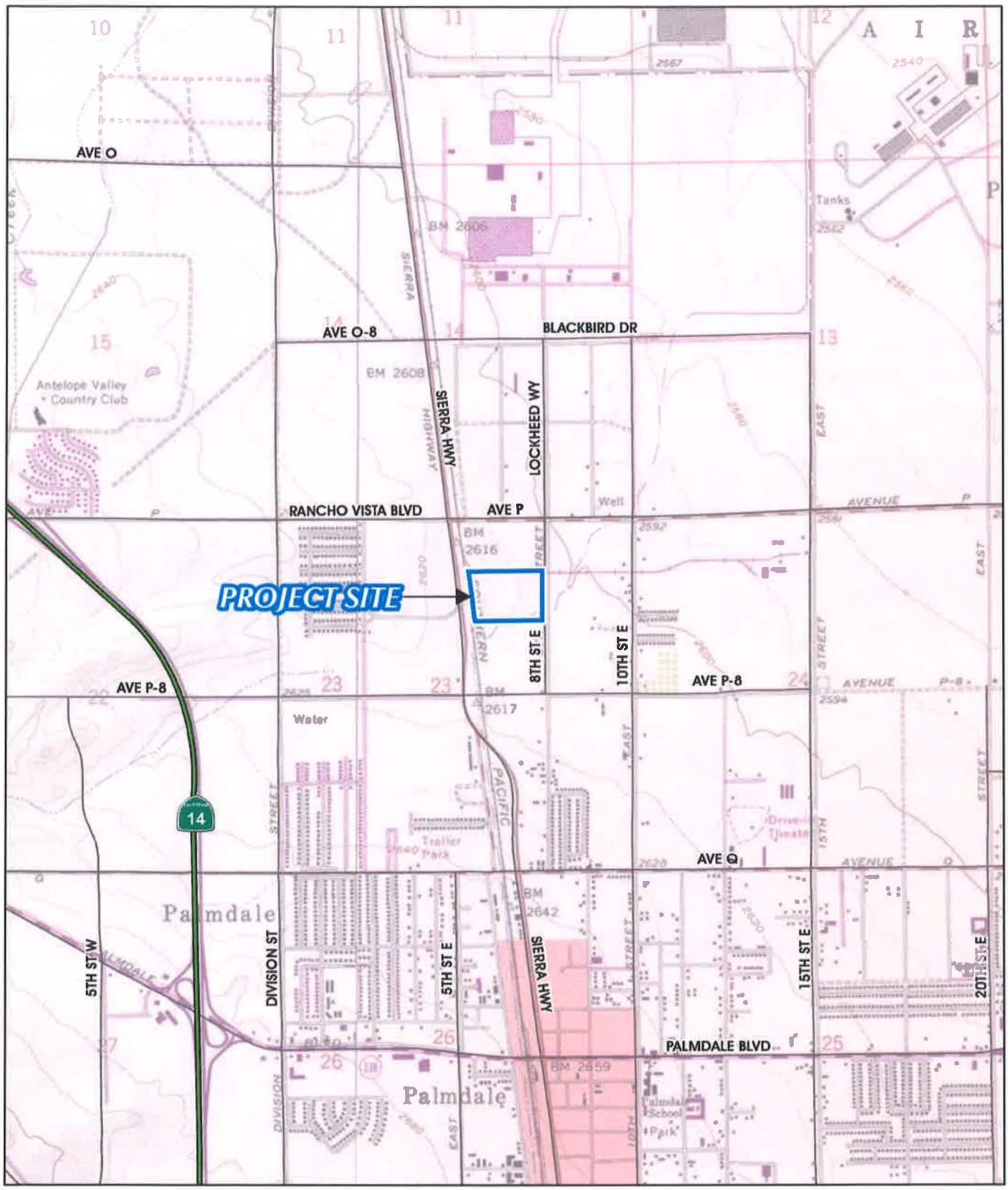


Source(s): ESRI, Nearmap Imagery (2022), LA County (2022)

SPR 22-012

FIGURE 1 - LOCATION MAP

0 500 1,000 2,000
Feet

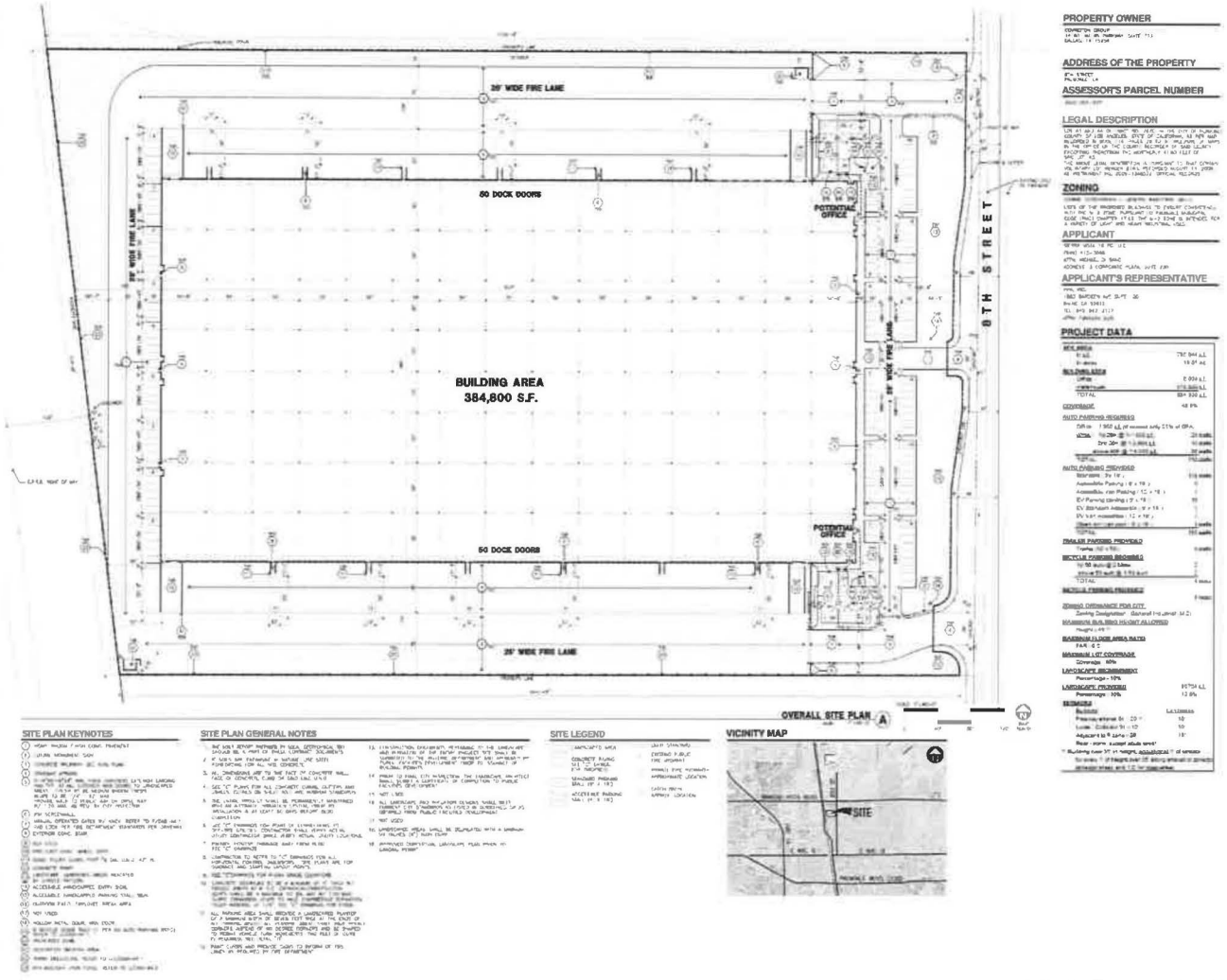


Source(s): ESRI, LA County (2022), USGS (2013)

SPR 22-012

FIGURE 2 - USGS TOPOGRAPHICAL MAP

0 500 1,000 2,000
Feet



Source(s): HPA (06-30-2022)

SPR 22-012

FIGURE 3 - SITE PLAN

Not to Scale

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

Via Electronic Mail Only

September 27, 2022

Megan Taggart
City of Palmdale
38250 Sierra Highway
Palmdale, CA 93550
MTaggart@cityofpalmdale.org

Subject: Notice of Preparation of a Draft Environmental Impact Report for Site Plan Review 22-012, SCH #2022080663, City of Palmdale, Los Angeles County

Dear Ms. Taggart:

The California Department of Fish and Wildlife (CDFW) has reviewed a Notice of Preparation (NOP) of Draft Environmental Impact Report (DEIR) from the City of Palmdale for Site Plan Review 22-012 (Project). CDFW appreciates the opportunity to provide comments regarding aspects of the Project that could affect fish and wildlife resources and be subject to CDFW's regulatory authority under the Fish and Game Code.

CDFW's Role

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State [Fish & G. Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, § 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect State fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 *et seq*.). Likewise, to the extent implementation of the Project as proposed may result in "take", as defined by State law, of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 *et seq.*), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & G. Code, § 1900 *et seq.*), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

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Project Description and Summary

Objective: The Project proposes to develop a vacant 18-acre property with one 384,800 square-foot industrial building. Associated site improvements would include parking areas, drive aisles, landscaping, lighting, and signage.

Location: The Project site is located south of Rancho Vista Boulevard between the Sierra Highway and 8th Street East. The Project site is associated with Assessor's Parcel Number 3022-001-027.

Comments and Recommendations

CDFW offers the comments and recommendations below to assist the City in adequately identifying, avoiding, and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. The DEIR should provide adequate and complete disclosure of the Project's potential impacts on biological resources [Pub. Resources Code, § 21061; CEQA Guidelines, §§ 15003(i), 15151]. CDFW looks forward to commenting on the DEIR when it is available.

Specific Comments

1) Potential Impacts on Western Joshua Tree (*Yucca brevifolia*). Based on Google Imagery of the Project site captured on April 29, 2017, the Project site appears to be graded and supports little vegetation. However, the land to the north, east, and south of the Project site is still vegetated and relatively undisturbed. Western Joshua trees occur north of the Project site. Western Joshua trees could occur to the east and south of the Project site. The Project could impact western Joshua trees if Project construction and activities occur outside the 18-acre Project site. Any of the following occurring completely or partially off site and near western Joshua trees could impact western Joshua trees, root zone, and seedbank: earth-moving and ground-disturbing activities; staging areas; vegetation and debris piles; operation of heavy machinery; vehicles; temporary and/or permanent changes to on-site hydrology, installation of roads and drive aisles, and installation of temporary and/or permanent fencing.

    a) Protection Status: The western Joshua tree is a species designated as candidate for listing as threatened pursuant to CESA (Fish & G. Code, § 2050 *et seq*.). Take of western Joshua tree is defined as any activity that results in the removal of a western Joshua tree, or any part thereof, or impacts the seedbank surrounding one or more western Joshua trees (CDFW 2022a). The western Joshua tree is granted full protection of a threatened species under CESA. Take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). Impacts on western Joshua tree requires a mandatory finding of significance under CEQA (CEQA Guidelines, § 15065).

    b) Analysis and Disclosure. In preparation of the DEIR, CDFW recommends the City require the Project Applicant to retain a qualified biologist to survey the Project site and areas 300 feet around the Project site for western Joshua trees. At a minimum, the DEIR should provide information as to where western Joshua trees occur within the survey

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area, number of trees, tree height, age class (e.g., seedling, juvenile, mature), and any observations of flowers and/or fruits. The DEIR should also provide information on the natural communities supporting western Joshua trees in the survey area (also see General Comment #3a). The DEIR should provide complete disclosure of the Project's impact on western Joshua tree, seedbank, and natural communities supporting western Joshua tree. Both direct and indirect impacts should be discussed and disclosed. The DEIR should discuss if the Project would result in changes to on-site drainage patterns. Surface flow from the Project site directed off site where there may be western Joshua trees could result in soil erosion and disturbance to the root zone.

c) Avoidance. CDFW recommends the City require the Project Applicant to fully avoid impacts on western Joshua tree and seedbank. CDFW recommends the DEIR be conditioned with a mitigation measure to avoid all impacts on western Joshua tree and seedbank through implementation of a 300-foot buffer. No work or access should occur within the buffer until the Project is complete. If a physical feature like a paved road separates the Project site from the western Joshua tree, the buffer may be replaced with alternative means to fully avoid impacts to those trees. These alternative means may include use of signage and fencing to delineate the Project site, prohibit off-site access, staging, parking, stockpiling, and any form of ground-disturbance and vegetation removal, and inform personnel of sensitive areas and resources beyond the Project site boundary in order to avoid impacts to off-site western Joshua trees. In addition, CDFW recommends the City require the Project Applicant to design the Project so that drainage from the Project site is not directed to adjacent areas where there may be western Joshua trees. The DEIR should discuss how the Project has been designed to fully avoid impacts on western Joshua tree and seedbank.

d) Compensatory Mitigation. If the Project in unable to fully avoid impacts on western Joshua tree and seedbank, CDFW recommends the City require the Project Applicant to provide mitigation to compensate for those impacts. Appropriate mitigation for the Project's impact on western Joshua tree would include obtaining appropriate take authorization under CESA prior to implementing the Project (pursuant to Fish & Game Code, § 2080 et seq.).

e) CESA. CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. As to CESA, take of any endangered, threatened, candidate species, or CESA-listed plant species that results from a project is prohibited, except as authorized by State law (Fish & G. Code §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9). Consequently, if the Project and any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the project proponent seek appropriate take authorization under CESA prior to implementing the project. Appropriate authorization from CDFW may include an Incidental Take Permit (ITP) or a Consistency Determination in certain circumstances, among other options [Fish & Game Code, §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to the project and mitigation measures may be required to obtain an ITP. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP unless the project's CEQA document addresses all project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the

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requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for an ITP.

2) Streams and Associated Natural Communities. According to the U.S. Fish and Wildlife Service's (USFWS) National Wetlands Mapper, there is a stream south of the Project site (USFWS 2022). The stream segment is part of a larger 6.01-acre stream feature identified by the Wetlands Mapper. The Project may impact the stream and natural communities along the stream. Project-related ground-disturbing activities immediately adjacent to the stream could cause streambank erosion and excess sediment input into the stream. The stream may also be permanently impacted if the Project would require the stream to be channelized or diverted underground. Vegetation within and adjacent to the stream could be removed or degraded through habitat modification (e.g., loss of water source, encroachment by the Project, edge effects leading to introduction of non-native plants).

   a) Stream Delineation and Impact Assessment. The DEIR should provide a stream delineation, which should also identify culverts, ditches, and storm channels that may transport water, sediment, pollutants, and discharge into any rivers, streams, and lakes[1]. The delineation should be conducted pursuant to the USFWS wetland definition adopted by CDFW (Cowardin et al. 1979). Be advised that some wetland and riparian habitats subject to CDFW's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers' Section 404 permit and Regional Water Quality Control Board Section 401 Certification. In addition, the DEIR should include a map showing the Project site plan, stream, and the stream during a 100-year storm event. Finally, the DEIR should disclose the total impacts (linear feet and/or acreage) including impacts resulting from any fuel modification on any river, stream, or lake and associated natural communities.

   b) Avoidance and Setbacks. CDFW recommends the Project avoid impacts on streams and associated natural communities by avoiding or minimizing Project-related development adjacent to streams. Vegetation adjacent to streams protects the physical and ecological integrity of these water features and maintains natural sedimentation processes. CDFW recommends the City require the Project Applicant to modify the Project so that impacts on streams are avoided and/or minimized (also see General Comment #5). The Project should be designed with effective setbacks adjoining streams and associated natural communities. The chosen setback distance and how the Project has been designed to avoid and/or minimize impacts should be disclosed in the DEIR for public review.

   c) Mitigation. If avoidance is not feasible, the DEIR should include measures to fully compensate for impacts on streams and loss of associated natural communities. Higher mitigation should be provided to compensate for impacts on streams supporting rare, sensitive, or special status fish, wildlife, and natural communities. In addition, the DEIR should be conditioned to require the Project/Project Applicant to submit a Lake and Streambed Alteration (LSA) Notification to CDFW pursuant to Fish and Game Code

[1] "Any river, stream, or lake" includes those that are dry for periods of time (ephemeral/episodic) as well as those that flow year-round (perennial). This includes ephemeral streams and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a water body.

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Section 1600 et seq. As a Responsible Agency under CEQA, CDFW has authority over activities in streams and/or lakes that will divert or obstruct the natural flow, or change the bed, channel, or bank (including vegetation associated with the stream or lake) of a river or stream or use material from a streambed. For any such activities, the project applicant (or "entity") must notify CDFW[2]. Please visit CDFW's Lake and Streambed Alteration Program webpage for more information (CDFW 2022b).

3) Nesting Birds. The Project proposes to develop adjacent to desert scrub that could provide nesting habitat for birds and raptors. Accordingly, the Project may impact nesting birds and raptors. Project activities occurring during the bird and raptor nesting season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment.

   a) Protection Status. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (Code of Federal Regulations, Title 50, § 10.13). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). It is unlawful to take, possess, or needlessly destroy the nest or eggs of any raptor.

   b) Avoidance. CDFW recommends that measures be taken to avoid impacts on nesting birds and raptors. CDFW recommends the DEIR include a measure whereby the Project avoids ground-disturbing activities (e.g., mobilizing, staging, drilling, and excavating) and vegetation removal during the avian breeding season which generally runs from February 15 through September 15 (as early as January 1 for some raptors) to avoid take of birds, raptors, or their eggs.

   c) Minimizing Potential Impacts. If impacts on nesting birds and raptors cannot be avoided, CDFW recommends the DEIR include measures to minimize impacts on nesting birds and raptors. Prior to starting ground-disturbing activities and vegetation removal, CDFW recommends a qualified biologist conduct breeding bird and raptor surveys to identify any nests occurring on the Project site and 500 feet from the disturbance area to the extent allowable and accessible. The qualified biologist should establish no-disturbance buffers to minimize impacts on those nests. CDFW recommends a minimum 300-foot no-disturbance buffer around active bird nests. For raptors, the no-disturbance buffer should be expanded to 500 feet. The no-disturbance buffer should be 0.5 mile for special status species. Project personnel, including all contractors working on site, should be instructed on nesting birds, sensitivity of the area, and adherence to the no-disturbance buffers. Reductions in the buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors determined by a qualified biologist.

[2] CDFW's issuance of a LSA Agreement for a project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the environmental document of the local jurisdiction (lead agency) for the project. To minimize additional requirements by CDFW pursuant to section 1600 et seq. and/or under CEQA, the environmental document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement.

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General Comments

1) Disclosure. The DEIR should provide an adequate, complete, and detailed disclosure about the effect which a proposed project is likely to have on the environment (Pub. Resources Code, § 20161; CEQA Guidelines, § 15151). Adequate disclosure is necessary so CDFW may provide comments on the adequacy of proposed avoidance, minimization, or mitigation measures, as well as to assess the significance of the specific impact relative to plant and wildlife species impacted (e.g., current range, distribution, population trends, and connectivity).

2) Mitigation Measures. Public agencies have a duty under CEQA to prevent significant, avoidable damage to the environment by requiring changes in a project through the use of feasible alternatives or mitigation measures [CEQA Guidelines, §§ 15002(a)(3), 15021]. Pursuant to CEQA Guidelines section 15126.4, an environmental document "shall describe feasible measures which could mitigate for impacts below a significant level under CEQA."

    a) Level of Detail. Mitigation measures must be feasible, effective, implemented, and fully enforceable and imposed by the lead agency through permit conditions, agreements, or other legally binding instruments (Pub. Resources Code, § 21081.6(b); CEQA Guidelines, § 15126.4). A public agency "shall provide the measures that are fully enforceable through permit conditions, agreements, or other measures" (Pub. Resources Code, § 21081.6). CDFW recommends the City provide mitigation measures that are specific and detailed (i.e., responsible party, timing, location, specific actions, and success criteria) in order for a mitigation measure to be fully enforceable and implemented successfully via a mitigation monitoring and/or reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097).

    b) Disclosure of Impacts. If a proposed mitigation measure would cause one or more significant effects, in addition to impacts caused by the proposed Project, the DEIR should include a discussion of the effects of proposed mitigation measures [CEQA Guidelines, § 15126.4(a)(1)]. In that regard, the DEIR should provide an adequate, complete, and detailed disclosure about the Project's proposed mitigation measure(s). Adequate disclosure is necessary so CDFW may assess the potential impacts of proposed mitigation measures.

3) Biological Baseline Assessment. An adequate biological resources assessment should provide a complete assessment and impact analysis of the flora and fauna within and adjacent to the Project area and where the Project may result in ground disturbance. The assessment and analysis should place emphasis on identifying endangered, threatened, rare, and sensitive species; regionally and locally unique species; and sensitive habitats. An impact analysis will aid in determining the Project's potential direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. CDFW also considers impacts to a California Species of Special Concern a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures. The DEIR should include the following information:

    a) Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region [CEQA

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Guidelines, § 15125(c)]. The DEIR should include measures to fully avoid and otherwise protect Sensitive Natural Communities. CDFW considers Sensitive Natural Communities as threatened habitats having both regional and local significance. Natural communities, alliances, and associations with a State-wide rarity ranking of S1, S2, and S3 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by visiting the Vegetation Classification and Mapping Program - Natural Communities webpage (CDFW 2022c);

b) A thorough, recent, floristic-based assessment of special status plants and natural communities following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). Botanical field surveys should be comprehensive over the entire Project area, including areas that will be directly or indirectly impacted by the Project. Adjoining properties should also be surveyed where direct or indirect Project effects could occur, such as those from fuel modification, herbicide application, invasive species, and altered hydrology. Botanical field surveys should be conducted in the field at the times of year when plants will be both evident and identifiable. Usually, this is during flowering or fruiting. Botanical field survey visits should be spaced throughout the growing season to accurately determine what plants exist in the project area. This usually involves multiple visits to the Project area (e.g., in early, mid, and late-season) to capture the floristic diversity at a level necessary to determine if special status plants are present;

c) Floristic alliance- and/or association-based mapping and vegetation impact assessments conducted in the Project area and within adjacent areas. The Manual of California Vegetation (MCV), second edition, should also be used to inform this mapping and assessment. Adjoining habitat areas should be included in this assessment where the Project's construction and activities could lead to direct or indirect impacts off site;

d) A complete and recent assessment of the biological resources associated with each habitat type in the Project area and within adjacent areas. CDFW's California Natural Diversity Database should be accessed to obtain current information on any previously reported sensitive species and habitat (CDFW 2022d). An assessment should include a minimum nine-quadrangle search of the CNDDB to determine a list of species potentially present in the Project area. A nine-quadrangle search should be provided in the Project's CEQA document for adequate disclosure of the Project's potential impact on biological resources. Please see CNDDB Data Use Guidelines – Why do I need to do this? for additional information (CDFW 2011). A lack of records in the CNDDB does not mean that rare, threatened, or endangered plants and wildlife do not occur. Field verification for the presence or absence of sensitive species is necessary to provide a complete biological assessment for adequate CEQA review [CEQA Guidelines, § 15003(i)];

e) A complete, recent, assessment of endangered, rare, or threatened species and other sensitive species within the Project area and adjacent areas, including California Species of Special Concern and California Fully Protected Species (Fish & G. Code, §§ 3511, 4700, 5050, and 5515). Species to be addressed should include all those which meet the CEQA definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380). Seasonal variations in use of the Project area should also be addressed such as wintering, roosting, nesting, and foraging habitat. Focused species-

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specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, may be required if suitable habitat is present. See CDFW's Survey and Monitoring Protocols and Guidelines for established survey protocol (CDFW 2022e). Acceptable species-specific survey procedures may be developed in consultation with CDFW and USFWS; and

f) A recent wildlife and rare plant survey. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if Project implementation build out could occur over a protracted time frame or in phases.

4) Direct and Indirect Impacts on Biological Resources. The DEIR should provide a thorough discussion of direct and indirect impacts expected to adversely affect biological resources with specific measures to offset such impacts. The DEIR should address the following:

a) A discussion regarding Project-related indirect impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands [e.g., preserve lands associated with a Natural Community Conservation Plan (Fish & G. Code, § 2800 et. seq.)]. Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in areas adjacent to the Project, should be fully analyzed and discussed in the DEIR;

b) A discussion of both the short-term and long-term effects of the Project on species population distribution and concentration, as well as alterations of the ecosystem supporting those species impacted [CEQA Guidelines, § 15126.2(a)];

c) A discussion of potential adverse impacts from lighting, noise, temporary and permanent human activity, and exotic species, and identification of any mitigation measures;

d) A discussion of post-Project fate of drainage patterns, surface flows, and soil erosion and/or sedimentation in streams and water bodies. The discussion should also address the potential water extraction activities and the potential resulting impacts on habitat (if any) supported by the groundwater. Measures to mitigate such impacts should be included; and

e) An analysis of impacts from proposed changes to land use designations and zoning, and existing land use designation and zoning located nearby or adjacent to natural areas that may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the DEIR.

5) Project Description and Alternatives. To enable adequate review and comment on the proposed Project from the standpoint of the protection of fish, wildlife, and plants, CDFW recommends the following information be included in the DEIR:

a) A complete discussion of the purpose and need for, and description of the proposed

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Project;

b) Pursuant to CEQA Guidelines section 15126.6(a), an environmental document "shall describe a reasonable range of potentially feasible alternatives to the Project, or to the location of the Project, which would feasibly attain most of the basic objectives of the Project but would avoid or substantially lessen any of the significant effects of the Project." CEQA Guidelines section 15126.6(f)(2) states if the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion; and

c) A range of feasible alternatives to the Project location to avoid or otherwise minimize direct and indirect impacts on sensitive biological resources and wildlife movement areas. CDFW recommends the City select Project designs and alternatives that would avoid or otherwise minimize direct and indirect impacts on biological resources. CDFW also recommends the consider establishing appropriate setbacks from sensitive and special status biological resources. Setbacks should not be impacted by ground disturbance or hydrological changes from any future Project-related construction, activities, maintenance, and development. As a general rule, CDFW recommends reducing or clustering a development footprint to retain unobstructed spaces for vegetation and wildlife and provide connections for wildlife between properties and minimize obstacles to open space.

   Project alternatives should be thoroughly evaluated, even if an alternative would impede, to some degree, the attainment of the Project objectives or would be more costly (CEQA Guidelines, § 15126.6). The DEIR "shall" include sufficient information about each alternative to allow meaningful evaluation, public participation, analysis, and comparison with the proposed Project (CEQA Guidelines, § 15126.6).

d) Where the Project may impact aquatic and riparian resources, CDFW recommends the City select Project designs and alternatives that would fully avoid impacts to such resources. CDFW also recommends an alternative that would not impede, alter, or otherwise modify existing surface flow, watercourse and meander, and water-dependent ecosystems and natural communities. Project designs should consider elevated crossings to avoid channelizing or narrowing of watercourses. Any modifications to a river, creek, or stream may cause or magnify upstream bank erosion, channel incision, and drop in water level and cause the watercourse to alter its course of flow.

6) Data. CEQA requires that information developed in environmental impact reports be incorporated into a database which may be used to make subsequent or supplemental environmental determinations [Pub. Resources Code, § 21003, subd. (e)]. Accordingly, please report any special status species and sensitive natural communities detected by completing and submitting CNDDB Field Survey Forms (CDFW 2022f). To submit information on special status native plant populations and sensitive natural communities, the Combined Rapid Assessment and Relevé Form should be completed and submitted to CDFW's Vegetation Classification and Mapping Program (CDFW 2022g). The City should ensure data collected for the preparation of the DEIR be properly submitted, with all data fields applicable filled out.

7) Compensatory Mitigation. The DEIR should include compensatory mitigation measures for the Project's significant direct and indirect impacts to sensitive, rare, and special status

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plants, animals, and habitats. Mitigation measures should emphasize avoidance and minimization of Project-related impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore inadequate to mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Areas proposed as mitigation lands should be protected in perpetuity with a conservation easement and financial assurance and dedicated to a qualified entity for long-term management and monitoring. Under Government Code, section 65967, the Lead Agency must exercise due diligence in reviewing the qualifications of a governmental entity, special district, or nonprofit organization to effectively manage and steward land, water, or natural resources on mitigation lands it approves.

8) Long-term Management of Mitigation Lands. For proposed preservation and/or restoration, the DEIR should include measures to protect the targeted habitat values from direct and indirect negative impacts in perpetuity. The objective should be to offset Project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include (but are not limited to) restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, and increased human intrusion. An appropriate endowment should be set aside to provide for long-term management of mitigation lands.

9) Wildlife Friendly Fencing. Fencing could obstruct wildlife movement and result in wildlife injury or mortality due to impalement and entanglement (e.g., chain link fencing). If the Project would include temporary and/or permanent fencing, prior to preparation of the DEIR, CDFW recommends the City require the Project Applicant to provide wildlife friendly fencing designs. Fencing designs should be disclosed and evaluated in the DEIR for potential impacts on biological resources and wildlife movement. The DEIR should discuss how fencing proposed for the Project would minimize impacts on biological resources, specifically wildlife movement. CDFW supports the use of wildlife-friendly fencing. Wildlife-friendly fencing should be used and strategically placed in areas of high biological resource value in order to protect biological resources, habitat, and wildlife movement. CDFW recommends A Landowner's Guide to Wildlife Friendly Fences for information wildlife-friendly fences (MFWP 2012).

10) Use of Native Plants and Trees. If the Project would include landscaping, CDFW recommends the City require the Project Applicant to provide a native plant palette for the Project. The Project's landscaping plan should be disclosed and evaluated in the DEIR for potential impacts on biological resources such as natural communities adjacent to the Project site (e.g., introducing non-native, invasive species). CDFW supports the use of native plants. CDFW strongly recommends avoiding non-native, invasive species for landscaping and restoration, particularly any species listed as 'Moderate' or 'High' by the California Invasive Plant Council (Cal-IPC 2022). CDFW supports the use of native species found in naturally occurring plant communities within or adjacent to the Project site. In addition, CDFW supports planting species of trees and understory vegetation (e.g., ground cover, subshrubs, and shrubs) that create habitat and provide a food source for birds. Finally, CDFW supports planting species of vegetation with high insect and pollinator value.

11) Translocation/Salvage of Plants and Animal Species. Translocation and transplantation is the process of removing plants and wildlife from one location and permanently moving it to a

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new location. CDFW generally does not support the use of translocation or transplantation as the primary mitigation strategy for unavoidable impacts to endangered, rare, or threatened plants and animals. Studies have shown that these efforts are experimental and the outcome unreliable. CDFW has found that permanent preservation and management of habitat capable of supporting these species is often a more effective long-term strategy for conserving plants and animals and their habitats.

12) Wetland Resources. CDFW, as described in Fish and Game Code section 703(a), is guided by the Fish and Game Commission's (Commission) policies. The Wetlands Resources policy the Commission "…seek[s] to provide for the protection, preservation, restoration, enhancement, and expansion of wetland habitat in California" (CFGC 2020). Further, it is the policy of the Fish and Game Commission to strongly discourage development in or conversion of wetlands. It opposes, consistent with its legal authority, any development or conversion that would result in a reduction of wetland acreage or wetland habitat values. To that end, the Commission opposes wetland development proposals unless, at a minimum, project mitigation assures there will be 'no net loss' of either wetland habitat values or acreage. The Commission strongly prefers mitigation which would achieve expansion of wetland acreage and enhancement of wetland habitat values."

    a) The Wetlands Resources policy provides a framework for maintaining wetland resources and establishes mitigation guidance. CDFW encourages avoidance of wetland resources as a primary mitigation measure and discourages the development or type conversion of wetlands to uplands. CDFW encourages activities that would avoid the reduction of wetland acreage, function, or habitat values. Once avoidance and minimization measures have been exhausted, a project should include mitigation measures to assure a "no net loss" of either wetland habitat values, or acreage, for unavoidable impacts to wetland resources. Conversions include, but are not limited to, conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether ephemeral, intermittent, or perennial, should be retained and provided with substantial setbacks, which preserve the riparian and aquatic values and functions benefiting local and transient wildlife populations. CDFW recommends mitigation measures to compensate for unavoidable impacts be included in the DEIR and these measures should compensate for the loss of function and value.

    b) The Fish and Game Commission's Water policy guides CDFW on the quantity and quality of the waters of this State that should be apportioned and maintained respectively so as to produce and sustain maximum numbers of fish and wildlife; to provide maximum protection and enhancement of fish and wildlife and their habitat; encourage and support programs to maintain or restore a high quality of the waters of this State; prevent the degradation thereof caused by pollution and contamination; and, endeavor to keep as much water as possible open and accessible to the public for the use and enjoyment of fish and wildlife. CDFW recommends avoidance of water practices and structures that use excessive amounts of water, and minimization of impacts that negatively affect water quality, to the extent feasible (Fish & G. Code, § 5650).

Conclusion

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We appreciate the opportunity to comment on the NOP for Site Plan Review 22-012 to assist the City of Palmdale in preparing the Project's DEIR and identifying and mitigating Project impacts on biological resources. If you have any questions or comments regarding this letter, please contact Ruby Kwan-Davis, Senior Environmental Scientist (Specialist), at Ruby.Kwan-Davis@wildlife.ca.gov or (562) 619-2230.

Sincerely,

DocuSigned by:
B6E58CFE24724F5...

Erinn Wilson-Olgin
Environmental Program Manager I
South Coast Region

ec: CDFW
Erinn Wilson-Olgin, Los Alamitos – Erinn.Wilson-Olgin@wildlife.ca.gov
Victoria Tang, Los Alamitos – Victoria.Tang@wildlife.ca.gov
Ruby Kwan-Davis, Los Alamitos – Ruby.Kwan-Davis@wildlife.ca.gov
Felicia Silva, Los Alamitos – Felicia.Silva@wildlife.ca.gov
Julisa Portugal, Los Alamitos – Julisa.Portugal@wildlife.ca.gov
Frederic (Fritz) Rieman, Los Alamitos – Frederic.Rieman@wildlife.ca.gov
Cindy Hailey, San Diego – Cindy.Hailey@wildlife.ca.gov
CEQA Program Coordinator, Sacramento – CEQACommentLetters@wildlife.ca.gov
OPR
State Clearinghouse, Sacramento – State.Clearinghouse@opr.ca.gov

References:

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Communities/Submit

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STATE OF CALIFORNIA GAVIN NEWSOM, *Governor*

PUBLIC UTILITIES COMMISSION
320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013

September 28, 2022 CORS 2022090008

Megan Taggart
City of Palmdale
38250 Sierra Highway
Palmdale, CA 93550

Re: Site Plan Review 22-012
SCH 2022080663 — *Notice of Preparation*

Dear Megan Taggert:

The California Public Utilities Commission (Commission/CPUC) has jurisdiction over rail crossings (crossings) in California. CPUC ensures that crossings are safely designed, constructed, and maintained. The Commission's Rail Crossings Engineering Branch (RCEB) is in receipt of the *Notice of Preparation (NOP)* for the proposed Site Plan Review 22-012 . The City of Palmdale, as lead agency under the California Environmental Quality Act (CEQA), will prepare an Environmental Impact Report (EIR) for the Palmdale 8th Street project (Project).

The subject site comprises a vacant approximately 18-acre property located south of Rancho Vista Boulevard between Sierra Highway and 8th Street East (Assessor Parcel Number (APN) 3022-001-027) in the City of Palmdale, CA. The General Plan designation of the site is anticipated to change from M-2 (General Industrial) to IND as part of the City's General Plan Update. This designation is intended for a variety of heavy industrial uses, including manufacturing and assembly of products and goods, warehousing, distribution, and similar uses. The Project Applicant proposes to develop the property with one 384,800 square foot industrial building with dock doors facing north and south. The future building user/tenant is unknown at this time. Associated site improvements would include parking areas, drive aisles, landscaping, lighting, and signage.

The project is located near the 8th Street East crossing (CPUC No. 001B-412.53-C, DOT No. 750605F) of the Union Pacific Mojave Subdivision. The crossing is equipped is Commission Standard 8 (flashing light signal assembly) warning devices. The railroad reported No Train Traffic on the most current USDOT Crossing Inventory Form. The warning device signal heads have been turned from view to indicate that they are not in operation, and TRACKS OUT OF SERVICE (R8-9) signs are installed on the masts.

The Proposed Site Plan indicates that a nearby driveway is planned near the track. Traffic impact studies in the Draft Environmental Impact Report (DEIR) should analyze rail crossing safety and potential mitigation measures. CPUC has concerns about southbound vehicles queuing onto the track while entering the facility, and any turn movements out of the north driveway near the track. CPUC requests to be notified if rail service resumes at the 8th Street East crossing. Improvements to the crossing may be required to address concerns of traffic conflicts due to the new development and any train movements.

In addition to traffic at the adjacent crossing, the City should study the traffic impact on the nearby Avenue P / Rancho Vista Boulevard crossing (CPUC No. 001B-412.20, 101VY-69.95; DOT 750643P). On September 5, 2018, CPUC staff met with representatives from City of Palmdale, Caltrans, Metrolink, and UPRR for a diagnostic meeting to discuss safety improvements to the Avenue P crossing. The City of Palmdale is the lead agency for this crossing improvement project and is actively in preliminary engineering design for these improvements.

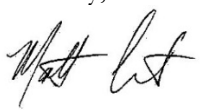
Lastly, the project abuts the Union Pacific Railroad (UPRR) Right-of-Way (ROW) on the northern and western edge of the property. The UPRR ROW on the western edge is an active mainline that sees heavy freight train

traffic, as well as passenger train service from Metrolink trains. The UPRR ROW on the northern edge is currently an inactive spur line. The project will need to provide a physical barrier (i.e. fence or block wall) to prevent access onto UPRR ROW from the proposed development.

Construction or modification of public crossings requires authorization from the Commission. RCEB representatives are available to discuss any potential safety impacts or concerns at crossings. Please continue to keep RCEB informed of the project's development. More information can be found at: http://www.cpuc.ca.gov/crossings.

If you have any questions, please contact Chris Palas at (213) 999-3403, or cpp@cpuc.ca.gov.

Sincerely,



Matt Cervantes, PE
Senior Utilities Engineer - Specialist
Rail Crossings Engineering Branch
Rail Safety Division

CC: State Clearinghouse, state.clearinghouse@opr.ca.gov
Kenneth Tom, UPRR, ktom@up.com

Antelope Valley Air Quality Management District
43301 Division St., Suite 206
Lancaster, CA 93535-4649
661.723.8070

In reply, please refer to AV0922/169

September 12, 2022

Megan Taggart
City of Palmdale
38250 Sierra Highway
Palmdale, CA 93550

Project: Notice of Preparation of a Draft Environmental Impact Report and Scoping Meeting

Dear Ms. Taggart,

The Antelope Valley Air Quality Management District (District) has received the request to review planning documents for Notice of Preparation of a Draft Environmental Impact Report and Scoping Meeting for project: Site Plan Review 22-012 to propose to develop the vacant 18-acre property with one 384,800 square foot industrial building with dock doors facing north and south. The project site is located south of Rancho Vista Boulevard between Sierra Highway and 8th Street East (APN: 3022-001-027).

Prior to initiating any grading or grubbing construction activity, the District requires submission of the required Construction Excavation Fee as well as compliance with all prerequisites outlined in District Rule 403, *Fugitive Dust*, including submission and approval of a Dust Control Plan, installation of signage and the completion of a successful onsite compliance inspection by an AVAQMD field inspector.

During the construction phase, all disturbed areas should be stabilized so that no visible fugitive dust leaves the property line and does not impact traffic or neighboring residents. If an area of one-half acre or more of Disturbed Surface Area remains unused for seven or more days, the area must comply with the conditions for a Stabilized Surface outlined in Rule 403. Upon completion of the project, all disturbed surface areas must meet the definition of a stabilized surface, as defined in Rule 403 and verified by District staff.

The District requires applicable permit application(s) and fees be submitted for any equipment or process that may not be exempt under District Rule 219 and have the potential to emit or control air contaminants as a condition of approval, including, but not limited to, emergency generators rated at over 50 bhp.

All construction equipment utilized on this project must comply with Air Resources Board In-Use Off-Road Diesel Vehicle Regulation.

Thank you for the opportunity to review this planning document. If you have any questions regarding the information presented in this letter please contact me at (661) 723-8070 ext. 23 or blods@avaqmd.ca.gov.

Sincerely,

Barbara Lods

Barbara Lods
Operations Manager

BJL/SS
Sent via Email

Printed on recycled paper

LOS ANGELES COUNTY
SANITATION DISTRICTS
Converting Waste Into Resources

Robert C. Ferrante
Chief Engineer and General Manager

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
(562) 699-7411 • www.lacsd.org

September 21, 2022

Ref. DOC 6681714

Ms. Megan Taggart, Planning Manager
City of Palmdale
Department of Economic and Community Development
38250 Sierra Highway
Palmdale, CA 93550

Dear Ms. Taggart:

NOP Response to Site Plan Review 22-012

The Los Angeles County Sanitation Districts (Districts) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report for the subject project on September 1, 2022. The proposed project is located within the jurisdictional boundaries of District No. 20. We offer the following comments regarding sewerage service:

1. Individual developments associated with the proposed project may require a Districts' permit for Industrial Wastewater Discharge. Project developers should contact the Districts' Industrial Waste Section at (562) 908-4288, extension 2900, in order to reach a determination on this matter. If this permit is necessary, project developers will be required to forward copies of final plans and supporting information for the proposed project to the Districts for review and approval before beginning project construction. For additional Industrial Wastewater Discharge Permit information, go to https://www.lacsd.org/services/wastewater-programs-permits/industrial-waste-pretreatment-program/industrial-wastewater-discharge-permits.

2. Due to the project's location, the flow originating from the proposed project would have to be transported to the Districts' trunk sewer by local sewer(s) that are not maintained by the Districts. If no local sewer lines currently exist, it is the responsibility of the developer to convey any wastewater generated by the project to the nearest local sewer and/or Districts' trunk sewer. The nearest Districts' trunk sewer is the Trunk "B" Trunk Sewer, located in the intersection of East Avenue P and 15th Street East. The Districts' 24–inch diameter trunk sewer has a capacity of 6.9 million gallons per day (mgd) and conveyed a peak flow of 0.3 mgd when last measured in 2017.

3. The wastewater generated by the proposed project will be treated at the Palmdale Water Reclamation Plant, which has a capacity of 12 mgd and currently processes an average recycled flow of 8.3 mgd.

4. The expected average wastewater flow from the project, described in the NOP as a 384,800 square-foot industrial building, is 76,960 gallons per day. For a copy of the District's average wastewater generation factors, go to www.lacsd.org, under Services, then Wastewater Program and Permits and select Will Serve Program, and click on the Table 1, Loadings for Each Class of Land Use link.

5. The Districts are empowered by the California Health and Safety Code to charge a fee to connect facilities (directly or indirectly) to the Districts' Sewerage System or to increase the strength or quantity of wastewater discharged from connected facilities. This connection fee is used by the Districts for its capital facilities. Payment of a connection fee may be required before this project is permitted to discharge to the

Districts' Sewerage System. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsd.org, under Services, then Wastewater (Sewage) and select Rates & Fees. In determining the impact to the Sewerage System and applicable connection fees, the Districts will determine the user category (e.g. Condominium, Single Family Home, etc.) that best represents the actual or anticipated use of the parcel(s) or facilities on the parcel(s) in the development. For more specific information regarding the connection fee application procedure and fees, the developer should contact the Districts' Wastewater Fee Public Counter at (562) 908 4288, extension 2727. If an Industrial Wastewater Discharge Permit is required, connection fee charges will be determined by the Industrial Waste Section.

6. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service, but is to advise the developer that the Districts intend to provide this service up to the levels that are legally permitted and to inform the developer of the currently existing capacity and any proposed expansion of the Districts' facilities.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2743, or mandyhuffman@lacsd.org.

Very truly yours,

Mandy Huffman

Mandy Huffman
Environmental Planner
Facilities Planning Department

MNH:mnh

cc: A. Schmidt
A. Howard
P. Palencia

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1939 Harrison Street, Ste. 150
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Via Email

August 30, 2022

Luis Garibay, Community Development
Director of Palmdale
38250 Sierra Highway
Palmdale, CA 93550
lgaribay@cityofpalmdale.org

Shanae Smith, City Clerk
City of Palmdale
500 W Temple Street, Suite B-50
Los Angeles, CA 90012
cityclerkdepartment@cityofpalmdale.org

Megan Taggart, City Planner
38250 Sierra Highway
Palmdale, CA 93550
mtaggart@cityofpalmdale.org

Re: CEQA and Land Use Notice Request for Site Plan Review 22-012

Dear Mr. Garibay, Ms. Smith and Ms. Taggart,

I am writing on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the Site Plan Review 22-012 project, including all actions related or referring to the proposed construction of an industrial building totaling approximately 384,800 square feet, located at 8th Street and W Rancho Vista Blvd (Parcel Number: 3022-001-027) ("Project").

We hereby request that the City of Palmdale send by electronic mail, if possible or U.S. mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City of Palmdale and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City of Palmdale, including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA"), including, but not limited to:
  - Notices of any public hearing held pursuant to CEQA.
  - Notices of determination that an Environmental Impact Report ("EIR") is required for the Project, prepared pursuant to Public Resources Code Section 21080.4.
  - Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
  - Notices of preparation of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21092.
  - Notices of availability of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.

- Notices of approval and/or determination to carry out the Project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of any addenda prepared to a previously certified or approved EIR.
- Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of determination that the Project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
- Notice of any Final EIR prepared pursuant to CEQA.
- Notice of determination, prepared pursuant to Public Resources Code Section 21108 or Section 21152.

Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. **This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092**, which require local counties to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.

Please send notice by electronic mail or U.S. Mail to:

Richard Drury
Molly Greene
Colby Gonzales
Lozeau Drury LLP
1939 Harrison Street, Suite 150
Oakland, CA 94612
richard@lozeaudrury.com
molly@lozeaudrury.com
colby@lozeaudrury.com

Please call if you have any questions. Thank you for your attention to this matter.

Sincerely,
Colby Gonzalez
Lozeau | Drury LLP

09/30/2022

VIA EMAIL ONLY

Megan Taggart, Planning Manager
Department of Economic and Community Development
City of Palmdale
38250 Sierra Highway
Palmdale, CA 93550
mtaggart@cityofpalmdale.org

RE: NOP Comments for Site Plan Review 22-012 Project

Dear Ms. Taggart,

On behalf of Coalition for Responsible Equitable Economic Development ("CREED LA") thank you for the opportunity to provide comments on the Notice of Preparation ("NOP") for environmental review of the Site Plan Review 22-012 project (the "Project").

The Project applicant proposes a 384,800 square foot industrial building and associated site improvements on property located south of Rancho Vista Blvd between Sierra Highway and 8th Street East. The Initial Study ("IS") identifies the Project's potentially significant impacts under CEQA to include all impacts except Agriculture and Forestry, Land Use/Planning, Mineral Resource, Population/ Housing, and Recreation.

CREED LA respectfully requests, under CEQA complete analysis of these impacts, imposition of all feasible mitigation and study of a reasonable range of alternatives to the Project.

General Comments

We have some concerns related to warehouse development that we would like to ensure are addressed as part of the EIR process.

1. Industrial warehouse projects typically include 24 hours a day, 7 days a week operation in day and night shifts. The DEIR should include a Project Alternative that restricts operations to fewer hours.

2. Although the tenant or planned operations are usually unknown at this stage of development, the DEIR should reflect a good faith effort at full disclosure by including as much

information on the nature of operations as can be reasonably obtained. In addition, th DEIR should clearly articulate and quantify all proposed future uses of the Project. This is important because different types of high cube warehouses have different levels of environmental impacts.

3. It is important to establish whether the proposed warehouse will include cold storage. If cold storage is included, then the DEIR should analyze the impacts of transportation refrigeration units (TRUs) on the environment during Project operation.

4. Goods movement industry is one of the major contributors of air pollutants across Southern California. Warehouse operations including trips by heavy duty trucks and cargo handling equipment (like forklifts, tractors) and even backup generators contribute to local pollution and global climate change. There is also overwhelming evidence that warehouse operations have a significant negative impact on public health due to the particulate pollution. Therefore, every effort should be made to ensure that air pollution and public health impacts are studied, quantified, and fully mitigated.

5. We request that the City make every effort to mitigate all impacts to the fullest extent feasible. This includes adopting mitigation measures from other jurisdictions such as the Fontana Warehouse Ordinance. The ordinance includes measures such as requiring a buffer zone with large drought-resistant trees, plug-in system for trucks with TRUs, zero emission motorized operational equipment, 10% EV parking, and solar panels for non-refrigerated uses. Mitigation measures can also include requirements to install cool roofs to reduce operational energy demand, and solar canopies on the parking lot to generate energy.

Thank you for the opportunity to submit NOP comments. Again, CREED LA respectfully requests under CEQA full analysis of the environmental impacts, feasible mitigation, and reasonable alternatives to the Project.

We look forward to reviewing and commenting on the DEIR. Please provide all sources and referenced materials when the DEIR is made available.

Sincerely,

Jeff Modrzejewski
Executive Director

From: Megan Taggart <mtaggart@cityofpalmdale.org>
Sent: Tuesday, January 10, 2023 6:57 PM
To: Malou Reyes
Cc: Mary Linares; Mitchell Tsai; Jonathan Montano; Rebekah Youngblood; Barrie Brown Martinez; Drew VanderMale; Steven Thong; Maria Sarmiento; Hind Baki; Brenda Magana
Subject: RE: SWMSRCC - [City of Palmdale, SPR 22-012 Project] Project Status Inquiry

Good Evening,

The document is still in review and we have not yet solidified a circulation date. Your firm has been added to the notification list for the project per your request.

Thank you for checking in and I hope that you have a great night.

———

Megan Taggart
Planning Manager

CITY OF PALMDALE

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Hours: Monday-Thursday, 7:30 am-6 pm. Closed Friday.

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From: Malou Reyes <malou@mitchtsailaw.com>
Sent: Tuesday, January 10, 2023 4:32 PM
To: Megan Taggart <mtaggart@cityofpalmdale.org>
Cc: Mary Linares <mary@mitchtsailaw.com>; Mitchell Tsai <mitch@mitchtsailaw.com>; Malou Reyes <malou@mitchtsailaw.com>; Jonathan Montano <jonathan@mitchtsailaw.com>; Rebekah Youngblood <rebekah@mitchtsailaw.com>; Barrie Brown Martinez <barrie@mitchtsailaw.com>; Drew VanderMale <drew@mitchtsailaw.com>; Steven Thong <steven@mitchtsailaw.com>; Maria Sarmiento <maria@mitchtsailaw.com>; Hind Baki <hind@mitchtsailaw.com>
Subject: SWMSRCC - [City of Palmdale, SPR 22-012 Project] Project Status Inquiry

CAUTION: This email originated from outside of the organization.

Good afternoon Ms. Taggart,

I hope this email finds you well.

Could you please advise if you have an anticipated publication date for the above-referenced project's DEIR?

Please also confirm our Firm is on the Notice List for the project.

Thank you,
Malou

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Malou Reyes
Paralegal
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*** Our Office Has Recently Moved. Please Note New Mailing Address ****

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