MESA LINDA LOGISTICS CENTER

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May 2023

Draft Environmental Impact Report

EPD SOLUTIONS, INC

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ACRONYMS AND ABBREVIATIONS

°C	degrees celsius
µg/m³	micrograms per cubic meter
AB 52	California Assembly Bill 52
ACM	asbestos-containing material
AF	acre-feet
ALUC	Airport Land Use Commission
ALUCP	Airport Land Use Compatibility Plan
amsl	above mean sea level
AQIA	Air Quality Impact Analyses
AQMP	Air Quality Management Plan
APN	Assessor's Parcel Number
ATCM	airborne toxic control measure
BAAQMD	Bay Area Air Quality Management District
BACM	best available control measure
BACT	best available control technology
Basin	South Coast Air Quality Basin
BAU	business as usual
BFE	base flood elevation
bgs	below ground surface
BMPs	Best Management Practices
CAA	Clean Air Act of 1970
CAAA	CAA Amendments of 1990
CAAQS	California Ambient Air Quality Standards
CalEEMod	California Emissions Estimator Model
CALGreen	California Green Building Standards Code
CAP	Climate Action Plan of 2013
CARB	California Air Resources Board
CBC	California Building Code
CCAA	California Clean Air Act of 1988
CDFW	California Department of Fish and Wildlife
CC&Rs	Covenants, Conditions, and Restrictions
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CGEU	California Gas and Electric Utilities 2016 California Gas Report
CGS	California Geological Survey
CH_4	methane
CHAPIS	Community Health Air Pollution Information System (CARB)
CHRIS	California Historical Resources Inventory System
CNDDB	California Natural Diversity Database
CNEL	community noise equivalent level
CNPS	California Native Plant Society
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	carbon dioxide equivalent
CRHR	California Register of Historical Resources
CTP	Clean Truck Program
CUP	Conditional Use Permit
dB	decibel
dBA	A-weighted decibels

DPM	diesel particulate matter
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
EMS	Emergency Medical Services
ESA	Environmental Site Assessment
FAR	floor area ratio
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act of 1973
FMMP	Farmland Mapping and Monitoring Program
gal/day	gallons per day
GHG	greenhouse gas
GWP	global warming potential
Handbook	Air Quality and Land Use Handbook: A Community Health Perspective (CARB 2005)
HAPs	hazardous air pollutants
HCM	Highway Capacity Manual
HCP	Habitat Conservation Plan
HDT	Heavy Duty Trucks
HFCs	hydroflourocarbons
Hot Spots Act	Air Toxics Hot Spots Information and Assessment Act of 1987
HP	horsepower
HPLV	High Pressure Low Volume
HVAC	heating, ventilating, and air conditioning
ICU	intersection capacity utilization
I	Interstate
I-5	Santa Ana Freeway
LBP	lead-based paint
LCFS	Low Carbon Fuel Standard
LEED	Leadership in Energy and Environmental Design
LEV	Low Emission Vehicle
LID	low impact development
LOS	level of service
LSTs	localized significance thresholds
MACT	maximum available control technology
MBTA	Migratory Bird Treaty Act of 1918
MCC	Material Culture Consulting
mgd	million gallons per day
MMRP	Mitigation Monitoring and Reporting Program
MMT	million metric tons
MPO	metropolitan planning organization
MT	metric tons
MT CO_2e	metric tons of carbon dioxide equivalent
NAAQS	National Ambient Air Quality Standards
N_2O	nitrous oxide
NAHC	Native American Heritage Commission
NALs	numeric action levels
NCCP	Natural Community Conservation Plan
NESHAP	national emissions standards for HAPs
NH_3	ammonia
NHPA	National Historic Preservation Act of 1966
NHTSA	National Highway Traffic and Safety Administration
NMC	New Model Colony
NOP	Notice of Preparation
NO_2	nitrogen oxide

NO_x	nitrogen oxide
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
NRCS	U.A. Department of Agriculture Natural Resources Conservation Service
O_3	ozone
ODC	Ontario Development Code
ONT	Ontario International Airport
PA	Planning Area
Pb	lead
PDF	project design feature
PFCs	perflourocarbons
$PM_{2.5}$	particulate matter less than 2.5 micrometers in aerodynamic diameter
PM_{10}	particulate matter less than 10 micrometers in aerodynamic diameter
ppb	parts per billion
PPP	Plans, Programs, and Policies
PRC	Public Resources Code
PRIMP	Paleontological Resources Impact Mitigation Plan
PWS	public water supplier
REC	recognized environmental conditions
ROG	reactive organic gas
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SB 18	California Senate Bill 18, Ch. 905 (2004)
SC	Standard Condition
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison Company
SCS	Sustainable Communities Strategy
SF	square feet
SF_6	sulfur hexaflouride
SIP	state implementation plan
SO_2	sulfur dioxide
SO_3	sulfur trioxide
SO_4	sulfates
SoCalGas	Southern California Gas Company
SO_x	sulfur oxides
SP	Specific Plan
SR	State Route
SR-60	Pomona Freeway
SR-83	Euclid Avenue
SRA	Source Receptor Area
SWPPP	Storm Water Pollution Prevention Plan
SWQMP	Storm Water Quality Management Plan
SWRCB	Storm Water Resources Control Board
TACs	toxic air contaminants
TIA	Traffic Impact Analysis
tpy	tons per year
TTCP	traditional tribal cultural places
TUA	traditional use area
USDA	United States Department of Agriculture
USEPA	United States Environmental Protection Agency

USFWS	United States Fish and Wildlife Service
UTRs	utility tractors
UWMP	Urban Water Management Plan
VdB	velocity levels expressed in decibel notation
VMT	vehicle miles travelled
VOC	volatile organic compounds
WDR	Waste Discharge Requirements
WFA	Water Facilities Authority
Williamson Act	California Land Conservation Act of 1965
WQC	Water Quality Certification

1.0 Executive Summary

This Draft Environmental Impact Report (EIR) evaluates the environmental effects that may result from the construction and operation of the proposed Mesa Linda Street Development Project (proposed Project). This EIR has been prepared in conformance with State and City of Hesperia environmental policy guidelines for implementation of the California Environmental Quality Act (CEQA).

The EIR is being circulated for review and comment by the public and other interested parties, agencies and organizations for 45 days in accordance with Section 15087 and Section 15105 of the CEQA Guidelines. During the 45-day review period, the Draft EIR will be available for public review at the City's website (https://www.cityofhesperia.us/1466/Environmental-Documents).

Written comments related to environmental issues in the Draft EIR should be addressed to:

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A Notice of Availability of the Draft EIR was published concurrently with distribution of this document.

1.1 PROJECT LOCATION

The Project site is located within the northwestern portion of the City of Hesperia, northwest of the Poplar Street and Mesa Linda Street intersection. Regional access to the Project site is provided by Interstate 15 (I-15) and Highway 395. Local access to the site is provided from Mesa Linda Street and Poplar Street. Specifically, the Project site is located within Section 22, Township 4 North, Range 5 West, San Bernardino Base and Meridian (SBB&M) of the Baldy Mesa United States Geological Survey (USGS) 7.5-minute topographic quadrangle.

The Project site encompasses approximately 18.16 acres and is comprised of two parcels identified as Assessor's Parcel Numbers (APNs) 306-458-102 and 306-458-103. The Project site and surrounding area is shown in *Figure 3-1, Regional Location*, and *Figure 3-2, Local Vicinity*.

1.2 PROJECT DESCRIPTION SUMMARY

The applicant, Newcastle Partners, has submitted applications to the City of Hesperia for a Conditional Use Permit (CUP) for the Project referred to as the Mesa Linda Street Development Project. The CUP would allow for a warehouse use greater than 200,000 square feet. The Project would develop a new 408,997 square foot warehouse building on the 18.16-acres site.

Building and Architecture. The proposed Project consists of a single-story, approximately 55-foot-tall warehouse building. The Project building would include 396,997 square feet of warehouse space, 6,000 square feet of office space, and 6,000 square feet mezzanine for additional office use. The building would also include 54 dock doors along the south side of the building. The building would result in a floor area ratio (FAR) of 0.52. The building would be joined by an outdoor, concrete truck court which would include 57 trailer stalls for loading and unloading.

Circulation and Street Improvements. Vehicle access to the site would be from four new driveways, as shown in Figure 3-5, *Conceptual Site Plan*. The northernmost driveway along Mesa Linda Street would be limited

to emergency access only. The southernmost driveway along Mesa Linda Street would provide access for both trucks and passenger vehicles. The northernmost driveway along Lassen Street would be limited to passenger vehicles only. The southernmost driveway along Lassen Street would provide access for trucks and passenger vehicles. Street improvements include installation of curb, gutter, and sidewalks along the Project frontages on Lassen Street, Sultana Street, and Mesa Linda Street.

Parking. The Project would provide a total of 213 vehicle parking spaces, including 7 electric vehicle/clean air/carpool spaces. Automobile parking would be located in surface lots on the east and west sides of the building and in the southwest and southeast corners of the Project site.

Landscaping. Landscaping would be planted along the perimeter of the warehouse building and throughout the parking areas.

Infrastructure. The Project applicant would install onsite water lines that would connect to the existing 12-inch diameter water line in Sultana Street, as well as install an onsite sewer system that would connect to the existing 10-inch sewer line in Sultana Street. The Project would install new onsite storm drain lines throughout the site that would convey drainage flows to the proposed aboveground and underground infiltration basins.

1.3 PROJECT OBJECTIVES

The following objectives have been identified in order to aid decision makers in their review of the proposed Project and its associated environmental impacts.

1. To make efficient use of the property in the City of Hesperia by adding to its potential for employment-generating uses.
2. To attract new business and employment to the City of Hesperia and thereby promote economic growth.
3. To reduce the need for members of the local workforce to commute outside the Project vicinity to work.
4. To develop an underutilized property with an industrial warehouse building near available infrastructure, including roads and utilities, to help meet demand for logistics business in the City and surrounding region.
5. To build an industrial warehouse project consistent with the City of Hesperia land use designation and City of Hesperia Development Code regulations.
6. To provide a Project designed to orient operational activities away from adjacent sensitive land uses to the east.
7. Develop a project that does not contribute to surface and groundwater quality degradation by treating surface and stormwater flows.

1.4 SUMMARY OF ALTERNATIVES

Section 8.0, *Alternatives*, of this EIR analyzes a range of reasonable alternatives to the proposed Project. The alternatives that are analyzed in detail in Section 8.0 are summarized below.

- **Alternative 1: No Project/No Build Alternative.** Under this alternative, the Project would not be developed, and no development would occur. The Project site would remain vacant and undeveloped. In accordance with the CEQA Guidelines, the No Project/No Build Alternative for a development project on an identifiable property consists of the circumstance under which the project does not proceed. Section 15126.6(e)(3)(B) of the *CEQA Guidelines* states that, "In certain instances, the no project alternative means 'no build' wherein the existing environmental setting is maintained."

Accordingly, Alternative 1: No Project/No Build provides a comparison between the environmental impacts of the Project in contrast to the result from not approving, or denying, the Project. Thus, this alternative is intended to meet the requirements of *CEQA Guidelines* Section 15126.6(e) for evaluation of a no project alternative.

- **Alternative 2: Reduced Project Alternative.** Under this alternative, the building would be developed at a FAR of 0.5, which would result in a 395,525 square foot warehouse building. A proportional reduction in the amount of surface parking area and commensurate number of parking spaces for vehicles and trucks also would occur in the Reduced Project Alternative. This alternative assumes that access to the site would be similar to the Project with access from two driveways on Lassen Street and two driveways on Mesa Linda Street.

- **Alternative 3: Alternative Site.** An alternate site for the Project was eliminated from further consideration. The Project's focus is to provide for an industrial warehouse within an industrializing area of the City of Hesperia that benefits from the Highway 395 and I-15 corridor's regional transportation network and generates employment opportunities in proximity to an available labor pool. There are no suitable sites within the control of the Project applicant; however, in the event land could be purchased of suitable size, the Project could have the same potential impacts to subsurface resources including biological, archaeological, paleontological, and/or tribal cultural resources. Therefore, analysis of an alternative site for the proposed Project is neither meaningful nor necessary, because the impacts resulting from the Project would not be avoided or substantially lessened by its implementation.

1.5 SUMMARY OF IMPACTS

Table 1-1 summarizes the conclusions of the environmental analysis contained in this EIR. Section 2.0, *Introduction,* established that the proposed Project would not result in impacts related to certain thresholds from CEQA Appendix G including Agriculture and Forest Resources, Geology and Soils, Hazards and Hazardous Materials, Land Use and Planning, Miner Resources, Population and Housing, Public Services, Recreation, and Wildfire. Thus, no further assessment of those impacts was required in the Draft EIR. Therefore, the numbering of impacts shown in Table 1-1 reflects the omission of further evaluation for certain thresholds.

Relevant standard conditions of approval are identified, and mitigation measures are provided for all potentially significant impacts. The level of significance of impacts after the proposed mitigation measures are applied are identified as either significant and unavoidable, less than significant, or no impact.

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Table 1-1: Summary of Impacts, Mitigation Measures, and Level of Significance

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
5.1 Aesthetics				
Impact AE-1: Would the Project have a substantial adverse effect on a scenic vista?		Less than significant	None required	Less than significant
Impact AE-2: Would the Project in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the Project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?		Potentially Significant	**Mitigation Measure AES-1** Project buildings and elements shall include colors and tones that mimic the natural desert environment. The Project applicant shall present to the City of Hesperia a materials board showing the proposed building color palette for review and approval prior to issuance of the first building permit. City staff shall review the color palette to ensure that the selected colors and tones largely conform to those colors and tones already found in the surrounding natural desert landscape. The color palette, along with the Project design as a whole, shall also be reviewed to assure conformance with the development standards of the Hesperia Municipal Code and the Main Street and Freeway Corridor Specific Plan in order to promote the visual character and quality of the surrounding area.	Less than significant
Impact AE-3: Would the Project create a new source of substantial		Less than significant	None required	Less than significant

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
light or glare that would adversely affect day and nighttime views in the area?				
Cumulative		Less than significant	None required	Less than significant
5.2 Air Quality				
Impact AQ-1: Would the Project conflict with or obstruct implementation of the applicable air quality plan?		Less than significant	None required	Less than significant
Impact AQ-2: Would the Project result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?		Less than significant	None required	Less than significant
Impact AQ-3: Would the Project expose sensitive receptors to substantial pollutant concentrations?		Less than significant	None required	Less than significant
Cumulative		Less than Significant	None required	Less than significant
5.3 Biological Resources				
Impact BIO-1: 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		Potentially significant	**Mitigation Measure BIO-1: Preconstruction Burrowing Owl Surveys** • A preconstruction survey for resident burrowing owls shall be conducted by a qualified biologist within 30 days prior to	Less than significant

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?.			commencement of grading and construction activities to ensure that no owls have colonized the site in the days of weeks preceding project activities. If ground disturbing activities in these areas are delayed or suspended for more than 30 days after the preconstruction survey, the area shall be resurveyed for owls. The preconstruction survey and any relocation activity shall be conducted in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG 2012). • If active nests are identified on an implementing project site during the preconstruction survey, the nests shall be avoided, or the owls actively or passively relocated. To adequately avoid active nests, no grading or heavy equipment activity shall take place within at least 250 feet of an active nest during the breeding season (February 1 through August 31), and 160 feet during the non-breeding season. • If burrowing owls occupy any implementing portion of the Project site and cannot be avoided, active or passive relocation shall be used to exclude owls from their burrows, as agreed to by the City of Hesperia Planning Department and	

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			the CDFW. Relocation shall be conducted outside the breeding season or once the young are able to leave the nest and fly. Passive relocation is the exclusion of owls from their burrows (outside the breeding season or once the young are able to leave the nest and fly) by installing one-way doors in burrow entrances. These one-way doors allow the owl to exit the burrow, but not enter it. These doors shall be left in place 48 hours to ensure owls have left the burrow. Artificial burrows shall be provided nearby. The implementing project area shall be monitored daily for one week to confirm owl use of burrows before excavating burrows in the impact area. Burrows shall be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible pipe shall be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow. The CDFW shall be consulted prior to any active relocation to determine acceptable receiving sites available where this species has a greater chance of successful long-term relocation. If avoidance is infeasible, then a Determination of Biologically Equivalent or Superior Preservation (DBESP) Report shall	

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			be required, including associated relocation of burrowing owls. If conservation is not required, then owl relocation shall still be required following accepted protocols. Take of active nests shall be avoided, so it is strongly recommended that any relocation occur outside of the nesting season. **Mitigation Measure BIO-2: Sensitive Wildlife Surveys** • Coastal whiptail (*Aspidoscelis tigris stejnegeri)* and coast horned lizard (*Phrynosoma blainvillii*) have the potential to exist on the Project site and the potential to be impacted by construction activities. A qualified biological monitor shall be present on site during all ground disturbing activities to ensure no direct or indirect take of the species occurs. A pre-construction survey will be conducted three days prior to initiation of construction activities that would remove vegetation or otherwise disturb potential habitat. If the species occurs on site during Project activities, the biologist will have the authority to stop construction and allow the species time to evacuate the Project site. • If a listed species is encountered and cannot be avoided until they voluntarily leave the work area,	

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			this plan will be amended to include: • Information on the site form which the species is to be removed and the proposed alternate habitat to which they are to be moved; • Identification of proposed biologists who will handle species movement; • The proposed method for capture and relocation for the species to the new site; and • Reference to any applicable protocol guidelines. **Mitigation Measure BIO-3: Migratory Bird Treaty Act** Prior to issuance of a Grading Permit, the Project Applicant/Developer shall provide evidence of intention to comply with the Federal Migratory Bird Treaty Act by including a note on the Grading Plans that states as follows: • Project development ground disturbing and vegetation clearing activities should <u>not</u> occur during the bird nesting season of February 1 through September 15. • If avoidance of ground disturbing and vegetation clearing activities cannot be implemented and these	

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			activities will occur during the bird nesting season, the Project Applicant/Developer shall employ a qualified biologist who will conduct pre-construction nesting bird surveys during the nesting bird season within 3 (three) days prior to vegetation removal and/or construction activities. If active nests are found during nesting bird surveys, the nests will be flagged and a 500-foot buffer for raptors and a 250-foot buffer for migratory songbirds and shall be installed around the nests. The buffers shall remain in place until the young have fledged, and the nest becomes unoccupied. **Mitigation Measure BIO-5: Relocation of Desert Native Plants (Hesperia Municipal Code Chapter 16.24).** Prior to the issuance of grading permits, the Project Applicant shall submit an application and applicable fee paid to the City of Hesperia for removal or relocation of protected native desert plants under Hesperia Municipal Code Chapter 16.24 as required and schedule a preconstruction site inspection with the Planning Division and the Building Division. The application shall include certification from a qualified Joshua tree and native desert plant expert(s) to determine that proposed removal or relocation of protected native desert plants are	

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			appropriate, supportive of a healthy environment, and in compliance with the City of Hesperia Municipal Code. Protected plants subject to Hesperia Municipal Code Chapter 16.24 may be relocated on-site, or within an area designated as an area for species to be adopted later. The application shall include a detailed plan for the removal of all protected plants on the Project site. The plan shall be prepared by a qualified Joshua tree and native desert plant expert(s). The plan shall include, but not be limited to, the following measures: • Salvaged plants shall be transplanted expeditiously to either their final on-site location, or to an approved off-site area. If the plants cannot be expeditiously taken to their permanent relocation area at the time of excavation, they may be transplanted in a temporary area (stockpiled) prior to being moved to their permanent relocation site(s). • Western Joshua trees shall be marked on their north facing side prior to excavation. Transplanted western Joshua trees shall be planted in the same orientation as they currently occur on the Project site, with the marking on the north side of the trees facing north at the relocation site(s).	

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			• Transplanted plants shall be watered prior to and at the time of transplantation. The schedule of watering shall be determined by the qualified tree expert and desert native plant expert(s) to maintain plant health. Watering of the transplanted plants shall continue under the guidance of qualified tree expert and desert native plant expert(s) until it has been determined that the transplants have become established in the permanent relocation site(s) and no longer require supplemental watering. **Mitigation Measure BIO-6: Western Joshua Tree Lands (CESA)** In the case that the California Fish and Game Commission lists western Joshua trees as threatened under the California Endangered Species Act, the following measure will be implemented: • Prior to the initiation of Joshua tree removal, obtain California Endangered Species Act (CESA) Incidental Take Permit under Section 2081 of the Fish and Game Code. The Project Applicant will adhere to measures and conditions set forth within the Incidental Take Permit. • Mitigation for direct impacts to western Joshua trees shall be	

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			fulfilled through conservation of western Joshua trees at a 1:1 habitat replacement ratio, of equal or better functions and values to those impacted by the Project. Mitigation can be through purchases of credits at a California Department of Fish and Wildlife (CDFW)-approved mitigation bank for western Joshua tree. Additionally, no take of western Joshua tree will occur without authorization from CDFW in the form of an Incidental Take Permit pursuant to Fish and Game Code 2081. • Name, qualifications, business address, and contact information of a biological monitor (designated botanist) shall be submitted to CDFW at least 30 days prior to Project activities. The designated botanist shall be responsible for monitoring Project activities to help minimize and fully mitigate or avoid incidental take of Joshua trees. • An education program (Worker Environmental Awareness Program) shall be conducted for all persons employed or working in the project area before performing any work. • A trash abatement program shall be in place before starting project activities and throughout the	

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			duration of the Project to ensure that trash and food are contained in animal proof containers. • The boundaries of the Project site shall be clearly delineated, in consultation with the designated botanist, prior to project activities with posted signs, posting stakes, flags, and/or rope or cord. • Project-related personnel shall access the Project area using existing routes, or routes identified in the Project description, and shall not cross Joshua tree habitat outside or on route to the Project area. • The designated botanist shall have authority to immediately stop any activity that does not comply with the ITP, and/or to order any reasonable measure to avoid unauthorized take of an individual Joshua tree. • The Project analyzed impacts to western Joshua trees by applying the 186-foot and 36-foot buffer zone overlap with the project boundaries of two adjacent proposed developments. Any impacts to overlapping Joshua trees will be analyzed by CDFW to ensure no Joshua trees are mitigated twice.	

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact BIO-2: 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 US Fish and Wildlife Service?		Potentially significant	**Mitigation Measure BIO-4: Jurisdiction Waters,** listed above.	Less than significant
Impact BIO-3: 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	None required	No Impact
Impact BIO-4: 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 wildlife corridors, or impede the use of native wildlife nursery sites?		Potentially Significant	**Mitigation Measure BIO-3: Migratory Bird Treaty Act,** listed above.	Less than significant
Impact BIO-5: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?.		Potentially Significant	**Mitigation Measure BIO-5: Relocation of Desert Native Plants (Hesperia Municipal Code Chapter 16.24),** listed above. **Mitigation Measure BIO-6: Western Joshua tree Lands (CESA),** listed above.	Less than significant

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact BIO-6: 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	None required.	No Impact
Cumulative		Potentially significant	**Mitigation Measure BIO-1: Preconstruction Burrowing Owl Surveys,** listed above. **Mitigation Measure BIO-2: Sensitive Wildlife Surveys,** listed above. **Mitigation Measure BIO-3: Migratory Bird Treaty Act,** listed above. **Mitigation Measure BIO-4: Jurisdiction Waters,** listed above. **Mitigation Measure BIO-5: Relocation of Desert Native Plants (Hesperia Municipal Code Chapter 16.24),** listed above. **Mitigation Measure BIO-6: Western Joshua tree Lands (CESA),** listed above.	Less than significant
5.4 Cultural Resources				
Impact CUL-1: Would the Project cause a substantial adverse change in the significance of a historical	**PPP CUL-1: Human Remains.** Should human remains or funerary objects be discovered	Less than Significant	None required.	Less than significant

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
resource pursuant to § 15064.5?	during Project construction, the Project would be required to comply with State Health and Safety Code Section 7050.5, which states that no further disturbance may occur in the vicinity of the body (within a 100-foot buffer of the find) until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine the identity of and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD must complete the inspection within 48 hours of notification by the NAHC.			
Impact CUL-2: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?.		Potentially Significant	**Mitigation Measure CUL-1: Archaeological Monitoring.** Prior to the issuance of the first grading permit, the applicant shall provide a letter to the City Planning Division, or designee, from a qualified professional archeologist meeting the Secretary of Interior's Professional Qualifications for Archaeology as defined at 36 CFR Part 61, Appendix A, stating that qualified archeologists have been retained and will be present at pre-grade meetings and for all initial ground disturbing activities, up to five feet in depth. In the event that a resource is inadvertently discovered during ground-disturbing activities, work must be halted within 50 feet of the find until it can be evaluated by the qualified archaeologist. Construction activities could continue in other areas. If the find is considered a "resource" the archaeologist shall pursue either protection in place or recovery, salvage and treatment of the deposits. Recovery, salvage and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines	Less than significant

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			15064.5 and 15126.4 in consultation with the City. Per CEQA Guidelines Section 15126.4(b)(3), preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources. Consistent with CEQA Guidelines Section 15126.4(b)(3)(C), if unique archaeological resources cannot be preserved in place or left in an undisturbed state, recovery, salvage, and treatment shall be required at the developer/applicant's expense.	
Impact PAL-1: Would the Project directly destroy or indirectly destroy a unique paleontological resource or site or unique geologic feature?		Potentially Significant	**Mitigation Measure PAL-1: Paleontological Resource Management Plan.** Prior to the start of construction, a Paleontological Resources Management Plan (PRMP) shall be prepared by a qualified Paleontologist and include the following procedures: • Paleontological spot checks during ground-disturbing activities greater than 6 feet below the current ground surface, in order to identify if moderate sensitivity middle to early Pleistocene-age very old axialchannel deposits (Qvoa) are being impacted. If sensitive sediments are observed, then paleontological monitoring will continue on a full-time basis in	Less than significant

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			those areas. • Development of an inadvertent discovery plan to expediently address treatment of paleontological resources should any be encountered during development associated with the Project. If these resources are inadvertently discovered during ground-disturbing activities, work must be halted within 50 feet of the find until it can be evaluated by a qualified paleontologist. Construction activities could continue in other areas. If the discovery proves to be significant, additional work, such as fossil collection and curation, may be warranted and would be discussed in consultation with the appropriate regulatory agency(ies).	
Cumulative		Less than significant	None required	Less than significant
5.5 Energy				
Impact E-1: Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?		Less than significant	None required	Less than significant

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact E-2: Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?		Less than significant	None required	Less than significant
Cumulative		Less than significant	None required	Less than significant
5.6 Greenhouse Gas Emissions				
Impact GHG-1: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		Less than significant	None required	Less than significant
Impact GHG-2: Would the Project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?		Less than significant	None required	Less than significant
Cumulative		Less than significant	Non required	Less than significant
5.7 Hydrology and Water Quality				
Impact WQ-1: Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	**PPP WQ-1: NPDES/SWPPP.** Prior to issuance of any grading or demolition permits, the applicant shall provide the County Building and Safety Division evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the	Less than significant	None required	Less than significant

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
	State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of one acre or larger. The Project applicant/proponent shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) and a monitoring program and reporting plan for the construction site. **PPP WQ-2: WQMP.** Prior to the approval of the Grading Plan and issuance of Grading Permits a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the Public Works Department. The WQMP shall be submitted using the San Bernardino County Stormwater Program's model form and shall identify all Post-Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.			
Impact WQ-2: Would the Project substantially decrease		Less than significant	None required	Less than significant

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?				
Impact WQ-3: 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 addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?.	**PPP WQ-1:** NPDES/SWPPP, listed above. **PPP WQ-2:** WQMP, listed above.	Less than significant	None required	Less than significant
Impact WQ-4: 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 addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	**PPP WQ-1:** NPDES/SWPPP, listed above. **PPP WQ-2:** WQMP, listed above.	Less than significant	None required	Less than significant
Impact WQ-5: 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 addition of impervious surfaces, in a manner which would create or contribute	**PPP WQ-1:** NPDES/SWPPP, listed above. **PPP WQ-2:** WQMP, listed above.	Less than significant	None required	Less than significant

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				
Impact WQ-6: 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 impede or redirect flood flows?		Less than significant	None required	Less than significant
Impact WQ-7: Would the Project be located in flood hazard, tsunami, or seiche zones, and risk release of pollutants due to Project inundation?		Less than significant	None required	Less than significant
Impact WQ-8: Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	**PPP WQ-2:** WQMP, listed above.	Less than significant	None required	Less than significant
Cumulative	**PPP WQ-1:** NPDES/SWPPP, listed above. **PPP WQ-2:** WQMP, listed above.	Less than significant	None required	Less than significant
5.8 Noise				
Impact NOI-1: Would the Project result in generation of a substantial		Less than significant	None required	Less than significant

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
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?				
Impact NOI-2: Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?		Less than significant	None required	Less than significant
Cumulative		Less than significant	None required	Less than significant
5.9 Transportation				
Impact TR-1: 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	None required	Less than significant
Impact TR-2: Would the Project conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?		Less than significant	None required	Less than significant
Impact TR-3: 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?		Potentially Significant	None feasible	Significant and unavoidable
Cumulative		Less than significant	None required	Less than significant

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
5.10 Tribal Cultural Resources				
Impact TCR-1: 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)?	**PPP TCR-1**: Native American historical and cultural resources and sacred sites are protected under PRC Sections 5097.9 to 5097.991, which require that descendants be notified when Native American human remains are discovered and provide for treatment and disposition of human remains and associated grave goods. **PPP CUL-1: Human Remains,** as listed above.	Potentially Significant	**MM CUL-1: Archaeological Resources,** as listed above. **Mitigation Measure 6:** The landowner will relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project area to the appropriate Tribe for proper treatment and disposition.	No Impact
Impact TCR-2: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria		Potentially significant		Less than significant

Impact	Applicable Standard Conditions, Plan, Program, Policy (PPP), or Project Design Feature (PDF)	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe**?**				
Cumulative	**PPP TCR-1**, as listed above. **PPP CUL-1**, as listed above.	Potentially significant	**Mitigation Measure CUL-1**, as listed above. **Mitigation Measure 6**, as listed above.	Less than significant
5.11 Utilities and Service Systems				
Impact UT-1: Would the Project require or result in the relocation or construction of new water facilities, the construction or relocation of which could cause significant environmental effects?		Less than significant	None required	Less than significant
Cumulative		Less than significant	None required	Less than significant

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2.0 Introduction

This Draft Environmental Impact Report (EIR) evaluates the environmental effects that may result from the construction and operation of the proposed Project. This EIR has been prepared by the City of Hesperia in its capacity as Lead Agency, as that term is defined in Section 15367 of the California Environmental Quality Act (CEQA) Guidelines (14 California Code of Regulations Section 15000 et seq.) and in conformance with CEQA (Public Resources Code Section 21000 et seq.). This EIR has been prepared to identify, analyze, and mitigate the significant environmental effects of the proposed Project.

CEQA requires each EIR to reflect the independent judgment of the Lead Agency, including but not limited to the thresholds of significance used to analyze Project impacts, analyses and conclusions regarding the level of significance of impacts both before and after mitigation, the identification and application of mitigation measures to avoid or reduce Project-related impacts, and the consideration of alternatives to the proposed Project. In preparing this EIR, the applicant has employed CEQA and environmental technical specialists; however, the analyses and conclusions set forth in this EIR reflect the independent judgment of the City of Hesperia as Lead Agency.

2.1 PURPOSE OF AN EIR

CEQA requires that all state and local governmental agencies consider the environmental consequences of projects over which they have discretionary authority prior to taking action on those projects. Pursuant to the provisions of CEQA Guidelines Section 15121(a), this EIR is intended as an informational document to inform public agency decision makers and the general public of the significant environmental effects of the proposed Project, identify possible ways to avoid or minimize those significant effects, and describe reasonable alternatives to the Project that might avoid or lessen significant environmental effects. Thus, this EIR is intended to aid the review and decision-making process.

The CEQA Guidelines provide the following information regarding the purpose of an EIR:

- Project Information and Environmental Effects. An EIR is an informational document that will inform public agency decision-makers and the public generally of the significant environmental effect(s) of a Project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the Project. The public agency shall consider the information in the EIR along with other information that may be presented to the agency (CEQA Guidelines Section 15121(a)).

- Standards for Adequacy of an EIR. An EIR should be prepared with a sufficient degree of analysis to enable decision makers to make an intelligent decision that takes account of environmental consequences. An evaluation of the environmental effects of a proposed Project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure (CEQA Guidelines Section 15151).

As a public disclosure document, the purpose of an EIR is not to recommend either approval or denial of a Project, but to provide information regarding the physical environmental changes that would result from an action being considered by a public agency to aid in the agency's decision-making process.

2.2 EIR SCOPE AND CONTENT

Impacts Found to Be Potentially Significant. The City determined that an EIR should be prepared for the Mesa Linda Street Development Project. As a result, a Notice of Preparation (NOP) was prepared and circulated between September 23, 2022 and October 23, 2022 for the required 30-day review period. The purpose of the NOP was to solicit early comments from public agencies with expertise in subjects that are discussed in this Draft EIR. The NOP and written responses to the NOP are contained in Appendix A of this Draft EIR. The City of Hesperia also held a scoping meeting for the Project to solicit oral and written comments from the public and public agencies. The public scoping meeting was held on October 13, 2022. No comments were received during the scoping meeting. Topics requiring a detailed level of analysis evaluated in this Draft EIR have been identified based upon the responses to both the NOP and a review of the Project by the City of Hesperia. The City determined through the initial review process that impacts related to the following topics are potentially significant and require a detailed level of analysis in this Draft EIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources (with Paleontological)
- Energy
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Noise
- Transportation
- Tribal Cultural Resources
- Utilities

Impacts Found Not to Be Significant. CEQA Guidelines Section 15126.2(a) states that "[a]n EIR shall identify and focus on the significant effects on the environment". Topics that have been determined not to be significant and are therefore not discussed in detail in the Draft EIR were identified based upon the responses to the NOP and a review of the Project by the City of Hesperia. The City determined through the initial review process that impacts related to the following topics are not potentially significant and are not required to be analyzed in this Draft EIR:

- Agriculture & Forest Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Land Use/Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Wildfire

2.3 IMPACTS FOUND NOT TO BE SIGNIFICANT

CEQA Guidelines Section 15126.2(a) states that "[a]n EIR shall identify and focus on the significant effects on the environment". However, CEQA Guidelines Section 15128 requires that an EIR contain a statement briefly indicating the reasons that various possible effects of a Project were determined not to be significant and were therefore not discussed in detail in the EIR. Environmental issue areas that would not be potentially impacted or be significantly impacted by the proposed Project are included as Appendix A, Initial Study NOP and NOP Comments.

2.4 EIR PROCESS

Notice of Preparation/Initial Study

Pursuant to the requirements of CEQA, the City of Hesperia, as Lead Agency, prepared a Notice of Preparation (NOP) for the proposed Project included as Appendix A, which was distributed on September 23, 2022 for a 30-day public review and comment period that ended on October 23, 2022. The NOP requested members of the public and public agencies to provide input on the scope and content of environmental impacts that should be included in the Draft EIR being prepared. Comments received on the NOP are included in Appendix A and summarized in Table 2-1, which also includes a reference to the Draft EIR section(s) in which issues raised in the comment letters are addressed.

Table 2-1: Summary of NOP/Initial Study Comment Letters

Comment Letter and Comment	Relevant EIR Section
State Agencies	
Native American Heritage Commission (NAHC), September 28, 2022	
The comment includes a description of requirements regarding requirements for preparation of an Environmental Impact Report (EIR) pursuant to CEQA Guidelines Section 15064. Additionally, the commenter provides requirements and project applicability under Assembly Bill 52 (AB 52) and Senate Bill 18 (SB 18). The commenter recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of the proposed project as early as possible. The commenter provides a summary of requirements for AB 52 and SB 18 process.	Section 5.10 Tribal Cultural Resources
Mohave Desert Air Quality Management District (MDAQMD), September 29, 2022	
The comment summarizes the commenter's understanding of the proposed project. The comment states that based on MDAQMD's understanding of the project and available information at the time of comment, several mitigation measures would be required to be implemented as detailed in the comment letter. Additionally, the commenter recommends that the operator obtain permit for any miscellaneous process equipment that may not be exempt under District Rule 219, such as internal combustion engines with a manufacturer's maximum continuous rating greater than or equal to 50 brake horsepower.	Section 5.2 Air Quality Section 5.6 Greenhouse Gas Emissions
Interested Parties	
Californians Allied for a Responsible Economy (CARE CA), October 5, 2022	
The comment summarizes the commenter's understanding of the proposed project. The commenter, CARE CA, provides that their mission is to ensure development projects minimize environmental and public service impacts and maximize community economic and employment benefits. The commenter states that they would like to meet with the project proponent to discuss the coalition's interests and concerns.	Not applicable
Center for Biological Diversity, October 6, 2022	
The comment states that the Project site is home to a natural community of concern, western Joshua tree South population. The comment expresses concern regarding the diminishment	Section 5.3 Biological Resources

Comment Letter and Comment	Relevant EIR Section
of western Joshua tree habitat due to increasing development. The commenter requests that the Draft EIR, and associated mitigation, should carefully study and disclose (direct and indirect) impacts as a result of the removal of existing Joshua trees, and to take all necessary and prudent actions to mitigate potential impacts. The commenter states that while relocation of Joshua trees on the Project site would fulfill requirements of the City's Municipal Code Section 16.24, relocation would not be considered adequate mitigation to satisfy requirements of the California Endangered Species Act (CESA) for the Project. The commenter provides several suggested items that an appropriate relocation plan should include if developed as part of the Project. Further, the commenter asserts that Joshua trees impacted as a result of the Project should be mitigated at a 5:1 ratio. This could be conducted through credit purchase or through a land trust/conservation easement.	
Californians Allied for a Responsible Economy (CARE CA), October 24, 2022	
This comment letter provides a summary of the commenter's project understanding. The commenter requests that all feasible mitigation and a study of a reasonable range of alternatives be included, including at least two environmentally superior alternatives to the Project. Additionally, the commenter states that the project description provided in the Initial Study of the NOP is vague and the EIR should include clear assumptions of the type of high-cube warehouse use that would occupy the proposed warehouse. Additionally, the commenter states that cold storage should be included in the Project modeling to provide a conservative estimate of impacts. Further, if the Project would not include cold storage, the commenter states the Project must include California Air Resources Board (CARB) recommended design measures, which includes contractual language in the future tenant lease agreements or restrictive covenant to prohibit cold storage uses. The comment also requests that a construction and operational mobile source Health Risk Assessment be prepared for the Project, which includes the emissions from backup generators.	Section 5.2 Air Quality Section 5.6 Greenhouse Gas Emissions

Public Scoping Meeting

Pursuant to Section 15082(c)(1) of the CEQA Guidelines, the City of Hesperia hosted a public scoping meeting for members of the public and public agencies to provide input as to the scope and content of the environmental information and analysis to be included in the Draft EIR for the proposed Project. The scoping meeting was held on October, 2022 at 5:30 p.m. in-person at the City's Council Chambers.

Public Review of the Draft EIR

The City of Hesperia filed a Notice of Completion with the Governor's Office of Planning and Research, State Clearinghouse, indicating that this Draft EIR has been completed and is available for review. A Notice of Availability of the Draft EIR was published concurrently with distribution of this document. The Draft EIR is being circulated for review and comment by the public and other interested parties, agencies and organizations for 45 days in accordance with Section 15087 and Section 15105 of the CEQA Guidelines.

During the 45-day review period, the Draft EIR is available for public review digitally on the City's website: (https://www.cityofhesperia.us/312/Planning).

Written comments related to environmental issues in the Draft EIR should be addressed to:

Ryan Leonard, Senior Planner
City of Hesperia Planning Department
9700 Seventh Avenue
Hesperia, California 92345
Phone: (760) 947-1651
Email: rleonard@cityofhesperia.us

Final EIR

Upon completion of the 45-day review period, written responses to all comments related to the environmental issues in the Draft EIR will be prepared and incorporated into a Final EIR. The written responses to comments will be made available at least 10 days prior to the public hearing at which the certification of the Final EIR will be considered. These comments, and their responses, will be included in the Final EIR for consideration by the City, as well as other responsible agencies per CEQA. The Final EIR may also contain corrections and additions to the Draft EIR, and other information relevant to the environmental issues associated with the Project. The Final EIR will be available for public review prior to its certification by the City. Notice of the availability of the Final EIR will be sent to all who commented on the Draft EIR.

2.3 ORGANIZATION OF THIS DRAFT EIR

The Draft EIR is organized into the following Sections. To help the reader locate information of interest, a brief summary of the contents of each chapter of this Draft EIR is provided.

- **Section 1 Executive Summary:** This section provides a brief summary of the Project area, the proposed Project, and alternatives. The section also provides a summary of environmental impacts and mitigation measures that lists each identified environmental impact, applicable Project design features, standard conditions, proposed mitigation measure(s) (if any), and the level of significance after implementation of the mitigation measure. The level of significance after implementation of the proposed mitigation measure(s) will be characterized as either less than significant or significant and unavoidable.

- **Section 2 Introduction:** This section provides an overview of the purpose and use of the EIR, the scope of this EIR, a summary of the legal authority for the EIR, a summary of the environmental review process, and the general format of the document.

- **Section 3 Project Description:** This section provides a detailed description of the proposed Project, its objectives, and a list of Project-related discretionary actions.

- **Section 4 Environmental Setting:** This section provides a discussion of the existing conditions within the Project area.

- **Section 5 Environmental Impact Analysis:** This section includes a summary of the existing statutes, ordinances and regulations that apply to the environmental impact area being discussed; the analysis of the Project's direct and indirect environmental impacts on the environment, including potential cumulative impacts that could result from the proposed Project; any applicable Project design features; standard conditions and plans, policies, and programs that could reduce potential impacts; and the feasible mitigation measures that would reduce or eliminate the significant adverse

impacts identified. Impacts that cannot be mitigated to less than significant are identified as significant and unavoidable.

This section also summarizes the significant and unavoidable impacts that would occur from implementation of the proposed Project and provides a summary of the environmental effects of the implementation of the proposed Project that were found not to be significant. Additionally, this section provides a discussion of various CEQA-mandated considerations including growth-inducing impacts and the identification of significant irreversible changes that would occur from implementation of the proposed Project.

- **Section 6 Other CEQA Considerations:** This section describes and analyzes the Project's impacts on potential growth inducement and significant irreversible effects.
- **Section 7 Effects Not Found Significant:** This section describes effects not found significant pursuant to CEQA Guidelines Section 15128, which requires that an EIR contain a statement briefly indicating the reasons that various possible effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.
- **Section 8 Alternatives:** This section describes and analyzes a reasonable range of alternatives to the proposed Project. The CEQA-mandated No Project Alternative is included along with alternatives that would reduce one or more significant effects of the proposed Project. As required by the CEQA Guidelines, the environmentally superior alternative is also identified.
- **Section 9 Document Preparers and Persons Contacted:** This section lists authors of the Draft EIR and City staff who assisted with the preparation and review of this document. This section also lists other people who were contacted for information that is included in this EIR document.

2.4 INCORPORATION BY REFERENCE

State CEQA Guidelines Section 15150 allows for the incorporation "by reference all or portions of another document…[and is] most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of a problem at hand." The purpose of incorporation by reference is to assist the Lead Agency in limiting the length of this Draft EIR. Where this EIR incorporates a document by reference, the document is identified in the body of the Draft EIR, citing the appropriate section(s) of the incorporated document and describing the relationship between the incorporated part of the referenced document and this Draft EIR.

The Project is within the geographical limits of the City of Hesperia and is covered by the Main Street and Freeway Corridor Specific Plan (MSFC-SP). The MSFC-SP provides the fundamental basis for the Specific Plan area's land use and development policies. The MSFC-SP was the subject of an environmental review under CEQA; a Program EIR for the MSFC-SP was certified by the City in 2008 (State Clearinghouse Number 2006041101). The Program EIR contains information relevant to the Project. Accordingly, the Program EIR for the MSFC-SP is herein incorporated by reference in accordance with State CEQA Guidelines Section 15150. The documents are available at https://www.cityofhesperia.us/312/Planning and the City of Hesperia, Planning Department, 9700 Seventh Avenue, Hesperia, California 92345.

3.0 Project Description

3.1 PROJECT LOCATION

The proposed Project site is located within the northwestern portion of the City of Hesperia, northwest of the Poplar Street and Mesa Linda Street intersection. Regional access to the Project site is provided by Interstate 15 (I-15) and Highway 395. Local access to the site is provided from Mesa Linda Street and Poplar Street. Specifically, the Project site is located within Section 22, Township 4 North, Range 5 West, San Bernardino Base and Meridian (SBB&M) of the Baldy Mesa United States Geological Survey (USGS) 7.5-minute topographic quadrangle.

The Project site encompasses approximately 18.16 acres and is comprised of two parcels identified as Assessor's Parcel Numbers (APNs) 306-458-102 and 306-458-103. The Project site and surrounding area is shown in *Figure 3-1, Regional Location*, and *Figure 3-2, Local Vicinity*.

3.2 PROJECT BACKGROUND

Historically, the Project site has supported a vacated portion of Lane's Crossing Toll Road, a 5-foot-wide unpaved road trending southwest from Bear Valley Road, and a former homestead. The site is relatively flat with a gentle slope from the southwest to the northeast. The Project site is currently vacant and undeveloped and contains moderate coverage of natural grasses and weeds. The Project site's existing conditions are shown in *Figure 3-3, Aerial View*. The existing land uses and conditions of the Project site are further described in Chapter 4, *Environmental Setting*.

3.3 PROJECT OBJECTIVES

The Project site plan has been designed to meet a series of Project-specific objectives that have been carefully crafted in order to aid decision makers in their review of the Project and its associated environmental impacts. The primary purpose and goal of the Project is to develop an underutilized property with a warehouse/distribution use to provide an employment-generating use to help grow the economy in the City of Hesperia. The Project would achieve this goal through the following objectives:

1. To make efficient use of the property in the City of Hesperia by adding to its potential for employment-generating uses.
2. To attract new business and employment to the City of Hesperia and thereby promote economic growth.
3. To reduce the need for members of the local workforce to commute outside the Project vicinity to work.
4. To develop an underutilized property with an industrial warehouse building near available infrastructure, including roads and utilities, to help meet demand for logistics business in the City and surrounding region.
5. To build an industrial warehouse project consistent with the City of Hesperia land use designation and City of Hesperia Development Code regulations.
6. To provide a Project designed to avoid impacts to sensitive land uses through implementation of CARB and SCAQMD recommended setbacks.
7. Develop a project that does not contribute to surface and groundwater quality degradation by treating surface and stormwater flows.

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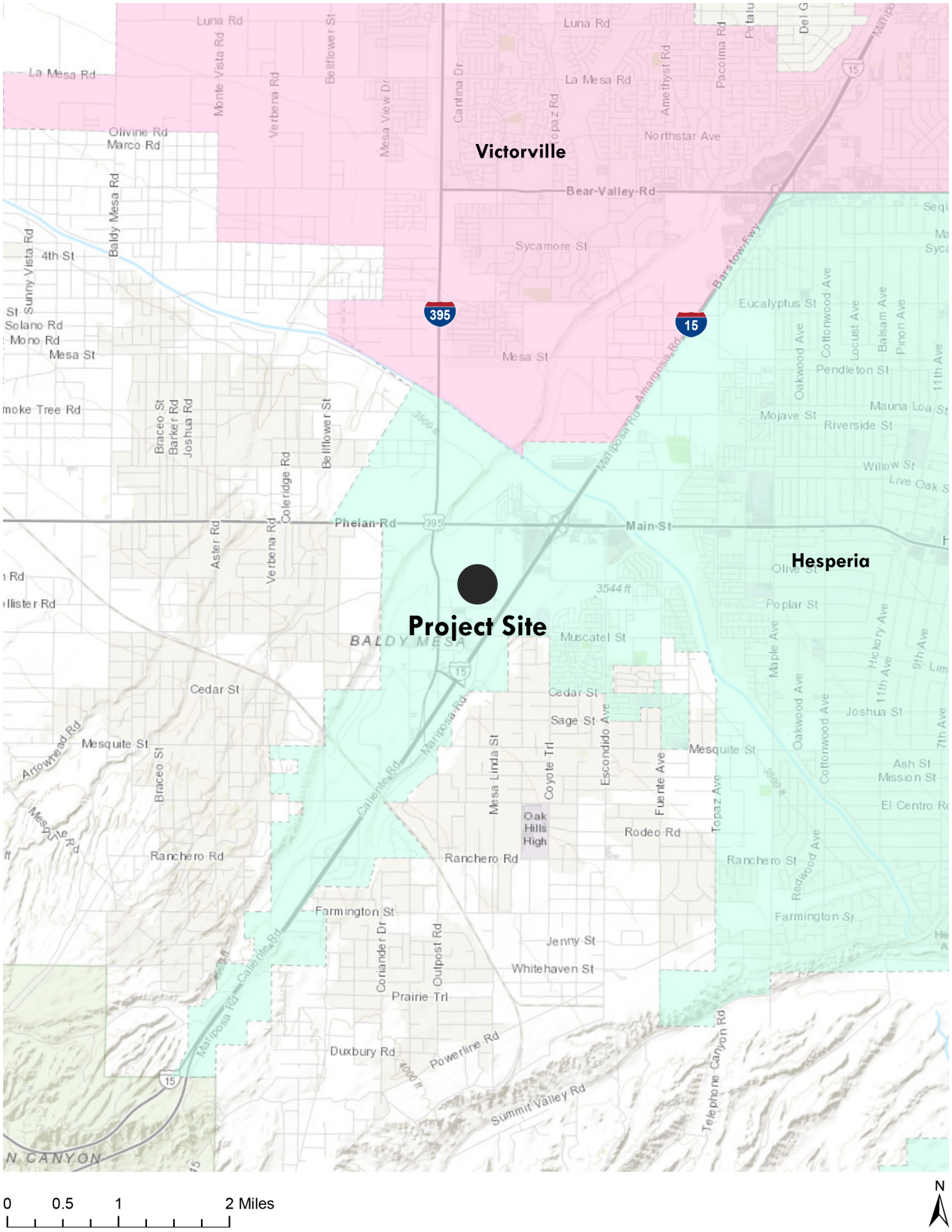
Regional Location



Mesa Linda Logistics Center
City of Hesperia

Figure 3-1

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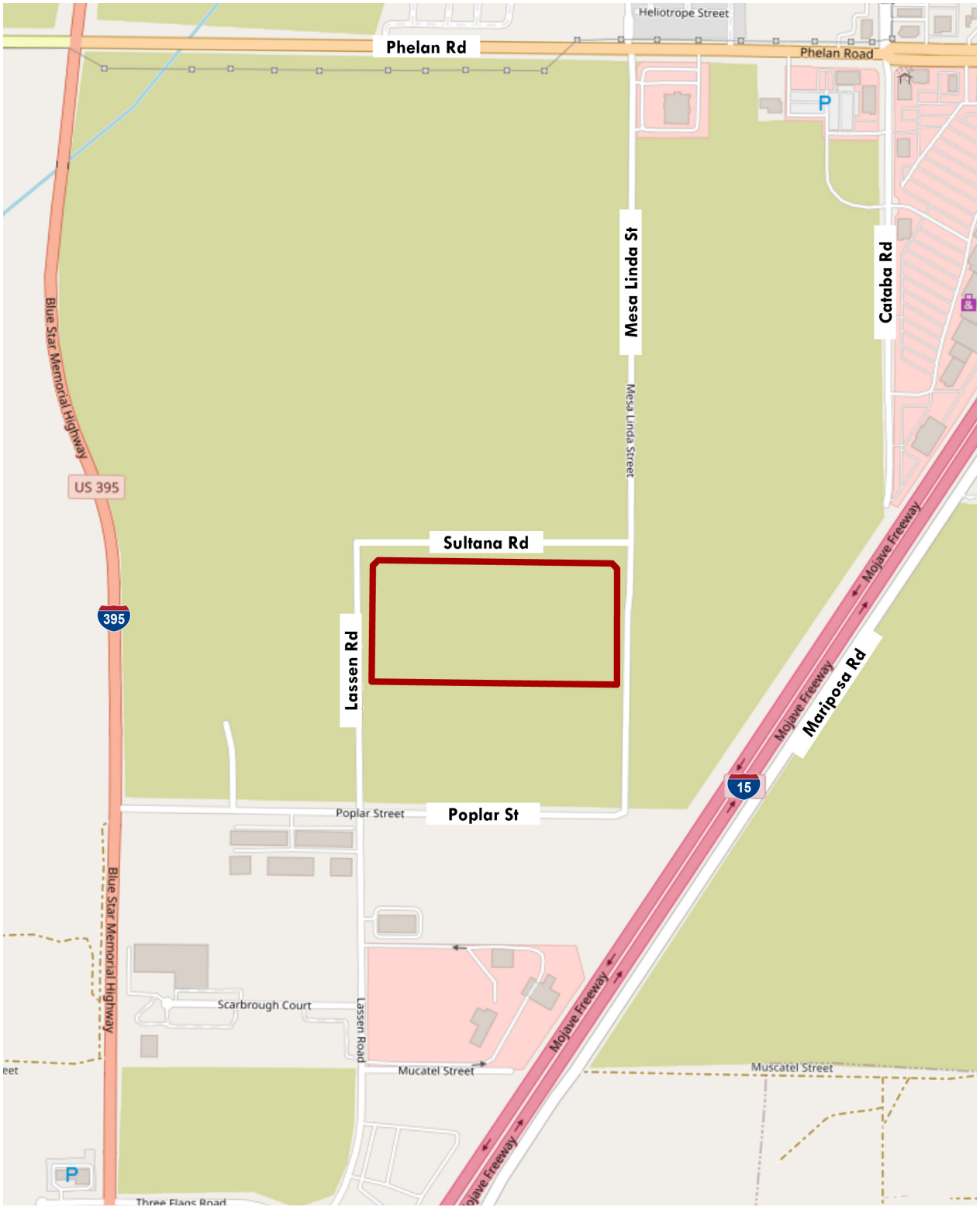
Local Vicinity



Mesa Linda Logistics Center
City of Hesperia

Figure 3-2

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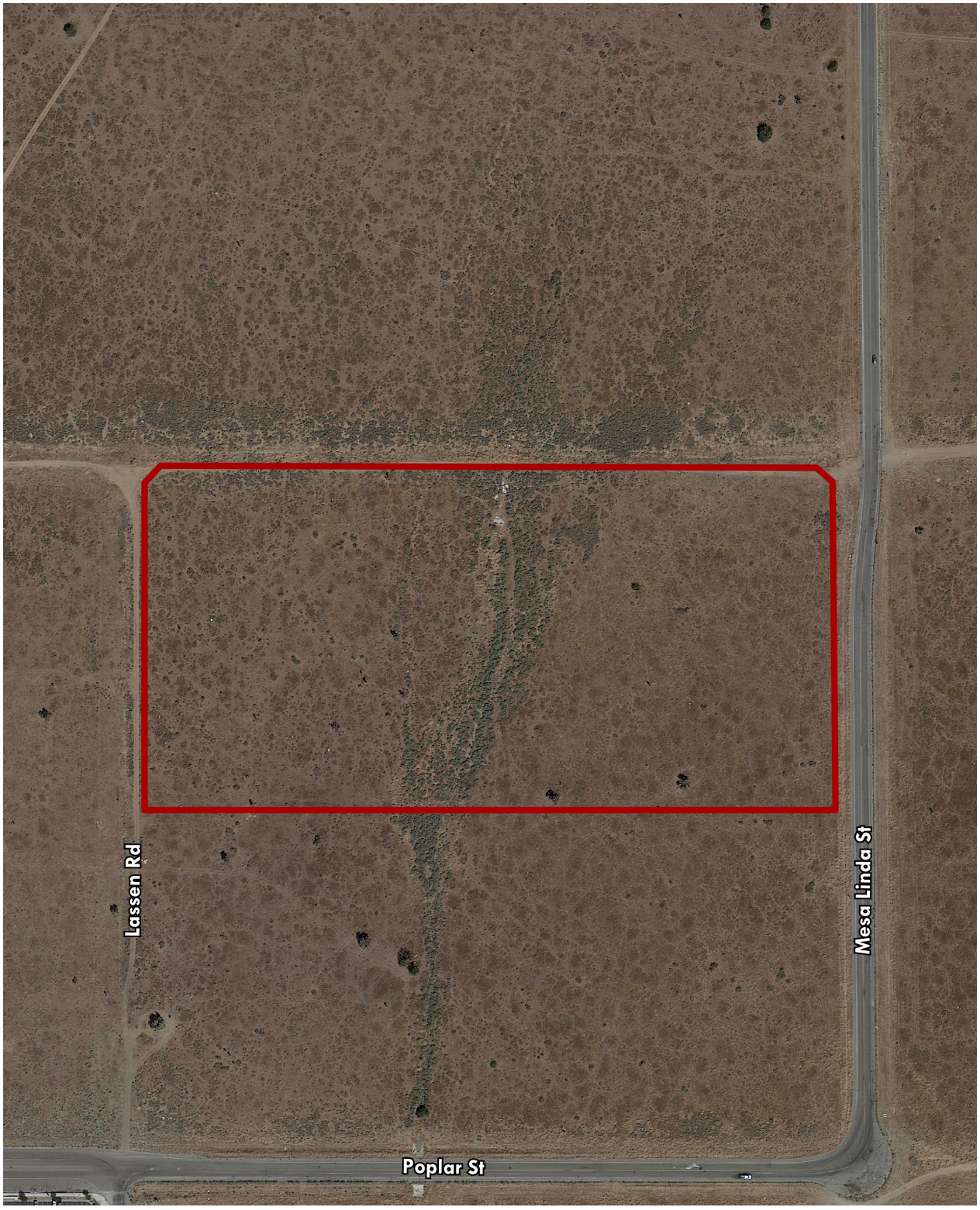
Aerial View



Mesa Linda Logistics Center
City of Hesperia

Figure 3-3

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3.4 PROJECT CHARACTERISTICS

"Project," as defined by the State CEQA Guidelines, means:

"…the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following: (1)…enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100–65700." (14 Cal. Code of Reg. § 15378(a).

The Project analyzed in this Draft EIR would be developed in one phase and constructed over approximately 16 months. The Draft EIR analyzes buildout at a Project level of detail, based upon entitlement applications being considered by the City of Hesperia, compared to the existing conditions.

3.5 EXISTING LAND USE AND ZONING

The Project site has a General Plan land use designation of Main Street and Freeway Corridor Specific Plan (MSFC-SP). Within the MSFC-SP, the Project site is zoned as Commercial/Industrial Business Park (CIBP). The MSFC-SP states that the CIBP designation is intended to create employment-generating uses in a business park setting. The zone allows development of commercial, light industrial, light manufacturing, and industrial support uses, mainly conducted in enclosed buildings. Pursuant to the MSFC-SP, approval of a Conditional Use Permit (CUP) is required for warehouses greater than 200,000 square feet (SF) in the CIBP zone. The MSFC-SP allows a Floor Area Ratio (FAR) of 0.5.

3.5.1 SURROUNDING GENERAL PLAN AND ZONING DESIGNATIONS

The Project site is located within a predominately undeveloped area with sparse light industrial development to the south. The surrounding land uses are described in Table 1.

Table 3-1: Surrounding Existing Land Use, Zoning, and Specific Plan Designations

	Existing Land Use	General Plan Designation	Zoning Designation
North	Vacant and undeveloped	Main Street and Freeway Corridor Specific Plan (MSFC-SP)	Regional Commercial (RC)
East	Vacant and undeveloped, I-15 Project proposed for development of two industrial buildings (I-15 Industrial Park)	Main Street and Freeway Corridor Specific Plan (MSFC-SP)	Commercial/Industrial Business Park (CIBP)
South	Vacant and undeveloped and light industrial uses	Main Street and Freeway Corridor Specific Plan (MSFC-SP)	Commercial/Industrial Business Park (CIBP)
West	Vacant and undeveloped Project proposed for development of two industrial buildings (I-15 Industrial Park)	Main Street and Freeway Corridor Specific Plan (MSFC-SP)	Commercial/Industrial Business Park (CIBP)

3.6 DESCRIPTION OF THE PROJECT

Project Overview

The proposed Project would include development of a one-story, 408,997 SF warehouse building on the 18.16-acre site. The proposed warehouse building would have a building footprint of 402,997 SF and a mezzanine of 6,000 SF. Additional improvements would include landscaping, sidewalks, utility connections, implementation of stormwater facilities, and pavement of parking areas and driveways.

Building and Architecture

The proposed building would provide approximately 402,997 SF, inclusive of 396,997 SF for warehouse use and 6,000 SF for office use, and a 6,000 SF mezzanine for additional office use (12,000 SF of office use total). The proposed building would result in an FAR of 0.47[1]. Figure 3-4, C*onceptual Site Plan,* illustrates the proposed site plan.

As shown in Figure 3-5, *Elevations*, the proposed Project building would be single-story and approximately 55 feet tall. The Project would establish an architectural presence through emphasis on building finish materials and consistent material usage and color scheme. The building would also be set back from both street frontages and landscaping would be provided along Sultana Street, Mesa Linda Street, Lassen Street and along the southern property line in order to screen buildings and loading docks. The use of landscaping, building layout, finish materials, and accenting on the Project site would create a quality architectural presence along Mesa Linda Street.

Circulation and Street Improvements

Access to the proposed Project would be provided via four driveways, two from Lassen Street and two from Mesa Linda Street. The northernmost driveway along Mesa Linda Street would be 30 feet wide and dedicated to emergency access only. The southernmost driveway along Mesa Linda Street would be 40 feet wide and would provide access for trucks and passenger vehicles. The northernmost driveway along Lassen Street would be 30 feet wide and limited to passenger vehicles only. The southernmost driveway along Lassen Street would be 40 feet wide and would provide access for trucks and passenger vehicles. Internal circulation would be provided via 30-foot drive aisles. Access to trailer stalls and loading dock areas would be controlled through the use of swinging and sliding gates.

A 14-foot sidewalk would be constructed along the Project frontages on Lassen Street, Sultana Street, and Mesa Linda Street. Sidewalk area would be dedicated to the City as part of the Project.

Parking

Truck loading docks would be located along the south side of the building. The building would include 54 loading dock doors. The Project would also provide 57 trailer stalls located opposite of the loading dock doors on the south side of the Project site. Additionally, the building would provide 213 standard vehicle parking stalls with 7 electric vehicle/clean air/carpool spaces.

[1] Note: The City of Hesperia calculates FAR based upon the gross lot acreage. The gross lot acreage is defined to include the property dimensions up to the centerline of the street (Hesperia Municipal Code Section 16.08).

Table 3-2: Project Parking

Land Use Parking Requirement	Parking Spaces Required	Parking Provided
3.33 stall for every 1,000 square feet of office space	40	-
20 stalls plus 0.4 stall for every 1,000 square feet of warehouse	179	-
Accessible Parking Stalls		*7*
Total Parking Stalls	**219**	**220**
Truck Trailer Parking Stalls		*57*

Landscaping and Walls

The proposed Project includes approximately 117,306 SF of ornamental landscaping that would cover approximately 15.35 percent of the site, as shown in Figure 3-6, *Proposed Landscape Plan*. Proposed landscaping would include 24-inch and 36-inch box trees, various shrubs, and ground covers to screen the proposed building, infiltration/detention basin, and parking and loading areas from off-site viewpoints. Proposed landscaping would extend around the perimeter of the Project site and in between the parking areas. Sliding gates are proposed at the east and west entrances to the internal truck court.

Energy and Communications Utilities

Regulated electrical, gas and communication utilities would be extended to the site from existing facilities along Mesa Linda Street and Sultana Street.

Water and Sewer

The Project applicant would install onsite water lines that would connect to the existing 12-inch diameter water line in Sultana Street, as well as install an onsite sewer system that would connect to the existing 10-inch sewer line in Sultana Street.

Drainage

The Project would install new onsite storm drain lines throughout the site. The Project site's runoff would be collected by catch basins and storm drains and conveyed to aboveground and underground infiltration basins. The proposed aboveground stormwater basin and drywell system would be located at the northeast corner of the Project site. The underground stormwater basin would be located within the southeastern portion of the Project site, beneath the proposed automobile parking lot. Curbs and gutters would be installed around the perimeter of the Project site.

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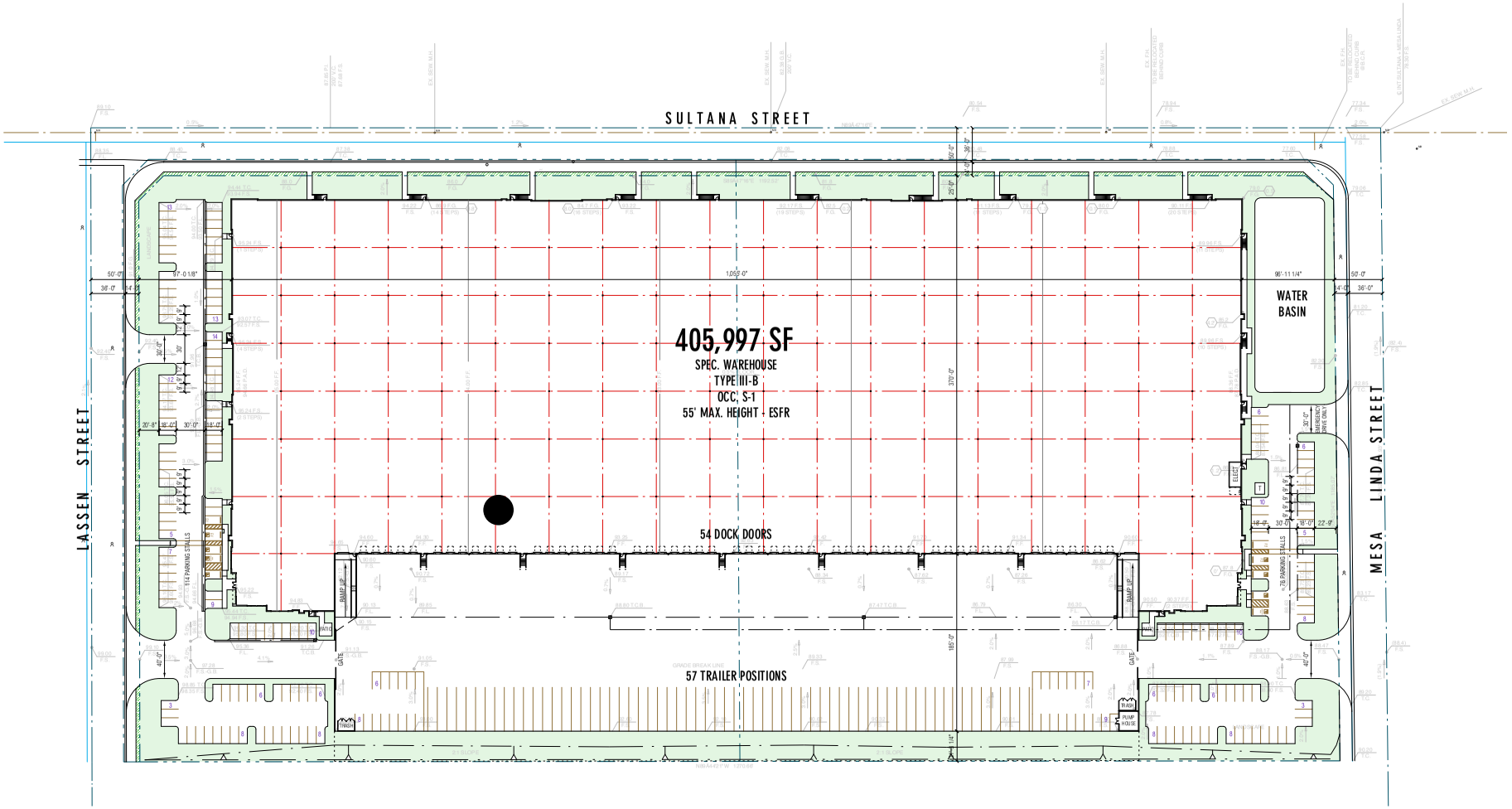
Conceptual Site Plan



Mesa Linda Street Warehouse
City of Hesperia

Figure 3-4

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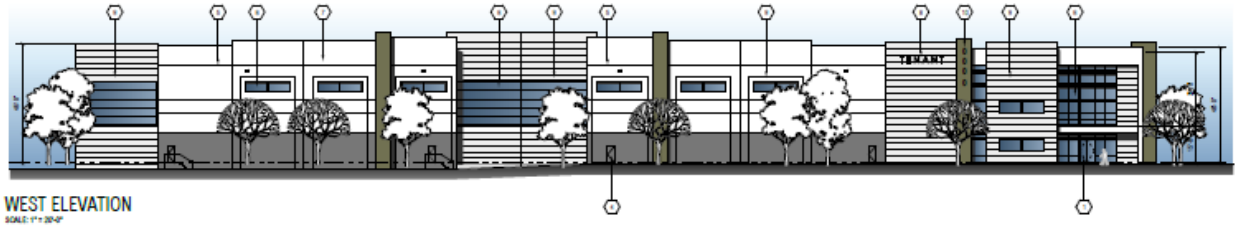
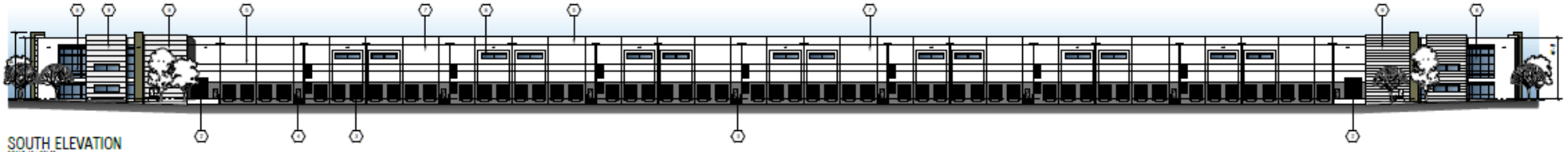
Elevations



WEST ELEVATION



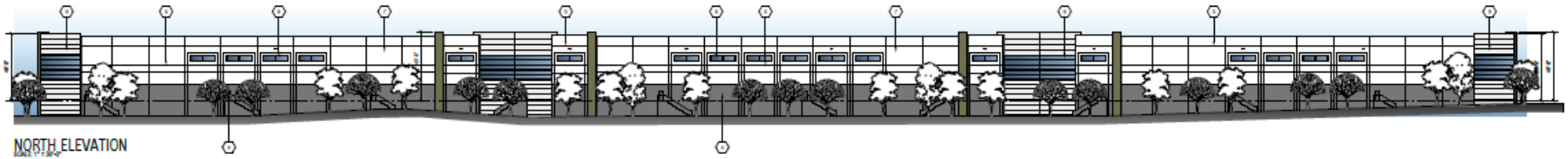
SOUTH ELEVATION

EAST ELEVATION

SIMILAR SITE LIGHTING STYLE 1

FINISH SCHEDULE:

1. FIELD COLOR
FRAZEE - CL 3211W - WASH BASIN
2. LIGHT ACCENT COLOR
FRAZEE - CL 3214M - WAVELENGTH
3. DARK ACCENT COLOR
FRAZEE - CL 3215D - ELF
4. DARK ACCENT COLOR
FRAZEE - CL 3216A - BRANCHLD
5. CANOPIES - ALUCOBOND:
NATURAL BRUSHED GRAPHITE
6. GLASS - PRIMARY WINDOW
PPG SOLARCOOL PACIFICA
7. GLASS - ACCENT COLOR AT ENTRIES
PPG VISTACOOL PACIFICA
8. TOWER ACCENT COLOR
PPG - 11-26



NORTH ELEVATION

Mesa Linda Street Warehouse
City of Hesperia

Figure 3-5

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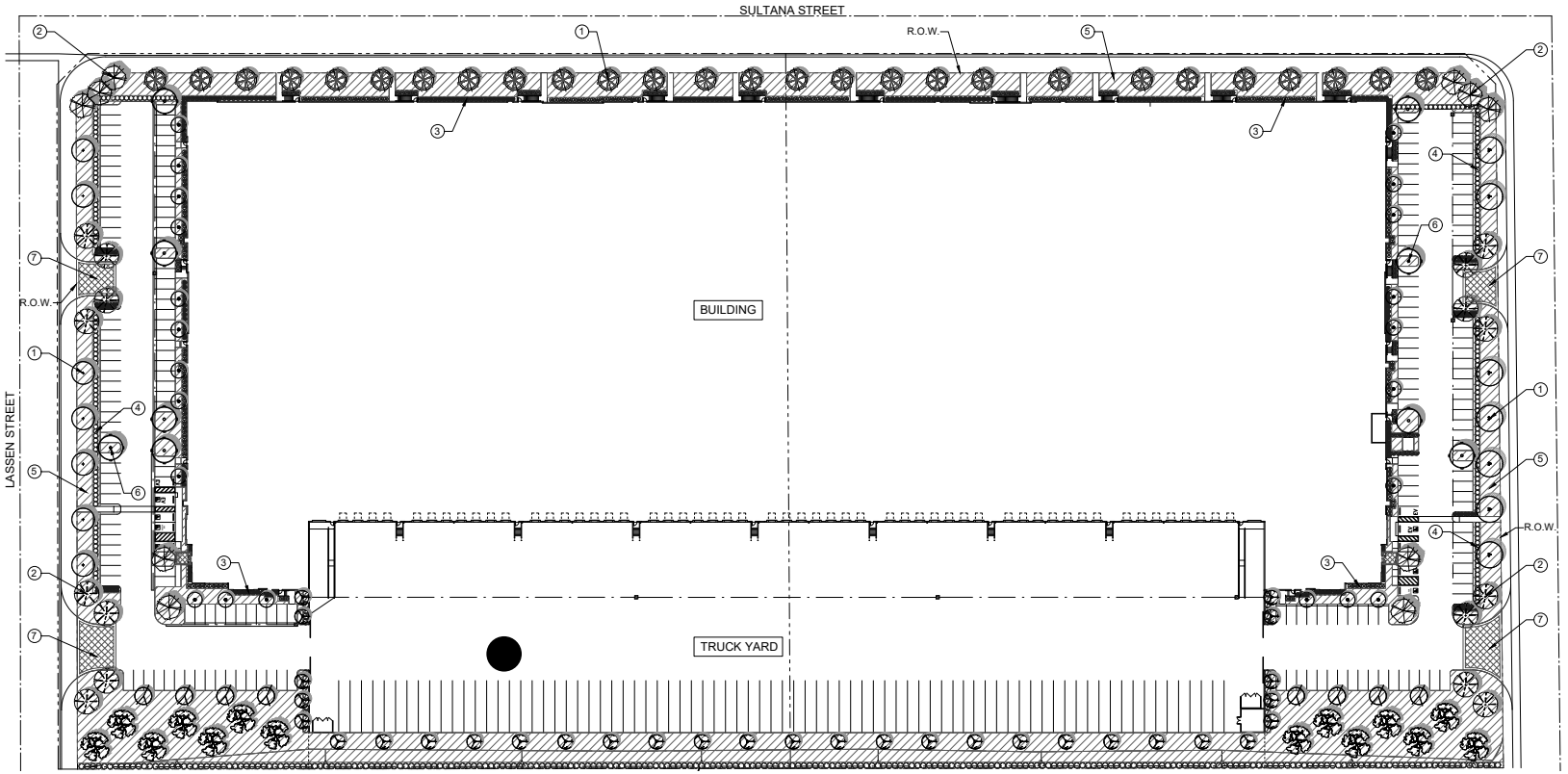
Proposed Landscape Plan



PLANTING LEGEND

TREES			
SYMBOL	TREE NAME	QTY.	WUCOLS
	NEW STREET TREE ALONG SULTANA STREET PROSOPIS CHILENSIS, CHILEAN MESQUITE 24" BOX SIZE.	27	L
	NEW STREET TREE ALONG LASSEN STREET QUERCUS ILEX, HOLLY OAK 24" BOX SIZE.	7	L
	NEW STREET TREE ALONG MESA LINDA STREET PISTACHIA CHINENSIS, CHINESE PISTACHE 24" BOX SIZE.	7	M
	PARKING LOT SHADE TREE ULMUS PARVIFOLIA, EVERGREEN ELM 24" BOX SIZE.	9	L
	FLOWERING ACCENT TREE LAGERSTROEMIA I. 'WATERMELON RED', CRAPE MYRTLE 24" BOX SIZE.	10	L
	FLOWERING ACCENT TREE CERCIDIUM X. 'DESERT MUSEUM', BLUE PALO VERDE 24" BOX SIZE.	16	L
	PLATANUS RACEMOSA, CALIFORNIA SYCAMORE 36" BOX SIZE.	14	M
	VERTICAL TREE ALONG BUILDING PODOCARPUS GRACILIOR, FERN PINE 24" BOX SIZE.	22	M
	EVERGREEN SCREEN TREE PINUS ELDARICA, MONDELL PINE 24" BOX SIZE.	31	L
	CHILOPSIS LINEARIS, DESERT WILLOW 24" BOX SIZE.	8	L

GROUND COVERS & SHRUB MASSES . SHALL CONSIST OF THE FOLLOWING:		
SYMBOL	NAME	WUCOLS
	ROSMARINUS O. 'PROSTRATUS', PROSTRATE ROSEMARY 1 GAL. SIZE @ 24" O.C.	L
	ENCELIA FARINOSE, BRITTLEBUSH 1 GAL. SIZE @ 30" O.C.	L
	CISTUS SPECIES, ROCK ROSE 1 GAL. SIZE @ 24" O.C.	L
	MUHLENBERGIA RIGENS, DEER GRASS 5 GAL. SIZE @ 42" O.C.	L
	HYPTIS EMORYI, DESERT LAVENDER 5 GAL. SIZE @ 42" O.C.	L
	SALVIA CLEVELANDII, CLEVELAND SAGE 5 GAL. SIZE @ 48" O.C.	L
	DIETES, FORTNIGHT LILY 5 GAL. SIZE @ 36" O.C.	L
	OENOTHERA SPECIOSA, MEXICAN EVENING PRIMROSE 1 GAL. SIZE @ 30" O.C.	M
	HESPERALOE PARVIFLORA, RED YUCCA 5 GAL. SIZE @ 42" O.C.	L

NOTE: APPLY A 3" MIN. LAYER OF MULCH TOP DRESSING WITHIN ALL PLANTING AREAS. A SAMPLE IS REQUIRED PRIOR TO APPLICATION.

SHRUBS - SHALL CONSIST OF THE FOLLOWING:		
SYMBOL	NAME	WUCOLS
	DODONAEA V. 'PURPUREA', PURPLE HOPSEED BUSH 5 GAL. SIZE.	L
	ELAEAGNUS PUNGENS, SILVERBERRY 5 GAL. SIZE.	L
	LEUCOPHYLLUM F. 'TEXAS RANGER', TEXAS RANGER 5 GAL. SIZE.	L
	LIGUSTRUM JAPONICA, WAX-LEAF PRIVET 5 GAL. SIZE.	L
	PITTOSPORUM TOBIRA, MOCK ORANGE 5 GAL. SIZE.	L
	RHAPHIOLEPIS INDICA, INDIAN HAWTHORN 5 GAL. SIZE.	L

N

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Operations

Although a tenant has not been identified, the Project building occupant is assumed to be a warehouse distribution and logistics operator, a light manufacturer or a similar industrial use. The buildings are not designed to accommodate any warehouse cold storage or refrigerated uses. For purposes of evaluation in this Draft EIR, the proposed development is assumed to be operational 24 hours a day, 7 days a week, with exterior loading and parking areas illuminated at night. Lighting would be subject to City Development Code Section 16.16.145, which states that outdoor lighting should be positioned so that no direct light extends onto neighboring properties.

A warehouse is primarily used for the storage and/or consolidation of manufactured goods prior to their distribution to retail locations or other warehouses. The buildings are designed such that business operations would be conducted within the buildings, with the exception of traffic movement, parking, trailer connection and disconnection, storage and the loading and unloading of trailers at designated loading bays. The outdoor cargo handling equipment used during loading and unloading of trailers (e.g., yard trucks, hostlers, yard goats, pallet jacks, forklifts) would be non-diesel powered, in accordance with contemporary industry standards.

Dock doors on warehouse buildings would not be occupied by a truck at all times of the day. There are typically many more dock door positions on warehouse buildings than are needed for receiving and shipping volumes. The dock doors that are in use at any given time are usually selected based on interior building operation efficiencies (i.e., trucks dock closest to where the goods carried by the truck are stored inside the warehouse). As a result, many dock door positions are frequently inactive throughout the day. Pursuant to State law, on-road diesel-fueled trucks are required to comply with air quality and greenhouse gas emission standards, including but not limited to the type of fuel used, engine model year stipulations, aerodynamic features, and idling time restrictions.

Construction

Project development is estimated to take approximately 16 months and includes grading/site preparation in a single phase, construction of backbone infrastructure components, followed by warehouse/logistics building construction, parking lot paving and striping, and architectural coatings. The Project would involve removal of existing site vegetation, grading and excavation of site soils to a depth of at least 7 feet below existing grade and to a depth of at least 3 feet below proposed pad grade and soils would be balanced on site. Table 3-3 provides the anticipated construction schedule.

Table 3-3: Construction Schedule

Construction Activity	Working Days
Site Preparation	10
Grading	30
Building Construction	300
Architectural Coating	150
Paving	20

Construction activities would adhere to City of Hesperia Development Code Section 3.11, which limits construction to between the hours of 7:00 a.m. to 7:00 p.m., Monday to Saturday, with no construction activity permitted on Sundays or federal holidays.

3.7 PROJECT DESIGN FEATURES AND EXISTING PLANS, PROGRAMS, OR POLICIES

Throughout the impact analysis in this Draft EIR, reference is made to existing Plans, Programs, or Policies (PPPs) currently in place which effectively reduce environmental impacts. Where applicable, PPPs are listed to show their effect in reducing potential environmental impacts. The Project proponent has also incorporated into the Project various measures which serve to reduce potentially significant impacts. These voluntary measures are referred to as Project Design Features (PDFs) and are identified and discussed in the impact analysis. Where the application of these measures does not reduce an impact to below a level of significance, Project-specific mitigation is introduced. The City of Hesperia would include these PPPs and PDFs along with Mitigation Measures in the Mitigation Monitoring and Reporting Program (MMRP) for the Project to ensure their implementation.

Sustainable Design Features

The Project would comply with the *California Green Building Standards Code, California Code of Regulations, Title 24, Part 11) (CALGreen Code)* policies related to sustainable design and energy conservation by incorporating the following features into Project development and/or operation.

- Installation of enhanced insulation
- Design structure to be solar ready
- Design electrical system to accommodate future renewable energy technologies, solar PV systems, and battery storage systems
- Installation of energy efficient lighting, heating and ventilation systems, and appliances
- Installation of drought-tolerant landscaping and water-efficient irrigation systems
- Implementation of a City construction waste diversion program

3.8 DISCRETIONARY APPROVALS AND PERMITS

The City of Hesperia and the following responsible agencies are expected to use the information contained in this Draft EIR for consideration of approvals related to and involved in the implementation of this Project. These include, but may not be limited to, the permits and approvals described below.

As part of the proposed Project, the following discretionary actions and subsequent approvals are being requested by the Project proponent:

- Development Plan Review
- Conditional Use Permit
- Certification of the Environmental Impact Report
- Approvals and permits necessary to execute the proposed Project, including but not limited to, grading permit, building permit, etc.

The following approvals are anticipated from responsible agencies:

- California Department of Fish and Wildlife (CDFW) 1602 Streambed Alteration Agreement
- United States Army Corps of Engineers (USACE) 404 Nationwide Permit
- Regional Water Quality Control Board (RWQCB) Section 401 State Water Quality Certification

- CDFW Take Permit (potentially for Joshua Trees dependent upon the listed status at the time of Project implementation)

4.0 Environmental Setting

In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15125, this Section of the EIR provides a description of overall existing physical environmental conditions on the Project site and in the Project vicinity from a local and regional perspective at the time the Notice of Preparation was published. Specific existing conditions also are discussed within each individual Section.

Each sub-section in Section 5.0 of the EIR includes a discussion of existing conditions and an assessment of potential impacts of the Project. In addition, each sub-section includes a discussion of cumulative impacts associated with the Project. The cumulative impacts discussion in each sub-section is based on the environmental impacts of the Project combined with the related environmental impacts of projects planned in the Project vicinity.

4.1 PROJECT LOCATION

The Project site is located within the northwestern portion of the City of Hesperia, northwest of the Poplar Street and Mesa Linda Street intersection. Regional access to the Project site is provided by Interstate 15 (I-15) and Highway 395. Local access to the site is provided from Mesa Linda Street and Poplar Street. Specifically, the Project site is located within Section 22, Township 4 North, Range 5 West, San Bernardino Base and Meridian (SBB&M) of the Baldy Mesa United States Geological Survey (USGS) 7.5-minute topographic quadrangle.

The Project site encompasses approximately 18.16 acres and is comprised of two parcels identified as Assessor's Parcel Numbers (APNs) 306-458-102 and 306-458-103. The Project site and surrounding area is shown in Figure 3-1, *Regional Location*, and Figure 3-2, *Local Vicinity*.

The site is relatively flat with a gentle slope from the southwest to the northeast. The Project site is currently vacant and undeveloped and contains moderate coverage of natural grasses and weeds. The Project site's existing conditions are shown in *Figure 3-3, Aerial View*.

4.2 AESTHETICS

Scenic Vistas

Scenic vistas consist of expansive, panoramic views of important, unique, or highly valued visual features that are seen from public viewing areas. This definition combines visual quality with information about view exposure to describe the level of interest or concern that viewers may have for the quality of a particular view or visual setting. A scenic vista can be impacted in two ways: a development project can have visual impacts by either directly diminishing the scenic quality of the vista, or by blocking the view corridors or "vista" of the scenic resource at public locations. Important factors in determining whether a proposed project would block scenic vistas include location of the vista, in combination with the project's proposed height, mass, and surrounding public land uses and travel corridors.

The City of Hesperia General Plan does not specifically identify any scenic vistas from the Project site, roadways adjacent to the Project site, or the Project site vicinity. However, the City's General Plan generally describes scenic vistas within the City as views of scenic resources, including the Mojave River to the east, the San Bernardino and San Gabriel Mountain ranges to the south and the surrounding Victor Valley, along with neighboring hillsides and the natural desert environment. The San Bernardino and San Gabriel Mountains are approximately eight miles from the Project site and contain some of Southern California's highest peaks. Because the MSFC-SP area is in a relatively flat valley, distant views of the surrounding mountains and

ridgelines are visible within some minor obstruction due to existing structures, utility poles, trees, and other elements of the built environment.

Visual Character And Quality

The MSFC-SP identifies Hesperia's quality of life and scenic rural setting as unique and a major contributor to its high population growth in the past few decades. The City places a high value on its outdoor-oriented lifestyle and recreation opportunities. In response to the new urban development that would be introduced to the City's existing natural landscape under the MSFC-SP, the Urban Design Framework was included as part of the plan. The Framework includes guidelines for the development of aesthetically pleasing and cohesive urban spaces to be implemented during MSFC-SP build out. Guidelines include streetscape design, pedestrian facilities, and architectural treatment that complement and preserve the City's natural landscape. The City's General Plan echoes this vision through its goals and policies to preserve amenities such as washes, bluffs, Joshua tree forests, or juniper woodlands.

The existing visual character of the 18.16-acre Project site and surrounding area is consistent with the larger MSFC-SP area, as described in the Specific Plan and City's General Plan. The Project site consists of two parcels at the northwest of the Poplar Street and Mesa Linda Street intersection that are currently undeveloped. The Project site consists of disturbed native desert scrub characterized as Joshua tree woodland and habitat and is directly surrounded by vacant land on all sides. The Project site is believed to have been occupied as a homestead from 1861 to 1864 and contains some various structural debris, refuse scatter, and an unpaved road (see *Section 5.4 Cultural Resources*). An ephemeral stream (unnamed tributary) currently traverses the site, which contributes to the Oro Grande Wash. Agricultural, commercial, and transportation facility land uses surround the vicinity of the Project site. The site is flat and visible from surrounding roadways and adjacent parcels.

Light and Glare

Light pollution may simply be described as the alteration of natural light levels in the outdoor environment due to artificial light sources. More commonly, it is taken to mean excessive or obtrusive artificial light. The term also includes the incidental or obtrusive aspects of outdoor lighting, such as glare (visual impairment), trespass into areas not needing lighting, use in locations or at times when lighting is not needed and disturbance of the natural nighttime landscape. Night lighting and glare can affect human vision, navigation and other activities.

The existing visual environment includes urban lighting associated with existing uses, as well as lighting and glare generated by vehicles travelling along the two corridors. Since most of the Freeway Corridor area is currently undeveloped land, lighting is limited and the majority of the area is unlighted. The Main Street Corridor is more developed east of Maple Avenue, and the commercial land is substantially developed between Eleventh Avenue and "I" Avenue. Internal lights, parking lot fixtures, street lights and headlights provide most of the lighting along Main Street.

The Project site is currently undeveloped and does not contain sources of light or glare. Nighttime lights can create a form of light pollution that adversely affects the natural environment, such as causing glare that endangers driving or glare into private off-site areas. Nighttime lighting in the Project vicinity is currently limited to sources of vehicle lighting from adjacent roadways and distant commercial areas approximately 0.2 mile to the southwest and 0.3 mile to the northeast. Therefore, glare, which is a reflection of light, is also limited. The nearest existing sensitive receptors relative to light and glare include motorists traveling on local streets, as well as residential uses 0.6 mile to the north and 0.7 mile to the southeast.

4.3 AIR QUALITY

The Project area is located within the Mojave Desert Air Basin (Basin), which is under the jurisdiction of the MDAQMD. The Basin includes the desert portions of Los Angeles, Kern, San Bernardino, and Riverside Counties. The Basin is an assemblage of mountain ranges interspersed with long, broad valleys that often contain dry lakes. Many of the lower mountains that dot the vast terrain rise from 1,000 to 4,000 ft above the valley floor. Prevailing winds in the Basin are out of the west and southwest. These prevailing winds are due to the proximity of the Basin to coastal and central regions and the blocking nature of the Sierra Nevada Mountains to the north; air masses pushed onshore in Southern California by differential heating are channeled through the Basin. The Basin is separated from the Southern California coastal and central California valley regions by mountains (highest elevation is approximately 10,000 ft), whose passes form the main channels for these air masses. The Mojave Desert is bordered on the southwest by the San Bernardino Mountains, separated from the San Gabriel Mountains by the Cajon Pass (4,200 ft). A lesser pass lies between the San Bernardino Mountains and the Little San Bernardino Mountains in the Morongo Valley. The Palo Verde Valley portion of the Mojave Desert lies in the low desert, at the eastern end of a series of valleys (notably the Coachella Valley), whose primary channel is the San Gorgonio Pass (2,300 ft) between the San Bernardino and San Jacinto Mountains.

Pollutant monitoring results for years 2019 to 2021 at the Hesperia and Victorville ambient air quality monitoring stations indicate that air quality in the area has generally been moderate. As indicated in the monitoring results, the federal PM10 standard had one exceedance for 2019, 2020, and 2021. The State PM10 standard was exceeded an unknown number of times during the three-year period. The PM2.5 federal standard had no exceedances in 2019, 4 exceedances in 2020, and an unknown number of exceedances in 2021. The 1-hour ozone State standard was exceeded 9 times in 2019 and in 2020, and an unknown number of times in 2021. The 8-hour ozone State standard was exceeded 52 times in 2019, 48 times in 2020, and an unknown number of times in 2021. The 8-hour ozone federal standard was exceeded 47 times in 2019, 48 times in 2020, and 55 times in 2021. In addition, the CO, SO2, and NO2 standards were not exceeded in this area during the 3-year period.

4.4 BIOLOGICAL RESOURCES

The 18.16-acre Project site is undeveloped and mostly undisturbed. The Project site reflects arid conditions, limited rainfall, and generally poor soils of the Mojave Desert. The Project site consists of disturbed native desert scrub. The Project site is immediately surrounded by vacant land in all directions. An ephemeral stream traverses the site. The stream is an unnamed tributary that contributes to the Oro Grande Wash. The Project site is flat with elevations ranging from 1,092 feet to 1,096 above mean sea level (AMSL).

Vegetation Communities

Two habitat types were observed within the study area (and 500-foot buffer around the Project site).

Joshua Tree Woodland Alliance. Approximately 20.07 acres of disturbed Joshua tree woodland alliance habitat occurs within the Project site and 500-foot buffer. This habitat type is characterized by the Joshua tree (*Yucca brevifolia*) that emerges over a shrub or grass layer. The canopy and shrub layer are open. Other species found in this habitat are Nevada ephedra (*Ephedra nevadensis*), shortpod mustard (*Hirschfeldia incana*), California juniper (*Juniperus californica*), and prickly Russian thistle (*Salsola tragus*). Joshua tree woodland is a sensitive CDFW natural community. Additionally, western Joshua trees are protected under CESA as a candidate species.

Rabbitbrush. Approximately 2.95 acres of rubber rabbitbrush dominant riparian habitat occurs within the Project site. This habitat is characterized by an ephemeral stream and associated riparian vegetation. Other species found in this habitat include the Joshua tree and shortpod mustard.

Special Status Species

Special-status species are species that have been identified by federal, state, or local resource conservation agencies as threatened or endangered, under provisions of the federal and state Endangered Species Acts (FESA and CESA, respectively), because they have declining or limited population sizes, usually resulting from habitat loss.

A total of 30 sensitive species of plants and 51 sensitive species of animals have the potential to occur on or within the vicinity of the Project location. These include those species listed or candidates for listing by the USFWS, CDFW, and CNPS and Bureau of Land Management (BLM). All habitats utilized by these species were evaluated during the site visit (including a 500-foot buffer of the Project site) and a determination has been made for the presence or probability of presence in biological reports prepared for the Project.

Special-Status Plant Species. Two plant species are listed as state and/or federally Threatened, Endangered, Candidate, Rare, or as 1B.1 in the CNPS Rare Plan Inventory. Both the Mojave tarplant (*Deinandra mohavensis*) and Jokerst's monardella (*Monardella australis ssp. Jokerstii)* were determined not to be present within the Project site and no habitat was present for the species.

Special-Status Wildlife Species. A total of 19 wildlife species are listed as state and/or federal Threatened, Endangered, or Candidate species. Four sensitive species were determined to have the potential to be present within the Project site, although the species were not observed during the site surveys. Species with the potential to be present within the Project site include Coastal whiptail (*Aspidoscelis tigris stejnegeri),* Loggerhead shrike *(Lanius ludovicianus),* Coast horned lizard (*Phrynosoma blainvillii*), and Le Conte's thrasher (*Toxostoma lecontei*). During the site survey it was determined that all four of these species have suitable habitat within the Project site.

Jurisdictional Waters

The approximately 18.16-acre Project site contains 2.95 acres of ephemeral stream and associated rabbitbrush dominant riparian habitat that falls under CDFW jurisdiction, as well as 0.30 acre of ephemeral stream that falls under Waters of the United States and Waters of the State jurisdiction.

Wildlife Movement

The Project site lacks migratory wildlife corridors, as it does not contain the structural topography and vegetative cover that facilitate regional wildlife movement. The site is flat and surrounded by paved and dirt roads and vacant land. No wildlife movement corridors were found to be present.

4.5 CULTURAL RESOURCES

Historic

In 1869, the transcontinental railroad was completed in California and expanded agricultural settlement. The Southern Pacific Route connected Los Angeles and northern California and monopolized the rail system until the arrival of Atchison, Topeka, and Santa Fe (AT&SF) railroad. The AT&SF line connected the larger Southern California region to the City of Los Angeles. At the end of the 1800s, the social dynamics changed in the temperance of the City of San Bernardino as railroads brought thousands of settlers from Europe and

the eastern states. The railway system and influx of population accelerated the economic trades in San Bernardino.

U.S. Highway 66 (Route 66) was the main means of access between the City of Los Angeles and San Bernardino County. The road was created to give better access for transporting goods produced in San Bernardino to the Los Angeles market. Members of the Los Angeles and San Bernardino highway commissions marketed the road to be used for recreational travel to see the countryside. The commissions promoted the idea that improvements to the road would create an "attractive foothill boulevard linking Redlands to the Pacific Ocean". In 1909, the State Legislature authorized bonds for road building and improvement programs, which included the new Foothill Boulevard. By 1913, the road was integrated into the National Old Trails Road, linking the roads from Los Angeles to Washington, D.C. In 1926, the road was designated U.S. 60, later changed to U.S. 66 (Route 66), after a uniform system of interstate highways was adopted.

Throughout the early 20th century, Hesperia's local businesses catered to travelers on Route 66. Hesperia was the final stop before the Cajon Pass, and its location along this area of Route 66 became a prosperous area for businesses. In 1924, the route was moved to the west of Hesperia, and businesses suffered as a result. Hesperia was officially incorporated as a City in 1988. Presently, it is situated along Interstate 15 (I-15) Freeway, a heavily traveled route that brings various travelers into town benefiting the local economy.

A total of 42 previously conducted cultural resources studies were identified during the course of the California Historic Resources Inventory System (CHRIS) records search, 37 of which are located outside of the Project site but within 1-mile. The records search identified two historic-era cultural resources within the Project site and 31 historic-era resources within one-mile of the Project site. These resources are detailed below.

> **P-36-004179**- This resource consists of a segment of Lane's Crossing Toll Roads, a 5-foot wide, unpaved road running southwest from the Bear Valley Road. The location of this resource has been mapped using historic maps and aerial photographs. Additionally, there were no associated artifacts identified during the onsite pedestrian survey. This resource is recorded as crossing through the northwest corner of the Project site. A formal evaluation was previously conducted for this resource and was considered ineligible for listing to the CRHR. As a result of this Project the resource was also subject to formal evaluation for eligibility for listing to the NRHP and was found ineligible.
>
> **P-36-010288**- This resource consists of the 160-acre Dufton homestead. Two separate archaeological investigations occurred within the boundaries of this resource, which currently encompasses the entirety of the parcel granted to John E. Dufton in 1892. This resource was originally recorded by Alexandrowicz in 2000 and 2001 as a smaller homestead/campsite located south of the current Project site and comprised of various structural debris, refuse scatter, and an unpaved road.
>
> Deposits associated with P-36-010288 were identified during the pedestrian survey conducted on February 17, 2022, but the resource appeared to be heavily impacted by environmental forces and vehicular activity. A formal evaluation was conducted as part of the Project for this resource and the resource is considered ineligible for listing to the CRHR. As a result of this Project the resource was also subject to formal evaluation for eligibility for listing to the NRHP. This evaluation found the resource was not eligible for listing in the NRHP.

Archaeological

The Project site is located in the City of Hesperia on an alluvial fan in the southwestern portion of San Bernardino County, California. As described by the Phase I Cultural and Paleontological Resources

Assessment (Appendix D), most researchers agree that the earliest occupation for the San Bernardino County area dates to the early Holocene (11,000 to 8,000 years ago). The cultural history of San Bernardino County includes the San Dieguito Complex, the Milling Stone Horizon, the Encinitas Tradition, the La Jolla Complex, the Pauma Complex, and the San Luis Rey Complex.

At approximately 1,500 years Before Present (BP), bow and arrow technology started to emerge in the archaeological record, which also indicates new settlement patterns and subsistence systems. The local population retained the subsistence methods of the past but incorporated new materials into their day-to-day existence, as evidenced by the archaeological record. The Palomar Tradition is attributed to this time and is comprised of larger two patterns: The Peninsular Pattern in the inland areas of the northern Peninsular Ranges (e.g., San Jacinto and Santa Rosa mountains) and the northern Coachella Valley, and the San Luis Rey pattern of the Project site. The Project site is considered the Traditional Tribal Land of the Serrano people.

As mentioned above, the Project site is believed to have been occupied as a homestead from 1861 to 1864, which was administered to Samuel Dufton under the Land Act of 1820. The Project site has been vacant since its former occupation as a homestead. The records search identified five prehistoric resources within one-mile of the Project site.

Paleontological

The Project site is located within the Mojave Desert Geomorphic Province. A geomorphic province is a geographical area of distinct landscape character, with related geological features, including relief, landforms, orientations of valleys and mountains, type of vegetation, and other geomorphic attributes (Harden 2004). The Mojave Desert Geomorphic Province's attributes consist of vast, arid expanses of barren mountain ranges, broad alluvial-filled flatlands, desiccated riverbeds and washes, extensive mesas, sand dunes, playas, volcanic cinder cones, and basaltic lava flows.

The Project site is underlain by middle Holocene-age young alluvial fan deposits, Unit 3 (Qyf3). Mapped within a ½-mile of the Project site are early Holocene- and late Pleistocene-age young wash deposits (Qyw, Qyw1, Qyw2), Holocene- and late Pleistocene-age young alluvial fan deposits (Qyf), and middle to early Pleistocene-age very old axial-channel deposits (Qvoa). Additionally, middle to early Pleistocene-age very old axial-channel deposits (Qvoa) may be encountered in the subsurface of the Project site. Middle Holocene-age young alluvial fan deposits are unlikely to produce significant paleontological resources due to their young age and are considered to have a low paleontological potential using the federal Potential Fossil Yield Classification (PFYC) system.

Middle to early Pleistocene-age very old axial-channel deposits (Qvoa) consist of well consolidated to well indurated, reddish-brown sand with scattered layers of gravel, pebbles, silt, and clay-bearing alluvium deposited on canyon floors. Similar Pleistocene-age sediments within San Bernardino County have produced specimens of various fossils. The middle to early Pleistocene-age very old axial-channel deposits (Qvoa) in the vicinity of the Project site have a moderate paleontological potential using the PFYC system (BLM 2016) since similar units have produced scattered, significant fossils throughout San Bernardino County.

4.6 ENERGY

Electricity

The Southern California Edison Company (SCE) is the electrical purveyor in the County of San Bernardino and the City of Hesperia. SCE provides electricity service to more than 14 million people in a 50,000 square-mile area of central, coastal and Southern California. California utilities are experiencing increasing

demands that require modernization of the electric distribution grid to, among other things, accommodate two-way flows of electricity and increase the grid's capacity. SCE is in the process of implementing infrastructure upgrades to ensure the ability to meet future demands. In addition, as described by the Edison International 2020 Annual Report, the SCE electrical grid modernization effort supports implementation of California Senate Bill 32 that requires the state to cut greenhouse gas emissions 40 percent below 1990 levels by 2030 and 80 percent from the same baseline by 2050 in order to help achieve carbon neutrality by 2045. It describes that in 2020, approximately 43% of power that SCE delivered to customers came from carbon-free resources (SCE 2020).

The Project site is currently served by the electricity distribution system that exists along the roadways adjacent to the Project site.

Natural Gas

The Southern California Gas Company (SoCalGas) is the natural gas purveyor in the County of San Bernardino and City of Hesperia and is the principal distributor of natural gas in Southern California. SoCalGas estimates that gas demand will decline at an annual rate of one percent each year through 2035 due to modest economic growth, mandated energy efficiency standards and programs, renewable electricity goals, and conservation savings linked to advanced metering infrastructure (CGEU 2020). The gas supply available to SoCalGas is regionally diverse and includes supplies from California sources (onshore and offshore), Southwestern U.S. supply sources, the Rocky Mountains, and Canada (CGEU 2020). SoCalGas designs its facilities and supplies to provide continuous service during extreme peak demands and has identified the ability to meet peak demands through 2035 (CGEU 2020).

The Project site is currently served by the natural gas distribution system that exists within the roadways that are adjacent to the site.

4.7 GREENHOUSE GAS

Gases that trap heat in the atmosphere are called greenhouse gases (GHGs). The major concern with GHGs is that increases in their concentrations are contributing to global climate change. Global climate change is a change in the average weather on Earth that can be measured by wind patterns, storms, precipitation, and temperature. Although there is disagreement as to the rate of global climate change and the extent of the impacts attributable to human activities, most in the scientific community agree that there is a direct link between increased emissions of GHGs and long-term global temperature increases.

The principal GHGs are carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), sulfur hexafluoride (SF6), perfluorocarbons (PFCs), and hydrofluorocarbons (HFCs). Because different GHGs have different warming potential, and CO2 is the most common reference gas for climate change, GHG emissions are often quantified and reported as CO2 equivalents (CO2e). For example, SF6 is a GHG commonly used in the utility industry as an insulating gas in circuit breakers and other electronic equipment. SF6, while comprising a small fraction of the total GHGs emitted annually world-wide, is a much more potent GHG, with 22,800 times the global warming potential as CO2. Therefore, an emission of one metric ton (MT) of SF6 could be reported as an emission of 22,800 MT of CO2e. Large emission sources are reported in million metric tons (MMT) of CO2e.

4.8 HYDROLOGY AND WATER QUALITY

Regional Hydrology

The City of Hesperia is in the Mojave River Basin, within the Lahontan Region. The jurisdiction of the Lahontan RWQCB extends from the Oregon border to the northern Mojave Desert and includes all of California east of the Sierra Nevada crest (Plates 1A, 1B, 2A and 2B). The South Lahontan Basin includes three major surface water systems (the Mono Lake, Owens River, and Mojave River watersheds) and a number of separate closed ground water basins.

Watershed

The Project is located in the Mojave River Watershed. The Mojave River is the primary hydrologic feature in the watershed, formed by the confluence of two smaller streams - the West Fork Mojave River and Deep Creek. The headwaters of the Mojave River begin in the San Bernardino Mountains near Lake Arrowhead and the river terminus is Soda Lake in the Mojave Desert. The watershed encompasses approximately 4,500 square miles and is located entirely within San Bernardino County. The watershed is bounded on the south by the Santa Ana River watershed, on the east by the Lucerne Lake watershed, Ballarat and Trona watershed to the north, and Antelope Valley watershed to the west. The entire Mojave River watershed is divided into smaller sub-basins: (1) Headwaters - tributaries above the Mojave Forks Dam; (2) Upper Basin - Mojave Forks Dam to the Lower Narrows at Victorville; (3) Middle Basin - Lower Narrows to the Waterman Fault at Barstow; (4) Lower Basin - Waterman Fault to Afton Canyon; and (5) Tailwater - Afton Canyon to Silver Lake. This watershed is in an arid region and therefore has little natural perennial surface water.

Groundwater Basin

Within the Mojave River Basin, the Project is within the Upper Mojave River Valley Groundwater Basin which underlies an elongate north-south valley, with the Mojave River flowing (occasionally) through the valley from the San Bernardino Mountains on the south, northward into the Middle Mojave River Valley Groundwater Basin at the town of Helendale. The groundwater basin is bounded on the north by a roughly east-west line from basement rock outcrops near Helendale to those in the Shadow Mountains. The southern boundary is the contact between Quaternary sedimentary deposits and unconsolidated basement rocks of the San Bernardino Mountains. The basin is bounded on the southeast by the Helendale fault and on the east by basement exposures of the mountains surrounding Apple Valley. In the west, the boundary is marked by a surface drainage divide between this basin and El Mirage Valley Basin, and a contact between alluvium and basement rocks that form the Shadow Mountains. The Mojave Basin was fully adjudicated in 2002. The Judgement and Adjudication help maintain proper water balances in the five subareas. The Mojave Water Agency was appointed Watermaster to implement the adjudication and judgment and maintain an ongoing assessment of the basin conditions.

Water Quality

The Mojave River is located approximately 9 miles east of the Project site. The Mojave River is separated into three reaches for evaluating water quality. The Project site discharges to the Upper Mojave reach or the Upper Narrows. The Mojave River (Forks Reservoir Outlet to the Upper Narrows) is classified as an impaired water body and has been placed on the 303(d) list of impaired waters for Sulfates, Fluoride, and Sodium (toxic inorganics and salinity/total dissolved solids/chlorides/sulfates).

Water Supply and Groundwater

As identified by the California Department of Water Resources in California's Groundwater (Bulletin 118), natural recharge of the basin is from direct precipitation, ephemeral streamflow, infrequent surface flow of the Mojave River, and underflow of the Mojave River into the basin from the southwest. The Mojave River Groundwater Basin has a general trend for declining groundwater levels, particularly in the fan unit, although levels vary each year subject to rainfall.

Water for the community is provided by Hesperia Water District (District), as subsidiary of the Victor Valley County Water District (VVCWD). The Mojave Basin Judgment assigned Base Annual Production (BAP) rights to each producer using 10 acre-feet or more, based on historical production from 1986 to 1990. Hesperia is located in the Alto subarea. Hesperia's BAP is 21,585 acre-feet per year (AFY). The District is categorized as municipal and industrial and therefore is allowed a Free Production Allowance (FPA) of 55 percent of its BAP for the upcoming year, which for 2020-2021 was 11,871 AFY.

Existing Drainage

The existing condition of the Project site consists of an open/undeveloped space with very little vegetation. The site generally drains in a northeasterly direction onto Sultana Street and northerly existing parcels. An ephemeral stream traverses the site. The stream is an unnamed tributary that contributes to the Oro Grande Wash, which flows north toward the Mojave River. There appears to be an offsite run-on from the southerly offsite parcels (APNs 3064-581-04- and 3064-581-05). It is also understood that there is no existing public storm drain along Sultana Street or Mesa Linda Street.

4.9 NOISE

Existing Noise Levels

To assess existing noise levels of the environment, long-term (24-hour) noise level measurements were conducted on August 30 and 31, 2022 at two locations, one along the Project site boundary and the other at the nearest existing use south of the Project site. The background ambient noise levels in the Project area are dominated by the transportation-related noise associated with surface streets and I-15. Ambient noise levels on and near the site range from 51.1 to 67.4 dBA CNEL.

Existing Vibration

Aside from periodic construction work that may occur in the vicinity of the Project area, the Project site and adjacent land uses are not currently exposed to sources of groundborne vibration.

Sensitive Receptors

Noise sensitive receptors are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. Noise-sensitive land uses are generally considered to include residences, schools, hospitals, and recreation areas.

The closest sensitive receptors include residential uses located approximately 2,200 feet southeast of the project site along Muscatel Street, residential uses approximately 2,800 feet north of the project site along Main Street, and residential uses located approximately 2,900 feet southeast of the project site along Seal Beach Drive.

4.10 TRANSPORTATION

Existing Roadway Network

- **Interstate 15 (I-15)** is a major north-south Interstate Highway that begins near the Mexican/US border and runs through Southern California to Alberta, Canada.
- **U.S. Highway 395 (US 395)** is a north-south U.S. route that begins in the Mojave Desert at I-15 and runs through Southern California to the U.S./Canadian border.
- **Phelan Road/Main Street** is an east-west undivided roadway that ranges from two to six lanes and is a major arterial roadway. Phelan Road west of US 395 is a designated truck route.
- **Mesa Linda Street** is a north-south undivided roadway that ranges from two to four lanes and is an arterial roadway.
- **Poplar Street** is an east-west undivided roadway that ranges from two to four lanes. The City of Hesperia classifies Poplar Street as a secondary arterial roadway.

Transit Services

The Project area is served by bus service via Victor Valley Transit Authority (VVTA), which serves the Victor Valley area. VVTA Routes 21P/W, 25, 64, and 68 provide service within the vicinity of the Project site.

- Route 21P runs from Pinon Hills to Hesperia Super Target along SR-138, Phelan Road, I-15, Bear Valley Road, and Baldy Mesa Road. Service is every 2 hours from 8:00 a.m. to 6:21 p.m. The nearest bus stop is located near Phelan Road and Cataba Road intersection approximately 0.5 mile to the northeast.

- Route 25 runs from the Hesperia Post Office to the Super Target along I-15, Ranchero Road, Escondido Avenue, around Oak Hills High School, and C Avenue. Service is every 2 hours from 8:07 a.m. to 6:35 p.m. The nearest bus stop is located near Phelan Road and Cataba Road intersection approximately 0.5 mile to the northeast.

- Route 64 runs from the Hesperia Post Office to the Super Target around Malibu Park, along Escondido Avenue, Phelan Road, I-15, Willow Street, 9th Avenue, Juniper Street, 7th Avenue, Mesa Street, 3rd Avenue, Main Street, E Avenue, Olive Street, I Avenue, and Sultana Street. Service is every 1 hour from 7:31 a.m. to 7:53 p.m. The nearest bus stop is located near Phelan Road and Cataba Road intersection approximately 0.5 mile to the northeast.

- Route 68 runs from the Hesperia Post Office to the Super Target along Main Steet, Cottonwood Avenue, 7th Avenue, Lime Street, 3rd Avenue, E Avenue, Olive Street, G Avenue, and Sultana Street. Service is every 1 hour from 7:14 a.m. to 7:53 p.m. The nearest bus stop is located near Phelan Road and Cataba Road intersection approximately 0.5 mile to the northeast.

Existing Bicycle and Pedestrian Facilities

The Project site does not contain any existing bicycle facilities. The City's General Plan Circulation Element does not include any planned bicycle facilities west of I-15. A Class I bike path is planned along Main Street east of I-15 and a Class II bike path is planned along the east side of I-15. Additionally, the Project site does not contain any existing sidewalks.

4.11 TRIBAL CULTURAL RESOURCES

Native American Tribes

The Project is within an area considered the Traditional Tribal Land of the Serrano people.

Listed Native American Historic Places

As part of development of the Phase I Cultural and Paleontological Resources Assessment (Appendix D), Material Culture Consulting (MCC) conducted research using several resources to identify potential tribal cultural resources within the Project site. The assessments included a California Historical Resources Information System (CHRIS) records search at the South Central Coastal Information Center (SCCIC), background and literature research, a search of the Sacred Lands File (SLF) by the Native American Heritage Commission (NAHC), outreach efforts with 10 Native American tribal representatives, an examination of geological maps and paleontological literature, a locality search at the Natural History Museum of Los Angeles County (LACM), and an intensive-level pedestrian survey of the Project site. None of the tribes identified potential tribal cultural resources within the Project site. Additionally, no tribal cultural resources were identified as part of MCC's site survey and records search of the Project site.

Site Conditions

A portion of the Project site had previously been occupied as a homestead from 1861 to 1864. The homestead has since been abandoned and the Project site is currently vacant. Therefore, the site soil is mostly undisturbed. The Phase I Cultural Report (Appendix D) identified the Project site as consisting of native soils made up of coarse-grained, light brown sand with decomposing granitic pebbles attributed to the middle Holocene-age young alluvial fan deposits, Unit 3 (Qyf3). The site is not listed on the NAHC Sacred Lands File.

4.12 UTILITIES AND SERVICE SYSTEMS

Water: Water service to the Project site would be provided by the Hesperia Water District (HWD). The Hesperia Water District 2020 Urban Water Management Plan (UWMP 2021) was prepared for the HWD and therefore accounts for the water usage that would be attributed to development of the Project site, consistent with its existing land use designation. There is an existing 12-inch diameter water line in Sultana Street.

Wastewater: The Project site receives wastewater service from the City of Hesperia with connections to sewer lines in Sultana Street. Wastewater generated from the Project would be conveyed to the Victor Valley Wastewater Reclamation Authority (VVWRA). According to the Hesperia Water District's 2020 Urban Water Management Plan (UWMP), VVWRA has a current wastewater treatment capacity of 18.0 million gallons per day (mgd) (55.2 acre-feet per day) (UWMP 2021). The City and VVWRA have constructed a "sub-regional" wastewater treatment plant with an initial capacity of 1.0 mgd that is expandable to 4.0 mgd. This facility would result in a source of 1,000 to 5,000 AFY of recycled water available for use. As of 2021, VVWRA receives an average of 2.0 mgd or 2,240 acre-feet per year (AFY) from the service area. As such, VVWRA has an excess capacity of 16 mgd and the sub-regional wastewater treatment plan has capacity of 2 mgd.

Stormwater Drainage: Stormwater facilities within the Project region are managed by the San Bernardino County Flood Control District. The Project site is undeveloped with an ephemeral stream traversing the site. The stream is an unnamed tributary that contributes to the Oro Grande Wash, which flows north toward the Mojave River. There appears to be an offsite run-on from the southerly parcels (APN's 3064-581-04- and

3064-581-05). These southerly offsite parcels are expected to be developed by others and overflows are anticipated to be directed towards Mesa Linda Street and Lassen Road. Based on this preliminary concept, it appears southerly offsite run-on to the Project site will be significantly reduced. It is also understood that there is no existing public storm drain along Sultana Street or Mesa Linda Street. It is currently unknown as to whether a new public storm drain pipe will be constructed along Sultana Street or Mesa Linda Street.

Solid Waste: Advance Disposal Company provides collection services to residential and commercial customers for refuse, recyclables, and green waste through a contract with the City. Solid waste from demolition and construction would be collected and sent to the Victorville Sanitary Landfill at 18600 Stoddard Wells Road in Victorville, owned and operated by the County of San Bernardino. The Victorville Sanitary Landfill has a daily permitted throughput of 3,000 tons/day and a remaining capacity of 79,400,000 cubic yards (CalRecycle 2022).

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5.0 Environmental Impact Analysis

Chapter 5 examines the environmental setting of the Project, analyzes its effects and the significance of its impacts, and recommends mitigation measures to reduce or avoid impacts. This chapter has a separate section for each environmental issue area that was determined to need further study in the Draft EIR. This scope was determined in the Notice of Preparation (NOP), which was published September 23, 2022, and through public and agency comments received during the NOP comment period that ended October 23, 2022 (see Appendix A). Environmental issues and their corresponding sections are:

5.1 Aesthetics
5.2 Air Quality
5.3 Biological Resources
5.4 Cultural Resources
5.5 Energy
5.6 Greenhous Gas Emissions
5.7 Hydrology and Water Quality
5.8 Noise
5.9 Transportation
5.10 Tribal Cultural Resources
5.11 Utilities and Service Systems
5.12 Mandatory Findings and Other CEQA Considerations

This Draft EIR evaluates the direct and indirect impacts resulting from the planning, construction, and operations of the Project. Under CEQA, EIRs are intended to focus their discussion on significant impacts and may limit discussion of other impacts to a brief explanation of why the impacts are not significant.

Format of Environmental Topic Sections

Each environmental topic section generally includes the following main subsections:

- **Introduction:** This describes the purpose of analysis for the environmental topic and referenced documents used to complete the analysis. This subsection may define terms used.
- **Regulatory Setting:** This subsection describes applicable federal, state, and local plans, policies, and regulations that the Project must address and may affect its implementation.
- **Environmental Setting:** This subsection describes the existing physical environmental conditions (environmental baseline) related to the environmental topic being analyzed.
- **Thresholds of Significance:** This subsection sets forth the thresholds of significance (significance criteria) used to determine whether impacts are "significant." The thresholds of significance used to assess the significant of impacts are based on those provided in Appendix G of the CEQA Guidelines.
- **Methodology:** This subsection provides a description of the methods used to analyze the impact and determine whether it would be significant or less than significant.
- **Environmental Impacts:** This subsection provides an analysis of the impact statements for each identified significance threshold. The analysis of each impact statement is organized as follows:
    - A statement of the CEQA threshold being analyzed,
    - The Draft EIR's conclusion as to the significance of the impact.
    - An impact assessment that evaluates the changes to the physical environment that would result from the Project.

    - An identification of significance comparing identified impacts of the Project to the significance threshold with implementation of existing regulations, prior to implementation of any required mitigation.

- **Cumulative Impacts:** This subsection describes the potential cumulative impacts that would occur from the Project's environmental effects in combination with other cumulative projects (See Table 4-8).

- **Existing Regulations and Regulatory Requirements.** A list of applicable laws and regulations that would reduce potentially significant impacts.

- **Level of Significance Before Mitigation.** A determination of the significance of the impacts after the application of applicable existing regulations and regulatory requirements.

- **Mitigation Measures.** For each impact determined to be potentially significant after the application of applicable laws and regulations, feasible mitigation measure(s) to be implemented are provided. Mitigation measures include enforceable actions to:

    - avoid a significant impact;
    - minimize the severity of a significant impact;
    - rectify an impact by repairing, rehabilitating, or restoring the effected physical environment;
    - reduce or eliminate the impact over time through preservation and/or maintenance operations during the life of the Project; and/or
    - compensating for the impact by replacing or providing substitute resources or environmental conditions.

- **Level of Significance after Mitigation.** This section provides the determination of the impact's level of significance after the application of regulations, regulatory requirements, and mitigation measures.

Impact Significance Classifications

The below classifications are used throughout the impact analysis in this Draft EIR to describe the level of significance of environmental impacts. Although the criteria for determining significance are different for each topic area, the environmental analysis applies a uniform classification of the impacts based on definitions consistent with CEQA and the CEQA Guidelines.

- **No Impact.** The Project would not change the environment.
- **Less Than Significant.** The Project would not cause any substantial, adverse change in the environment.
- **Less Than Significant with Mitigation Incorporated.** The Draft EIR includes mitigation measures that avoid substantial adverse impacts on the environment.

5.1 Aesthetics

5.1.1 INTRODUCTION

This section describes the existing visual setting and aesthetic character of the Project site and vicinity and evaluates the potential for the Project to impact scenic vistas, visual character and quality, light and glare, as well as shadow. This analysis focuses on changes that would be seen from public viewpoints and provides an assessment of whether aesthetic changes from implementation of the Project would result in substantially degraded aesthetic conditions. Descriptions of existing aesthetic/visual conditions are based, in part, on site visits by the consulting team, analysis of aerial photography, and the Project application materials submitted to the City of Hesperia described in Section 3.0, Project Description, of this EIR. This section is also based, in part, on the following documents and resources:

- City of Hesperia General Plan, Open Space Element, 2010
- City of Hesperia General Plan 2010 Final Environmental Impact Report, Michael Brandman Associates, December 2010
- City of Hesperia Development Code (Title 16 of the Hesperia Municipal Code)
- California Department of Transportation (Caltrans) Scenic Highway Mapping System (Caltrans, 2018).

5.1.2 REGULATORY SETTING

5.1.2.1 FEDERAL REGULATIONS

There are no federal regulations concerning aesthetic impacts that are applicable to the Project.

5.1.2.2 STATE REGULATIONS

There are no state regulations concerning aesthetic impacts that are directly applicable to the Project. However, the following definition has been applied:

For an unincorporated area, Public Resources Code Section 21071(b) defines "urbanized area" as being completely surrounded by one or more incorporated cities and meeting both criteria: (i) The population of the unincorporated area and the population of the surrounding incorporated city or cities equals not less than 100,000 persons. (ii) The population density of the unincorporated area at least equals the population density of the surrounding city or cities. The City of Hesperia is an incorporated city of San Bernardino. According to the United States Census Bureau, the City of Hesperia was estimated to have a population of 100,971 in 2021. Based on these criteria, the Project is located within an urbanized area for purposes of determining if the Project would conflict with applicable zoning and other regulations.

5.1.2.3 LOCAL REGULATIONS

City of Hesperia General Plan, Open Space Element, 2010

The City of Hesperia General Plan Open Space Element contains the following goals and policies related to aesthetics that are applicable to the Project:

Goal OS-2 Identify and preserve natural open space in order to protect sensitive environments and preserve amenities such as washes, bluffs, Joshua tree forests, or juniper woodlands. Open

space areas should be contiguous or connected through trails to provide accessibility for hikers and equestrians as well as wildlife.

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

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

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

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

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

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

Main Street and Freeway Corridor Specific Plan

The Main Street and Freeway Corridor Specific Plan (MSFC-SP) is the guiding document for development within the MSFC-SP area, which consists of two corridors within the City of Hesperia, Interstate-15 and Main Street. The MSFC-SP area is approximately 18 miles in length and covers a total area of over 16 square miles. The purpose of the MSFC-SP is to establish a development framework for the Main Street and Freeway corridors. This MSFC-SP is intended to facilitate and encourage development and improvements along these two corridors to help realize the community's vision for the area. Additionally, the MSFC-SP includes policies to preserve the Oro Grande Wash, a major tributary of the Mojave River that drains from the bluffs in Cajon Pass and empties into the Mojave River. Further, land use policies, development standards and design guidelines are established for the MSFC-SP area within the plan. Any issue not specifically covered in the MSFC-SP shall be subject to the Hesperia Municipal Code, or to interpretation by the Development Services Director or his/her designee if not specifically covered in the City's existing regulations.

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

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

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

Policy UD-3.4: Preserve and protect significant areas of native wildlife and plant habitat.

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

Policy UD-4.3: Identify site opportunities for creating public open spaces and parks in the Specific Plan area, as well as encouraging new development to incorporate public amenities and open spaces into site design.

Goal UD-5: Encourage good design, and high-quality development within the Specific Plan area.

Policy UD-5.3: Through design review, ensure that new development enhances the character of the Specific Plan area by requiring design qualities and elements that contribute to an active pedestrian environment, where appropriate, and ensuring that architectural elements support high-quality development.

Section II: Private Development, Chapter 9: Non-Residential Zones

The MSFC-SP area contains two industrial zones, namely, Commercial/Industrial Business Park (CIBP), and General Industrial. The MSCF-SP would be amended to designate the entire Project site CIBP. Permitted uses, conditionally permitted uses, and development standards for CIBP are included in this section of the MSFC-SP. Table 5.1-1 includes the development standards applicable to the Project site.

Table 5.1- 1: CIBP Development Standards

Development Standard	Required	Provided
Parking *As contained in Section 16.20.080 of the City Municipal Code	Warehouse @ 20+0.40/1,000 Office @ 3.33/1000 (219 total)	220 spaces
Minimum Lot Size & Dimensions	10 acres (width 500 ft., depth 500 ft.)	18.16 acres
FAR	0.5	0.47
Maximum Structure Height	60 ft. (45 ft. within 100 ft. of a residential zone; allowance of additional 1 ft. in height for every 3 ft. in setback west of I-15, up to 150 ft.)	55 ft.
Min. Street Yard Setback	25 ft.	25 ft.
Rear Yard Setback	N/A	31 ft.
Street Side Yard Setback	15 ft.	20 ft.
Landscaping	10%	15%
Walls & Fences	6-8 ft. adjacent to residential zone *All walls should be architecturally treated	N/A

1. MSFC-SP Chapter 11 (Industrial Design Standards and Guidelines). This chapter contains the landscaping, lighting, design, and architectural requirements (scale, mass, materials, etc.) for industrial uses within the MSFC-SP.
2. MSFC-SP Section I, Chapter 4 (Urban Design Framework). The Framework includes guidelines for the development of aesthetically pleasing and cohesive urban spaces to be implemented during

MSFC-SP build out. Guidelines include streetscape design, pedestrian facilities, and architectural concepts that complement and preserve the City's natural landscape.

3. City Municipal Code Section 16.20.135 - Glare. Glare levels shall be measured with a photoelectric photometer, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination. Any activity producing glare in a community industrial or regional industrial district shall be carried on so that direct or indirect light from the source shall not cause glare above 0.5 footcandles when measured in a residential district or lot.

5.1.3 ENVIRONMENTAL SETTING

Aesthetic resources include a combination of numerous elements, such as landforms, vegetation, water features, urban design, and/or architecture, that impart an overall visual impression that is pleasing to, or valued by, its observers. Factors important in describing the aesthetic resources of an area include visual character, scenic resources, and scenic vistas. These factors together not only describe intrinsic aesthetic appeal of an area, but also communicate value placed upon a landscape or scene by its observers.

The Project is located within the northwestern portion of the City of Hesperia in the MSFC-SP area. At the time the MSFC-SP was developed, the Specific Plan area was mostly undeveloped; however, the City has continued to experience substantial growth and development over the past few decades. The Project site is located northwest of the Poplar Street and Mesa Linda Street intersection, in a partially developed area with light industrial uses and some commercial developments. The Project site is currently vacant and undeveloped.

Scenic resources provide a visual relief from the man-made structures in the City and connect its residents to the natural environment. The Hesperia General Plan describes unique visual resources in the City as distant views of the San Bernardino and San Gabriel Mountains to the south and the surrounding high desert landscape. Additional scenic features in Hesperia include unique topographic features, local flora, and historic buildings. The Oro Grande Wash is also identified as a prominent open space and visual resource, along with the unnamed wash that flows to the east of and parallel to Interstate-15, that should be preserved as part of the City's natural landscape features.

Views from the Project site include transportation facilities, private residences, and agricultural and industrial operations scattered across the natural desert landscape. The surrounding landscape contains native vegetation typical of the high desert region, with Joshua trees, scrub oaks chaparral and grasses. More distant views from the Project site include mostly unobstructed views of the San Bernardino and San Gabriel Mountains, located south, southwest and southeast of the site, as well as views of the Mojave Desert. Existing public views of the Project site are available from Mesa Linda and Poplar Street.

Scenic Vistas

Scenic vistas consist of expansive, panoramic views of important, unique, or highly valued visual features that are seen from public viewing areas. This definition combines visual quality with information about view exposure to describe the level of interest or concern that viewers may have for the quality of a particular view or visual setting. A scenic vista can be impacted in two ways: a development project can have visual impacts by either directly diminishing the scenic quality of the vista, or by blocking the view corridors or "vista" of the scenic resource at public locations. Important factors in determining whether a proposed project would block scenic vistas include location of the vista, in combination with the project's proposed height, mass, and surrounding public land uses and travel corridors.

The City of Hesperia General Plan does not specifically identify any scenic vistas from the Project site, roadways adjacent to the Project site, or the Project site vicinity. However, the City's General Plan generally

describes scenic vistas within the City as views of scenic resources, including the Mojave River to the east, the San Bernardino and San Gabriel Mountain ranges to the south and the surrounding Victor Valley, along with neighboring hillsides and the natural desert environment. The San Bernardino and San Gabriel Mountains are approximately eight miles from the Project site and contain some of Southern California's highest peaks. Because the MSFC-SP area is in a relatively flat valley, distant views of the surrounding mountains and ridgelines are visible within some minor obstruction due to existing structures, utility poles, trees, and other elements of the built environment.

Visual Character And Quality

The MSFC-SP identifies Hesperia's quality of life and scenic rural setting as unique and a major contributor to its high population growth in the past few decades. The City places a high value on its outdoor-oriented lifestyle and recreation opportunities. In response to the new urban development that would be introduced to the City's existing natural landscape under the MSFC-SP, the Urban Design Framework was included as part of the plan. The Framework includes guidelines for the development of aesthetically pleasing and cohesive urban spaces to be implemented during MSFC-SP build out. Guidelines include streetscape design, pedestrian facilities, and architectural treatment that complement and preserve the City's natural landscape. The City's General Plan echoes this vision through its goals and policies to preserve amenities such as washes, bluffs, Joshua tree forests, or juniper woodlands.

The existing visual character of the 18.16-acre Project site and surrounding area is consistent with the larger MSFC-SP area, as described in the Specific Plan and City's General Plan. The Project site consists of two parcels at the northwest corner of the Poplar Street and Mesa Linda Street intersection that are currently undeveloped. The Project site consists of disturbed native desert scrub characterized as Joshua tree woodland and habitat and is directly surrounded by vacant land on all sides. The Project site is believed to have been occupied as a homestead from 1861 to 1864 and contains some various structural debris, refuse scatter, and an unpaved road (see *Section 5.4 Cultural Resources*). An ephemeral stream (unnamed tributary) currently traverses the site, which contributes to the Oro Grande Wash. Agricultural, commercial, and transportation facility land uses surround the vicinity of the Project site. The site is flat and visible from surrounding roadways and adjacent parcels.

Light and Glare

Light pollution may simply be described as the alteration of natural light levels in the outdoor environment due to artificial light sources. More commonly, it is taken to mean excessive or obtrusive artificial light. The term also includes the incidental or obtrusive aspects of outdoor lighting, such as glare (visual impairment), trespass into areas not needing lighting, use in locations or at times when lighting is not needed and disturbance of the natural nighttime landscape. Night lighting and glare can affect human vision, navigation and other activities.

The existing visual environment includes urban lighting associated with existing uses, as well as lighting and glare generated by vehicles travelling along the two corridors. Since most of the Freeway Corridor area is currently undeveloped land, lighting is limited and the majority of the area is unlighted. The Main Street Corridor is more developed east of Maple Avenue and the commercial land is substantially developed between Eleventh Avenue and "I" Avenue. Internal lights, parking lot fixtures, street lights and headlights provide most of the lighting along Main Street.

The Project site is currently undeveloped and does not contain sources of light or glare. Nighttime lights can create a form of light pollution that adversely affects the natural environment, such as causing glare that endangers driving or glare into private off-site areas. Nighttime lighting in the Project vicinity is currently limited to sources of vehicle lighting from adjacent roadways and distant commercial areas approximately 0.2 mile to the southwest and 0.3 mile to the northeast. Therefore, glare, which is a reflection of light, is also

limited. The nearest existing sensitive receptors relative to light and glare include motorists traveling on local streets, as well as residential uses 0.6 mile to the north and 0.7 mile to the southeast.

5.1.4 THRESHOLDS OF SIGNIFICANCE

Appendix G of the State CEQA Guidelines indicates a project could have a significant effect if it were to:

AE-1 Have a substantial adverse effect on a scenic vista.

AE-2 In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality.

AE-3 Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

5.1.5 METHODOLOGY

Aesthetic resources were assessed based on the visual quality of the Project site and surrounding area and the changes that would occur from implementation of the proposed Project. The significance determination for scenic vistas is based on consideration of whether the vista can be viewed from public areas within or near the Project site and the potential for the Project to either hinder views of the scenic vista or result in its visual degradation. Evaluation of aesthetic character identifies the Project's development characteristics and its expected appearance, and compares it to the site's existing appearance and character, and to the character of adjacent existing and future planned uses to determine whether and/or to what extent a degradation of the visual character of the area could occur (considering factors such as the blending/contrasting of new and existing buildings given the proposed uses, density, height, bulk, setbacks, signage, etc.).

The analysis of light and glare identifies light-sensitive land uses and describes the Project's light and glare sources, and the extent to which Project lighting could spill off of the Project site onto adjacent existing and future light-sensitive areas. The analysis also considers the potential for sunlight to reflect off of building surfaces (glare) and the extent to which such glare would interfere with the operation of motor vehicles or other activities.

5.1.6 ENVIRONMENTAL IMPACTS

IMPACT AE-1: WOULD THE PROJECT HAVE A SUBSTANTIAL ADVERSE EFFECT ON A SCENIC VISTA?

Less Than Significant Impact.

A scenic vista can be impacted in two ways: a development project can have visual impacts by either directly diminishing the scenic quality of the vista, or by blocking the view corridors or "vista" of the scenic resource at public locations. As mentioned above in Section 5.1.3, Environmental Setting, the City considers views of Mojave River to the east, the San Bernardino and San Gabriel Mountain ranges to the south and the surrounding Victor Valley, along with neighboring hillsides and the natural desert environment as valued visual resources that contribute to scenic vistas within the City.

The Project site includes natural desert landscape (Joshua tree woodland and habitat) and provides distant views of the San Bernardino and San Gabriel Mountain ranges. Additionally, the site contains an ephemeral stream that is tributary to the Oro Grande Wash. The Project vicinity has been developed and views south from the Project site towards the mountains contain commercial development and transportation facilities

within the viewshed. These visual obstructions have diminished the scenic quality of the surrounding landscape from the Project site and adjacent roadways. Therefore, viewpoints from the Project site and surrounding public roadways are not considered a scenic vista. Because the Project site and surrounding public viewpoints do not contain a scenic vista, the Project would result in a less than significant impact on a scenic vista.

IMPACT AE-2: WOULD THE PROJECT IN NON-URBANIZED AREAS, SUBSTANTIALLY DEGRADE THE EXISTING VISUAL CHARACTER OR QUALITY OF PUBLIC VIEWS OF THE SITE AND ITS SURROUNDINGS? (PUBLIC VIEWS ARE THOSE THAT ARE EXPERIENCED FROM PUBLICLY ACCESSIBLE VANTAGE POINT). IF THE PROJECT IS IN AN URBANIZED AREA, WOULD THE PROJECT CONFLICT WITH APPLICABLE ZONING AND OTHER REGULATIONS GOVERNING SCENIC QUALITY?

Less Than Significant Impact With Mitigation.

As described previously, the Project site is located within an "urbanized area," as defined by Public Resources Code Section 21071; therefore, the analysis focuses on the Project's consistency with applicable zoning and other regulations governing scenic quality.

To protect the existing visual resources, the goal of the Urban Design Framework is to develop the MSFC-SP area as a system of spaces, structures, and environments rather than as linear strips of unrelated buildings and undefined streetscapes. To protect the MSFC-SP area's High Desert setting and panoramic mountain views, the MSFC-SP specifies that architectural character of new buildings should maximize views of the surrounding landscape while taking inspiration from the surrounding natural elements. As determined by the MSFC-SP EIR, the MSFC-SP encourages good design, and high quality development by recommending a set of development and design standards that create the desired aesthetic and high-quality environment. Through implementation of these design standards, buildout of the MSFC-SP would result in less than significant impacts on the MSFC-SP area visual character and quality.

These integral elements identified in the MSFC-SP to preserve the existing visual resources within the MSFC-SP area, are expressed as Urban Design and Open Space goals and policies including:

- Goal UD- 1: Strengthen the identity of the City of Hesperia and the Specific Plan area by building upon the surrounding natural resources and amenities, and create a new image for Main Street and the Freeway Corridor that expresses an attractive, inviting, high quality character and commercial vitality.
- Policy UD-1.1: Recognize and capitalize on Hesperia's unique location and setting — "Gateway to the High Desert" at the top of the Cajon Pass, desert landscape, and dramatic natural features such as the Oro Grande Wash - to further establish a sense of pride in the community.
- Policy UD-1.2: Identify regional gateways into the City along Interstate-15 and create City identity at these locations by taking inspiration from the City's dramatic location at the top of Cajon Pass and Cajon Summit.
- Policy UD-1.4: Preserve views of the mountains - San Gabriel Mountains to the southwest and San Bernardino National Forest to the southeast.
- Goal UD-3: Take advantage of the City's climate and natural setting while preserving existing open space resources and planning for new resources.
- Policy UD-3.1: Recognize and preserve the washes' multiple functions: a place for recreation, a natural habitat and a channel for storm runoff.

- Policy JD-3.5: Preserve and protect significant areas of native wildlife and plant habitat.
- Policy UD-3.6: Utilize the SCE corridor right-of-way for creating a walking and biking trail.
- Policy UD-3.7: Preserve trails for equestrian uses.
- Goal UD-4: Enhance the pedestrian environment and driving experience within the City.
- Policy UD4.l: Establish an open space network that connects the City's existing and planned open space resources. Recognize Main Street as a fundamental element of this network.

The Project site is designated as Commercial/Industrial Business Park land use within the MSFC-SP. Section II: Private Development, Chapter 9: Non-Residential Zones, includes permitted uses, conditionally permitted uses, and development standards for CIBP. Additionally, the MSFC-SP includes Chapter 11 (Industrial Design Standards and Guidelines), which contains the landscaping, lighting, design, and architectural requirements (scale, mass, materials, etc.) for industrial uses within the MSFC-SP.

The proposed Project would develop the 18.16-acre vacant site with a new 408,997-square foot warehouse. The Project would include various architectural elements such as smooth concrete, masonry block with textured or sandblasted finishes, glass and curtain-wall glazing systems, natural and/or manufactured stone and limited metal panel systems including light and warm-toned exterior building colors. Additionally, the Project's landscape would incorporate low water need plant species that can maintain vibrancy during drought conditions.

The Project's consistency with policies identified in the MSFC-SP applicable to visual character and quality are included in Table 5.1-2 below. Consistency with the development standards provided under Section II: Private Development, Chapter 9: Non-Residential Zones, includes permitted uses, conditionally permitted uses, and development standards for CIBP are included in Table 5.1-1.

Table 5.1- 2: Consistency with MSFC-SP Goals and Policies

Policy	Project Consistency with Policy
Land Use Element	
Goal UD- 1: Strengthen the identity of the City of Hesperia and the Specific Plan area by building upon the surrounding natural resources and amenities, and create a new image for Main Street and the Freeway Corridor that expresses an attractive, inviting, high quality character and commercial vitality.	Consistent. Through consistency with the applicable development standards and design considerations, the Project would contribute to high quality character and commercial vitality, and would be consistent with this goal.
Policy UD-1.1: Recognize and capitalize on Hesperia's unique location and setting — "Gateway to the High Desert" at the top of the Cajon Pass, desert landscape, and dramatic natural features such as the Oro Grande Wash - to further establish a sense of pride in the community.	Not applicable.
Policy UD-1.2: Identify regional gateways into the City along Interstate-15 and create City identity at these locations by taking inspiration from the City's dramatic location at the top of Cajon Pass and Cajon Summit.	Not applicable.
Policy UD-1.4: Preserve views of the mountains - San Gabriel Mountains to the southwest and San Bernardino National Forest to the southeast.	Consistent. While the Project would introduce new structures into the existing landscape, existing development impairs scenic views of the mountains from the Project site and surrounding viewpoints. The proposed building height (55 feet) would be below the

Policy	Project Consistency with Policy
	CIBP maximum building height of 60 feet and would be consistent with heights of other existing buildings in the Project vicinity. Building colors and materials would be consistent with the industrial design considerations included under the MSFC-SP to compliment the surrounding landscape. Therefore, the Project would be consistent.
Goal UD-3: Take advantage of the City's climate and natural setting while preserving existing open space resources and planning for new resources.	Consistent. The Project site is zoned CIBP and is not currently designated, or planned for future, open space. Building colors and materials would be consistent with the industrial design considerations included under the MSFC-SP to compliment the surrounding landscape.
Policy UD-3.1: Recognize and preserve the washes' multiple functions: a place for recreation, a natural habitat and a channel for storm runoff.	Consistent. As discussed under Section 5.3, Biological Resources, the Project would impact riverine habitat (ephemeral stream) that contribute to the City's washes. The Project would include instillation of catch basins and underground infiltration systems to capture and treat stormwater runoff onsite and maintain existing drainage patterns and discharging runoff rate and volume.
Policy JD-3.5: Preserve and protect significant areas of native wildlife and plant habitat.	Consistent. As discussed under Section 5.3, Biological Resources, the Project would impact riverine habitat (ephemeral stream) and Joshua tree woodland. Impacted habitat would be preserved through compensatory mitigation.
Policy UD-3.6: Utilize the SCE corridor right-of-way for creating a walking and biking trail.	Not applicable.
Policy UD-3.7: Preserve trails for equestrian uses.	Not applicable.
Goal UD-4: Enhance the pedestrian environment and driving experience within the City.	Consistent. As discussed under Section 5.9, Transportation, the Project would include installation of sidewalks and native streetscape landscaping to enhance overall pedestrian and driving experience.
Policy UD4.l: Establish an open space network that connects the City's existing and planned open space resources. Recognize Main Street as a fundamental element of this network.	Not applicable.

Additionally, MSFC-SP Chapter 11 (Industrial Design Standards and Guidelines) contains design guidelines for industrial uses in the MSFC-SP. Guidelines specify site layout, building scaling and massing, building entry design, vehicle and pedestrian circulation, parking and loading area requirements, and more. Earth tones would be used for the proposed building, consistent with the Industrial Design Standards. The use of strong or bright, unnatural colors, including the bright "white-on white" color schemes for exterior stucco, wood siding, trim doors and shutters, is discouraged. However, the MSFC-SP design standards are nonspecific and Project colors and building materials could contrast the surrounding landscape. Aesthetic incompatibilities could diminish the existing visual character and quality of the surrounding high desert landscape and detract from views of the distant mountains. Therefore, AES-1 has been included which would require the applicant to prepare a color palette for review by the City to ensure consistency with the surrounding scenic landscape. With implementation of Mitigation Measure AES-1, the Project would result in less than significant impacts on visual character and quality.

IMPACT AE-3: WOULD THE PROJECT CREATE A NEW SOURCE OF SUBSTANTIAL LIGHT OR GLARE THAT WOULD ADVERSELY AFFECT DAY AND NIGHTTIME VIEWS IN THE AREA?

Less Than Significant Impact.

Construction

Limited, if any, nighttime lighting would be needed for Project construction during winter months. Section 16.20.125 of the City's Development Code limits construction to between the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday and does not allow construction on Sundays or federal holidays. Thus, most construction activity would occur during daytime hours during the week, and construction-related illumination would be used for limited safety and security purposes and would be required to be directed downward. In addition, construction of the Project would not include any materials that would generate offsite glare that could direct light to sensitive receptors. Therefore, impacts related to lighting and glare during construction would be less than significant.

Operation

Lighting. As discussed in the MSFC-SP, the buildout of the planning area would introduce new lighting sources to the mostly undeveloped landscape. Development of the MSFC-SP would result in significant and unavoidable impacts related to light and glare.

The Project site is currently undeveloped and does not contain sources of light or glare. Nighttime lighting sources include vehicles from Mesa Linda Street and Poplar Street, as well as distant commercial land uses to the southeast and northwest.

The Project would include development of a one-story 408,997 SF warehouse building on an 18.16-acre site. Additional improvements would include landscaping, sidewalks, utility connections, implementation of stormwater facilities, and pavement of parking areas and driveways. The warehouse building would be a maximum of 55 feet in height. Project development also includes an asphaltic concrete surface parking lot, landscaping, signage, and utility improvements to serve the site. The Project building would include 54 loading dock doors on the north side of the proposed building. The Project would also provide 57 trailer stalls located opposite of the loading dock doors on the south side of the Project site. Additionally, the building would provide 213 vehicle parking stalls on the west, south, and east sides of the site. The Project is anticipated to operate 24 hours per day, 7 days per week.

The Project would introduce new sources of lighting to the Project site. New sources of nighttime lighting resulting from the implementation of the Project include parking lot and loading area lighting, as well as building mounted lights. The Project would include a variety of exterior building light fixtures and parking lot lighting fixtures, including building mounted and pole mounted light fixtures. The MSFC-SP EIR included the following measures to mitigate indirect lighting impacts of new development on surrounding land uses.

> **Lighting -** Individual future development projects should be designed to minimize night lighting while remaining compliant with City of Hesperia ordinances related to outdoor lighting. Any necessary lighting adjacent to the open space areas of the project should be shielded or directed away from open space areas.

Nighttime lighting would increase with Project development. The additional lighting would be limited to safety, security, and (future) signage purposes. However, nighttime lighting from the Project site would be shielded to avoid spilling onto adjacent properties as required by the MSFC-SP EIR. Therefore, Project development would not result in substantial light that would adversely affect views of the area, and impacts related to lighting would be less than significant.

Glare. Glare can emanate from many different sources, some of which include direct sunlight, sunlight reflecting from cars or buildings, and bright outdoor or indoor lighting. Glare from reflective surfaces occurs as a result of the addition of large expanses of glass, metal, and other reflective surfaces for building façades with new construction.

The Project would develop new buildings that would generally be constructed of concrete and typical of most warehouse/distribution buildings, but would have blue glass windows, painted concrete, and painted metal doors. The glass windows would not dominate building elevations and are intended to bring daylight into the building as well as provide design treatments to the exterior building walls. The windows would be individually framed openings and would be extended or recessed to create more depth and shadow. Also, the future perimeter landscaping would reduce effects of light and glare by including trees.

Section 16.20.135 of the City's Municipal Code, states that industrial activity shall not cause light trespass above 0.5 footcandles when measured in a residential district or lot. Parcels surrounding the Project site are designated as CIBP and Regional Commercial (RC) within the MSFC-SP, and therefore, the Project would not be subject to residential restrictions of Section 16.20.135 of the City's Municipal Code. Therefore, the Project would result in a less than significant impact on glare.

5.1.7 CUMULATIVE IMPACTS

The cumulative aesthetics study area for the Project is the viewshed from public areas that can view the Project site and locations that can be viewed from the Project site. Development of the Project site with industrial uses would contribute to a change in visual characteristics of the Project site and Project vicinity. As discussed previously, implementation of the land uses approved by the MSFC-SP would substantially change the existing visual character of the Project site. However, the Project would be compliant with the City's Development Standards and MSFC-SP Development Standards, which would minimize aesthetic impacts related to the planned land use.

The cumulative change in visual condition that would result from Project development and operation, in combination with future nearby projects would not be considered adverse, because the Project would implement the MSFC-SP related to architecture, landscaping, signs, lighting, and other related items intended to improve visual quality. Thus, Project development and operation would result in a less than significant cumulatively considerable impact related to degradation of the existing visual character or quality of the Project site and its surroundings.

The cumulative study area for light and glare includes areas immediately adjacent to the Project site that could receive light or glare from the Project or generate daytime glare or nighttime lighting that would be visible within the Project site and could combine with lighting from the Project. Project lighting would comply with existing requirements to focus lighting sources on the Project site and shield lighting from spillage onto adjacent land uses. This would minimize nighttime light pollution and reduce the potential for glare onto adjacent roadways and land uses. Other projects located throughout the MSFC-SP would similarly be required to comply with these regulations as well. Cumulative projects would result in more intense development than currently exists within the MSFC-SP area. However, through implementation of existing standards and applicable lighting measures, the Project, in combination with past, present, and reasonably foreseeable future projects would result in less than significant cumulative nighttime lighting and daytime glare impacts.

5.1.8 EXISTING REGULATIONS AND PLANS, PROGRAMS, OR POLICIES

Existing Regulations

- City Municipal Code Section16.20.135 – Glare
- City Municipal Code Section 16.20.125 – Noise
- City of Hesperia Development Code (Title 16 of the Hesperia Municipal Code)
- MSFC-SP Section II: Private Development, Chapter 9: Non-Residential Zones
- MSFC-SP Chapter 11: Industrial Design Standards and Guidelines
- MSFC-SP Section I, Chapter 4: Urban Design Framework

5.1.9 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements, Impacts AE-1, AE-2, and AE-3 would be less than significant. Cumulative impacts would be less than significant.

5.1.10 MITIGATION MEASURES

Mitigation Measure AES-1

Project buildings and elements shall include colors and tones that mimic the natural desert environment. The Project applicant shall present to the City of Hesperia a materials board showing the proposed building color palette for review and approval prior to issuance of the first building permit. City staff shall review the color palette to ensure that the selected colors and tones largely conform to those colors and tones already found in the surrounding natural desert landscape. The color palette, along with the Project design as a whole, shall also be reviewed to assure conformance with the development standards of the Hesperia Municipal Code and the Main Street and Freeway Corridor Specific Plan in order to promote the visual character and quality of the surrounding area.

5.1.11 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Existing regulatory programs would reduce potential impacts associated with aesthetics for Impacts AE-1 through AE-3 to a level that is less than significant. Therefore, no significant unavoidable adverse impacts related to aesthetics would occur.

REFERENCES

City of Hesperia General Plan, Open Space Element, 2010.

City of Hesperia General Plan 2010 Final Environmental Impact Report, Michael Brandman Associates, December 2010.

City of Hesperia Development Code (Title 16 of the Hesperia Municipal Code).

California Department of Transportation (Caltrans) Scenic Highway Mapping System (Caltrans, 2018).

5.2 Air Quality

5.2.1 INTRODUCTION

This section provides an overview of the existing air quality within the Project area and surrounding region, a summary of applicable regulations, and analyses of potential short-term and long-term air quality impacts from implementation of the proposed Project. Mitigation measures are recommended as necessary to reduce significant air quality impacts. This analysis is based on the Air Quality, Health Risk, Greenhouse Gas, and Energy Impact Report prepared by LSA, included as Appendix B.

5.2.2 REGULATORY SETTING

5.2.2.1 FEDERAL REGULATIONS

United States Environmental Protection Agency

Criteria Air Pollutants

At the federal level, the United States Environmental Protection Agency (USEPA) has been charged with implementing national air quality programs. The USEPA's air quality mandates are drawn primarily from the federal Clean Air Act (CAA), which was enacted in 1970. The most recent major amendments to the CAA were made by Congress in 1990.

The CAA requires the USEPA to establish National Ambient Air Quality Standards (NAAQS). The USEPA has established primary and secondary NAAQS for the following criteria air pollutants: ozone, CO, NO_2, SO_2, PM_{10}, $PM_{2.5}$, and lead. Table 5.2-1 shows the NAAQS for these pollutants. The CAA also requires each state to prepare an air quality control plan, referred to as a state implementation plan (SIP). The CAA Amendments of 1990 (CAAA) added requirements for states with nonattainment areas to revise their SIPs to incorporate additional control measures to reduce air pollution. The SIP is modified periodically to reflect the latest emissions inventories, planning documents, and rules and regulations of the air basins, as reported by their jurisdictional agencies. The USEPA is responsible for reviewing all SIPs to determine whether they conform to the mandates of the CAA and its amendments, and to determine whether implementing the SIPs will achieve air quality goals. If the USEPA determines a SIP to be inadequate, a federal implementation plan that imposes additional control measures may be prepared for the nonattainment area.

The USEPA also has regulatory and enforcement jurisdiction over emission sources beyond state waters (outer continental shelf), and those that are under the exclusive authority of the federal government, such as aircraft, locomotives, and interstate trucking. The USEPA's primary role at the state level is to oversee state air quality programs. The USEPA sets federal vehicle and stationary source emissions standards and provides research and guidance in air pollution programs.

Hazardous Air Pollutants

The USEPA has programs for identifying and regulating hazardous air pollutants (HAPs). Title III of the CAAA directed the USEPA to promulgate national emissions standards for HAPs (NESHAP). The NESHAP may differ for major sources than for area sources of HAPs. Major sources are defined as stationary sources with potential to emit more than 10 tons per year (tpy) of any HAP or more than 25 tpy of any combination of HAPs; all other sources are considered area sources. The emissions standards are to be promulgated in two phases. In the first phase (1992–2000), the USEPA developed technology-based emission standards designed to produce the maximum emission reduction achievable. These standards

are generally referred to as requiring maximum achievable control technology (MACT). For area sources, the standards may be different, based on generally available control technology. In the second phase (2001–2008), the USEPA promulgated health-risk-based emissions standards that were deemed necessary to address risks remaining after implementation of the technology-based NESHAP standards.

Table 5.2-1: Ambient Air Quality Standards for Criteria Pollutants

Pollutant	Averaging Time	State Standard	National Standard	Pollutant Health and Atmospheric Effects	Major Pollutant Sources
Ozone	1 hour	0.09 ppm	---	High concentrations can directly affect lungs, causing irritation. Long-term exposure may cause damage to lung tissue.	Formed when ROG and NO_X react in the presence of sunlight. Major sources include on-road motor vehicles, solvent evaporation, and commercial/industrial mobile equipment.
	8 hours	0.07 ppm	0.075 ppm		
Carbon Monoxide (CO)	1 hour	20 ppm	35 ppm	Classified as a chemical asphyxiant, carbon monoxide interferes with the transfer of fresh oxygen to the blood and deprives sensitive tissues of oxygen.	Internal combustion engines, primarily gasoline-powered motor vehicles.
	8 hours	9.0 ppm	9 ppm		
Nitrogen Dioxide (NO_x)	1 hour	0.18 ppm	0.100 ppm	Irritating to eyes and respiratory tract. Colors atmosphere reddish-brown.	Motor vehicles, petroleum refining operations, industrial sources, aircraft, ships, and railroads.
	Annual Arithmetic Mean	0.030 ppm	0.053 ppm		
Sulfur Dioxide (SO_2)	1 hour	0.25 ppm	75 ppb	Irritates upper respiratory tract; injurious to lung tissue. Can yellow the leaves of plants, destructive to marble, iron, and steel. Limits visibility and reduces sunlight.	Fuel combustion, chemical plants, sulfur recovery plants, and metal processing.
	3 hours	---	0.50 ppm		
	24 hours	0.04 ppm	0.14 ppm		
	Annual Arithmetic Mean	---	0.03 ppm		
Respirable Particulate Matter (PM_{10})	24 hours	50 µg/m^3	150 µg/m^3	May irritate eyes and respiratory tract, decreases in lung capacity, cancer and increased mortality. Produces haze and limits visibility.	Dust and fume-producing industrial and agricultural operations, combustion, atmospheric photochemical reactions, and natural activities (e.g., wind-raised dust and ocean sprays).
	Annual Arithmetic Mean	20 µg/m^3	---		
Fine Particulate Matter ($PM_{2.5}$)	24 hours	---	35 µg/m^3	Increases respiratory disease, lung damage, cancer, and premature death. Reduces visibility and results in surface soiling.	Fuel combustion in motor vehicles, equipment, and industrial sources; residential and agricultural burning; Also, formed from photochemical reactions of other pollutants,
	Annual Arithmetic Mean	12 µg/m^3	12 µg/m^3		

Pollutant	Averaging Time	State Standard	National Standard	Pollutant Health and Atmospheric Effects	Major Pollutant Sources
					including NO_x, sulfur oxides, and organics.
Lead (Pb)	30 Day Average	1.5 µg/m^3	---	Disturbs gastrointestinal system, and causes anemia, kidney disease, and neuromuscular and neurological dysfunction (in severe cases).	*Present source:* lead smelters, battery manufacturing and recycling facilities. Past source: combustion of leaded gasoline.
	Calendar Quarter	---	1.5 µg/m^3		
	Rolling 3-Month Average	---	0.15 µg/m^3		
Hydrogen Sulfide	1 hour	0.03 ppm	…	Nuisance odor (rotten egg smell), headache and breathing difficulties (higher concentrations)	Geothermal power plants, petroleum production and refining
Sulfates (SO_4)	24 hour	25 µg/m^3	…	Decrease in ventilatory functions; aggravation of asthmatic symptoms; aggravation of cardio-pulmonary disease; vegetation damage; degradation of visibility; property damage.	Industrial processes.
Visibility Reducing Particles	8 hour	Extinction of 0.23/km; visibility of 10 miles or more	…	Reduces visibility, reduced airport safety, lower real estate value, and discourages tourism.	See $PM_{2.5}$.

ppm = parts per million; ppb = parts per billion; µg/m^3 = micrograms per cubic meter.

The CAAA also required the USEPA to promulgate vehicle or fuel standards containing reasonable requirements that control toxic emissions of, at a minimum, benzene and formaldehyde. Performance criteria were established to limit mobile-source emissions of toxics, including benzene, formaldehyde, and 1,3- butadiene. In addition, Section 219 required the use of reformulated gasoline in selected areas with the most severe ozone nonattainment conditions to further reduce mobile-source emissions.

5.2.2.2 STATE REGULATIONS

California Air Resources Board

Criteria Air Pollutants

The California Air Resources Board (CARB), a department of the California Environmental Protection Agency, oversees air quality planning and control throughout California. CARB is responsible for coordination and oversight of state and local air pollution control programs in California and for implementation of the California Clean Air Act (CCAA). The CCAA, which was adopted in 1988, requires CARB to establish the California Ambient Air Quality Standards (CAAQS). CARB has established CAAQS for sulfates, hydrogen sulfide, vinyl chloride, visibility-reducing particulate matter, and the above-mentioned criteria air pollutants. Applicable CAAQS are shown in Table 5.2-1.

The CCAA requires all local air districts in the state to endeavor to achieve and maintain the CAAQS by the earliest practical date. The act specifies that local air districts shall focus particular attention on reducing the emissions from transportation and area-wide emission sources and provides districts with the authority to regulate indirect sources.

Among CARB's other responsibilities are overseeing compliance by local air districts with California and federal laws, approving local air quality plans, submitting SIPs to the USEPA, monitoring air quality, determining and updating area designations and maps, and setting emissions standards for new mobile sources, consumer products, small utility engines, off-road vehicles, and fuels.

Diesel Regulations

The CARB and the Ports of Los Angeles and Long Beach have adopted several iterations of regulations for diesel trucks that are aimed at reducing diesel particulate matter (DPM). More specifically, the CARB Drayage Truck Regulation, the CARB statewide On-road Truck and Bus Regulation, and the Ports of Los Angeles and Long Beach "Clean Truck Program" (CTP) require accelerated implementation of "clean trucks" into the statewide truck fleet. In other words, older more polluting trucks will be replaced with newer, cleaner trucks as a function of these regulatory requirements.

Moreover, the average statewide DPM emissions for Heavy Duty Trucks (HDT), in terms of grams of DPM generated per mile traveled, will dramatically be reduced due to these regulatory requirements. Diesel emissions identified in this analysis therefore overstate future DPM emissions because not all of these regulatory requirements are reflected in the modeling.

Toxic Air Contaminants

Air quality regulations also focus on toxic air contaminants (TACs). In general, for those TACs that may cause cancer, there is no concentration that does not present some risk. In other words, there is no safe level of exposure. This contrasts with the criteria air pollutants, for which acceptable levels of exposure can be determined and for which the ambient standards have been established. Instead, the USEPA and CARB regulate HAPs and TACs, respectively, through statutes and regulations that generally require the use of the MACT or best available control technology (BACT) for toxics and to limit emissions. These statutes and regulations, in conjunction with additional rules set forth by the districts, establish the regulatory framework for TACs.

TACs in California are regulated primarily through the Tanner Air Toxics Act (Assembly Bill (AB) 1807 [Chapter 1047, Statutes of 1983]) (Health and Safety Code Section 39650 *et seq.*) and the Air Toxics Hot Spots Information and Assessment Act (Hot Spots Act) (AB 2588) [Chapter 1252, Statutes of 1987]) (Health and Safety Code Section 44300 *et seq.*). AB 1807 sets forth a formal procedure for CARB to designate substances as TACs. This includes research, public participation, and scientific peer review

before CARB can designate a substance as a TAC. To date, CARB has identified more than 21 TACs and adopted the USEPA's list of HAPs as TACs. Most recently, diesel PM was added to the CARB list of TACs. Once a TAC is identified, CARB then adopts an airborne toxics control measure (ATCM) for sources that emit that particular TAC. If there is a safe threshold for a substance at which there is no toxic effect, the control measure must reduce exposure below that threshold. If there is no safe threshold, the measure must incorporate BACT to minimize emissions.

The Air Toxics Hot Spots Information and Assessment Act requires existing facilities emitting toxic substances above a specified level to prepare a toxic-emission inventory, prepare a risk assessment if emissions are significant, notify the public of significant risk levels, and prepare and implement risk reduction measures.

CARB published the Air Quality and Land Use Handbook: A Community Health Perspective (Handbook), which provides guidance concerning land use compatibility with TAC sources. Although it is not a law or adopted policy, the Handbook offers advisory recommendations for the siting of sensitive receptors near uses associated with TACs, such as freeways and high-traffic roads, commercial distribution centers, rail yards, ports, refineries, dry cleaners, gasoline stations, and industrial facilities, to help keep children and other sensitive populations out of harm's way. Based on CARB's Community Health Air Pollution Information System (CHAPIS), no major TAC sources are located in proximity to the Project area. In addition, CARB has promulgated the following specific rules to limit TAC emissions:

- **CARB Rule 2485** (13 CCR, Chapter 10 Section 2485), Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling
- **CARB Rule 2480** (13 CCR Chapter 10 Section 2480), Airborne Toxic Control Measure to Limit School Bus Idling and Idling at Schools
- **CARB Rule 2477** (13 CCR Section 2477 and Article 8), Airborne Toxic Control Measure for In-Use Diesel Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets and Facilities Where TRUs Operate

California Assembly Bill 1493– Pavley

In 2002, the California Legislature adopted AB 1493 requiring the adoption of regulations to develop fuel economy standards for the transportation sector. In September 2004, pursuant to AB 1493, the CARB approved regulations to reduce fuel use and emissions from new motor vehicles beginning with the 2009 model year (Pavley Regulations). CARB, EPA, and the U.S. Department of Transportation's National Highway Traffic and Safety Administration (NHTSA) have coordinated efforts to develop fuel economy standards for model 2017-2025 vehicles, which are incorporated into the "Low Emission Vehicle" (LEV) Regulations.

California Code of Regulations (CCR) Title 13, Motor Vehicles, Section 2449(d)(3)

No vehicle or engines subject to this regulation may idle for more than 5 consecutive minutes. The idling limit does not apply to:

- idling when queuing,
- idling to verify that the vehicle is in safe operating condition,
- idling for testing, servicing, repairing or diagnostic purposes,
- idling necessary to accomplish work for which the vehicle was designed (such as operating a crane),

- idling required to bring the machine system to operating temperature, and
- idling necessary to ensure safe operation of the vehicle.

Title 24 Energy Efficiency Standards and California Green Building Standards

California Code of Regulations (CCR) Title 24 Part 6: The California Energy Code (CalGreen) was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2019 California Green Building Code Standards that became effective January 1, 2020.

The 2022 Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, and strengthens ventilation standards, among other requirements. The California Energy Commission anticipates that the 2022 energy code will provide $1.5 billion in consumer benefits and reduce GHG emissions by 10 million metric tons.

The 2022 CALGreen standards that reduce GHG emissions and are applicable to the proposed Project include, but are not limited to, the following:

- Short-term bicycle parking. If the new project or an additional alteration is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5% of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack (5.106.4.1.1).

- Long-term bicycle parking. For new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for 5% of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility (5.106.4.1.2).

- Designated parking for clean air vehicles. In new projects or additions to alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).

- EV charging stations. New construction shall facilitate the future installation of EV supply equipment. The compliance requires empty raceways for future conduit and documentation that the electrical system has adequate capacity for the future load. The number of spaces to be provided for is contained in Table 5.106. 5.3.3 (5.106.5.3). Additionally, Table 5.106.5.4.1 specifies requirements for the installation of raceway conduit and panel power requirements for medium- and heavy-duty electric vehicle supply equipment for warehouses, grocery stores, and retail stores.

- Outdoor light pollution reduction. Outdoor lighting systems shall be designed to meet the backlight, uplight and glare ratings per Table 5.106.8 (5.106.8).

- Construction waste management. Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1. 5.405.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent (5.408.1).

- Excavated soil and land clearing debris. 100% of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reuse or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed (5.408.3).

- Recycling by Occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive (5.410.1).

- Water conserving plumbing fixtures and fittings. Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following:
    - Water Closets. The effective flush volume of all water closets shall not exceed 1.28 gallons per flush (5.303.3.1)
    - Urinals. The effective flush volume of wall-mounted urinals shall not exceed 0.125 gallons per flush (5.303.3.2.1). The effective flush volume of floor- mounted or other urinals shall not exceed 0.5 gallons per flush (5.303.3.2.2).
    - Showerheads. Single showerheads shall have a minimum flow rate of not more than 1.8 gallons per minute and 80 psi (5.303.3.3.1). When a shower is served by more than one showerhead, the combine flow rate of all showerheads and/or other shower outlets controlled by a single valve shall not exceed 1.8 gallons per minute at 80 psi (5.303.3.3.2).
    - Faucets and fountains. Nonresidential lavatory faucets shall have a maximum flow rate of not more than 0.5 gallons per minute at 60 psi (5.303.3.4.1). Kitchen faucets shall have a maximum flow rate of not more than 1.8 gallons per minute of 60 psi (5.303.3.4.2). Wash fountains shall have a maximum flow rate of not more than 1.8 gallons per minute (5.303.3.4.3). Metering faucets shall not deliver more than 0.20 gallons per cycle (5.303.3.4.4). Metering faucets for wash fountains shall have a maximum flow rate not more than 0.20 gallons per cycle (5.303.3.4.5).
- Outdoor potable water uses in landscaped areas. Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent (5.304.1).
- Water meters. Separate submeters or metering devices shall be installed for new buildings or additions in excess of 50,000 SF or for excess consumption where any tenant within a new building or within an addition that is project to consume more than 1,000 gallons per day (GPD) (5.303.1.1 and 5.303.1.2).
- Outdoor water uses in rehabilitated landscape projects equal or greater than 2,500 SF. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 SF requiring a building or landscape permit (5.304.3).
- Commissioning. For new buildings 10,000 SF and over, building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (5.410.2).

The 2019 CalGreen Building Standards Code has been adopted by the City of Hesperia as Municipal Code Chapter 15.04. The 2022 CalGreen Building Standards Code has yet to be adopted by the City of Hesperia.

Senate Bill 1000 Environmental Justice in Local Land Use Planning

In an effort to address the inequitable distribution of pollution and associated health effects in low-income communities and communities of color, the Legislature passed and Governor Brown signed Senate Bill 1000 (SB 1000) in 2016, requiring local governments to identify environmental justice communities (called "disadvantaged communities") in their jurisdictions and address environmental justice in their general plans. This new law has several purposes, including to facilitate transparency and public engagement in local governments' planning and decision-making processes, reduce harmful pollutants and the associated health risks in environmental justice communities, and promote equitable access to health-inducing

benefits, such as healthy food options, housing, public facilities, and recreation. SB 1000 requires environmental justice elements to identify objectives and policies to reduce unique or compounded health risks in disadvantaged communities. Generally, environmental justice elements will include policies to reduce the community's exposure to pollution through air quality improvement. SB 1000 affirms the need to integrate environmental justice principles into the planning process to prioritize improvements and programs that address the needs of disadvantaged communities.

5.2.2.3 REGIONAL REGULATIONS

Mojave Desert Air Quality Management District

Criteria Air Pollutants

The Mojave Desert Air Quality Management District (MDAQMD) attains and maintains air quality conditions in the Mojave Desert Air Basin (Basin) through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. The clean air strategy of MDAQMD includes preparation of plans for attainment of ambient air quality standards, adoption and enforcement of rules and regulations concerning sources of air pollution, and issuance of permits for stationary sources of air pollution. MDAQMD also inspects stationary sources of air pollution and responds to citizen complaints; monitors ambient air quality and meteorological conditions; and implements programs and regulations required by the CAA, CAAA, and CCAA. Air quality plans applicable to the proposed Project are discussed below.

Air Quality Management Plan

MDAQMD and the Southern California Association of Governments (SCAG) are responsible for preparing the air quality management plan (AQMP), which addresses federal and state CAA requirements. The AQMP details goals, policies, and programs for improving air quality in the Basin. The MDAQMD's most recent air quality plans are the PM10 attainment demonstration and maintenance plan (MDAQMD 1995) and the O3 attainment plan (MDAQMD 2008).

MDAQMD Rules and Regulations

All projects are subject to MDAQMD rules and regulations. Specific rules applicable to the proposed Project include the following:

- **Rule 401 – Visible Emissions:** This rule establishes the limit for visible emissions from stationary sources.
- **Rule 402 – Nuisance:** This rule prohibits the discharge of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any such persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property.
- **Rule 403.2 – Fugitive Dust Control for the Mojave Desert Planning Area:** This rule ensures that the NAAQS for PM10 will not be exceeded due to anthropogenic sources of fugitive dust within the Mojave Desert Planning Area and implements the control measures contained in the Mojave Desert Planning Area Federal PM10 Attainment Plan.
- **Rule 442 – Usage of Solvents:** The purpose of this rule is to reduce VOC emissions from VOC-containing materials or equipment that is not subject to limits of any rule found in District Regulation XI – Source Specific Standards.
- **Rule 1113 – Architectural Coatings:** This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these

coatings, primarily by placing limits on the VOC content of various coating categories.

5.2.2.4 LOCAL REGULATIONS

City of Hesperia General Plan

The City of Hesperia General Plan Conservation Element contains the following policies related to air quality that are applicable to the Project:

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

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

Policy CN-8.4 Limit new sensitive receptor land uses in proximity to significant sources of air pollution.

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

5.2.3 ENVIRONMENTAL SETTING

Climate and Meteorology

The Project area is located within the Mojave Desert Air Basin (Basin), which is under the jurisdiction of the MDAQMD. The Basin includes the desert portions of Los Angeles, Kern, San Bernardino, and Riverside Counties. The Basin is an assemblage of mountain ranges interspersed with long, broad valleys that often contain dry lakes. Many of the lower mountains that dot the vast terrain rise from 1,000 to 4,000 ft above the valley floor. Prevailing winds in the Basin are out of the west and southwest. These prevailing winds are due to the proximity of the Basin to coastal and central regions and the blocking nature of the Sierra Nevada Mountains to the north; air masses pushed onshore in Southern California by differential heating are channeled through the Basin. The Basin is separated from the Southern California coastal and central California valley regions by mountains (highest elevation is approximately 10,000 ft), whose passes form the main channels for these air masses. The Mojave Desert is bordered on the southwest by the San Bernardino Mountains, separated from the San Gabriel Mountains by the Cajon Pass (4,200 ft). A lesser pass lies between the San Bernardino Mountains and the Little San Bernardino Mountains in the Morongo Valley. The Palo Verde Valley portion of the Mojave Desert lies in the low desert, at the eastern end of a series of valleys (notably the Coachella Valley), whose primary channel is the San Gorgonio Pass (2,300 ft) between the San Bernardino and San Jacinto Mountains.

The ambient concentrations of air pollutants are determined by the amount of emissions released by sources and the atmosphere's ability to transport and dilute such emissions. Natural factors that affect transport and dilution include terrain, wind, atmospheric stability, and sunlight. Therefore, existing air quality conditions in the area are determined by such natural factors as topography, meteorology, and climate, in addition to the amount of emissions released by existing air pollutant sources.

During the summer, the Basin is generally influenced by a Pacific subtropical high cell that sits off the coast, inhibiting cloud formation and encouraging daytime solar heating. The Basin is rarely influenced by cold air masses moving south from Canada and Alaska, as these frontal systems are weak and diffuse by the time they reach the desert. Most desert moisture arrives from infrequent warm, moist, and unstable air masses from the south. The Basin averages between 3 and 7 inches of precipitation per year (from 16 to 30 days with at least 0.01 inch of precipitation). The Basin is classified as a dry-hot desert climate (BWh), with portions classified as dry-very hot desert climate (BWhh), to indicate that at least 3 months have maximum average temperatures over 100.4 degrees Fahrenheit (°F).

Snow is common above 5,000 ft in elevation, resulting in moderate snowpack and limited spring runoff. Below 5,000 ft, any precipitation normally occurs as rainfall. Pacific storm fronts normally move into the area from the west, driven by prevailing winds from the west and southwest. During late summer, moist high-pressure systems from the Pacific Ocean collide with rising heated air from desert areas, resulting in brief, high-intensity thunderstorms that can cause high winds and localized flash flooding. During the fall and winter months, strong, dry Santa Ana winds from the northeast can cause rapid temperature variations of significant magnitude.

Criteria Air Pollutants

CARB and USEPA currently focus on the following air pollutants as indicators of ambient air quality: ozone, carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), respirable particulate matter with an aerodynamic diameter of 10 micrometers or less (PM_{10}), fine particulate matter with an aerodynamic diameter of 2.5 micrometers or less ($PM_{2.5}$), and lead. These pollutants are referred to as "criteria air pollutants" because they are the most prevalent air pollutants known to be injurious to human health. Extensive health-effects criteria documents regarding the effects of these pollutants on human health and welfare have been prepared over the years.[1] Standards have been established for each criteria pollutant to meet specific public health and welfare criteria set forth in the federal CAA. California has generally adopted more stringent ambient air quality standards for the criteria air pollutants (CAAQS) and has adopted air quality standards for some pollutants for which there is no corresponding national standard, such as sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. [1]

Ozone

Ozone, the main component of photochemical smog, is primarily a summer and fall pollution problem. Ozone is not emitted directly into the air, but is formed through a complex series of chemical reactions involving other compounds that are directly emitted. These directly emitted pollutants (also known as ozone precursors) include reactive organic gases (ROGs) or volatile organic compounds (VOCs), and oxides of nitrogen (NO_x). While both ROGs and VOCs refer to compounds of carbon, ROG is a term used by CARB and is based on a list of exempted carbon compounds determined by CARB. VOC is a term used by the USEPA and is based on its own exempt list. The time period required for ozone formation allows the reacting compounds to spread over a large area, producing regional pollution problems. Ozone concentrations are the cumulative result of regional development patterns rather than the result of a few significant emission sources.

Once ozone is formed, it remains in the atmosphere for one or two days. Ozone is then eliminated through reaction with chemicals on the leaves of plants, attachment to water droplets as they fall to earth ("rainout"), or absorption by water molecules in clouds that later fall to earth with rain ("washout").

Short-term exposure to ozone can irritate the eyes and cause constriction of the airways. In addition to causing shortness of breath, ozone can aggravate existing respiratory diseases such as asthma, bronchitis, and emphysema.

Carbon Monoxide

CO is a colorless, odorless gas produced by the incomplete combustion of carbon-containing fuels, such as gasoline or wood. CO concentrations tend to be the highest during the winter morning, when little to no wind and surface-based inversions trap the pollutant at ground levels. Because CO is emitted directly from internal

[1] Additional sources of information on the health effects of criteria pollutants can be found at CARB and USEPA's websites at http://www.arb.ca.gov/research/health/health.htm and http://www.epa.gov/air/airpollutants.html, respectively.

combustion engines, unlike ozone, motor vehicles operating at slow speeds are the primary source of CO in the Basin. The highest ambient CO concentrations are generally found near congested transportation corridors and intersections.

Nitrogen Dioxide

NO_2 is a reddish-brown gas that is a by-product of combustion processes. Automobiles and industrial operations are the main sources of NO_2. Combustion devices emit primarily nitric oxide (NO), which reacts through oxidation in the atmosphere to form NO_2. The combined emissions of NO and NO_2 are referred to as NO_x, which are reported as equivalent NO_2. Aside from its contribution to ozone formation, NO_2 can increase the risk of acute and chronic respiratory disease and reduce visibility. NO_2 may be visible as a coloring component of a brown cloud on high pollution days, especially in conjunction with high ozone levels.

Sulfur Dioxide

SO_2 is a colorless, extremely irritating gas or liquid that enters the atmosphere as a pollutant mainly as a result of burning high sulfur-content fuel oils and coal, and from chemical processes occurring at chemical plants and refineries. When SO_2 oxidizes in the atmosphere, it forms sulfur trioxide (SO_3). Collectively, these pollutants are referred to as sulfur oxides (SO_x).

Major sources of SO_2 include power plants, large industrial facilities, diesel vehicles, and oil-burning residential heaters. Emissions of SO_2 aggravate lung diseases, especially bronchitis. This compound also constricts the breathing passages, especially in people with asthma and people involved in moderate to heavy exercise. SO_2 potentially causes wheezing, shortness of breath, and coughing. Long-term SO_2 exposure has been associated with increased risk of mortality from respiratory or cardiovascular disease.

Particulate Matter

PM_{10} and $PM_{2.5}$ consist of particulate matter that is 10 microns or less in diameter and 2.5 microns or less in diameter, respectively (a micron is one-millionth of a meter). PM_{10} and $PM_{2.5}$ represent fractions of particulate matter that can be inhaled into the air passages and the lungs and can cause adverse health effects. Acute and chronic health effects associated with high particulate levels include the aggravation of chronic respiratory diseases, heart and lung disease, and coughing, bronchitis and respiratory illnesses in children. Particulate matter can also damage materials and reduce visibility. One common source of $PM_{2.5}$ is diesel exhaust emissions.

PM_{10} consists of particulate matter emitted directly into the air (e.g., fugitive dust, soot, and smoke from mobile and stationary sources, construction operations, fires, and natural windblown dust) and particulate matter formed in the atmosphere by condensation and/or transformation of SO_2 and ROG. Traffic generates particulate matter emissions through entrainment of dust and dirt particles that settle onto roadways and parking lots. PM_{10} and $PM_{2.5}$ are also emitted by burning wood in residential wood stoves and fireplaces and open agricultural burning. $PM_{2.5}$ can also be formed through secondary processes such as airborne reactions with certain pollutant precursors, including ROGs, ammonia (NH_3), NO_x, and SO_x.

Lead

Lead is a metal found naturally in the environment and present in some manufactured products. There are a variety of activities that can contribute to lead emissions, which are grouped into two general categories, stationary and mobile sources. On-road mobile sources include light-duty automobiles; light-, medium-, and heavy-duty trucks; and motorcycles.

Emissions of lead have dropped substantially over the past 40 years. The reduction before 1990 is largely due to the phase-out of lead as an anti-knock agent in gasoline for on-road automobiles. Substantial emission reductions have also been achieved due to enhanced controls in the metals processing industry. In the Basin, atmospheric lead is generated almost entirely by the combustion of leaded gasoline and contributes less than one percent of the material collected as total suspended particulates.

Toxic Air Contaminants

Concentrations of TACs, or in federal parlance, HAPs, are also used as indicators of ambient air quality conditions. A TAC is defined as an air pollutant that may cause or contribute to an increase in mortality or in serious illness, or that may pose a hazard to human health. TACs are usually present in minute quantities in the ambient air; however, their high toxicity or health risk may pose a threat to public health even at low concentrations.

According to the California Almanac of Emissions and Air Quality, the majority of the estimated health risk from TACs can be attributed to relatively few compounds, the most important being particulate matter from DPM. DPM differs from other TACs in that it is not a single substance, but rather a complex mixture of hundreds of substances. Although DPM is emitted by diesel-fueled internal combustion engines, the composition of the emissions varies depending on engine type, operating conditions, fuel composition, lubricating oil, and whether an emission control system is present.

Unlike the other TACs, no ambient monitoring data are available for DPM because no routine measurement method currently exists. However, CARB has made preliminary concentration estimates based on a particulate matter exposure method. This method uses the CARB emissions inventory's PM_{10} database, ambient PM_{10} monitoring data, and the results from several studies to estimate concentrations of diesel PM. In addition to diesel PM, the TACs for which data are available that pose the greatest existing ambient risk in California are benzene, 1,3-butadiene, acetaldehyde, carbon tetrachloride, hexavalent chromium, para-dichlorobenzene, formaldehyde, methylene chloride, and perchloroethylene.

CO Hotspots

An adverse CO concentration, known as a "hot spot" is an exceedance of the state one-hour standard of 20 ppm or the eight-hour standard of 9 ppm. It has long been recognized that CO hotspots are caused by vehicular emissions, primarily when idling at congested intersections. In response, vehicle emissions standards have become increasingly stringent in the last twenty years. Currently, the allowable CO emissions standard in California is a maximum of 3.4 grams/mile for passenger cars (there are requirements for certain vehicles that are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of increasingly sophisticated and efficient emissions control technologies, CO concentration in the Basin is now designated as attainment, and CO concentrations in the Project vicinity have steadily declined (AQ 2022).

Odorous Emissions

Odors are generally regarded as an annoyance rather than a health hazard. However, manifestations of a person's reaction to foul odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). Offensive odors are unpleasant and can lead to public distress generating citizen complaints to local governments. Although unpleasant, offensive odors rarely cause physical harm. The occurrence and severity of odor impacts depend on the nature, frequency, and intensity of the source, wind speed, direction, and the sensitivity of receptors.

EXISTING CONDITIONS

Air quality monitoring stations are located throughout the nation and are maintained by the local air pollution control district and State air quality regulating agencies. The MDAQMD, together with the CARB, maintains ambient air quality monitoring stations in the Basin. The air quality monitoring stations closest to the Project site located at 17288 Olive Street in Hesperia and 14306 Park Avenue in Victorville, California.

Pollutant monitoring results for years 2019 to 2021 at the Hesperia and Victorville ambient air quality monitoring stations, shown in Table 5.2-2, indicate that air quality in the area has generally been moderate. As indicated in the monitoring results, the federal PM10 standard had one exceedance for 2019, 2020, and 2021. The State PM10 standard was exceeded an unknown number of times during the three-year period. The PM2.5 federal standard had no exceedances in 2019, four exceedances in 2020, and an unknown number of exceedances in 2021. The 1-hour ozone State standard was exceeded nine times in 2019 and in 2020, and an unknown number of times in 2021. The 8-hour ozone State standard was exceeded 52 times in 2019, 48 times in 2020, and an unknown number of times in 2021. The 8-hour ozone federal standard was exceeded 47 times in 2019, 48 times in 2020, and 55 times in 2021. In addition, the CO, SO2, and NO2 standards were not exceeded in this area during the 3-year period.

Table 5.2-2: Air Quality Monitoring Summary 2019-2021

Pollutant	Standard	2019	2020	2021
Carbon Monoxide (CO)[1]				
Maximum 1-hour concentration (ppm)		1.5	1.6	1.5
Number of days exceeded:	State: > 20 ppm	0	0	0
	Federal: > 35 ppm	0	0	0
Maximum 8-hour concentration (ppm)		1.1	1.4	1.0
Number of days exceeded:	State: > 9 ppm	0	0	0
	Federal: > 9 ppm	0	0	0
Ozone (O_3)[2]				
Maximum 1-hour concentration (ppm)		0.108	0.118	0.114
Number of days exceeded:	State: > 0.09 ppm	9	9	ND
Maximum 8-hour concentration (ppm)		0.088	0.095	0.101
Number of days exceeded:	State: > 0.07 ppm	52	48	ND
	Federal: > 0.07 ppm	47	48	55
Coarse Particulates (PM_{10})[2]				
Maximum 24-hour concentration (µg/m^3)		157	224	426
Number of days exceeded:	State: > 50 µg/m^3	ND	ND	ND
	Federal: > 150 µg/m^3	1	1	1
Annual arithmetic average concentration (µg/m^3)		ND	ND	ND
Exceeded for the year:	State: > 20 µg/m^3	ND	ND	ND
	Federal: > 50 µg/m^3	ND	ND	ND
Fine Particulates ($PM_{2.5}$)[1]				
Maximum 24-hour concentration (µg/m^3)		20.0	48.7	87.1
Number of days exceeded:	Federal: > 35 µg/m^3	0	4	ND
Annual arithmetic average concentration (µg/m^3)		7.0	10.4	10.3
Exceeded for the year:	State: > 12 µg/m^3	No	No	No
	Federal: > 15 µg/m^3	No	No	No
Nitrogen Dioxide (NO_2)[1]				
Maximum 1-hour concentration (ppm)		0.056	0.059	0.057
Number of days exceeded:	State: > 0.250 ppm	0	0	0
Annual arithmetic average concentration (ppm)		0.011	0.012	0.0126
Exceeded for the year:	Federal: > 0.053 ppm	No	No	No
Sulfur Dioxide (SO_2)[1]				
Maximum 1-hour concentration (ppm)		0.0043	0.0036	0.0034
Number of days exceeded:	State: > 0.25 ppm	0	0	0

Maximum 24-hour concentration (ppm)		0.0034	0.0022	0.0018
Number of days exceeded:	State: > 0.04 ppm	0	0	0
	Federal: > 0.14 ppm	0	0	0
Annual arithmetic average concentration (ppm)		0.00174	0.00101	0.0009
Exceeded for the year:	Federal: > 0.030 ppm	No	No	No

Sources: CARB (2021) and USEPA (2022).
[1] Data taken from the 14306 Park Avenue, Victorville Monitoring Station.
[2] Data taken from the 17288 Olive Street, Hesperia Monitoring Station.
µg/m^3 = micrograms per cubic meter
µg/m^3 = micrograms per cubic meter
CARB = California Air Resources Board
ND = No data. There were insufficient (or no) data to determine the value.
ppm = parts per million
USEPA = United States Environmental Protection Agency

Table 5.2-3: Attainment Status of Criteria Pollutants in the Mojave Desert Air Basin (Basin)

Pollutant	State	Federal
O_3 1 hour	Nonattainment: Moderate	Revoked June 2005
O_3 8 hour	Nonattainment	Nonattainment: Moderate
PM_{10}	Nonattainment	Nonattainment: Moderate
$PM_{2.5}$	Nonattainment	Unclassified/attainment
CO	Attainment	Attainment
NO_2	Attainment/unclassified	Attainment/unclassified
SO_2	Attainment/unclassified	Attainment/unclassified
Lead	Attainment	Attainment[1]

Source: MDAQMD, 2020 (Website: https://www.mdaqmd.ca.gov/rules/overview; accessed May 2023.)
CO = carbon monoxide
N/A = not applicable
NO_2 = nitrogen dioxide
O_3 = ozone
PM_{10} = particulate matter less than 10 microns in size
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
SO_2 = sulfur dioxide

Sensitive Land Uses

Land uses such as schools, children's daycare centers, hospitals, and convalescent homes are considered to be more sensitive to poor air quality than the general public because the population groups associated with these uses have increased susceptibility to respiratory distress. In addition, residential uses are considered more sensitive to air quality conditions than commercial and industrial uses, because people generally spend longer periods of time at their residences, resulting in greater exposure to ambient air quality conditions.

Recreational land uses are considered moderately sensitive to air pollution. Exercise places a high demand on respiratory functions, which can be impaired by air pollution, even though exposure periods during exercise are generally short. In addition, noticeable air pollution can detract from the enjoyment of recreation. Existing sensitive receptors in the vicinity of the Project area consist of residences and a school.

The closest sensitive receptors include residential uses located approximately 2,200 feet southeast of the Project site along Muscatel Street, residential uses approximately 2,800 ft north of the Project site along Main Street, and residential uses located approximately 2,900 ft southeast of the Project site along Seal Beach Drive.

5.2.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project could have a significant adverse effect on air quality resources if it would:

AQ-1 Conflict with or obstruct implementation of the applicable air quality plan;

AQ-2 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;

AQ-3 Expose sensitive receptors to substantial pollutant concentrations; or

AQ-4 Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

The Initial Study established that the proposed Project would result in less than significant impacts related to Threshold AQ-4; therefore, no further assessment of these impacts is required in this Draft EIR.

MDAQMD recently updated its *CEQA and Federal Conformity Guidelines* in 2020 (MDAQMD 2020). MDAQMD's guidelines provide that "[a]ny project is significant if it triggers or exceeds the most appropriate evaluation criteria." While MDAQMD guidelines explain that the emissions comparison under criteria number one is generally the most appropriate evaluation and is usually sufficient to determine whether the Project would result in a significant impact, the analysis below reviews all of the possible evaluation criteria. The evaluation criteria includes the following:

1. Would generate total emissions (direct and indirect) in excess of the established significance thresholds (presented as Table 5.2-4)
2. Would generate a violation of any ambient air quality standard when added to the local background
3. Does not conform with the applicable attainment or maintenance plan
4. Would expose sensitive receptors to substantial pollutant concentrations, including those resulting in a cancer risk greater than or equal to 10 in a million ($10 \times 10{-}6$) and/or a hazard index (noncarcinogenic) greater than or equal to 1

Regional Thresholds

MDAQMD has established daily emissions thresholds for construction and operation of a proposed project in the Basin. Specific criteria for determining whether the potential air quality impacts of a project are significant are set forth in the MDAQMD's *CEQA and Federal Conformity Guidelines*. The criteria include emissions thresholds, compliance with State and national air quality standards, and consistency with the current air quality plans. The emissions thresholds were established based on the attainment status of the Basin with regard to air quality standards for specific criteria pollutants. Because the concentration standards were set at a level that protects public health with an adequate margin of safety, these emissions thresholds are regarded as conservative and would overstate an individual project's contribution to health risks.

Table 5.2-4 lists the CEQA significance thresholds for construction and operational emissions established for the Basin. Projects in the Basin with construction- or operation-related emissions that exceed any of their respective emission thresholds would be considered significant under MDAQMD guidelines. These thresholds, which MDAQMD developed and that apply throughout the Basin, apply as both project and cumulative thresholds. If a project exceeds these standards, it is considered to have a project-specific and cumulative impact.

Table 5.2-4: MDAQMD Regional Air Quality Thresholds

Emissions Source	Pollutant Emissions Threshold					
	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
Tons Per Year						
Construction	25	25	100	25	15	12
Operations	25	25	100	25	15	12
Pounds Per Year						
Construction	137	137	548	137	82	65
Operations	137	137	548	137	82	65

Source: MDAQMD, 2020. (Website: https://www.mdaqmd.ca.gov/rules/overview; accessed May 2023).
CO = carbon monoxide
lbs/day = pounds per day
MDAQMD = Mojave Desert Air Quality Management District
NO_x = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
SO_X = sulfur oxides
VOC = volatile organic compounds

Health Risk Thresholds

The following limits for maximum individual cancer risk (MICR) and noncancer acute and chronic Hazard Index (HI) from project emissions of TACs are considered appropriate for use in determining the health risk for projects in the Basin:

- **MICR:** MICR is the estimated probability of a maximally exposed individual (MEI) contracting cancer as a result of exposure to TACs over a period of 30 years for adults and 9 years for children in residential locations and over a period of 25 years for workers. The MICR calculations include multipathway consideration, when applicable. The cumulative increase in MICR that is the sum of the calculated MICR values for all TACs would be considered significant if it would result in an increased MICR greater than 10 in 1 million (1×10^{-5}) at any receptor location.

- **Chronic HI:** Chronic HI is the ratio of the estimated long-term level of exposure to a TAC for a potential MEI to its chronic reference exposure level. The chronic HI calculations include multipathway consideration, when applicable. The project would be considered significant if the cumulative increase in total chronic HI for any target organ system would exceed 1.0 at any receptor location.

- **Acute HI:** Acute HI is the ratio of the estimated maximum 1-hour concentration of a TAC for a potential MEI to its acute reference exposure level. The project would be considered significant if the cumulative increase in total acute HI for any target organ system would exceed 1.0 at any receptor location.

The MDAQMD *CEQA and Federal Conformity Guidelines* states that emissions of TACs are considered significant if a project 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 1.0.

Localized Microscale Concentration Standards

The significance of localized project impacts under CEQA depends on whether ambient CO levels in the vicinity of the project are above or below State and federal CO standards. Because ambient CO levels are below the standards throughout the Basin, a project would be considered to have a significant CO impact if project emissions result in an exceedance of one or more of the 1-hour or 8-hour standards. The following are applicable local emission concentration standards for CO:

- California State 1-hour CO standard of 20 parts per million (ppm)

- California State 8-hour CO standard of 9 ppm

5.2.5 METHODOLOGY

This analysis focuses on the nature and magnitude of the change in the air quality environment due to implementation of the proposed Project, based on the maximum development assumptions that are outlined in Section 3.0*, Project Description.*

Air pollutant emissions associated with the proposed Project would result from construction equipment usage and from construction-related traffic. Additionally, emissions would be generated from operations of the proposed warehouse/distribution uses and from traffic volumes generated by these new uses. The net increase in emissions generated by these activities and other secondary sources have been quantitatively estimated and compared to the applicable thresholds of significance recommended by MDAQMD.

AQMP Consistency

The Federal Particulate Matter Attainment Plan and Ozone Attainment Plan for the Mojave Desert set forth a comprehensive set of programs that will lead the Basin into compliance with federal and state air quality standards. The control measures and related emission reduction estimates within the Federal Particulate Matter Attainment Plan and Ozone Attainment Plan are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. A project is non-conforming with an air quality plan if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable MDAQMD rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan). Zoning changes, specific plans, general plan amendments and similar land use plan changes that do not increase dwelling unit density, do not increase vehicle trips, and do not increase VMT are also deemed to comply with the applicable air quality plan (MDAQMD 2020).

Construction

Short-term construction-generated emissions of criteria air pollutants and ozone precursors from development of the Project were assessed in accordance with methods recommended by MDAQMD. The Project's regional emissions were modeled using the California Emissions Estimator Model (CalEEMod), as recommended by MDAQMD. CalEEMod was used to determine whether short-term construction-related emissions of criteria air pollutants associated with the proposed Project would exceed applicable regional thresholds and where mitigation would be required. Modeling was based on Project-specific data, and predicted short-term construction-generated emissions associated with the Project were compared with applicable MDAQMD regional thresholds for determination of significance.

Operations

Long-term (i.e., operational) regional emissions of criteria air pollutants and precursors, including mobile- and area-source emissions from the Project, were also quantified using the CalEEMod computer model. Area-source emissions were modeled according to the size and type of the land uses proposed. Mass mobile-source emissions were modeled based on the increase in daily vehicle trips that would result from the proposed Project. Trip generation rates were available from the Vehicle Miles Traveled Analysis prepared for the proposed Project (see Appendix H of this EIR). Predicted long-term operational emissions were compared with applicable MDAQMD thresholds for determination of significance.

5.2.6 ENVIRONMENTAL IMPACTS

IMPACT AQ-1: WOULD THE PROJECT CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF AN APPLICABLE AIR QUALITY PLAN.

Less than Significant Impact. The Federal Particulate Matter Attainment Plan and Ozone Attainment Plan for the Mojave Desert set forth a comprehensive set of programs that will lead the Basin into compliance with federal and state air quality standards. The control measures and related emission reduction estimates within the Federal Particulate Matter Attainment Plan and Ozone Attainment Plan are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments.

A project is non-conforming with an air quality plan if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable MDAQMD rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan). Zoning changes, specific plans, general plan amendments and similar land use plan changes that do not increase dwelling unit density, do not increase vehicle trips, and do not increase VMT are also deemed to comply with the applicable air quality plan (MDAQMD 2020).

The Project would be required to comply with all applicable MDAQMD Rules and Regulations, including, but not limited to Rules 401 (Visible Emissions), 402 (Nuisance), and 403 (Fugitive Dust). The Project site has a General Plan land use designation of Main Street and Freeway Corridor Specific Plan (MSFC-SP). Within the MSFC-SP, the Project site is zoned as Commercial/Industrial Business Park (CIBP). The MSFC-SP states that the CIBP designation is intended to create employment-generating uses in a business park setting. The zone allows development of commercial, light industrial, light manufacturing, and industrial support uses, mainly conducted in enclosed buildings. Pursuant to the MSFC-SP, approval of a Conditional Use Permit (CUP) is required for warehouses greater than 200,000 SF in the CIBP zone.

The Project would redevelop the 18.16-acre Project site consistent with the land use and zoning designations, with an approximately 408,997 SF square foot high-cube warehouse/distribution building, inclusive of 12,000 square feet of office space. These proposed uses are consistent with both the allowable MSFC-SP land use and CIBP zoning uses. Because of the proposed Project's consistency with the land use designation and zoning, the Project would also be consistent with the assumptions in the Federal Particulate Matter Attainment Plan and Ozone Attainment Plan for the Mojave Desert. In addition, emissions generated by construction and operation of the proposed Project would not exceed thresholds as described in the analysis below, which are designed to bring the Basin into attainment for the criteria pollutants for which it is in nonattainment. Therefore, because the Project does not exceed any of the thresholds it would not conflict with MDAQMD's goal of bringing the Basin into attainment for all criteria pollutants and, as such, is consistent with the AQMP. As a result, impacts related to conflict with the AQMP from the proposed Project would be less than significant.

IMPACT AQ-2: THE PROJECT WOULD NOT RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF A CRITERIA POLLUTANT FOR WHICH THE PROJECT REGION IS NON-ATTAINMENT UNDER AN APPLICABLE FEDERAL OR STATE AMBIENT AIR QUALITY STANDARD.

Less than Significant Impact.

Construction

Construction activities associated with the proposed Project would result in emissions of CO, VOCs, NO_x, SO_x, PM_{10}, and $PM_{2.5}$. Pollutant emissions associated with construction would be generated from the following construction activities: (1) grading and excavation; (2) construction workers traveling to and from the Project site; (3) delivery and hauling of construction supplies to, and debris from, the Project site; (4) fuel combustion by onsite construction equipment; (5) building construction; application of architectural coatings; and paving. These construction activities would temporarily create emissions of dust, fumes, equipment exhaust, and other air contaminants.

Construction emissions are short-term and temporary. The maximum daily construction emissions for the proposed Project were estimated using CalEEMod. Table 5.2-5 provides the maximum daily emissions of criteria air pollutants from construction of the Project. As shown in Table 5.2-5, emissions resulting from construction would not exceed criteria pollutant thresholds. Therefore, impacts would be less than significant, and no mitigation measures are required.

Table 5.2-5: Maximum Peak Construction Emissions

Project Construction	Pollutant Emissions					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Maximum Pounds Per Day						
Site Preparation	1.3	33.8	23.5	<0.1	9.9	5.5
Grading	1.9	51.3	37.3	0.1	5.6	3.0
Building Construction	2.1	27.9	26.8	0.1	3.7	1.7
Paving	1.6	20.1	17.7	<0.1	0.8	0.7
Architectural Coating	63.9	2.4	3.2	<0.1	0.5	0.2
Maximum (lbs/day)	**63.9**	**51.3**	**44.5**	**0.1**	**9.9**	**5.5**
MDAQMD Thresholds	**137.0**	**137.0**	**548.0**	**137.0**	**82.0**	**65.0**
Exceeds?	**No**	**No**	**No**	**No**	**No**	**No**
Tons Per Year						
2023	0.1	1.3	1.0	<0.1	0.2	0.1
2024	5.0	3.9	3.6	<0.1	0.5	0.2
2025	<0.1	0.4	0.3	<0.1	<0.1	<0.1
Maximum (tons/year)	**5.0**	**3.9**	**3.6**	**<0.1**	**0.5**	**0.2**
MDAQMD Thresholds	**25**	**25**	**100**	**25**	**15**	**15**
Exceeds?	**No**	**No**	**No**	**No**	**No**	**No**

Source: LSA (May 2023).
Note: Maximum emissions of VOC and CO occurred during the overlapping building construction and architectural coating phases.
CO = carbon monoxide
lbs/day = pounds per day
MDAQMD = Mojave Desert Air Quality Management District
NO_X = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
SO_X = sulfur oxides
VOC = volatile organic compounds

Operation

Implementation of the proposed Project would result in long-term emissions of criteria air pollutants from area sources generated by the proposed high-cube warehouse building and related vehicular emissions, landscaping, and use of consumer products. As shown in Table 5.2-6, the Project's operational activities would not exceed the numerical thresholds of significance established by the MDAQMD. Therefore, impacts would be less than significant.

Table 5.2-6: Summary of Peak Operational Emissions

Emission Type	Pollutant Emissions					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Pounds Per Day						
Area Sources	11.4	<0.1	0.1	0.0	<0.1	<0.1
Energy Sources	<0.1	0.2	0.2	<0.1	<0.1	<0.1
Mobile Sources	2.1	11.0	22.6	0.1	5.5	1.5
Stationary Sources	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
Total Project Emissions	**13.6**	**11.2**	**22.8**	**0.1**	**5.5**	**1.5**
MDAQMD Thresholds	**137.0**	**137.0**	**548.0**	**137.0**	**82.0**	**65.0**
Significant?	**No**	**No**	**No**	**No**	**No**	**No**
Tons Per Year						
Area Sources	2.1	<0.1	<0.1	0.0	<0.1	<0.1
Energy Sources	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
Mobile Sources	0.3	2.0	3.9	<0.1	1.0	0.3
Stationary Emissions	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
Total Emissions	**2.4**	**2.1**	**3.9**	**<0.1**	**1.0**	**0.3**
MDAQMD Thresholds	**25**	**25**	**100**	**25**	**15**	**15**
Significant?	**No**	**No**	**No**	**No**	**No**	**No**

Source: LSA (May 2023).
CO = carbon monoxide
lbs/day = pounds per day
MDAQMD = Mojave Desert Air Quality Management District
NO_X = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
SO_X = sulfur oxides
VOC = volatile organic compounds

IMPACT AQ-3: THE PROJECT WOULD NOT EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS.

Construction Mobile Source Health Risk

Less than Significant Impact. A Construction Health Risk Assessment, included as part of Appendix B, was prepared to evaluate the health risk impacts as a result of exposure to DPM as a result of heavy-duty diesel trucks and equipment activities from Project construction. MDAQMD recommends using a 10 in one million cancer risk threshold. A risk level of 10 in one million implies a likelihood that up to 10 people, out of one million equally exposed people would contract cancer if exposed continuously (24 hours per day) to the levels of toxic air contaminants over a specified duration of time. The closest sensitive receptor to the Project site include residential uses located approximately 2,200 feet southeast of the project site along Muscatel Street. As shown in Table 5.2-7, the maximum cancer risk for the sensitive receptor maximally effected individual (MEI) would be 2.04 in one million, which would not exceed the MDAQMD cancer risk threshold of 10 in one million. The worker receptor risk would be lower at 0.09 in one million, but which would also not exceed the threshold. The total chronic hazard index would be 0.002 for both the worker receptor MEI and sensitive receptor MEI, which is below the threshold of 1.0. In addition, the total acute hazard index would be nominal (0.000), which would also not exceed the threshold of 1.0. As such, the Project would not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction activity, and impacts would be less than significant.

Table 5.2-7: Project Construction Health Risks at Nearby Sensitive Receptors

Location	Carcinogenic Inhalation Health Risk in One Million	Chronic Inhalation Hazard Index	Acute Inhalation Hazard Index
Worker Receptor Risk	0.09	0.002	0.000
Sensitive Receptor Risk	2.04	0.002	0.000
MDAQMD Significance Threshold	**10.0 in one million**	**1.0**	**1.0**
Significant?	**No**	**No**	**No**

Source: LSA (May 2023).
MDAQMD = Mojave Desert Air Quality Management District

Operational Diesel Mobile Source Health Risk

Less than Significant Impact. A Health Risk Analysis, included as part of Appendix B, was prepared to evaluate the operational health risk impacts as a result of exposure to DPM as a result of heavy-duty diesel trucks traveling to and from the Project site, maneuvering onsite, and entering and leaving the site during operation of the proposed industrial uses. Onsite truck idling was estimated to occur as trucks enter and travel through the facility. Although the proposed uses are required to comply with CARB's idling limit of five minutes, MDAQMD recommends that the onsite idling emissions should be estimated for 15 minutes of truck idling, which takes into account onsite idling that occurs while the trucks are waiting to pull up to the truck bays, idling at the bays, idling at check-in and check-out, etc. As such, this analysis estimated truck idling at 15 minutes, consistent with MDAQMD's recommendation.

The residential risk incorporates both the risk for a child living in a nearby residence for 9 years (the standard period of time for child risk) and an adult living in a nearby residence for 30 years (considered a conservative period of time for an individual to live in any one residence). As shown in Table 5.2-8, the maximum cancer risk for the sensitive receptor MEI would be 0.46 in one million, less than the threshold of 10 in one million. The worker receptor risk would be lower at 0.13 in one million. The total chronic hazard index would be less than 0.001 for both the sensitive and worker receptor MEI, which is below the threshold of 1.0. In addition, the total acute hazard index would be nominal (0.000), which would also not exceed the threshold of 1.0. As these results show, all health risk levels to nearby residents from operation-related emissions of TACs would be well below the MDAQMD's HRA thresholds. Therefore, impacts related to operational TAC emissions would be less than significant.

Table 5.2-8: Project Operational Health Risks at Nearby Sensitive Receptors

Location	Carcinogenic Inhalation Health Risk in One Million	Chronic Inhalation Hazard Index	Acute Inhalation Hazard Index
Worker Receptor Risk	0.13	<0.001	<0.001
Sensitive Receptor Risk	0.46	<0.001	<0.001
MDAQMD Significance Threshold	**10.0 in one million**	**1.0**	**1.0**
Significant?	**No**	**No**	**No**

Source: LSA (May 2023).
MDAQMD = Mojave Desert Air Quality Management District

Friant Ranch Case

Less than Significant Impact. In December 2018, in the case of *Sierra Club v. County of Fresno* (2018) 6 Cal. 5th 502, the California Supreme Court held that an EIR's air quality analysis must meaningfully connect the identified air quality impacts to the human health consequences of those impacts, or meaningfully explain why that analysis cannot be provided. As noted in the *Brief* of Amicus Curiae filed by the SCAQMD in the Friant Ranch case (April 6, 2015, Appendix 10.1), SCAQMD has among the most sophisticated air quality modeling and health impact evaluation capability of any of the air districts in the State, and thus it is uniquely situated to express an opinion on how lead agencies should correlate air quality impacts with specific health outcomes.

The SCAQMD discusses that it may be infeasible to quantify health risks caused by projects similar to the proposed Project, due to many factors. It is necessary to have data regarding the sources and types of air toxic contaminants, location of emission points, velocity of emissions, the meteorology and topography of the area, and the location of receptors (worker and residence). The *Brief* states that it may not be feasible to perform a health risk assessment for airborne toxics that will be emitted by a generic industrial building that was built on "speculation" (i.e., without knowing the future tenant(s). Even where a health risk assessment can be prepared, however, the resulting maximum health risk value is only a calculation of risk--it does not necessarily mean anyone will contract cancer as a result of the Project. The *Brief* also cites the author of the CARB methodology, which reported that a $PM_{2.5}$ methodology is not suited for small projects and may yield unreliable results. Similarly, SCAQMD staff does not currently know of a way to accurately quantify O_3-related health impacts caused by NO_X or VOC emissions from relatively small projects, due to photochemistry and regional model limitations. The *Brief* concludes, with respect to the Friant Ranch EIR, that although it may have been technically possible to plug the data into a methodology, the results would not have been reliable or meaningful.

On the other hand, for extremely large regional projects (unlike the proposed Project), SCAQMD states that it has been able to correlate potential health outcomes for very large emissions sources – as part of their rulemaking activity, specifically 6,620 lbs./day of NO_X and 89,180 lbs./day of VOC were expected to result in approximately 20 premature deaths per year and 89,947 school absences due to O_3.

The proposed Project does not generate anywhere near 6,620 lbs/day of NO_X or 89,190 lbs/day of VOC emissions. As shown previously on Tables 5.2-5 and 5.2-6, the proposed Project would generate up to 51.3 lbs/day of NO_X during construction and 11.2 lbs/day of NO_X during operations. The VOC emissions would be a maximum of 63.9 lbs/day during construction and 13.6 lbs/day of during operations.

Therefore, the emissions are not sufficiently high enough to use a regional modeling program to correlate health effects on a basin-wide level. Notwithstanding, a Mobile Source Health Risk Assessment was prepared, as detailed below, and the proposed Project would not result in emissions that exceeded the MDAQMD's health risk thresholds. Therefore, the proposed Project would not be expected to exceed the most stringent applicable federal or state ambient air quality standards for emissions.

Long-Term Microscale (CO Hot Spot) Analysis

Vehicular trips associated with the proposed Project would contribute to congestion at intersections and along roadway segments in the project vicinity. Localized air quality impacts would occur when emissions from vehicular traffic increase as a result of the proposed project. The primary mobile-source pollutant of local concern is CO, a direct function of vehicle idling time and, thus, of traffic flow conditions. CO transport is extremely limited; under normal meteorological conditions, CO disperses rapidly with distance from the source. However, under certain extreme meteorological conditions, CO concentrations near a congested

roadway or intersection may reach unhealthful levels, affecting local sensitive receptors (e.g., residents, schoolchildren, the elderly, and hospital patients). Typically, high CO concentrations are associated with roadways or intersections operating at unacceptable levels of service or with extremely high traffic volumes. In areas with high ambient background CO concentrations, modeling is recommended to determine a project's effect on local CO levels.

An assessment of Project-related impacts on localized ambient air quality requires that future ambient air quality levels be projected. Existing CO concentrations in the immediate Project vicinity are not available. Ambient CO levels monitored at the Victorville station, the closest station to the Project site, showed a highest recorded 1-hour concentration of 1.6 ppm (the State standard is 20 ppm) and a highest 8-hour concentration of 1.4 ppm (the State standard is 9 ppm) during the past 3 years (Table 5.2-2). The highest CO concentrations would normally occur during peak traffic hours; hence, CO impacts calculated under peak traffic conditions represent a worst-case analysis.

As described in the Project's Traffic Impact Analysis, the proposed Project would generate 33 AM peak hour trips and 41 PM peak-hour trips. It was determined that the proposed Project could contribute to unsatisfactory level of service (LOS) at intersections within the project study area. However, with implementation of fair share improvements, it was determined that operation of the affected intersections would be reduced to better than baseline conditions. Therefore, it is assumed that the addition of the proposed project traffic would not create any significant adverse impacts to nearby intersections. Therefore, given the extremely low level of CO concentrations in the Project area, and lack of traffic impacts at any intersections, project-related vehicles are not expected to contribute significantly to result in the CO concentrations exceeding the State or federal CO standards. As such, impacts related to CO would be less than significant.

5.2.7 CUMULATIVE IMPACTS

The geographic area for analysis of cumulative air quality impacts is the Basin. As discussed under Impact AQ-1, the proposed Project is consistent with the assumptions in the City's General Plan and would not conflict with MDAQMD's attainment plans. Other cumulative projects would also be required to demonstrate consistency with the MDAQMD attainment plans as part of the CEQA review process and/or provide mitigation, as appropriate.

As described previously, per MDAQMD's methodology, if an individual project would result in air emissions of criteria pollutants that exceed the MDAQMD's thresholds for project-specific impacts, then it would also result in a cumulatively considerable net increase of these criteria pollutants.

As described in Impacts AQ-2 and AQ-3 above, emissions from operation of the proposed Project would not exceed MDAQMD's thresholds for any criteria pollutants or TACs and would not expose sensitive receptors to substantial pollutant concentrations. Because emissions from implementation of the proposed Project would not exceed applicable thresholds, they would not be cumulatively considerable, and cumulative air quality impacts would be less than significant.

5.2.8 EXISTING REGULATIONS AND PLANS, PROGRAMS, OR POLICIES

Existing Regulations

State

- Airborne Toxic Control Measure to Limit Diesel-Fuel Commercial Vehicle Idling (13 CCR 2485)
- In-Use Off-Road Diesel Idling Restriction (13 CCR 2449)
- California Green Building Standards Code (Code of Regulations, Title 24 Part 6)

Regional

- Rule 401 – Visible Emissions.
- Rule 402 – Nuisance.
- Rule 403.2 – Fugitive Dust Control for the Mojave Desert Planning Area.
- Rule 442 – Usage of Solvents.
- Rule 1113 – Architectural Coatings.

5.2.9 PROJECT DESIGN FEATURES

None.

5.2.10 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements, Impacts AQ-1 through AQ-3 would be less than significant.

5.2.11 MITIGATION MEASURES

No mitigation measures are required.

5.2.12 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts AQ-1 through AQ-3 would be less than significant.

REFERENCES

City of Hesperia General Plan 2010 Final Environmental Impact Report, Michael Brandman Associates, December 2010

LSA. "Air Quality, Health Risk, Greenhouse Gas, and Energy Impact Analysis." May 2023. Appendix B.

MDAQMD. "Final Mojave Desert Planning Area Federal PM10 Attainment Plan." 1995. https://www.mdaqmd.ca.gov/home/showpublisheddocument/176/636305689057870000.

MDAQMD. "Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-Attainment Area)." 2008. https://www.mdaqmd.ca.gov/home/showpublisheddocument/168/636305690088330000

MDAQMD. "MDAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines." 2020. https://www.mdaqmd.ca.gov/home/showpublisheddocument/8510/638126583450270000

5.3 Biological Resources

5.3.1 INTRODUCTION

This section addresses potential environmental effects of the Project related to biological resources. Information within this section includes data from the General Biological Assessment (Hernandez 2022), which was prepared for the Project by Hernandez Environmental Services, and is provided as Appendix C. This assessment is based on information compiled through field reconnaissance and database searches. This section is also based on several other biological reports prepared for the Project which are also provided in Appendix C and include:

- Joshua Tree Survey Report (Hernandez Environmental Services, February 2023)
- Jurisdictional Delineation (Hernandez Environmental Services, March 2022)
- Desert Tortoise Presence/Absence Report (Hernandez Environmental Services, March 2022)
- Focused Burrowing Owl Survey Report (June 2022)
- General Biological Assessment (Hernandez Environmental Services, August 2022)
- Desert Native Plant and Rare Plant Survey (Ecological Sciences, Inc., August 2022) and
- Mohave Ground Squirrel Survey (Hernandez Environmental Services, September 2022).

5.3.2 REGULATORY SETTING

5.3.2.1 FEDERAL REGULATIONS

Federal Endangered Species Act

The Federal Endangered Species Act (FESA) of 1973 defines an endangered species as "any species which is in danger of extinction throughout all or a significant portion of its range." A threatened species is defined as "any species which is likely to become an Endangered species within the foreseeable future throughout all or a significant portion of its range." Under provisions of Section 9(a)(1)(B) of the FESA, unless properly permitted, it is unlawful to "take" any endangered or threatened listed species. "Take" is defined in Section 3(18) of FESA as: "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Further, the United States Fish & Wildlife Service (USFWS), through regulation, has interpreted the terms "harm" and "harass" to include certain types of habitat modification as forms of "take." These interpretations, however, are generally considered and applied on a case-by-case basis and often vary from species to species. In a case where a property owner seeks permission from a federal agency for an action that could affect a federally-listed plant or animal species, the property owner and agency are required to consult with USFWS pursuant to Section 7 of the FESA if there is a federal nexus, or consult with USFWS and potentially obtain a permit pursuant to Section 10 of the FESA in the absence of a federal nexus. Section 9(a)(2)(b) of the FESA addresses the protections afforded to listed plants. Within this EIR, the following acronyms are used to identify federal status species:

- FE: Federally-listed as Endangered
- FT: Federally-listed as Threatened

- FPE: Federally proposed for listing as Endangered
- FPT: Federally proposed for listing as Threatened
- FPD: Federally proposed for delisting
- FC: Federal candidate species (former C1 species)

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) protects individuals as well as any part, nest, or eggs of any bird listed as migratory. In practice, federal permits issued for activities that potentially impact migratory birds typically have conditions that require pre-disturbance surveys for nesting birds. In the event nesting is observed, a buffer area with a specified radius must be established, within which no disturbance or intrusion is allowed until the young have fledged and left the nest, or it has been determined that the nest has failed. If not otherwise specified in the permit, the size of the buffer area varies with species and local circumstances (e.g., presence of busy roads, intervening topography, etc.), and is based on the professional judgment of a monitoring biologist. A list of migratory bird species protected under the MBTA is published by USFWS.

5.3.2.2 STATE REGULATIONS

California Endangered Species Act

Under the California's Endangered Species Act (CESA), California Species of Special Concern are species designated as vulnerable to extinction due to declining population levels, limited ranges, and/or continuing threats. Informally listed species are not protected per se but warrant consideration in the preparation of biological resource assessments. For some species, the CNDDB is only concerned with specific portions of the life history, such as roosts, rookeries, or nest areas. Within this EIR, the following acronyms are used to identify state special-status species:

- SE: State-listed as Endangered
- ST: State-listed as Threatened
- SR: State-listed as Rare
- SCE: State candidate for listing as Endangered
- SCT: State candidate for listing as Threatened
- SFP: State Fully Protected
- SSC: California Species of Special Concern

The western Joshua tree was designated as SCT under CESA, as defined by Section 2068 of the Fish and Game Code, in October 2020. This triggered an 18-month scientific review and interim protections for the species. The California Fish and Game Commission has met several times to discuss the status of the western Joshua tree designation. On February 8, 2023, the California Fish and Game Commission voted unanimously to postpone its decision whether to permanently protect western Joshua trees under the California Endangered Species Act. The Commission agreed to wait to see whether the Western Joshua Tree Conservation Act (which was introduced as a budget trailer bill on February 7, 2023) becomes law. The proposed bill language would provide for the conservation of western Joshua tree at a landscape scale, while also making available a permitting and mitigation process that would rely on simpler template permits

and allow payment of in-lieu fees. The proposed bill will go through the legislative process and the public will have the opportunity to provide input.

State of California Fish and Game Code, Sections 3503.5, 3511, 3515

Section 3503.5 of the California Fish and Game Code states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Activities that result in the abandonment of an active bird of prey nest may also be considered in violation of this code. In addition, California Fish and Game Code, Section 3511 prohibits the taking of any bird listed as fully protected, and California Fish and Game Code, Section 3515 states that is it unlawful to take any non-game migratory bird protected under the MBTA.

5.3.1.3 LOCAL & REGIONAL REGULATIONS

West Mojave Plan

The purpose of the West Mojave Plan is to develop management strategies for the desert tortoise, Mohave ground squirrel and over 100 other sensitive plants and animals that would conserve those species throughout the western Mojave Desert, while at the same time establishing a streamlined program for compliance with the regulatory requirements of Federal Endangered Species Act (FESA) and California Endangered Species Act (CESA). Agencies, local jurisdictions and others with a stake in the future of the western Mojave Desert have collaborated in the development of the West Mojave Plan. The City of Hesperia is a local jurisdiction collaborator in the plan.

City of Hesperia General Plan

The City of Hesperia General Plan includes Goals and Policies for protecting and preserving biological resources. Those applicable to the Project site are outlined below.

Goal CN-3 Minimize development and set aside necessary open space near and along the surface waters as well as those washes and other water passageways located in the City to preserve and protect plant and animal species and their natural habitat dependent on such surface waters and waterways.

Policy CN-3.1 Monitor the development impacts to these surface water resources within the city.

Policy CN 3.2 Preserve areas within the Oro Grande wash and un-named wash #1 that exhibit ideal native habitat in a natural state.

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

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

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

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

Policy CN-4.4 In those areas known as possible habitat for endangered and sensitive species,

require proper assessments before authorizing development.

Policy CN-4.5 Where such assessments indicate the presence of endangered or sensitive species, require

appropriate actions to preserve the habitat and protect the identified species.

City of Hesperia Municipal Code, Chapter 16.24 – Protected Plant Policy

Chapter 16.24 of the Hesperia Municipal Code includes policies to protect native plant species and implement the California Desert Native Plant Protection Act. The act prohibits take of endangered or rare native plants but includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying California Department of Fish and Wildlife (CDFW) for vegetation removal from canals, roads and other sites, changes in land use, and in certain other situations. Additionally, this chapter includes the City's requirements for removal of any regulated native tree or desert native plant with a tree removal permit authorized by the City. The City's protections apply to the following native plants:

1. The following regulated desert native plants with stems two inches or greater in diameter or six feet or greater in height:
    a. *Dalea spinosa* (smoketree);
    b. b. All species of the family *Agavaceae* (century plants, nolinas, yuccas);
    c. c. All species of the genus *Prosopis* (mesquites).
2. Creosote rings, ten feet or greater in diameter.
3. All Joshua trees (mature and immature).
4. All plants protected or regulated by the California Desert Native Plants Act.

Section 16.24.050 includes several criteria for authorization of native tree or plant removal, such as ensuring that the native tree or plant does not have a significant adverse impact on any proposed mitigation measures, soil retention, soil erosion and sediment control measures, scenic routes, flood and surface water runoff and wildlife habitats. The section requires Joshua trees to be transplanted or stockpiled for future transplanting wherever possible.

Further, Section 16.24.060 of the Hesperia Municipal Code states the following:

Prior to the issuance of a native tree or plant removal permit in conjunction with a development permit and/or approval of a land use application which authorizes such removal, a plot plan or grading plan shall be approved by the appropriate City review authority for each site indicating exactly which trees or plants are authorized to be removed. The required information can be added to any other required site plan. Prior to issuance of development permits in areas with native trees or plants that are subject to the provisions of this chapter, a preconstruction inspection shall be conducted by the appropriate authority. Such preconstruction inspections may be combined with any other required inspection.

Furthermore, the City's Protected Plants policy (City of Hesperia 2009) states the following for Tentative Tract, non-single-family residential developments (i.e., commercial, industrial, and apartment development):

- A protected plant plan shall be prepared by a certified arborist or registered botanist.
- An application and fee shall be completed and paid to the City.
- Healthy, transplantable plants shall be relocated on site or may be placed in an adoption program.

To qualify as an approved adoption program, a developer shall provide a letter on company letterhead, describing the program and the community notification process. The program shall identify the following, as a minimum.

A. public notice process which may include publication in local newspapers, radio advertisement, hand distributed fliers, and other noticing techniques. Noticing must occur over a period of not less than three weeks.
B. The location where the trees may be viewed by the public and a clearly identified period of at least two weeks (including weekends) when trees/plants are available for adoption.

C. The person that will be available on-site to assist those adopting trees to find the actual trees/plants for removal. An on-site or cell phone number for that person is required.
D. A note that a copy of the City Joshua Tree Transplanting Guidelines will be provided to each adopter.
E. A log showing the name, address, and phone number of each adopter and the number and type of trees/plants they received.

Note: At least 50% of the transplantable trees and plants shall be adopted or the remaining number below 50% shall be purchased at $350 per transplantable tree. Purchased trees must be recycled at Advance Disposal.

5.3.3 ENVIRONMENTAL SETTING

The 18.16-acre Project site is undeveloped and mostly undisturbed. The Project site reflects arid conditions, limited rainfall, and generally poor soils of the Mojave Desert. The Project site consists of disturbed native desert scrub. The Project site is immediately surrounded by vacant land in all directions. An ephemeral stream traverses the site. The stream is an unnamed tributary that contributes to the Oro Grande Wash, which flows north toward the Mojave River and eventually flows into Soda Dry Lake in the Mojave Desert. The Project site is flat with elevations ranging from 1,092 feet to 1,096 above mean sea level (AMSL).

Vegetation Communities

Two habitat types were observed within the study area (and 500-foot buffer around the Project site), including 20.07 acres of disturbed Joshua tree woodland alliance and 2.95 acres of rabbitbrush (*Ericameria nauseosa*) dominant riparian habitat.

Approximately 20.07 acres of disturbed Joshua tree woodland alliance habitat occurs within the Project site and 500-foot buffer. This habitat type is characterized by the Joshua tree (*Yucca brevifolia*) that emerges over a shrub or grass layer. The canopy and shrub layer are open. Other species found in this habitat are Nevada ephedra (*Ephedra nevadensis*), shortpod mustard (*Hirschfeldia incana*), California juniper (*Juniperus californica*), and prickly Russian thistle (*Salsola tragus*). Joshua tree woodland is a sensitive CDFW natural community. Additionally, western Joshua trees are protected under CESA as a candidate species.

Approximately 2.95 acres of rubber rabbitbrush dominant riparian habitat occurs within the Project site. This habitat is characterized by an ephemeral stream and associated riparian vegetation. Other species found in this habitat include the Joshua tree and shortpod mustard.

Special Status Species

Special-status species are species that have been identified by federal, state, or local resource conservation agencies as threatened or endangered, under provisions of the federal and state Endangered Species Acts (FESA and CESA, respectively), because they have declining or limited population sizes, usually resulting from habitat loss.

A total of 30 sensitive species of plants and 51 sensitive species of animals has the potential to occur on or within the vicinity of the Project location. These include those species listed or candidates for listing by the USFWS, CDFW, and CNPS and Bureau of Land Management (BLM). All habitats utilized by these species were evaluated during the site visit (including a 500-foot buffer of the Project site) and a determination has been made for the presence or probability of presence in biological reports prepared for the Project.

Special-Status Plant Species

Two plant species are listed as state and/or federally Threatened, Endangered, Candidate, Rare, or as 1B.1 in the CNPS Rare Plan Inventory. One other sensitive species has a potential to exist in the Project site.

Mojave tarplant
Mojave tarplant (*Deinandra mohavensis*) is a state listed Endangered Species and is ranked 1B.3 in the CNPS Rare Plant Inventory. This species is typically found in low sand bars in riverbeds and most commonly in riparian or ephemeral grassy areas. Its habitat includes chaparral, coastal scrub, and riparian scrub. No habitat for this species is present on the Project site. This species was determined to **not be present** within the Project site.

Jokerst's monardella
Jokerst's monardella (*Monardella australis ssp. jokerstii*) is ranked 1B.1 in the CNPS Rare Plant Inventory. This species is typically found along steep slopes between breccia or along alluvial benches near drainages and washes. It inhabits coniferous forest and chaparral habitats. No habitat for this species is present on the Project site. This species was determined to **not be present** within the Project site.

Booth's evening-primrose
Booth's evening-primrose (*Eremothera boothii ssp. boothii*) is ranked 2B.3 in the CNPS Rare Plant Inventory. Based on locational records (Jepson Flora Project 2021) and Consortium of California Herbaria (CCH 2021), this species is restricted to wash habitat, which is absent from the survey area. This species was determined to **not be present** within the Project site.

Special-Status Wildlife Species

A total of nineteen wildlife species are listed as state and/or federal Threatened, Endangered, or Candidate species. Four sensitive species were determined to have the potential to be present within the Project site, although the species were not observed during the site surveys. Species with the potential to be present within the Project site include the following:

Tricolored blackbird
Tricolored blackbird (*Agelaius tricolor)* is a state listed Threatened Species and listed by the CDFW as a Species of Special Concern. Its habitat includes freshwater marsh, marsh and swamp, swamp, and wetland. This species is largely endemic to California and is most numerous in and around Central Valley. This species requires open accessible water, protected nesting substrate, and foraging area with insect prey within a few kilometers of the colony. There is no habitat for this species on the project site. This species is **not present.**

Arroyo toad
Arroyo toad (*Anaxyrus californicus*) is a federally listed Endangered Species and a CDFW Species of Special Concern. The most favorable breeding habitat for this species consists of slow-moving shallow pools, nearby sandbars, and adjacent stream terraces. Its habitat includes desert wash, riparian scrub, riparian woodland, south coast flowing waters, and south coast standing waters. There is no habitat for this species on the project site. This species is **not present.**

Coastal whiptail
Coastal whiptail (*Aspidoscelis tigris stejnegeri)* is a CDFW Species of Special Concern. It is typically found in hot, dry, flat open spaces in deserts or semi-arid areas. Suitable habitat for this species is present on the project site. This species has the **potential to be present.**

Burrowing owl

Burrowing owl (*Athene cunicularia*) is a CDFW Species of Special Concern. Its habitat includes coastal prairie, coastal scrub, Great Basin grassland, Great Basin scrub, Mojavean desert scrub, Sonoran desert scrub, and valley and foothill grassland. This species is typically found in open and dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. It is a subterranean nester and is dependent upon burrowing mammals, most notably the California ground squirrel. Suitable habitat for this species is present on the project site. However focused burrowing owl surveys were performed during the nesting season of 2022. No burrowing owl sign, or burrowing owl was found on site or within the 500-foot buffer. This species is **not present.**

Swainson's hawk
Swainson's hawk (*Buteo swainsoni*) is a state listed Threatened Species. This species favors open grasslands for foraging but also occurs in agricultural settings. It relies on scattered stands of trees near agricultural fields and grasslands for nesting sites. Its habitats include great basin grassland, riparian forest, riparian woodland, and valley and foothill grassland. The project site does not contain suitable habitat for this species. This species is **not present**.

Southern rubber boa
Southern rubber boa (*Charina umbratica*) is a state Threatened Species. It is known to inhabit a variety of forest habitats from the San Bernardino and San Jacinto Mountains. This species resides near streams or wet meadows and requires loose, moist soil for burrowing. The project site does not contain suitable habitat for this species. This species is **not present.**

Western yellow-billed cuckoo
Western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) is a federally listed Threatened and state listed Endangered Species. This species typically nests in riparian jungles of willows, often mixed with cottonwoods, with a lower story of blackberry, nettles, or wild grape. It is found in riparian forest habitat. The project site does not contain suitable habitat for this species. This species is **not present.**

Southwestern willow flycatcher
Southwestern willow flycatcher (*Empidonax traillii extimus*) is a federally and state listed Endangered Species. It is found in riparian woodland habitat in southern California. The project site does not contain suitable habitat for this species. This species is **not present.**

Quino checkerspot butterfly
Quino checkerspot butterfly (*Euphydryas editha quino*) is a federally listed Endangered Species. It is found in chaparral and coastal sage scrub. This species requires high densities of food plants, including *Plantago erecta*, *P. insularis*, and *Orthocarpus purpurescens*. The project site does not have suitable habitat for this species. This species is **not present.**

Desert tortoise
The desert tortoise (*Gopherus agassizii*) is a state and federally Threatened Species. It is found in different types of desert habitats from sandy flats to rocky foothills. It prefers alluvial fans, washes, and canyons with friable soils. Suitable habitat for this species is present on the project site. Focused surveys for this species completed by HES biologists determined the desert tortoise is not present on the project site. This species is **not present.**

Bald eagle
Bald eagle (*Haliaeetus leucocephalus*) is a state listed Endangered and CDFW Fully Protected Species. This species is found in lower montane coniferous forest and old-growth. They nest in large old-growth or trees with open branches, especially ponderosa pine. The project site does not contain suitable habitat for this species. This species is **not present.**

Loggerhead shrike
Loggerhead shrike (*Lanius ludovicianus*) is a CDFW Species of Special Concern. This species prefers open country for hunting, with perches for scanning, and dense shrubs and brush for nesting. Its habitat includes broadleaved upland forest, desert wash, Joshua tree woodland, Mojavean desert scrub, pinon and juniper woodlands, riparian woodland, and Sonoran Desert scrub. Suitable habitat for this species is present on the project site. This species has the **potential to be present.**

Coast horned lizard
Coast horned lizard (*Phrynosoma blainvillii)* is a CDFW Species of Special Concern. This species is found in coastal sage scrub, coastal bluff scrub, chaparral, cismontane woodland, desert wash, pinon and juniper woodlands, riparian scrub, riparian woodland, and valley and foothill grassland. This species thrives in open areas for sunning, bushes for cover, patches of loose soil for burial, and an abundant supply of ants and other insects. Suitable habitat for this species is present on the project site. This species has the **potential to be present.**

California red-legged frog
California red-legged frog (*Rana draytonii*) is a federally listed Threatened Species and a CDFW Species of Special Concern. Its habitat includes aquatic, artificial flowing waters, artificial standing waters, freshwater marsh, marsh and swamp, riparian forest, riparian scrub, riparian woodland, Sacramento, and San Joaquin flowing and standing waters, and south coast. It requires 11 to 20 weeks for larval development and must have access to estivation habitat. It is commonly found in lowlands and foothills, in or near permanent sources of deep water, with dense, shrubby, or emergent riparian vegetation. The project site does not contain suitable habitat for this species. This species is **not present.**

Southern mountain yellow-legged frog
Southern mountain yellow-legged frog (*Rana muscosa*) is a federally and state listed Endangered Species and a CDFW Watch List Species. It is found in aquatic habitat. This species is always encountered within a few feet of water. Tadpoles may require two to four years to complete their aquatic development. The project site does not contain suitable habitat for this species. This species is **not present.**

Mohave tui chub
Mojave tui chub (*Siphateles bicolor mohavensis*) is a federally and state Endangered Species and CDFW Fully Protected Species. It inhabits pools, ponds, or sloughs in the Mojave River basin and needs vegetation for spawning. The project site does not contain suitable habitat for this species. This species is **not present.**

Le Conte's thrasher
Le Conte's thrasher (*Toxostoma lecontei*) is a CDFW Species of Special Concern. This species nests in dense, spiny shrub or densely branched cactus in desert wash habitats. It also resides in alkali desert scrub and succulent scrub habitats. Suitable habitat for this species is present on the project site. This species has the **potential to be present.**

Least Bell's vireo
Least Bell's vireo (*Vireo bellii pusillus)* is a federally and state listed Endangered Species. This species is found in riparian forest, riparian scrub, and riparian woodland. Nesting habitat of this species is restricted to willow and/or mulefat dominated riparian scrub along permanent or nearly permanent streams. The project site does not contain suitable habitat for this species. This species is **not present.**

Mohave ground squirrel
The Mohave ground squirrel (*Xerospermophilus mohavensis*) is a state Threatened Species. It is found in Chenopod scrub, Joshua tree woodland and Mojavean Desert scrub. It prefers sandy to gravelly soils, avoids rocky areas, and uses burrows at the base of shrubs for cover. Its nests are found in burrows. Suitable habitat for this species is present on the project site. Focused surveys for the Mohave ground squirrel were performed

by a licensed biologist in the spring of 2022. No Mohave ground squirrel were found to occur on site. This species is **not present.**

Jurisdictional Waters

The approximately 18.16-acre Project site contains 2.95 acres of ephemeral stream and associated rabbitbrush dominant riparian habitat that falls under CDFW jurisdiction, as well as 0.30 acre of ephemeral stream that falls under Waters of the United States and Waters of the State jurisdiction.

Wildlife Movement

The Project site lacks migratory wildlife corridors, as it does not contain the structural topography and vegetative cover that facilitate regional wildlife movement. The site is flat and surrounded by paved and dirt roads and vacant land. No wildlife movement corridors were found to be present.

5.3.4 THRESHOLDS OF SIGNIFICANCE

Appendix G of State CEQA Guidelines indicates that a project could have a significant effect if it were to:

BIO-1 Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

BIO-2 Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.

BIO-3 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.

BIO-4 Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

BIO-5 Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

BIO-6 Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

5.3.5 METHODOLOGY

The analysis within this EIR section and the biological reports prepared for the Project site are based on information compiled through a literature review and several field surveys.

Hernandez Environmental Services conducted a review of literature, and of aerial photographs and topographic maps of the Project site and surrounding areas. The *Baldy Mesa, Phelan, Shadow Mountains SE, Adelanto, Victorville, Hesperia, Silverwood Lake, Cajon, and Telegraph Peak* USGS topographic quadrangles were used to identify sensitive species in the California Natural Diversity Data Base (CNDDB). In addition, the United States Fish and Wildlife Endangered Species Lists and the California Native Plant Society's Rare plant lists were reviewed.

Table 5.3-1: Biological Site Surveys

Date	Survey	Conditions
October 27, 2021	General, Jurisdictional Delineation,	1:45 PM was 67° Fahrenheit, sunny, with winds ranging from 0 to 7 miles per hour from the north.
November 16, 2021	Desert Tortoise	12:45 P.M. to 1:45 P.M. 72 degrees Sunny, clear skies with 0 to 11 miles per hour winds from the northeast.
March 23, 2022	Burrowing Owl	7:30 A.M., 50-55 degrees Fahrenheit 0% cloud cover, winds 0-2 miles per hour from the southeast.
April 10 – 14, 2022	MGS Trapping Survey	Between 35 to 48 degrees, up to 10 mph winds.
May 11 – 15, 2022	MGS Trapping Survey	Between 36 and 57 degrees, up to 10 mph winds.
April 25, 2022	Burrowing Owl	7:20 A.M. 56-57 degrees Fahrenheit, 0% cloud cover, winds 0-3 miles per hour from the southeast.
May 15, 2022	Desert Native Plant Survey	8:20 a.m. to 2:30 p.m. under suitable weather conditions (73°F–88°F, 1–3 mph winds, and 10% cloud cover).
May 25, 2022	Burrowing Owl	7:10 A.M. 76-81 degrees Fahrenheit, 0% cloud cover, winds 3 miles per hour from the southeast.
June 7 – 11, 2022	MGS Trapping Survey	Between 60 and 67 degrees, up to 12 mph winds.
June 24, 2022	Burrowing Owl	7:10 A.M. 75-79 degrees Fahrenheit, 0% cloud cover, winds 4 miles per hour from the south.

In addition, a 500-meter buffer surrounding the Project site was surveyed to document existing habitat, obtain plant and animal species information, view surrounding uses, assess potential for State and Federal waters, assess potential for wildlife movement corridors and, if critical habitat is present, assess for presence of constituent elements. All species observed were recorded and Global Positioning System (GPS) way points were taken to delineate specific habitat types, species locations, State or Federal waters, and other useful information. The Appendices to the General Biological Assessment (Appendix C) contain a comprehensive list of all plant and wildlife species detected during the field survey.

5.3.6 ENVIRONMENTAL IMPACTS

IMPACT BIO-1: WOULD THE PROJECT HAVE A SUBSTANTIAL ADVERSE EFFECT, EITHER DIRECTLY OR THROUGH HABITAT MODIFICATIONS, ON ANY SPECIES IDENTIFIED AS A CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES IN LOCAL OR REGIONAL PLANS, POLICIES, OR REGULATIONS, OR BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE OR U.S. FISH AND WILDLIFE SERVICE?

Less Than Significant Impact With Mitigation. The Project would include development of a one-story, 408,997-square foot (SF) warehouse building on the 18.16-acre site. Additional improvements would include landscaping, sidewalks, utility connections, implementation of stormwater facilities, and pavement of parking areas and driveways. Construction of the Project would require ground-disturbing activities including site clearing of existing vegetation, grading of the entire 18.16 acres of the Project site, and excavation of depths up to 7 feet.

Plant Species

As described above, there are no special status plant species determined to have the potential to be present within the Project site. The Project would result in no impact on special status plant species.

Wildlife Species

As described above, four wildlife species listed as State and/or Federal Threatened, Endangered, or Candidate have the potential to be present within the Project site.

Burrowing owl (*Athene cunicularia*) is a CDFW Species of Special Concern. The Project site contains potential suitable habitat for this species in the Sonoran Desert scrub habitat. The focused surveys completed for the Project found no sign of burrowing owl on site or within the 500-foot buffer. However, ground squirrels and ground squirrel burrows were observed, which may also serve as burrowing owl burrows; approximately 21 suitable burrows were identified and recorded in the Project site and surrounding buffer, including five burrows within the Project site and 16 burrows within the 500-foot buffer. However, burrowing owl signs such as molted feathers, cast pellets, or excrement on rock outcroppings were not found. As such, all burrows were considered inactive and not in use by burrowing owl.

Mitigation Measure BIO-1 requires preconstruction Burrowing owl surveys to be conducted within 30 days prior to commencement of Project grading and construction activities to verify the burrows remain inactive. If Burrowing owls are detected within the Project site prior to or during construction, active Burrowing owl areas would be avoided until relocation is conducted. In the event the construction of the Project site becomes inactive for 30 days, additional surveys are required to be conducted to ensure the continued absence of Burrowing owls. Implementation of preconstruction surveys would avoid impacts to Burrowing owls within the Project site and therefore, the Project would result in less than significant impacts with implementation of Mitigation Measure BIO-1.

Coastal whiptail (*Aspidoscelis tigris stejnegeri*) is a CDFW Species of Special Concern and the Project site contains potential suitable habitat for this species in the dry desert habitat. Coast horned lizard (*Phrynosoma blainvillii*) is also a CDFW Species of Special Concern and the Project site contains potential suitable habitat for this species in the juniper woodland habitat. As implementation of the proposed Project has the potential to impact these species, Mitigation Measure BIO-2 is included which requires a pre-construction survey to be conducted for these species to ensure no direct or indirect take would occur during site clearing or ground disturbing activities. The Project would result in less than significant impacts with implementation of Mitigation Measure BIO-2.

Loggerhead shrike (*Lanius ludovicianus*) is a CDFW Species of Special Concern. The Project site contains potential suitable habitat for this species in the Joshua tree woodland alliance habitat. Additionally, Le Conte's thrasher (*Toxostoma lecontei*) is a CDFW Species of Special Concern. The Project site contains potential suitable habitat for this species in the desert scrub habitat. Loggerhead shrike (*Lanius ludovicianus*) and Le Conte's thrasher (*Toxostoma lecontei*) are avian species that may nest within existing suitable vegetation of the Project site and construction of the proposed Project has the potential to impact these species. In the event that site ground disturbing and vegetation clearing activities occur during the bird nesting season of February 1 through September 15, nesting bird surveys would be conducted by a qualified biologist within three days prior to any vegetation removal and/or construction activities to identify any active nests within the Project site (Mitigation Measure BIO-3). If active nests are found, a minimum of a 250-foot buffer around the nest would be implemented until the young have fledged and the nest is unoccupied. Implementation of nesting bird surveys and avoidance measures would ensure avoidance of impacts to nesting birds within the Project site. The Project would result in less than significant impacts with implementation of Mitigation Measure BIO-3.

A total of 25 protected Joshua trees (*Yucca brevifolia*) are located within the Project site, as shown in Figure BIO-1. Impacts to Joshua trees are analyzed based on guidance from CDFW and a literature review

completed by CDFW (Vander Wall et al. 2006). Guidance from CDFW states that western Joshua tree locations, where Joshua trees are larger than 6.6 feet tall, should be buffered by 186 feet to account for the impacts of seed bank for western Joshua tree and their associated habitat. Joshua trees smaller than 6.6 feet tall should be buffered by 36 feet. Therefore, these are the appropriate buffers (or radii) applied to each western Joshua tree location. The combined Project site and buffer areas encompass approximately 12.6 acres (see Figure 5.3-1). The Project site includes 25 Joshua trees within the Project boundaries and five Joshua trees outside of the Project site within the buffer area. The Project site and buffer area lie within the buffer areas of two other development projects. While a total of 25 trees have the potential to be directly impacted as part of the proposed Project, several of those trees within the Project's buffer area may overlap with and may be considered directly impacted as part of the construction of the two adjacent properties. As such, while the Project would directly impact 25 Joshua trees, impacts to overlapping Joshua trees will be analyzed by CDFW to ensure no Joshua trees are mitigated twice. As described in Mitigation Measure BIO-6, boundaries of the Project site shall be clearly delineated, in consultation with the designated botanist, prior to project activities with posted signs, posting stakes, flags, and/or rope or cord and the designated botanist shall be responsible for monitoring Project activities to help minimize and fully mitigate or avoid incidental take of Joshua trees.

Joshua trees are a listed species under CESA and the Project applicant would be required to obtain an Incidental Take Permit under Section 2081 of the Fish and Game Code prior to removal of any Joshua trees. As outlined in Mitigation Measure BIO-6, mitigation for direct impacts to western Joshua trees shall be fulfilled through conservation of western Joshua trees at a 1:1 habitat replacement ratio, of equal or better functions and values to those trees impacted by the Project. Mitigation can be through purchases of credits at a CDFW or State of California-approved mitigation bank for western Joshua tree. Additionally, no take of western Joshua tree will occur without authorization from CDFW in the form of an Incidental Take Permit pursuant to Fish and Game Code 2081 while it is being considered as a candidate or if it is listed under the CESA. Through conservation of western Joshua trees at a 1:1 habitat replacement ratio, of equal or better functions and values to those trees impacted by the Project, impacts would be less than significant.

Additionally, Project applicants are required to submit an application and pay applicable fees to the City of Hesperia for removal or relocation of protected native desert plants under Hesperia Municipal Code Chapter 16.24. Requirements also include a preconstruction Project site inspection with the Planning Division and the Building Division. The application shall include certification from a qualified Joshua tree and native desert plant expert(s) to determine that proposed removal or relocation of protected native desert plants are appropriate, supportive of a healthy environment, and in compliance with the City of Hesperia Municipal Code. Protected plants subject to Hesperia Municipal Code Chapter 16.24 may be relocated on-site, or within an area designated as an area for species to be adopted later. The application shall include a detailed plan for the removal of all protected plants on the Project site. The plan shall be prepared by a qualified Joshua tree and native desert plant expert(s) (Mitigation Measure BIO-5). Per City policy, obtainment of an Incidental Take Permit and corresponding mitigations under the jurisdiction of CDFW would satisfy the City's requirements under Chapter 16.24 of the City Municipal Code. Therefore, in the event that western Joshua Tree is not listed as Threatened per determination by the California Fish and Game Commission, the Project would be required to comply with the City's Relocation of Desert Native Plants policy.

The Project site is not located within any designated federal critical habitat. The closest federal critical habitat is arroyo toad critical habitat located 6.77 miles south of the Project site, across Interstate 15 (I-15) Freeway and Highway 138.

Therefore, the Project would result in less than significant direct or indirect impacts on species identified as candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by CDFW or USFWS with the implementation of Mitigation Measures BIO-1 through BIO-3, and BIO-5 and BIO-6.

IMPACT BIO-2: 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 US FISH AND WILDLIFE SERVICE?

Less Than Significant Impact With Mitigation. As discussed above, the Project would result in the disturbance of 18.16 acres. Biological research and site surveys conducted for the Project identified two habitat types within the Project site and 500-foot buffer: 20.07 acres of disturbed area and 2.95 acres of rabbitbrush (*Ericameria nauseosa*) dominant riparian habitat. The approximately 2.95 acres (1,377.62 linear feet) of ephemeral stream, and associated riparian habitat dominated by rabbitbrush, would be regulated under Section 1602 of the Fish and Game Code. The proposed Project is expected to impact 2.95 acres of ephemeral stream and associated riparian habitat that is regulated under Section 1602 of the Fish and Game Code (Figure 5.3-2). Impacts to this drainage will require a 1602 Streambed Alteration Agreement from the CDFW. Impacts to Waters of the State will be mitigated through land credits at a CDFW or State of California-approved mitigation bank for ephemeral stream at a 2:1 ratio (Mitigation Measure BIO-4). The Project would result in a less than significant impact with Mitigation Measure BIO-4.

The Project site contains approximately 0.30-acre (712.14 linear feet) of ephemeral stream that is considered non-wetland Waters of the United States (WUS) which is regulated by the United States Army Corps of Engineers (USACE) Section 404 of the CWA (Figure 5.3-2). The stream located on site is tributary to the Oro Grande Wash and to the Mojave River, draining into Soda Dry Lake. The proposed development is expected to impact 0.30 acre of ephemeral stream that is considered WUS. Impacts to WUS will require a USACE Nationwide Permit for industrial projects. The WUS are located within the ephemeral feature located in the center of the study area. WUS were delineated by identifying the ordinary high water mark (OHWM). Waters of the United States will be mitigated either through In Lieu Fee Programs (ILFP) or fees per acre credit. The Project would result in a less than significant impact with Mitigation Measure BIO-4.

The Project site contains approximately 0.30 acre (712.14 linear feet) of ephemeral stream that would be considered Waters of the State subject to Porter-Cologne (Figure 5.3-3). Beneficial uses for minor surface waters in the Upper Mojave Hydrologic Area have been identified by the Lahontan Basin Plan as Municipal and Domestic Supply (MUN), Agricultural Supply (AGR), Ground Water Recharge (GWR), Hydropower Generation (POW), Water Contact Recreation (REC-1), Noncontact Water Recreation (REC-2), Warm Freshwater Habitat (WARM), Cold Freshwater Habitat (COLD), and Wildlife Habitat (WILD). The proposed Project is expected to impact 0.30 acre of ephemeral stream that is considered Waters of the State. Impacts to Waters of the State are covered by a Section 401 State Water Quality Certification from the RWQCB. The Project would result in a less than significant impact with Mitigation Measure BIO-4.

Therefore, the Project would result in a less than significant impact on riparian habitat and other sensitive natural communities with implementation of Mitigation Measure BIO-4.

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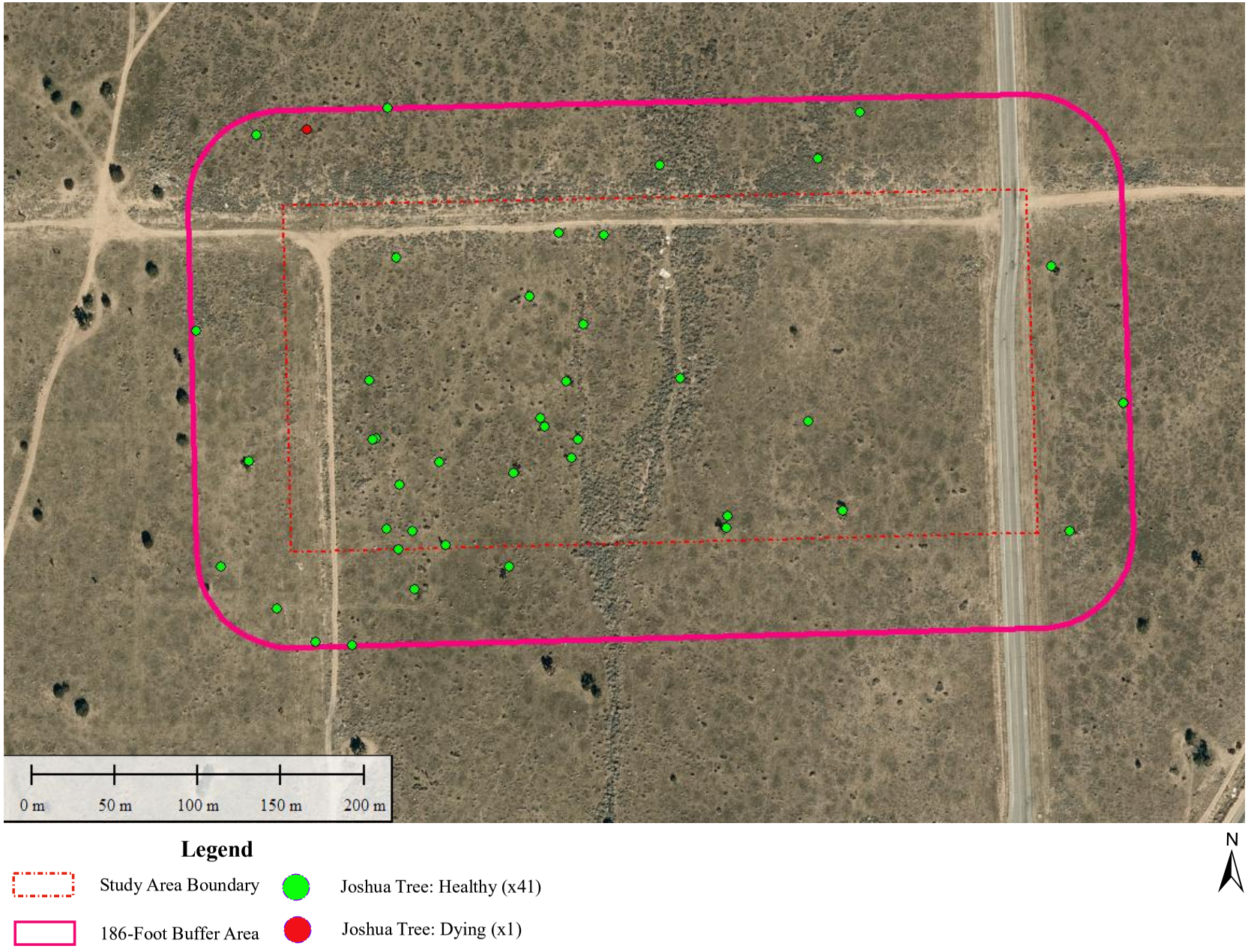
Joshua Tree Location Map



Mesa Linda Street Warehouse
City of Hesperia

Figure 5.3-1

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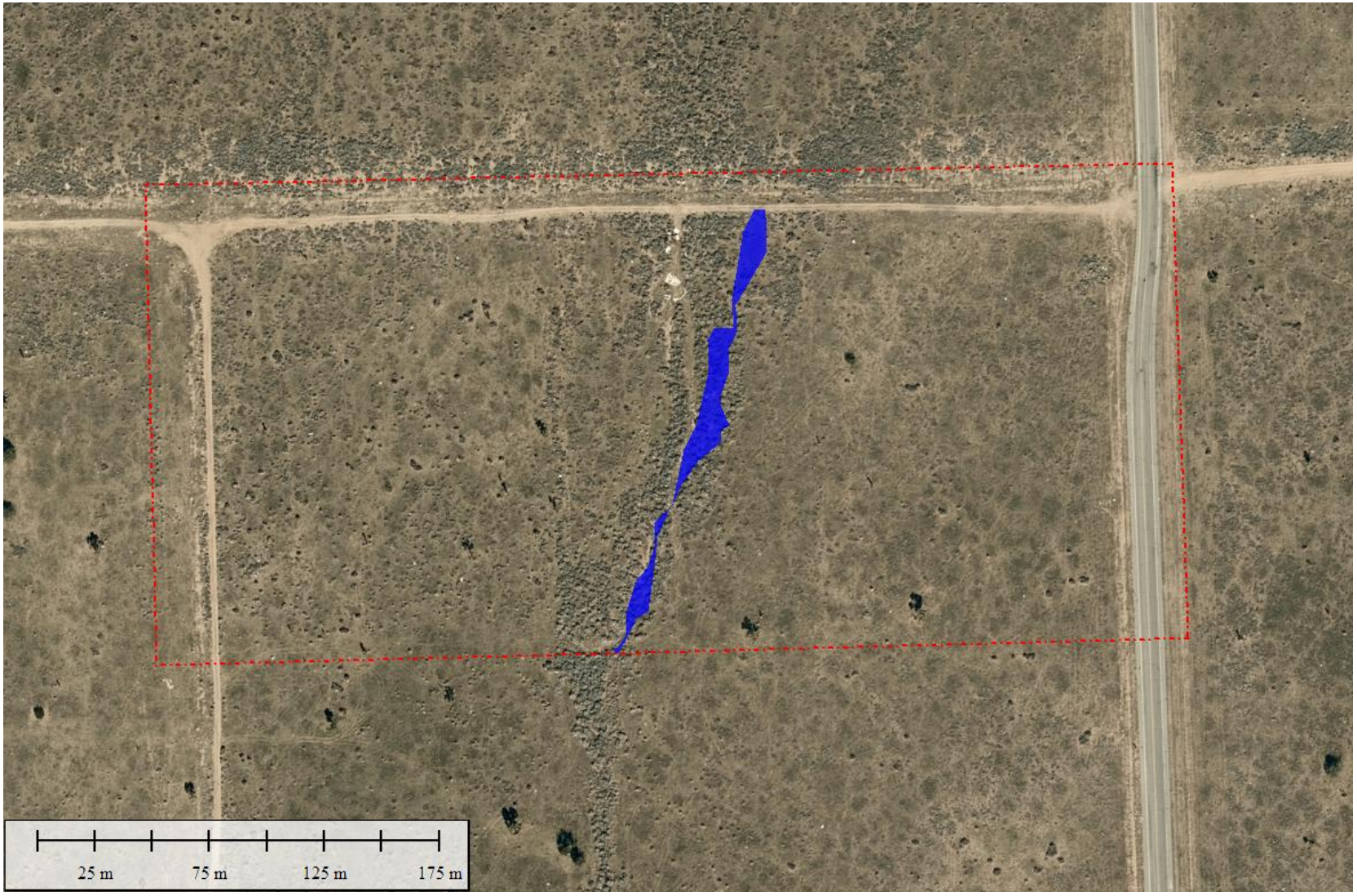
Waters of the United States Map



Mesa Linda Street Warehouse
City of Hesperia

Figure 5.3-2

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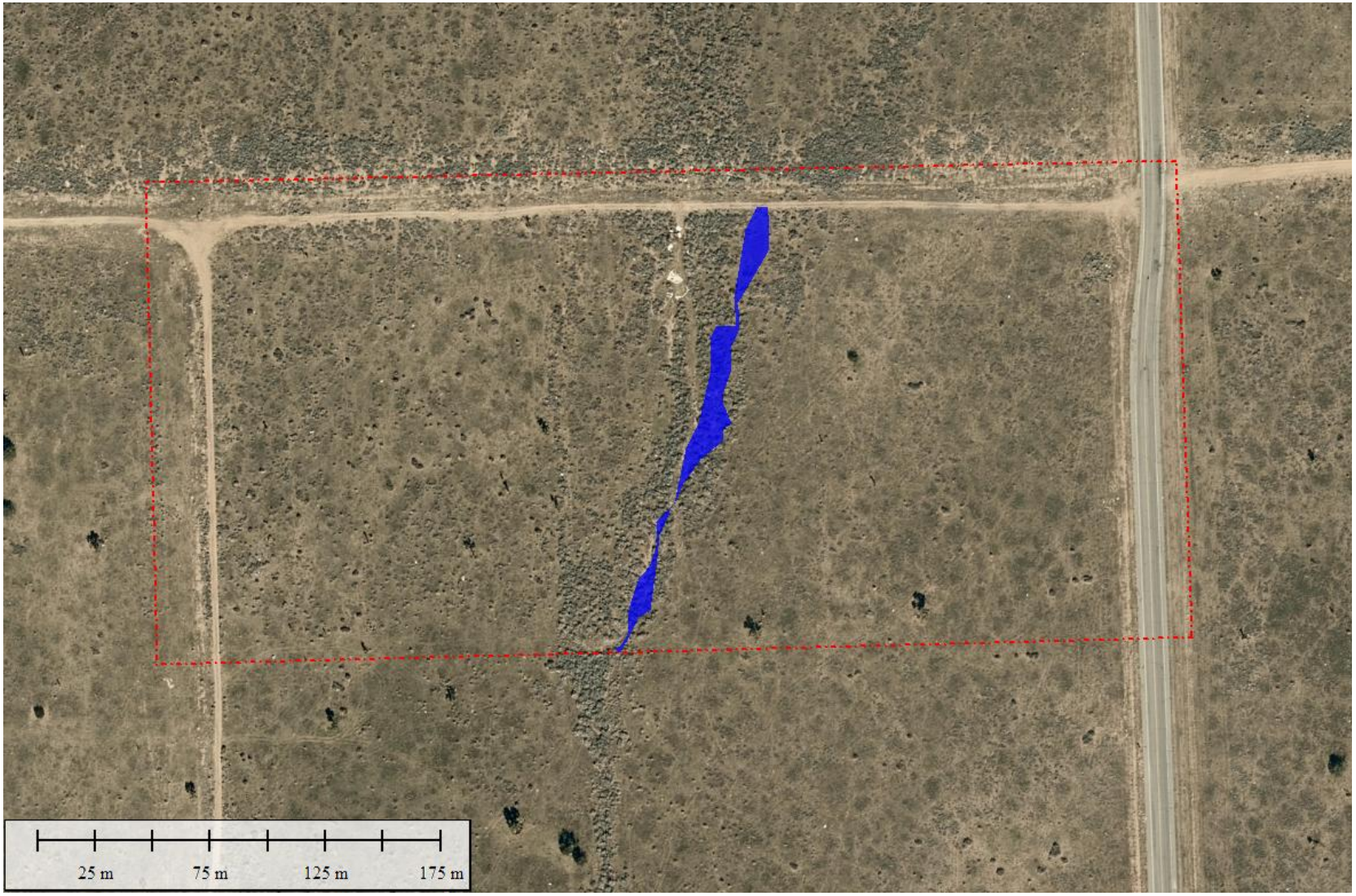
Waters of the State Map



Mesa Linda Street Warehouse
City of Hesperia

Figure 5.3-3

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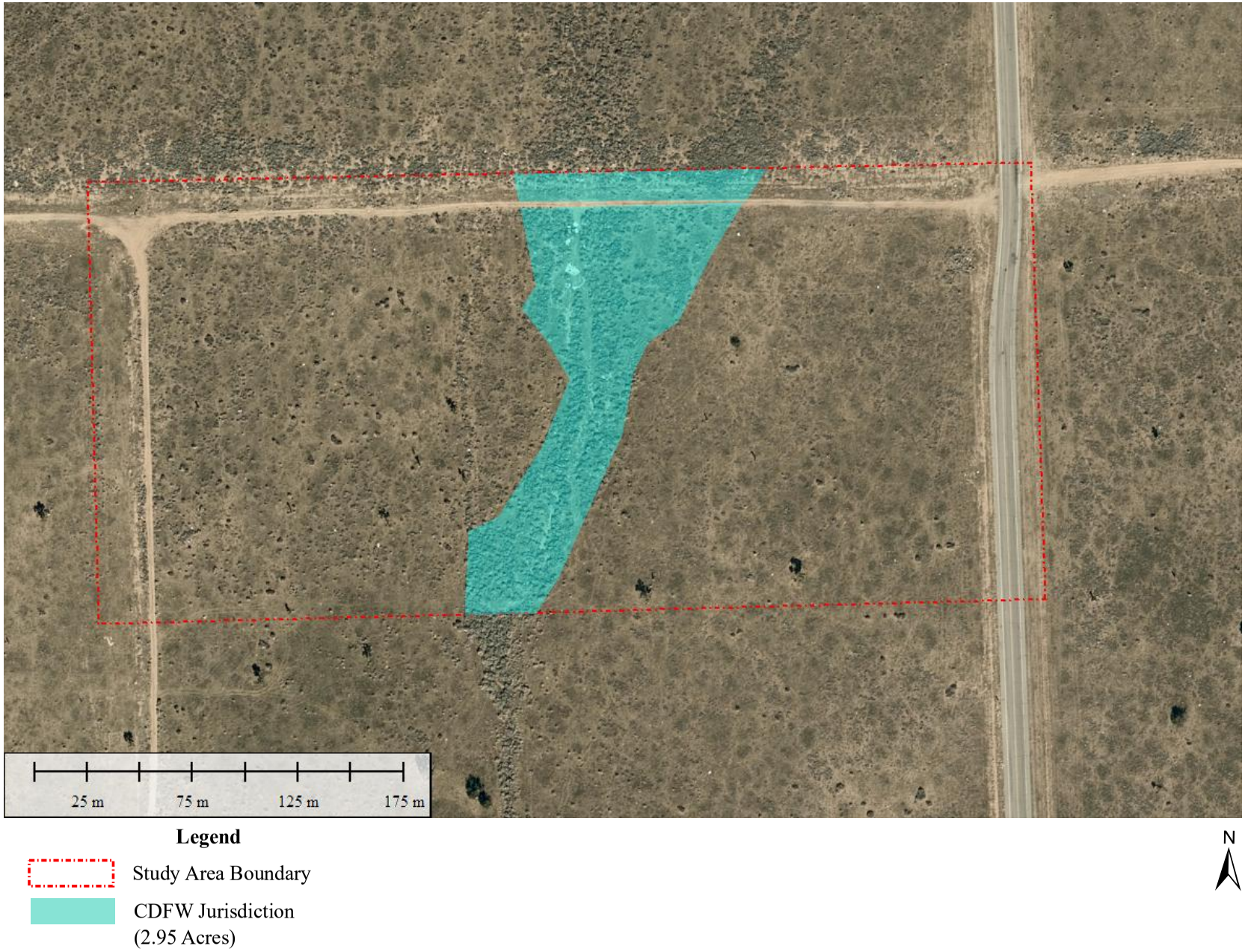
CDFW Jurisdiction



Mesa Linda Street Warehouse
City of Hesperia

Figure 5.3-4

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IMPACT BIO-3: 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. The Project site contains approximately 0.30 acre (712.14 linear feet) of ephemeral stream that is considered non-wetland Waters of the United States (WUS) which is regulated by the USACE Sections 404 of the CWA. The stream located on site is tributary to the Oro Grande Wash and to the Mojave River, draining into Soda Dry Lake. Therefore, Project development and operation would not have any impacts to State- or Federally-protected wetlands, including vernal pools or marsh areas.

IMPACT BIO-4: WOULD THE PROJECT POTENTIALLY INTERFERE SUBSTANTIALLY WITH THE MOVEMENT OF ANY NATIVE RESIDENT OR MIGRATORY FISH OR WILDLIFE SPECIES OR WITH ESTABLISHED NATIVE RESIDENT OR MIGRATORY WILDLIFE CORRIDORS OR IMPEDE THE USE OF NATIVE WILDLIFE NURSERY SITES?

Less than Significant Impact with Mitigation. Wildlife movement corridors link together areas of suitable habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbances. The Project site is flat and surrounded by paved and dirt roads and vacant land. No wildlife corridors are located on the Project site. However, the Project site contains trees and shrubs that can support nesting song birds or raptors protected under the Federal Migratory Bird Treaty Act and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code during the nesting season. The General Biological Assessment prepared for the Project indicates that grading activities or vegetation removal during between the February 1 and September 15 bird nesting season might result in potential impacts to nesting birds. However, compliance with the Migratory Bird Treaty Act, which includes preconstruction nesting bird surveys during the nesting bird season, will ensure that potential impacts to nesting birds would be less than significant (Mitigation Measure BIO-3). Reduction of the potential impacts to nesting birds would be reduced to a less than significant level with implementation of Mitigation Measure BIO-3.

IMPACT BIO-5: WOULD THE PROJECT CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES, SUCH AS A TREE PRESERVATION ORDINANCE?

Less than Significant Impact with Mitigation. Pursuant to the City of Hesperia Municipal Code chapter 16.24, Protected Plants, all species of the *Agavaceae* family (*Yuccas, Nolinas*, Century Plants.), all species of cactus, including chollas (*Cylindropuntia spp.*), smoketree (*Dalea spinosa*), all species of the mesquites (*Prosopis*), creosote rings 10 feet or more in diameter, all Joshua trees, and all plants protected or regulated by the California Desert Native Plants Act (California Food and Agricultural Code 80001 et. seq.) shall not be removed except under a removal permit issued by the agricultural commissioner.

As stated above, the Project site includes 25 Joshua trees within the Project site and five Joshua trees outside of the Project site which has a buffer that overlaps the Project site. The combined 186-foot and 36-foot buffers encompass 12.6 acres within the Project site that would be mitigated. The western Joshua tree is currently listed as a Candidate Threatened Species under CESA. Determinations regarding the status of the western Joshua tree are on hold pending the outcome of proposed legislation (the Western Joshua Tree Conservation Act). As a listed species under CESA, the Project developer would be required to obtain an Incidental Take Permit under Section 2081 of the Fish and Game Code (Mitigation Measure BIO-6). Additionally, the applicant will apply for mitigation land credits from a CDFW or State of California-approved mitigation bank established to protect Joshua trees at a minimum of a 1:1 ratio.

Project construction would necessitate completion of a native plant removal permit application for the removal of existing Joshua trees from the Project site. The City requires a detailed plan for the removal of all protected plants on the Project site to be prepared with the application (Mitigation Measure BIO-5). Per City policy, obtainment of an Incidental Take Permit and corresponding mitigation under the jurisdiction of CDFW would satisfy the City's requirements under Chapter 16.24 of the City Municipal Code. Therefore, in

the event that western Joshua Trees are not listed as Threatened per determination by the California Fish and Game Commission, the Project would be required to comply with the City's Relocation of Desert Native Plants policy. The City does not include any additional local policies or ordinances related to protection of biological resources that the Project could conflict with. Therefore, the Project would result in a less than significant impact with mitigation.

IMPACT BIO-6: 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 Project is located within the California Desert Conservation Area Plan (BLM 1980) planning area, which includes plan amendments: Draft West Mojave Plan (BLM 2005) and the Desert Renewable Energy Conservation Plan (BLM 2016). The Project would not conflict with the conservation criteria associated with the California Desert Conservation Area Plan or Desert Renewable Energy Conservation Plan. The California Desert Conservation Area Plan is applicable to the management of public lands. The Project site is privately owned, and therefore, the Project would result in no impact.

5.3.7 CUMULATIVE IMPACTS

CEQA Guidelines Section 15130 indicates that cumulative impacts refer to incremental effects of an individual project when assessed in connection with effects of past, current, and probable future projects. The cumulative study area for biological resources includes the proposed Project in conjunction with other development Projects in the City of Hesperia. The cumulative projects in these areas are industrial, office and commercial in nature.

Special-Status Species.

As described above, there are no special status plant species determined to have the potential to be present within the Project site. The Project would result in no impact on special status plant species. Therefore, cumulative impacts related to special status species and sensitive natural communities would be less than cumulatively significant.

Riparian Habitat.

The Project site is currently undeveloped and contains approximately 2.95 acres of CDFW jurisdictional waters, 0.3 acre of Waters of the State, and 0.3 acre of WUS. The Project would impact existing riparian communities through development of the Project. However, Mitigation Measure BIO-4 would reduce these impacts to less than significant. These less than significant impacts from the Project are not anticipated to combine with other development projects to substantially affect riparian habitat to a point where the total regional habitat is considerably decreased. Therefore, cumulative impacts related to riparian habitat and jurisdictional waters would not be cumulatively significant.

Nesting and Migratory Birds.

Mitigation is included to avoid impacts to nesting bird species through compliance with the Migratory Bird Treaty Act. As described above, the Project site contains trees and shrubs that can support nesting song birds or raptors protected under the Federal Migratory Bird Treaty Act and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code during the nesting season. Mitigation Measure BIO-3 would reduce these impacts to less than significant. These less than significant impacts from the Project are not anticipated to combine with other development projects to substantially affect these species to a point where their survival in the region is threatened. Therefore, cumulative impacts related to nesting and migratory birds would not be cumulatively significant.

Ordinances/Adopted Conservation Plans.

Pursuant to City Municipal Code Chapter 16.24, Protected Plants, all species of the *Agavaceae* family (*Yuccas, Nolinas*, Century Plants.), all species of cactus, including chollas (*Cylindropuntia spp.*), smoketree (*Dalea spinosa*), all species of the mesquites (Prosopis), creosote rings 10 feet or more in diameter, all Joshua trees, and all plants protected or regulated by the California Desert Native Plants Act (California Food and Agricultural Code 80001 et. seq.) shall not be removed except under a removal permit issued by the agricultural commissioner. The Project would result in the removal of Joshua trees from the site. All past, current, and probable future projects, including the proposed Project, would be required to comply with the City's native plant ordinance and provide preservation/mitigation as determined by the City. Mitigation Measures BIO-5 and BIO-6 would reduce these impacts to less than significant. These less than significant impacts from the Project are not anticipated to combine with other development projects to substantially affect these species to a point where their survival in the region is threatened. Therefore, cumulative impacts related to City-protected native plant species would not be cumulatively significant.

Cumulatively considerable impacts to these biological resources would not occur from implementation of the proposed Project with implementation of the mitigation measures described above and listed below.

5.3.8 EXISTING STANDARD CONDITIONS AND PLANS, PROGRAMS OR POLICIES

Existing Regulations

Federal

- Federal Endangered Species Act
- Clean Water Act
- Migratory Bird Treaty Act

State

- California's Endangered Species Act
- California Fish and Game Code

Local

- Hesperia Municipal Code Chapter 16.24

5.3.9 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

No impacts would occur to Impact BIO-3 or BIO-6. Impacts BIO-1, BIO-2, BIO-4 and BIO-5 would be potentially significant without mitigation.

5.3.10 MITIGATION MEASURES

Mitigation Measure BIO-1: Preconstruction Burrowing Owl Surveys

- A preconstruction survey for resident burrowing owls shall be conducted by a qualified biologist within 30 days prior to commencement of grading and construction activities to ensure that no owls have colonized the site in the days or weeks preceding project activities. If ground disturbing activities in these areas are delayed or suspended for more than 30 days after the preconstruction survey, the area shall be resurveyed for owls. The preconstruction survey and any relocation activity shall be conducted in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG 2012).
- If active nests are identified on an implementing project site during the preconstruction survey, the nests shall be avoided, or the owls actively or passively relocated. To adequately avoid active nests, no grading or heavy equipment activity shall take place within at least 250 feet of an active nest

during the breeding season (February 1 through August 31), and 160 feet during the non-breeding season.

- If burrowing owls occupy any implementing portion of the Project site and cannot be avoided, active or passive relocation shall be used to exclude owls from their burrows, as agreed to by the City of Hesperia Planning Department and the CDFW. Relocation shall be conducted outside the breeding season or once the young are able to leave the nest and fly. Passive relocation is the exclusion of owls from their burrows (outside the breeding season or once the young are able to leave the nest and fly) by installing one-way doors in burrow entrances. These one-way doors allow the owl to exit the burrow, but not enter it. These doors shall be left in place 48 hours to ensure owls have left the burrow. Artificial burrows shall be provided nearby. The implementing project area shall be monitored daily for one week to confirm owl use of burrows before excavating burrows in the impact area. Burrows shall be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible pipe shall be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow. The CDFW shall be consulted prior to any active relocation to determine acceptable receiving sites available where this species has a greater chance of successful long-term relocation. If avoidance is infeasible, then a Determination of Biologically Equivalent or Superior Preservation (DBESP) Report shall be required, including associated relocation of burrowing owls. If conservation is not required, then owl relocation shall still be required following accepted protocols. Take of active nests shall be avoided, so it is strongly recommended that any relocation occur outside of the nesting season.

Mitigation Measure BIO-2: Sensitive Wildlife Surveys

- Coastal whiptail (*Aspidoscelis tigris stejnegeri)* and coast horned lizard (*Phrynosoma blainvillii*) have the potential to exist on the Project site and the potential to be impacted by construction activities. A qualified biological monitor shall be present on site during all ground disturbing activities to ensure no direct or indirect take of the species occurs. A pre-construction survey will be conducted three days prior to initiation of construction activities that would remove vegetation or otherwise disturb potential habitat. If the species occurs on site during Project activities, the biologist will have the authority to stop construction and allow the species time to evacuate the Project site.
- If a listed species is encountered and cannot be avoided until they voluntarily leave the work area, this plan will be amended to include:
    - Information on the site form which the species is to be removed and the proposed alternate habitat to which they are to be moved;
    - Identification of proposed biologists who will handle species movement;
    - The proposed method for capture and relocation for the species to the new site; and
    - Reference to any applicable protocol guidelines.

Mitigation Measure BIO-3: Migratory Bird Treaty Act

Prior to issuance of a Grading Permit, the Project Applicant/Developer shall provide evidence of intention to comply with the Federal Migratory Bird Treaty Act by including a note on the Grading Plans that states as follows:

- Project development ground disturbing and vegetation clearing activities should not occur during the bird nesting season of February 1 through September 15.
- If avoidance of ground disturbing and vegetation clearing activities cannot be implemented and these activities will occur during the bird nesting season, the Project Applicant/Developer shall employ a qualified biologist who will conduct pre-construction nesting bird surveys during the nesting bird season within 3 (three) days prior to vegetation removal and/or construction activities.
- If active nests are found during nesting bird surveys, the nests will be flagged and a 500-foot buffer for raptors and a 250-foot buffer for migratory song birds shall be installed around the nests. The buffers shall remain in place until the young have fledged and the nest becomes unoccupied.

Note: Loggerhead shrike and Le Conte's thrasher are avian species that have the potential to occur in the study area. Recommendations for nesting birds (Mitigation Measure BIO-4) will also serve to mitigate any impacts to these species.

Mitigation Measure BIO-4: Jurisdictional Waters

Impacts to jurisdictional waters require mitigation through habitat creation, restoration, or enhancement as determined by consultation with the regulatory agencies during the permitting process:

- Impacts to the 2.95 acres of CDFW jurisdictional waters will require a 1602 Streambed Alteration Agreement from the CDFW.
- Impacts to the 0.30 acres of Waters of the State would require a Section 401 State Water Quality Certification from the RWQCB.
- Impacts to Waters of the State will be mitigated through land credits through purchases of credits at a California Department of Fish and Wildlife (CDFW)-approved mitigation bank for ephemeral stream at a 2:1 ratio.
- Impacts to the 0.30 acres of Waters of the U.S. would qualify for a Section 404 USACE Nationwide Permit. Waters of the United States will be mitigated either through In Lieu Fee Programs (ILFP) or fees per acre credit.

Mitigation Measure BIO-5: Relocation of Desert Native Plants (Hesperia Municipal Code Chapter 16.24).

Prior to the issuance of grading permits, the Project Applicant shall submit an application and applicable fee paid to the City of Hesperia for removal or relocation of protected native desert plants under Hesperia Municipal Code Chapter 16.24 as required and schedule a preconstruction site inspection with the Planning Division and the Building Division. The application shall include certification from a qualified Joshua tree and native desert plant expert(s) to determine that proposed removal or relocation of protected native desert plants are appropriate, supportive of a healthy environment, and in compliance with the City of Hesperia Municipal Code. Protected plants subject to Hesperia Municipal Code Chapter 16.24 may be relocated on-site, or within an area designated as an area for species to be adopted later. The application shall include a detailed plan for the removal of all protected plants on the Project site. The plan shall be prepared by a qualified Joshua tree and native desert plant expert(s). The plan shall include, but not be limited to, the following measures:

- Salvaged plants shall be transplanted expeditiously to either their final on-site location, or to an approved off-site area. If the plants cannot be expeditiously taken to their permanent relocation area at the time of excavation, they may be transplanted in a temporary area (stockpiled) prior to being moved to their permanent relocation site(s).
- Western Joshua trees shall be marked on their north facing side prior to excavation. Transplanted western Joshua trees shall be planted in the same orientation as they currently occur on the Project site, with the marking on the north side of the trees facing north at the relocation site(s).
- Transplanted plants shall be watered prior to and at the time of transplantation. The schedule of watering shall be determined by the qualified tree expert and desert native plant expert(s) to maintain plant health. Watering of the transplanted plants shall continue under the guidance of qualified tree expert and desert native plant expert(s) until it has been determined that the transplants have become established in the permanent relocation site(s) and no longer require supplemental watering.

Mitigation Measure BIO-6: Western Joshua Tree Lands (CESA)

In the case that the California Fish and Game Commission lists western Joshua trees as threatened under the California Endangered Species Act, the following measure will be implemented:

- Prior to the initiation of Joshua tree removal, obtain California Endangered Species Act (CESA) Incidental Take Permit under Section 2081 of the Fish and Game Code. The Project Applicant will adhere to measures and conditions set forth within the Incidental Take Permit.
- Mitigation for direct impacts to western Joshua trees shall be fulfilled through conservation of western Joshua trees at a 1:1 habitat replacement ratio, of equal or better functions and values to those impacted by the Project. Mitigation can be through purchases of credits at a California Department of Fish and Wildlife (CDFW)-approved mitigation bank for western Joshua tree. Additionally, no take of western Joshua tree will occur without authorization from CDFW in the form of an Incidental Take Permit pursuant to Fish and Game Code 2081.
- Name, qualifications, business address, and contact information of a biological monitor (designated botanist) shall be submitted to CDFW at least 30 days prior to Project activities. The designated botanist shall be responsible for monitoring Project activities to help minimize and fully mitigate or avoid incidental take of Joshua trees.
- An education program (Worker Environmental Awareness Program) shall be conducted for all persons employed or working in the project area before performing any work.
- A trash abatement program shall be in place before starting project activities and throughout the duration of the Project to ensure that trash and food are contained in animal proof containers.
- The boundaries of the Project site shall be clearly delineated, in consultation with the designated botanist, prior to project activities with posted signs, posting stakes, flags, and/or rope or cord.
- Project-related personnel shall access the Project area using existing routes, or routes identified in the Project description, and shall not cross Joshua tree habitat outside or on route to the Project area.
- The designated botanist shall have authority to immediately stop any activity that does not comply with the ITP, and/or to order any reasonable measure to avoid unauthorized take of an individual Joshua tree.
- The Project analyzed impacts to western Joshua trees by applying the 186-foot and 36-foot buffer zone overlap with the project boundaries of two adjacent proposed developments. Any impacts to overlapping Joshua trees will be analyzed by CDFW to ensure no Joshua trees are mitigated twice.
- The Western Joshua Tree Conservation Act is currently under consideration by the California Governor's Office. In the event that the Western Joshua Tree Conservation Act is implemented, effectively replacing the function of species protection under CESA, alternative habitat replacement mechanisms, providing equal or better function and value to existing mechanisms under CESA, will be implemented as required under state law.

5.3.11 LEVEL OF SIGNIFICANCE AFTER MITIGATION

The mitigation measures listed above, and existing regulations would reduce potential impacts associated with biological resources for Impact BIO-1, BIO-2, BIO-4, BIO-5, and BIO-6 to a level that is less than significant. Therefore, no significant unavoidable adverse impacts related to biological resources would occur.

REFERENCES

City of Hesperia. 2010. The City of Hesperia General Plan Update, Conservation Element. Accessed December 2022. https://www.cityofhesperia.us/409/Hesperia-General-Plan.

Hernandez Environmental Services, 2022a. General Biological Assessment.

Hernandez Environmental Services, 2022b. Jurisdictional Delineation.

Hernandez Environmental Services, 2022c. Joshua Tree Survey Report.

Hernandez Environmental Services, 2022d. Mohave Ground Squirrel Survey.

Hernandez Environmental Services, 2022e. Focused Burrowing Owl Survey Report.

Ecological Sciences, Inc, 2022. Desert Native Plant and Rare Plant Survey.

5.4 Cultural Resources

5.4.1 INTRODUCTION

This section addresses potential environmental effects of the Project related to cultural resources, which include built and subsurface historic, archaeological, and paleontological resources. The analysis in this section is based in part, on the following documents and resources:

- Phase I Cultural and Paleontological Resources Assessment, Material Cultural Consulting, May 2022 (Appendix D)
- City of Hesperia General Plan, Conservation Element, 2010
- City of Hesperia General Plan 2010 Final Environmental Impact Report, Michael Brandman Associates, December 2010
- City of Hesperia Municipal Code

In accordance with Public Resources Code Section 15120(d), certain information and communications that disclose the location of archaeological sites and sacred lands are allowed to be exempt from public disclosure.

5.4.2 REGULATORY SETTING

5.4.2.1 FEDERAL REGULATIONS

National Historic Preservation Act

The National Historic Preservation Act of 1966 (NHPA) established the National Register of Historic Places (National Register), which is the official register of designated historic places. The National Register is administered by the National Park Service and includes listings of buildings, structures, sites, objects, and districts that possess historical, architectural, engineering, archaeological, or cultural significance at the national, state, or local level.

To be eligible for the National Register, a property must be significant under one or more of the following criteria per 36 Code of Federal Regulations Part 60:

a) Properties that are associated with events that have made a significant contribution to the broad patterns of our history;

b) Properties that are associated with the lives of persons significant in our past;

c) Properties that embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

d) Properties that have yielded, or may be likely to yield, information important in prehistory or history.

In addition to meeting one or more of the aforementioned criteria, an eligible property must also possess historic "integrity," which is "the ability of a property to convey its significance." The National Register criteria recognize seven qualities that define integrity: location, design, setting, materials, workmanship, feeling, and association.

Structures, sites, buildings, districts, and objects over 50 years of age can be listed in the National Register as significant historical resources. Properties under 50 years of age that are of exceptional importance or are contributors to a district can also be included in the National Register.

Properties listed in or eligible for listing in the National Register are also eligible for listing in the California Register, and as such, are considered historical resources for CEQA purposes.

5.4.2.2 STATE REGULATIONS

California Register of Historical Resources

Eligibility for inclusion in the California Register is determined by applying the following criteria:

1) It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2) It is associated with the lives of persons important in California's past;
3) embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic value; or
4) It has yielded or is likely to yield information important in prehistory or history. The Register includes properties which are listed or have been formally determined to be eligible for listing in the National Register, State Historical Landmarks, and eligible Points of Historical Interest (PRC §5024.1).

In addition to meeting one or more of the above criteria, the California Register requires that sufficient time has passed since a resource's period of significance to "obtain a scholarly perspective on the events or individuals associated with the resources." (CCR 4852 [d][2]). The California Register also requires that a resource possess integrity. This is defined as the ability for the resource to convey its significance through seven aspects: location, setting, design, materials, workmanship, feeling, and association.

California Health and Safety Code Section 7050.5

Health and Safety Code Section 7050.5(b) and (c) provides that if human remains are discovered, excavation or disturbance in the vicinity of human remains shall cease until the County Coroner is contacted and has reviewed the remains. If the Coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, the Coroner is required to contact the Native American Heritage Commission (NAHC) by telephone within 24 hours.

Public Resources Code (PRC) Section 5097.5

Requirements for paleontological resource management are included in the PRC Division 5, Chapter 1.7, Section 5097.5, and Division 20, Chapter 3, Section 30244, which states: No person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor. These statutes prohibit the removal, without permission, of any paleontological site or feature from lands under the jurisdiction of the state or any city, county, district, authority, or public corporation, or any agency thereof. As a result, local agencies are required to comply with PRC 5097.5 for their own activities, including construction and maintenance, as well as for permit actions (e.g., encroachment permits) undertaken by others. PRC Section 5097.5 also establishes the removal of paleontological resources as a misdemeanor and requires reasonable mitigation of adverse impacts to paleontological resources from developments on public (state, county, city, and district) lands.

Public Resources Code Section 5097.98

Public Resources Code Section 5097.98 provides guidance on the appropriate handling of Native American remains. Once the NAHC receives notification from the Coroner of a discovery of Native American human remains, the NAHC is required to notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. According to Public Resources Code Section 5097.98(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials.

CEQA Guidelines Section 15064.5

Section 15064.5 provides guidelines for determining the significance of impacts to archaeological and historical resources. The section provides the definition of historical resources, and how to analyze impacts to resources that are designated or eligible for designation as a historical resource. Section 15064.5 additionally provides provisions for the accidental discovery or recognition of human remains in any location other than a dedicated cemetery.

5.4.2.3 LOCAL REGULATIONS

City of Hesperia General Plan

The City of Hesperia General Plan Conservation Element contains the following policies related to cultural, archaeological, and historical resources that are applicable to the proposed Project:

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

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

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

Policy CN 5.5 Through its CEQA and other environmental procedures, the City shall notify appropriate Native American representatives of possible development and shall comply with all State and Federal requirements concerning the monitoring and preservation of Native American artifacts and places.

City of Hesperia Municipal Code

Article VIII. Historical Resources Designation and Protection, Section 16.20.290 – Landmark Designation Review Criteria. When designating a landmark, the city council shall consider the following criteria in making its determination:

A. Historical and Cultural Significance.

1. The proposed landmark is particularly representative of an historical period, type, style, region, or way of life;

2. The proposed landmark is an example of a type of building which was once common but is now rare;
3. The proposed landmark is of greater age than most of its kind;
4. The proposed landmark was connected with someone who is or was renowned, important, or a local personality;
5. The proposed landmark is connected with a business or use which was once common but is now rare; or
6. The architect or builder was significant;
7. The site is the location of an important historic event or building.

B. Historic Architectural and Engineering Significance.

1. The construction materials or engineering methods used in the proposed landmark are unusual, significant, or uniquely effective.
2. The design of the proposed landmark contains details and materials that possess extraordinary or unique aesthetic qualities.

C. Neighborhood and Geographic

1. The proposed landmark materially benefits the historic character of the neighborhood.
2. The proposed landmark in its location represents an established and familiar visual feature of the neighborhood, community or city.

5.4.3 ENVIRONMENTAL SETTING

Historic

In 1869, the transcontinental railroad was completed in California and expanded agricultural settlement. The Southern Pacific Route connected Los Angeles and northern California and monopolized the rail system until the arrival of Atchison, Topeka, and Santa Fe (AT&SF) railroad. The AT&SF line connected the larger Southern California region to the City of Los Angeles. At the end of the 1800s, the social dynamics changed in the temperance City of San Bernardino as railroads brought thousands of settlers from Europe and the eastern states. The railway system and influx of population accelerated the economic trades in San Bernardino.

U.S. Highway 66 (Route 66) was the main means of access between the City of Los Angeles and San Bernardino County. The road was created to give better access for transporting goods produced in San Bernardino to the Los Angeles market. Members of the Los Angeles and San Bernardino highway commissions marketed the road to be used for recreational travel to see the countryside. The commissions promoted the idea that improvements to the road would create an "attractive foothill boulevard linking Redlands to the Pacific Ocean". In 1909, the State Legislature authorized bonds for road building and improvement programs, which included the new Foothill Boulevard. By 1913, the road was integrated into the National Old Trails Road, linking the roads from Los Angeles to Washington, D.C. In 1926, the road was designated U.S. 60, later changed to U.S. 66 (Route 66), after a uniform system of interstate highways was adopted.

Throughout the early 20th century, Hesperia's local businesses catered to travelers on Route 66. Hesperia was the final stop before the Cajon Pass, and its location along this area of Route 66 became a prosperous area for businesses. In 1924, the route was moved to the west of Hesperia, and businesses suffered as a

result. Hesperia was officially incorporated as a City in 1988. Presently, it is situated along Interstate 15 (I-15) Freeway, a heavily traveled route that brings various travelers into town benefiting the local economy.

A total of 42 previously conducted cultural resources studies were identified during the course of the California Historic Resources Inventory System (CHRIS) records search, 37 of which are located outside of the Project site but within one mile. A total of 38 previously recorded resources were identified within the one mile radius of the Project site. These resources included 33 historic-era resources and five prehistoric sites and isolates. Two of the historic-era cultural resources were identified as located within the Project site. The two resources within the Project site are detailed below.

> **P-36-004179**- This resource consists of a segment of Lane's Crossing Toll Roads, a 5-foot wide, unpaved road running southwest from Bear Valley Road. The location of this resource has been mapped using historic maps and aerial photographs. Additionally, there were no associated artifacts identified during the onsite pedestrian survey. This resource is recorded as crossing through the northwest corner of the Project site. A formal evaluation was previously conducted for this resource and was considered ineligible for listing to the CRHR. As a result of this Project, the resource was also subject to formal evaluation for eligibility for listing to the NRHP and was found ineligible.
>
> **P-36-010288**- This resource consists of the 160-acre Dufton homestead. Two separate archaeological investigations occurred within the boundaries of this resource, which currently encompasses the entirety of the parcel granted to John E. Dufton in 1892. This resource was originally recorded by Alexandrowicz in 2000 and 2001 as a smaller homestead/campsite located south of the current Project site and comprised of various structural debris, refuse scatter, and an unpaved road.
>
> Deposits associated with P-36-010288 were identified during the pedestrian survey conducted on February 17, 2022 but the resource appeared to be heavily impacted by environmental forces and vehicular activity. A formal evaluation was conducted as part of the Project for this resource and the resource is considered ineligible for listing to the CRHR. As a result of this Project, the resource was also subject to formal evaluation for eligibility for listing to the NRHP. This evaluation found the resource was not eligible for listing in the NRHP.

Archaeological

The Project site is located in the City of Hesperia on an alluvial fan in the southwestern portion of San Bernardino County, California. As described by the Phase I Cultural and Paleontological Resources Assessment (Appendix D), most researchers agree that the earliest occupation for the San Bernardino County area dates to the early Holocene (11,000 to 8,000 years ago). The cultural history of San Bernardino County includes the San Dieguito Complex, the Milling Stone Horizon, the Encinitas Tradition, the La Jolla Complex, the Pauma Complex, and the San Luis Rey Complex.

At approximately 1,500 years Before Present (BP), bow and arrow technology started to emerge in the archaeological record, which also indicates new settlement patterns and subsistence systems. The local population retained the subsistence methods of the past but incorporated new materials into their day-to-day existence, as evidenced by the archaeological record. The Palomar Tradition is attributed to this time and is comprised of larger two patterns: The Peninsular Pattern in the inland areas of the northern Peninsular Ranges (e.g., San Jacinto and Santa Rosa mountains) and the northern Coachella Valley, and the San Luis Rey pattern of the Project site. The Project site is considered the Traditional Tribal Land of the Serrano people.

As mentioned above, the Project site is believed to have been occupied as a homestead from 1861 to 1864, which was administered to Samuel Dufton under the Land Act of 1820. The Project site has been vacant since its former occupation as a homestead. The records search identified five prehistoric resources within one-mile of the Project site.

Paleontological

The Project site is located within the Mojave Desert Geomorphic Province. A geomorphic province is a geographical area of distinct landscape character, with related geological features, including relief, landforms, orientations of valleys and mountains, type of vegetation, and other geomorphic attributes (Harden 2004). The Mojave Desert Geomorphic Province's attributes consist of vast, arid expanses of barren mountain ranges, broad alluvial-filled flatlands, desiccated riverbeds and washes, extensive mesas, sand dunes, playas, volcanic cinder cones, and basaltic lava flows.

The Project site is underlain by middle Holocene-age young alluvial fan deposits, Unit 3 (Qyf3). Mapped within a ½-mile of the Project site are early Holocene- and late Pleistocene-age young wash deposits (Qyw, Qyw1, Qyw2), Holocene- and late Pleistocene-age young alluvial fan deposits (Qyf), and middle to early Pleistocene-age very old axial-channel deposits (Qvoa). Additionally, middle to early Pleistocene-age very old axial-channel deposits (Qvoa) may be encountered in the subsurface of the Project site. Middle Holocene-age young alluvial fan deposits are unlikely to produce significant paleontological resources due to their young age and are considered to have a low paleontological potential using the federal Potential Fossil Yield Classification (PFYC) system.

Middle to early Pleistocene-age very old axial-channel deposits (Qvoa) consist of well consolidated to well indurated, reddish-brown sand with scattered layers of gravel, pebbles, silt, and clay-bearing alluvium deposited on canyon floors. Similar Pleistocene-age sediments within San Bernardino County have produced specimens of various fossils. The middle to early Pleistocene-age very old axial-channel deposits (Qvoa) in the vicinity of the Project site have a moderate paleontological potential using the PFYC system (BLM 2016) since similar units have produced scattered, significant fossils throughout San Bernardino County.

5.4.4 THRESHOLDS OF SIGNIFICANCE

Appendix G of State CEQA Guidelines indicates that a project could have a significant effect if it were to:

CUL-1	Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or
CUL-2	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.
PAL-1	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Historic Resources Thresholds

Historic resources are usually 50 years old or older and must meet at least one of the criteria for listing in the California Register (such as association with historical events, important people, or architectural significance), in addition to maintaining a sufficient level of physical integrity (CEQA Guidelines Section 15064.5[a][3]). Additionally, CEQA Guidelines Section 15064.5(b), states that a project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that would have a significant effect on the environment. A substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate

surroundings such that the significance of a historical resource would be materially impaired. The significance of a historical resource is materially impaired when a project:

a) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or

b) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

c) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

5.4.5 METHODOLOGY

The cultural resources analysis is based on the Cultural, Historic, and Paleontological Report, included as Appendix D, which contains information that was compiled through field reconnaissance, record searches, and reference materials.

Archaeological and Historic Records Search. An archaeological and historical records search was completed by the South Central Coastal Information Center (SCCIC) of the California Historical Resources Inventory System (CHRIS), located at California State University, Fullerton in March 2022 (Appendix D). This search included the Project site with an additional 1-mile buffer. The SCCIC search also included a standard review of the National Register of Historic Places (NRHP) and the Office of Historic Preservation (OHP) Historic Property Directory. Land patent records, held by the Bureau of Land Management (BLM) and accessible through the BLM General Land Office (GLO) website, were also reviewed for pertinent Project information.

Paleontological Records Search. The literature review included an examination of geological maps of the Project site and a review of relevant published and unpublished geological and paleontological literature to determine which geologic units are present within the Project site and whether fossils have been recovered from those geologic units elsewhere in the region. As geologic units may extend over large geographic areas and contain similar lithologies and fossils, the literature review included areas well beyond the Project site. On December 24, 2021, a locality search was conducted through the Natural History Museum of Los Angeles County (LACM). This search identified any fossil localities in the LACM records that exist near the Project site in the same or similar deposits.

Archaeological, Historic, and Paleontological Field Surveys. Pedestrian and reconnaissance surveys were conducted at the Project site on February 17, 2022 by Material Culture Consulting, Inc (MCC). The survey consisted of walking in parallel transects spaced at approximately 10-meter intervals over the Project parcels that were accessible, while closely inspecting the ground surface. All undeveloped ground surface areas within the ground-disturbance portion of the Project site were examined for artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools, or fire-affected rock) and fossils, soil discoloration that might indicate the presence of a cultural midden, soil depressions and features indicative of the former presence of structures or buildings (e.g., postholes, foundations), or historic-era debris (e.g., metal, glass, ceramics). Existing ground disturbances (e.g., cutbanks, ditches, animal burrows) were visually inspected for

any potential presence of the above-mentioned indicators of cultural or paleontological resources. A Department of Parks and Recreation (DPR) Series 523 form was completed for the site.

5.4.6 ENVIRONMENTAL IMPACTS

IMPACT CUL-1 WOULD THE PROJECT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE PURSUANT TO SECTION 15064.5.?

Less than Significant Impact. Section 15064.5 defines historic resources as resources listed or determined to be eligible for listing by the State Historical Resources Commission, a local register of historical resources, or the lead agency. Generally, a resource is considered "historically significant" if it meets one of the following criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values;
4. Has yielded, or may be likely to yield, information important in prehistory or history.

As described above, a Project-specific cultural resources assessment was conducted by MCC for the Project site and included a records search and pedestrian survey (Appendix D). The records search revealed a total of 40 previously recorded cultural resources, which includes 38 previously recorded cultural resources within one mile of the Project site and two historic-age resources within the Project site. The first resource within the Project site consists of a portion of Lane's Crossing Toll Road, a 5-foot-wide unpaved road trending southwest from Bear Valley Road. The second resource consists of a campsite/homestead with three possible periods of occupation. The site contains structure debris, refuse scatters, and an unpaved road.

During the field visit, MCC did not identify evidence of the Lane's Crossing Toll Road. Evidence of the campsite/homestead was identified, but the materials were found to be heavily impacted by environmental forces and vehicular activity. The portion of Lane's Crossing Toll Road within the Project site was previously evaluated and considered ineligible for listing to the CRHR and the NRHP. The campsite/homestead resource has been subject to formal evaluation but is considered ineligible for listing to the CRHR and the NRHP.

The proposed development of the Project will include the removal of campsite/homestead deposits. However, the removal of the site as part of the development of the Project would not constitute an adverse impact because it has been determined to be ineligible for listing on the CRHR or NRHP, and, therefore, is not considered a significant resource pursuant to CEQA.

The proposed development of the Project will include the removal of campsite/homestead deposits, which are considered historic-age, but not considered a historical resource pursuant to Section 15064.5. Further, the proposed Project would not affect any known 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. Therefore, the Project would result in a less than significant impact.

IMPACT CUL-2 WOULD THE PROJECT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE PURSUANT TO SECTION 15064.5?

Less than Significant Impact with Mitigation. As discussed above, a Project-specific cultural resources assessment was conducted and revealed 40 previously recorded cultural resources in or within one mile radius of the Project site. Two of these resources were identified as being within the Project site: a portion of Lane's Crossing Toll Road and a former homestead. During the field visit, MCC did not identify evidence of the Lane's Crossing Toll Road. Evidence of the campsite/homestead was identified, but the materials were found to be heavily impacted by environmental forces and vehicular activity.

Due to the history of occupation of the Project site, it is possible that additional unidentified archaeological resources are located within the Project site. Project construction would include excavation of site soils to a depth of at least 7 feet below existing grade. These soils would be conditioned and recompacted onsite to be used for foundations. Because the proposed Project would disturb native soils that have a low to moderate potential for archaeological resources, excavation related to construction of the Project has the potential to impact unknown archaeological resources. As a result, Mitigation Measure CUL-1 is included which requires archaeological monitoring during all ground-disturbance activities, such as site preparation and grading up to five feet below surface, in order to quickly assess the potential for discoveries of archaeological resources during construction. Mitigation Measure CUL-1 also includes procedures in the event a potential resource is uncovered. Thus, with implementation of Mitigation Measure CUL-1, potential impacts related to archaeological resources would be reduced to a less than significant level.

IMPACT PAL-1 WOULD THE PROJECT DIRECTLY OR INDIRECTLY DESTROY A UNIQUE PALEONTOLOGICAL RESOURCE OR SITE OR UNIQUE GEOLOGIC FEATURE?

Less than Significant Impact with Mitigation. Construction of the proposed Project would include earthmoving activities, such as grading, which have the potential to disturb previously unknown paleontological resources. The paleontological assessment prepared for the Project included a locality records search, geological map and literature reviews, and a field pedestrian survey (Appendix D). The locality search and the field survey did not identify paleontological resources within the Project site boundaries. Underlying soils of the Project site were identified as middle Holocene-age young alluvial fan deposits, Unit 3 (Qyf3). These soils are considered to have low paleontological potential; however, construction activities for the proposed Project may impact underlying moderate potential middle to early Pleistocene-age very old axial-channel deposits (Qvoa) at various depths with the Project site.

The potential for encountering significant paleontological resources within the Project site is considered moderate due to the presence of sensitive middle to early Pleistocene-age very old axial-channel deposits (Qvoa) within the vicinity of the Project. As such, Mitigation Measure PAL-1 shall be implemented as part of the Project to require preparation of a Paleontological Resources Management Plan (PRMP) prior to construction activities. Implementation of Mitigation Measure PAL-1 would ensure that any potential impacts to undiscovered paleontological resources would not be impacted by the Project. All activities disturbing soil more than 6 feet below the current ground surface would require paleontological spot checks during ground-disturbing activities in order to identify if moderate sensitivity middle to early Pleistocene-age very old axial-channel deposits (Qvoa) are being impacted. If sensitive sediments are observed, then paleontological monitoring will continue on a full-time basis in those areas. In the case that resources are inadvertently discovered during ground-disturbing activities, work shall be halted within 50 feet of the find until it can be evaluated by a qualified paleontologist. Thus, with implementation of Mitigation Measure PAL-1, potential impacts related to paleontological resources would be reduced to a less than significant level.

5.4.7 CUMULATIVE IMPACTS

Historic Resources: The Project's contribution to cumulative impacts to historical resources was analyzed in context with past projects in southwestern San Bernardino County that were once similarly influenced by the

historical agricultural industry in the region. Record searches and field surveys indicate the absence of significant historical resources within the Project site. Additionally, structures within the Project site were determined ineligible as historic resources. Therefore, Project implementation would not contribute towards a significant cumulative impact to historical sites and/or resources.

Archaeological Resources: The Project's impact to prehistoric archaeological resources was analyzed in the context of past projects in the southwestern San Bernardino County Region, which is identified as sensitive for archaeological resources. Construction activities within the Project site – as with other development projects in the region – may uncover subsurface prehistoric archaeological resources that meet the CEQA Guidelines section 15064.5 definition. However, mitigation has been included to reduce the potential impacts related to uncovering unknown resources during Project construction, which would reduce potential impacts to a less than significant level. Additionally, the Project would comply with City Policy CN 5.3, which states that all historical, paleontological and cultural resources discovered shall be inventoried and evaluated according to CEQA regulations and the California Office of Historic Preservation. Hence, the Project would not generate potentially significant impacts that would have the potential to combine and then become cumulatively significant. Therefore, the Project would result in a less than significant cumulatively considerable impact related to archaeological resources.

Paleontological Resources: The geographic area of potential cumulative impacts related to paleontological resources includes areas that are underlain by similar geologic units from the same time period. A cumulative impact could occur if development projects incrementally result in the loss of the same types of unique paleontological resources. As detailed previously, the southwestern San Bernardino County Region, including the Project site, is underlain by deep sediments that are sensitive to paleontological resources. However, the Project would incorporate Mitigation Measure PAL-1 and comply with Policy CN 5.3, which states that all historical, paleontological and cultural resources discovered shall be inventoried and evaluated according to CEQA regulations and the California Office of Historic Preservation. These measures would reduce the potential for cumulatively considerable impacts to a less than significant level.

5.4.8 EXISTING REGULATIONS AND PLANS, PROGRAMS, OR POLICIES

PPP CUL-1: Human Remains. Should human remains or funerary objects be discovered during Project construction, the Project would be required to comply with State Health and Safety Code Section 7050.5, which states that no further disturbance may occur in the vicinity of the body (within a 100-foot buffer of the find) until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine the identity of and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD must complete the inspection within 48 hours of notification by the NAHC.

5.4.9 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Impact CUL-1 would be less than significant.

Without mitigation, the following impacts would be **potentially significant**:

- Impact CUL-2: Earth-moving construction activities could impact archaeological resources.
- Impact PAL-1: Earth-moving construction activities could impact paleontological resources.

5.4.10 MITIGATION MEASURES

Mitigation Measure CUL-1: Archaeological Monitoring. Prior to the issuance of the first grading permit, the applicant shall provide a letter to the City Planning Division, or designee, from a qualified professional archeologist meeting the Secretary of Interior's Professional Qualifications for Archaeology as defined at 36 CFR Part 61, Appendix A, stating that qualified archeologists have been retained and will be present at pre-grade meetings and for all initial ground disturbing activities, up to five feet in depth.

In the event that a resource is inadvertently discovered during ground-disturbing activities, work must be halted within 50 feet of the find until it can be evaluated by the qualified archaeologist. Construction activities could continue in other areas. If the find is considered a "resource" the archaeologist shall pursue either protection in place or recovery, salvage and treatment of the deposits. Recovery, salvage and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4 in consultation with the City. Per CEQA Guidelines Section 15126.4(b)(3), preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources. Consistent with CEQA Guidelines Section 15126.4(b)(3)(C), if unique archaeological resources cannot be preserved in place or left in an undisturbed state, recovery, salvage, and treatment shall be required at the developer/applicant's expense.

Mitigation Measure PAL-1: Paleontological Resource Management Plan. Prior to the start of construction, a Paleontological Resources Management Plan (PRMP) shall be prepared by a qualified Paleontologist and include the following procedures:

> Paleontological spot checks during ground-disturbing activities greater than 6 feet below the current ground surface, in order to identify if moderate sensitivity middle to early Pleistocene-age very old axialchannel deposits (Qvoa) are being impacted. If sensitive sediments are observed, then paleontological monitoring will continue on a full-time basis in those areas.
>
> Development of an inadvertent discovery plan to expediently address treatment of paleontological resources should any be encountered during development associated with the Project. If these resources are inadvertently discovered during ground-disturbing activities, work must be halted within 50 feet of the find until it can be evaluated by a qualified paleontologist. Construction activities could continue in other areas. If the discovery proves to be significant, additional work, such as fossil collection and curation, may be warranted and would be discussed in consultation with the appropriate regulatory agency(ies).

5.4.11 LEVEL OF SIGNIFICANCE AFTER MITIGATION

With implementation of Mitigation Measures CUL-1and PAL-1, impacts to cultural and paleontological resources would be less than significant.

REFERENCES

Phase I Cultural and Paleontological Resources Assessment, 2022. Prepared by Material Culture Consulting, Appendix D.

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City of Hesperia. City of Hesperia General Plan Update. Adopted 2010. https://www.cityofhesperia.us/409/Hesperia-General-Plan.

5.5 Energy

5.5.1 INTRODUCTION

This section of the Draft EIR assesses the significance of the use of energy, including electricity, natural gas and gasoline, and diesel fuels, that would result from implementation of the proposed Project. It discusses existing energy use patterns and examines whether the proposed Project (including development and operation) would result in the consumption of large amounts of fuel or energy or use such resources in a wasteful manner.

Refer to Section 5.6, *Greenhouse Gas Emissions*, for a discussion of the relationship between energy consumption and greenhouse gas (GHG) emissions, and Section 5.11, *Utilities and Service Systems*, for a discussion of water consumption. This analysis is based on the Air Quality, Health Risk, Greenhouse Gas, and Energy Impact Report prepared by LSA, included as Appendix B.

5.5.2 REGULATORY SETTING

5.5.2.1 FEDERAL REGULATIONS

Energy Independence and Security Act, Corporate Average Fuel Efficiency Standards

On December 19, 2007, the Energy Independence and Security Act of 2007 was signed into law, requiring an increased Corporate Average Fuel Economy (CAFE) standard of 35 miles per gallon (mpg) for the combined fleet of cars and light trucks by the 2020 model year.

In addition to setting increased CAFE standards for motor vehicles, the Energy Independence and Security Act includes the following additional provisions:

- Renewable Fuel Standard (RFS) (Section 202)
- Appliance and Lighting Efficiency Standards (Sections 301–325)
- Building Energy Efficiency (Sections 411–441)

Additional provisions of the Act address energy savings in government and public institutions, promoting research for alternative energy, additional research in carbon capture, international energy programs, and the creation of green jobs.

5.5.2.2 STATE REGULATIONS

California Code of Regulations (CCR) Title 13, Motor Vehicles, Section 2449(d)(3)

No vehicle or engines subject to this regulation may idle for more than 5 consecutive minutes. The idling limit does not apply to:

- idling when queuing,
- idling to verify that the vehicle is in safe operating condition,
- idling for testing, servicing, repairing or diagnostic purposes,
- idling necessary to accomplish work for which the vehicle was designed (such as operating a crane),
- idling required to bring the machine system to operating temperature, and
- idling necessary to ensure safe operation of the vehicle.

Title 24 Energy Efficiency Standards and California Green Building Standards

California Code of Regulations (CCR) Title 24 Part 6: The California Energy Code (CalGreen) was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2019 California Green Building Code Standards that became effective January 1, 2020.

The 2022 Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, and strengthens ventilation standards, among other requirements. The California Energy Commission anticipates that the 2022 energy code will provide $1.5 billion in consumer benefits and reduce GHG emissions by 10 million metric tons.

The 2022 CALGreen standards that reduce GHG emissions and are applicable to the proposed Project include, but are not limited to, the following:

- Short-term bicycle parking. If the new project or an additional alteration is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5% of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack (5.106.4.1.1).
- Long-term bicycle parking. For new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for 5% of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility (5.106.4.1.2).
- Designated parking for clean air vehicles. In new projects or additions to alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).
- EV charging stations. New construction shall facilitate the future installation of EV supply equipment. The compliance requires empty raceways for future conduit and documentation that the electrical system has adequate capacity for the future load. The number of spaces to be provided for is contained in Table 5.106. 5.3.3 (5.106.5.3). Additionally, Table 5.106.5.4.1 specifies requirements for the installation of raceway conduit and panel power requirements for medium- and heavy-duty electric vehicle supply equipment for warehouses, grocery stores, and retail stores.
- Outdoor light pollution reduction. Outdoor lighting systems shall be designed to meet the backlight, uplight and glare ratings per Table 5.106.8 (5.106.8).
- Construction waste management. Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1. 5.405.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent (5.408.1).
- Excavated soil and land clearing debris. 100% of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reuse or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed (5.408.3).
- Recycling by Occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive (5.410.1).
- Water conserving plumbing fixtures and fittings. Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following:
    - Water Closets. The effective flush volume of all water closets shall not exceed 1.28 gallons per flush (5.303.3.1).
    - Urinals. The effective flush volume of wall-mounted urinals shall not exceed 0.125 gallons per flush (5.303.3.2.1). The effective flush volume of floor- mounted or other urinals shall not exceed 0.5 gallons per flush (5.303.3.2.2).
    - Showerheads. Single showerheads shall have a minimum flow rate of not more than 1.8 gallons

per minute and 80 psi (5.303.3.3.1). When a shower is served by more than one showerhead, the combine flow rate of all showerheads and/or other shower outlets controlled by a single valve shall not exceed 1.8 gallons per minute at 80 psi (5.303.3.3.2).

- Faucets and fountains. Nonresidential lavatory faucets shall have a maximum flow rate of not more than 0.5 gallons per minute at 60 psi (5.303.3.4.1). Kitchen faucets shall have a maximum flow rate of not more than 1.8 gallons per minute of 60 psi (5.303.3.4.2). Wash fountains shall have a maximum flow rate of not more than 1.8 gallons per minute (5.303.3.4.3). Metering faucets shall not deliver more than 0.20 gallons per cycle (5.303.3.4.4). Metering faucets for wash fountains shall have a maximum flow rate not more than 0.20 gallons per cycle (5.303.3.4.5).

- Outdoor potable water uses in landscaped areas. Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent (5.304.1).
- Water meters. Separate submeters or metering devices shall be installed for new buildings or additions in excess of 50,000 SF or for excess consumption where any tenant within a new building or within an addition that is projected to consume more than 1,000 gallons per day (GPD) (5.303.1.1 and 5.303.1.2).
- Outdoor water uses in rehabilitated landscape projects equal or greater than 2,500 SF. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 SF requiring a building or landscape permit (5.304.3).
- Commissioning. For new buildings 10,000 SF and over, building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (5.410.2).

The 2019 CalGreen Building Standards Code has been adopted by the City of Hesperia as Municipal Code Chapter 15.04. The 2022 CalGreen Building Standards Code has yet to be adopted by the City of Hesperia.

5.5.2.3 LOCAL REGULATIONS

City of Hesperia General Plan

The City of Hesperia General Plan Conservation Element contains the following policies related to air quality that are applicable to the Project:

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

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

5.5.3 ENVIRONMENTAL SETTING

Electricity

The Southern California Edison Company (SCE) is the electrical purveyor in the County of San Bernardino and the City of Hesperia. SCE provides electricity service to more than 14 million people in a 50,000 square-mile area of central, coastal and Southern California. California utilities are experiencing increasing demands that require modernization of the electric distribution grid to, among other things, accommodate two-way flows of electricity and increase the grid's capacity. SCE is in the process of implementing infrastructure upgrades to ensure the ability to meet future demands. In addition, as described by the Edison International 2020 Annual Report, the SCE electrical grid modernization effort supports implementation of

California Senate Bill 32 that requires the state to cut greenhouse gas emissions 40 percent below 1990 levels by 2030 and 80 percent from the same baseline by 2050 in order to help achieve carbon neutrality by 2045. It describes that in 2020, approximately 43% of power that SCE delivered to customers came from carbon-free resources (SCE 2020).

The Project site is currently served by the electricity distribution system that exists along the roadways adjacent to the Project site.

Natural Gas

The Southern California Gas Company (SoCalGas) is the natural gas purveyor in the County of San Bernardino and City of Hesperia and is the principal distributor of natural gas in Southern California. SoCalGas estimates that gas demand will decline at an annual rate of one percent each year through 2035 due to modest economic growth, mandated energy efficiency standards and programs, renewable electricity goals, and conservation savings linked to advanced metering infrastructure (CGEU 2020). The gas supply available to SoCalGas is regionally diverse and includes supplies from California sources (onshore and offshore), Southwestern U.S. supply sources, the Rocky Mountains, and Canada (CGEU 2020). SoCalGas designs its facilities and supplies to provide continuous service during extreme peak demands and has identified the ability to meet peak demands through 2035 (CGEU 2020).

The Project site is currently served by the natural gas distribution system that exists within the roadways that are adjacent to the site.

5.5.4 THRESHOLDS OF SIGNIFICANCE

Appendix G of the CEQA Guidelines indicates that a project could have a significant effect if it were to:

E-1: Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

E-2: Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

5.5.5 METHODOLOGY

A number of factors are considered when weighing whether a project would use a proportionately large amount of energy or whether the use of energy would be wasteful in comparison to other projects. Factors such as the use of on-site renewable energy features, energy conservation features or programs, and relative use of transit are considered.

According to Appendix F of the CEQA Guidelines, conserving energy is defined as decreasing overall per capita energy consumption, decreasing reliance on natural gas and oil, and increasing reliance on renewable energy sources. Neither Appendix F of the CEQA Guidelines nor Public Resources Code Section 21100(b)(3) offer a numerical threshold of significance that might be used to evaluate the potential significance of energy consumption of a project. Rather, the emphasis is on reducing "the wasteful, inefficient, and unnecessary consumption of energy."

Construction activities would result in wasteful, inefficient, or unnecessary use of energy if construction equipment is old or not well maintained, if equipment is left to idle when not in use, if travel routes are not planned to minimize vehicle miles traveled, or if excess lighting or water is used during construction activities. Energy usage during project operation would be considered "wasteful, inefficient, and unnecessary" if the project were to violate federal, state, and/or local energy standards, including Title 24 of the California Code of Regulations, inhibit pedestrian or bicycle mobility, inhibit access to transit, or inhibit feasible

opportunities to use alternative energy sources, such as solar energy, or otherwise inhibit the conservation of energy.

5.5.6 ENVIRONMENTAL IMPACTS

IMPACT E-1: WOULD THE PROJECT RESULT IN POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACT DUE TO WASTEFUL, INEFFICIENT, OR UNNECESSARY CONSUMPTION OF ENERGY RESOURCES, DURING PROJECT CONSTRUCTION OR OPERATION?

Construction

Less than Significant Impact. Construction of the proposed Project would consume energy in three general forms:

1. Petroleum-based fuels used to power off-road construction vehicles and equipment, construction worker travel to and from the Project site, as well as delivery truck trips;
2. Electricity associated with providing temporary power for lighting and electric equipment; and
3. Energy used in the production of construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Construction activities related to the proposed Project and the associated infrastructure are not expected to result in demand for fuel greater on a per-unit-of-development basis than other development projects in Southern California. Demolition of existing structures on the site is limited and much of the demolition materials would be recycled. Also, CCR Title 13, Motor Vehicles, section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than 5 minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. The energy analysis modeling for the proposed Project (included as Appendix B) details that construction-related use of off-road equipment would utilize 109,048.7 gallons of diesel fuel and 70,861.1 gallons of gasoline, as detailed in Table 5.5-1.

Table 5.5-1: Estimated Construction Fuel Consumption

Energy Type	Total Energy Consumption	Percentage Increase Countywide
Diesel Fuel (total gallons)	109,048.7	<0.01
Gasoline (total gallons)	70,861.1	<0.01

Source: LSA (May 2023).

Construction contractors are required to demonstrate compliance with applicable California Air Resources Board (CARB) regulations governing the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment. In addition, compliance with existing CARB idling restrictions and the use of newer engines and equipment would reduce fuel combustion and energy consumption.

Overall, construction activities would require limited energy consumption, would comply with all existing regulations, and would therefore not be expected to use large amounts of energy or fuel in a wasteful manner. Thus, impacts related to construction energy usage would be less than significant.

Operation

Less than Significant Impact. Once operational, the Project building would generate demand for electricity, natural gas, as well as gasoline for motor vehicle trips. Operational use of energy includes the heating, cooling and lighting of buildings, water heating, operation of electrical systems and plug-in appliances within

buildings, parking lot and outdoor lighting, and the transport of electricity, natural gas, and water to the areas where they would be consumed. This use of energy is typical for urban development, and no operational activities or land uses would occur that would result in extraordinary energy consumption.

As detailed in Table 5.5-2, operation of the Project is estimated to annually use 83,332.9 gallons of diesel fuel and 68,980.6 gallons of gasoline. CCR Title 13, Motor Vehicles, section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than 5 minutes. The idling restrictions would preclude unnecessary and wasteful consumption of fuel due to unproductive idling of trucks.

Table 5.5-2: Estimated Construction Fuel Consumption

Energy Type	Annual Energy Consumption	Percentage Increase Countywide
Electricity Consumption (kWh/year)	979,673	0.01
Natural Gas Consumption (therms/year)	8,223	<0.01
Automotive Fuel Consumption		
Gasoline (gallons/year)	68,980.6	0.01
Diesel Fuel (gallons/year)	83,332.8	0.03

Source: LSA (May 2023).
kWh = kilowatt-hours

Table 5.5-2 details that operation of the Project would use approximately 8,223 therms per year of natural gas and 979,673 kilowatts (kWh) per year of electricity. Because this use of energy is typical for urban development, no operational activities or land uses would occur that would result in extraordinary energy consumption. Through City permitting, assurance would be provided that existing regulations related to energy efficiency and consumption, such as Title 24 regulations and CCR Title 13, Motor Vehicles, section 2449(d)(3) related to idling, would be implemented. Therefore, impacts related to operational energy consumption would be less than significant.

IMPACT E-2: WOULD THE PROJECT CONFLICT WITH OR OBSTRUCT A STATE OR LOCAL PLAN FOR RENEWABLE ENERGY OR ENERGY EFFICIENCY?

Less than Significant Impact. As described previously, the proposed Project would be required to meet the CCR Title 24 energy efficiency standards in effect during permitting of the proposed Project. The City's administration of the CCR Title 24 requirements includes review of design components and energy conservation measures that occurs during the permitting process, which ensures that all requirements are met. In addition, the Project would not conflict with the idling limits imposed by CCR Title 13, Motor Vehicles, section 2449(d)(3) Idling. Furthermore, the Project would not conflict with or obstruct opportunities to use renewable energy, such as solar energy. In addition, the Project would provide a solar-ready roof. Future building tenants could install solar panels in order to offset the Project's energy demands. Thus, the Project would not obstruct use of renewable energy or energy efficiency.

The CEC's *2021 Integrated Energy Policy Report* and *2022 Integrated Energy Policy Report Update* provides the results of the CEC's assessments of a variety of energy issues facing California. As discussed in Threshold E-1, energy usage on the Project site during construction would be temporary in nature and would be relatively small in comparison to the overall use in the County. In addition, energy usage associated with operation of the proposed Project would be relatively small in comparison to the overall use in San Bernardino County, and the State's available energy resources. Therefore, energy impacts at the regional level would be negligible. Because California's energy conservation planning actions are conducted at a

regional level, and because the proposed project's total impact on regional energy supplies would be minor, the proposed Project would not conflict with or obstruct California's energy conservation plans as described in the CEC's Integrated Energy Policy Report. Overall, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Impacts would be less than significant.

5.5.7 CUMULATIVE IMPACTS

The geographic context for analysis of cumulative impacts regarding energy includes past, present, and future development within southern California because energy supplies (including electricity, natural gas, and petroleum) are generated and distributed throughout the southern California region.

All development projects throughout the region would be required to comply with the energy efficiency standards in the Title 24 requirements. Additionally, some of the developments could provide for additional reductions in energy consumption by use of solar panels, sky lights, or other LEED-type energy efficiency infrastructure. With implementation of the existing energy conservation regulations, cumulative electricity and natural gas consumption would not be cumulatively wasteful, inefficient, or unnecessary.

Petroleum consumption associated with the proposed uses and cumulative development projects would be primarily attributable to transportation, especially vehicular use. However, state fuel efficiency standards and alternative fuels policies (per AB 1007 Pavely (2005)) would contribute to a reduction in fuel use, and the federal Energy Independence and Security Act and the state Long Term Energy Efficiency Strategic Plan would reduce reliance on non-renewable energy resources. For these reasons, the consumption of petroleum would not occur in a wasteful, inefficient, or unnecessary manner and impacts would be less than cumulatively considerable.

5.5.8 EXISTING REGULATIONS AND PLANS, PROGRAMS OR POLICIES

The following standard regulations would reduce potential impacts related to energy:

- California Energy Code (Code of Regulations, Title 24 Part 6).
- CalGreen Building Standards Code as adopted in City of Hesperia Municipal Code Chapter 15.04.

5.5.9 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements, Impacts E-1and E-2 would be less than significant.

5.5.10 MITIGATION MEASURES

Impacts related to energy would be less than significant and no mitigation measures are required.

5.5.11 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts related to energy would be less than significant.

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5.6 Greenhouse Gas Emissions

5.6.1 INTRODUCTION

This section of the Draft EIR evaluates greenhouse gas (GHG) emissions associated with the proposed Project and its contribution to global climate change. Specifically, this section evaluates the extent to which GHG emissions from the Project contribute to elevated levels of GHGs in the Earth's atmosphere and consequently contributes to climate change. This section also addresses the Project's consistency with applicable plans, policies, and public agency regulations adopted for the purpose of reducing the emissions of GHGs. This analysis is based on the Air Quality, Health Risk, Greenhouse Gas, and Energy Impact Report prepared by LSA, included as Appendix B.

5.6.2 REGULATORY SETTING

5.6.2.1 STATE REGULATIONS

California Assembly Bill 1493– Pavley

In 2002, the California Legislature adopted AB 1493 requiring the adoption of regulations to reduce GHG emissions in the transportation sector. In September 2004, pursuant to AB 1493, the California Air Resources Board (CARB) approved regulations to reduce GHG emissions from new motor vehicles beginning with the 2009 model year (Pavley Regulations). In September 2009, CARB adopted amendments to the Pavley Regulations to reduce GHG from 2009 to 2016. CARB, EPA, and the U.S. Department of Transportation's National Highway Traffic and Safety Administration (NHTSA) have coordinated efforts to develop fuel economy and GHG standards for model 2017-2025 vehicles. The GHG standards are incorporated into the "Low Emission Vehicle" (LEV) Regulations.

California Executive Order S-3-05 – Statewide Emission Reduction Targets

Executive Order S-3-05 was signed by Governor Arnold Schwarzenegger in June 2005. Executive Order S-3-05 establishes statewide emission reduction targets through the year 2050:

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

California Assembly Bill 32 (AB 32), Global Warming Solutions Act of 2006 (Chapter 488, Statutes of 2006)

In 2006, the Legislature passed the California Global Warming Solutions Act of 2006 [Assembly Bill 32 (AB 32)], which created a comprehensive, multi-year program to reduce GHG emissions in California. AB 32 required CARB to develop a Scoping Plan that describes the approach California will take to reduce GHGs to achieve the goal of reducing emissions to 1990 levels by 2020. The Scoping Plan was first approved by the Board in 2008 and must be updated at least every five years. Since 2008, there have been two updates to the Scoping Plan. Each of the Scoping Plans have included a suite of policies to help the State achieve its GHG targets, in large part leveraging existing programs whose primary goal is to reduce harmful air pollution. The 2017 Scoping Plan identifies how the State can reach the 2030 climate target to reduce GHG emissions by 40 percent from 1990 levels, and substantially advance toward the 2050 climate goal to reduce GHG emissions by 80 percent below 1990 levels.

The AB 32 Scoping Plan also anticipates that local government actions will result in reduced GHG emissions because local governments have the primary authority to plan, zone, approve, and permit development to accommodate population growth and the changing needs of their jurisdictions. The Scoping Plan also relies on the requirements of Senate Bill 375 (SB 375, discussed below) to align local land use and transportation planning for achieving GHG reductions.

The Scoping Plan must be updated every five years to evaluate AB 32 policies and ensure that California is on track to achieve the 2020 GHG reduction goal. In 2014, CARB released the First Update to the Scoping Plan, which builds upon the Initial Scoping Plan with new strategies and recommendations. The First Update identifies opportunities to leverage existing and new funds to further drive GHG emission reductions through strategic planning and targeted low carbon investments. This update defines CARB's climate change priorities for the next five years and sets the groundwork to reach long-term goals set forth in Executive Order S-3-05. The update highlights California's progress toward meeting the "near-term" 2020 GHG emission reduction goals in the original 2008 Scoping Plan. It also evaluates how to align the state's "longer-term" GHG reduction strategies with other state policy priorities for water, waste, natural resources, clean energy, transportation, and land use.

In 2017, CARB released the proposed Second Update to the Scoping Plan, which identifies the State's post-2020 reduction strategy. The Second Update would reflect the 2030 target of a 40 percent reduction below 1990 levels, set by Executive Order B-30-15 and codified by SB 32. Key programs that the proposed Second Update builds upon include the Cap-and-Trade Regulation, the Low Carbon Fuel Standard, and much cleaner cars, trucks and freight movement, utilizing cleaner, renewable energy, and strategies to reduce methane emissions from agricultural and other wastes.

Senate Bill 375 (Chapter 728, Statutes of 2008)

In August 2008, the Legislature passed, and on September 30, 2008, Governor Schwarzenegger signed, Senate Bill 375 (SB 375), which addresses GHG emissions associated with the transportation sector through regional transportation and sustainability plans. Regional GHG reduction targets for the automobile and light-truck sector for 2020 and 2035, as determined by CARB, are required to consider the emission reductions associated with vehicle emission standards (see SB 1493), the composition of fuels (see Executive Order S-1-07), and other CARB-approved measures to reduce GHG emissions. Regional metropolitan planning organizations (MPOs) will be responsible for preparing a Sustainable Communities Strategy (SCS) within their Regional Transportation Plan (RTP). The goal of the SCS is to establish a development plan for the region, which, after considering transportation measures and policies, will achieve, if feasible, the GHG reduction targets. If an SCS is unable to achieve the GHG reduction target, an MPO must prepare an Alternative Planning Strategy demonstrating how the GHG reduction target would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies. SB 375 provides incentives for streamlining CEQA requirements by substantially reducing the requirements for "transit priority projects," as specified in SB 375, and eliminating the analysis of the impacts of certain residential projects on global warming and the growth-inducing impacts of those projects when the projects are consistent with the SCS or Alternative Planning Strategy. On September 23, 2010, CARB adopted the SB 375 targets for the regional MPOs.

Executive Order B-30-15 – 2030 Statewide Emission Reduction Target

Executive Order B-30-15 was signed by Governor Jerry Brown on April 29, 2015, establishing an interim statewide GHG reduction target of 40 percent below 1990 levels by 2030, which is necessary to guide regulatory policy and investments in California in the midterm, and put California on the most cost-effective path for long-term emission reductions. Under this Executive Order, all state agencies with jurisdiction over sources of GHG emissions are required to continue to develop and implement emissions reduction programs

to reach the state's 2050 target and attain a level of emissions necessary to avoid dangerous climate change. According to the Governor's Office, this Executive Order is in line with the scientifically established levels needed in the United States to limit global warming below 2°C - the warming threshold at which scientists say there will likely be major climate disruptions such as super droughts and rising sea levels.

Senate Bill 32 (Chapter 249, Statutes of 2016)

Senate Bill 32 (SB 32) was signed on September 8, 2016 by Governor Jerry Brown. SB 32 requires the state to reduce statewide GHG emissions to 40 percent below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15. The new legislation builds upon the AB 32 goal of 1990 levels by 2020 and provides an intermediate goal to achieving S-3-05, which sets a statewide GHG reduction target of 80 percent below 1990 levels by 2050. A related bill that was also approved in 2016, Assembly Bill 197 (AB 197) (Chapter 250, Statutes of 2016) creates a legislative committee to oversee regulators to ensure that CARB is not only responsive to the Governor, but also the Legislature.

Assembly Bill 398 – Extension of Cap and Trade Program to 2030 (Chapter 617, Statutes of 2017)

Assembly Bill (AB 398) was signed by Governor Brown on July 25, 2017 and became effective immediately as urgency legislation. AB 398, among other things, extended the cap and trade program through 2030.

Senate Bill 97 (Chapter 185, Statutes of 2007)

Senate Bill 97 (SB 97) (Health and Safety Code Section 21083.5) was adopted in 2007 and required the Office of Planning and Research to prepare amendments to the CEQA Guidelines for the mitigation of GHG impacts. The amendments became effective on March 18, 2010 and provided initial guidance to public agencies regarding the analysis and mitigation of the effects of GHG emissions in CEQA documents.

CEQA Guidelines Section 15064.4, was further amended in 2018 to assist agencies in determining the significance of GHG emissions. This Section gives discretion to the lead agency whether to: (1) use a model or methodology to quantify GHG emissions resulting from a project, and which model or methodology to use; or (2) rely on a qualitative analysis or performance-based standards. CEQA does not provide guidance to determine whether the project's estimated GHG emissions are significant or cumulatively considerable.

CEQA Guidelines Sections 15126.4 and 15130 address mitigation measures and cumulative impacts, respectively. GHG mitigation measures are referenced in general terms, and no specific measures are identified. However, the 2018 amendments to Section 15126.4 provide that compliance with a regulatory permit or other similar process may be identified as mitigation if compliance would result in implementation of measures that would be reasonably expected, based on substantial evidence in the record, to reduce the significant impact to the specified performance standards. Additionally, Section 15130 simply directs agencies to analyze GHG emissions in an EIR when a project's incremental contribution of emissions may be cumulatively considerable; however, it does not answer the question of when emissions are cumulatively considerable.

Section 15183.5 permits programmatic GHG analysis and later project-specific tiering, as well as the preparation of Greenhouse Gas Reduction Plans. Compliance with such plans can support a determination that a project's cumulative effect is not cumulatively considerable, according to Section 15183.5(b).

Title 24 Energy Efficiency Standards and California Green Building Standards

California Code of Regulations (CCR) Title 24 Part 6: The California Energy Code (CalGreen) was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. CALGreen

is updated on a regular basis, with the most recent approved update consisting of the 2019 California Green Building Code Standards that became effective January 1, 2020.

The 2022 Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, and strengthens ventilation standards, among other requirements. The California Energy Commission anticipates that the 2022 energy code will provide $1.5 billion in consumer benefits and reduce GHG emissions by 10 million metric tons.

The 2022 CALGreen standards that reduce GHG emissions and are applicable to the proposed Project include, but are not limited to, the following:

- Short-term bicycle parking. If the new project or an additional alteration is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5% of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack (5.106.4.1.1).
- Long-term bicycle parking. For new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for 5% of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility (5.106.4.1.2).
- Designated parking for clean air vehicles. In new projects or additions to alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).
- EV charging stations. New construction shall facilitate the future installation of EV supply equipment. The compliance requires empty raceways for future conduit and documentation that the electrical system has adequate capacity for the future load. The number of spaces to be provided for is contained in Table 5.106. 5.3.3 (5.106.5.3). Additionally, Table 5.106.5.4.1 specifies requirements for the installation of raceway conduit and panel power requirements for medium- and heavy-duty electric vehicle supply equipment for warehouses, grocery stores, and retail stores.
- Outdoor light pollution reduction. Outdoor lighting systems shall be designed to meet the backlight, uplight and glare ratings per Table 5.106.8 (5.106.8).
- Construction waste management. Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1. 5.405.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent (5.408.1).
- Excavated soil and land clearing debris. 100% of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reuse or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed (5.408.3).
- Recycling by Occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive (5.410.1).
- Water conserving plumbing fixtures and fittings. Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following:
    - Water Closets. The effective flush volume of all water closets shall not exceed 1.28 gallons per flush (5.303.3.1).
    - Urinals. The effective flush volume of wall-mounted urinals shall not exceed 0.125 gallons per flush (5.303.3.2.1). The effective flush volume of floor- mounted or other urinals shall not exceed 0.5 gallons per flush (5.303.3.2.2).
    - Showerheads. Single showerheads shall have a minimum flow rate of not more than 1.8 gallons per minute and 80 psi (5.303.3.3.1). When a shower is served by more than one showerhead, the combine flow rate of all showerheads and/or other shower outlets controlled by a single valve shall not exceed 1.8 gallons per minute at 80 psi (5.303.3.3.2).

  - Faucets and fountains. Nonresidential lavatory faucets shall have a maximum flow rate of not more than 0.5 gallons per minute at 60 psi (5.303.3.4.1). Kitchen faucets shall have a maximum flow rate of not more than 1.8 gallons per minute of 60 psi (5.303.3.4.2). Wash fountains shall have a maximum flow rate of not more than 1.8 gallons per minute (5.303.3.4.3). Metering faucets shall not deliver more than 0.20 gallons per cycle (5.303.3.4.4). Metering faucets for wash fountains shall have a maximum flow rate not more than 0.20 gallons per cycle (5.303.3.4.5).
- Outdoor potable water uses in landscaped areas. Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent (5.304.1).
- Water meters. Separate submeters or metering devices shall be installed for new buildings or additions in excess of 50,000 SF or for excess consumption where any tenant within a new building or within an addition that is projected to consume more than 1,000 gallons per day (GPD) (5.303.1.1 and 5.303.1.2).
- Outdoor water uses in rehabilitated landscape projects equal or greater than 2,500 SF. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 SF requiring a building or landscape permit (5.304.3).
- Commissioning. For new buildings 10,000 SF and over, building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (5.410.2).

The 2022 CalGreen Building Standards Code has been adopted by the City of Hesperia as Municipal Code Chapter 15.04.

Assembly Bill 1279

Assembly Bill (AB) 1279 was signed in 2022 and requires the state to achieve net zero greenhouse gas emissions (GHG) as soon as possible, but no later than 2045, and achieve and maintain net negative greenhouse gas emissions thereafter. The bill also requires California to reduce statewide GHG emissions by 85 percent compared to 1990 levels, and directs the California Air Resources Board to work with relevant state agencies to achieve these goals.

5.6.2.2 LOCAL REGULATIONS

City of Hesperia General Plan

The City of Hesperia General Plan Conservation Element contains the following policies related to air quality that are applicable to the Project:

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

Policy CN 7.5 Promote the utilization of environmentally sensitive construction materials to limit impacts on the ozone, global climate change and mineral resources.

County of San Bernardino Greenhouse Gas Emissions Reduction Plan

In compliance with SB 97, the County of San Bernardino and participating jurisdictions, including the City of Hesperia, adopted a Greenhouse Gas Reduction Plan in September 2011, and has since updated it in 2015 and 2021. Multiple regulations exist at the state level that provide requirements for reducing GHG emissions and meeting renewable energy requirements. The Greenhouse Gas Reduction Plan provides a means of implementing state regulations, including AB 32, AB 1493, Executive Order S-3-05, SB 375, Executive Order

B-30-15, SB 32, AB 398, and SB 97, at the local level within the County. The Regional Greenhouse Gas Reduction Plan serves as the basis for the participating jurisdictions in the County to develop their own, more detailed community level CAP.

The Greenhouse Gas Reduction Plan from 2015 provided a comprehensive set of actions to reduce the County's internal and external GHG emissions to 15% below current levels by 2020, consistent with the AB 32 Scoping Plan. This equates to a reduction of 159,423 Metric Tons of Carbon Dioxide Equivalents ($MTCO_2e$) per year from new development by 2020 as compared to the 2020 unmitigated conditions. San Bernardino County achieved this 2020 GHG reduction target.

The 2021 Greenhouse Gas Reduction Plan Update provides a target for GHG emission reductions for the year 2030, which is to reduce emissions to 40 percent below 2007 levels. This reduction is consistent with the State's long-term goal to achieve statewide carbon neutrality (zero net emissions) by 2045.

Hesperia Climate Action Plan

The City of Hesperia adopted the City of Hesperia Climate Action Plan (CAP) in June of 2010.

The Hesperia CAP is the City's primary strategy for ensuring that the buildout of the General Plan Update will not conflict with the implementation of Assembly Bill 32 – the Global Warming Solutions Act of 2006 and its goal of reducing California's greenhouse gas emissions to 1990 levels by the year 2020. The CAP provides strategies and implementation actions that will reduce community related and City operations-related greenhouse gas emissions by amounts that are consistent with AB 32 goals. The CAP is a companion document to the General Plan Update and implements the General Plan's greenhouse gas reduction policies.

The Hesperia CAP outlines a course of action for the City government and the community of Hesperia to reduce per capita GHG emissions 29 percent below 2010 levels by 2020 and to adapt to the effects of climate change. Additionally, the CAP provides guidance to City staff regarding when and how to implement key provisions of the CAP. The CAP includes an implementation and monitoring framework to monitor its GHG reduction strategies. Some of the GHG reduction measures in the CAP include actions such as reducing emissions from new development through CEQA, increasing bicycle use through a safe and well-connected system of bicycle paths and end of trip facilities, reducing energy use from the transport and treatment of water, and improving the City's recycling and source reduction programs to make continued progress in minimizing waste.

The CAP addresses both City emissions and community emissions. The CAP is meant to be a companion document to the General Plan that builds on the framework of the General Plan with more specific actions that will be applied to achieve emission reduction targets consistent with California legislation.

5.6.3 ENVIRONMENTAL SETTING

Gases that trap heat in the atmosphere are called GHGs. The major concern with GHGs is that increases in their concentrations are contributing to global climate change. Global climate change is a change in the average weather on Earth that can be measured by wind patterns, storms, precipitation, and temperature. Although there is disagreement as to the rate of global climate change and the extent of the impacts attributable to human activities, most in the scientific community agree that there is a direct link between increased emissions of GHGs and long-term global temperature increases.

The principal GHGs are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), sulfur hexafluoride (SF_6), perfluorocarbons (PFCs), and hydrofluorocarbons (HFCs). Because different GHGs have different warming potential, and CO_2 is the most common reference gas for climate change, GHG emissions are often quantified and reported as CO_2 equivalents (CO_2e). For example, SF_6 is a GHG commonly used in the utility industry as an insulating gas in circuit breakers and other electronic equipment. SF_6, while comprising a small fraction of the total GHGs emitted annually world-wide, is a much more potent GHG, with 22,800 times the global

warming potential as CO_2. Therefore, an emission of one metric ton (MT) of SF_6 could be reported as an emission of 22,800 MT of CO_2e. Large emission sources are reported in million metric tons (MMT) of CO_2e. The principal GHGs are described below, along with their global warming potential.

Carbon dioxide: Carbon dioxide (CO_2) is an odorless, colorless, natural GHG. Carbon dioxide's global warming potential is 1. Natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic (manmade) sources are from burning coal, oil, natural gas, and wood.

Methane: Methane (CH_4) is a flammable gas and is the main component of natural gas. It has a lifetime of 12 years, and its global warming potential is 28. Methane is extracted from geological deposits (natural gas fields). Other sources are landfills, fermentation of manure, and decay of organic matter.

Nitrous oxide: Nitrous oxide (N_2O) (laughing gas) is a colorless GHG that has a lifetime of 121 years, and its global warming potential is 265. Sources include microbial processes in soil and water, fuel combustion, and industrial processes.

Sulfur hexafluoride: Sulfur hexafluoride (SF_6) is an inorganic, odorless, colorless, and nontoxic nonflammable gas that has a lifetime of 3,200 years and a high global warming potential of 23,500. This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas.

Perfluorocarbons: Perfluorocarbons (PFCs) have stable molecular structures and only break down by ultraviolet rays about 60 kilometers above Earth's surface. Because of this, they have long lifetimes, between 10,000 and 50,000 years. Their global warming potential ranges from 7,000 to 11,000. Two main sources of perfluorocarbons are primary aluminum production and semiconductor manufacturing.

Hydrofluorocarbons: Hydrofluorocarbons (HFCs) are a group of GHGs containing carbon, chlorine, and at least one hydrogen atom. Their global warming potential ranges from 100 to 12,000. Hydrofluorocarbons are synthetic manmade chemicals used as a substitute for chlorofluorocarbons in applications such as automobile air conditioners and refrigerants.

Some of the potential effects in California of global warming may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more forest fires, and more drought years. Globally, climate change has the potential to impact numerous environmental resources through potential, though uncertain, impacts related to future air temperatures and precipitation patterns. The projected effects of global warming on weather and climate are likely to vary regionally, but are expected to include the following direct effects:

- Higher maximum temperatures and more hot days over nearly all land areas;
- Higher minimum temperatures, fewer cold days and frost days over nearly all land areas;
- Reduced diurnal temperature range over most land areas;
- Increase of heat index over land areas; and
- More intense precipitation events.

Also, there are many secondary effects that are projected to result from global warming, including global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity. While the possible outcomes and the feedback mechanisms involved are not fully understood and much research remains to be done, the potential for substantial environmental, social, and economic consequences over the long term may be great.

GHGs are produced by both direct and indirect emissions sources. Direct emissions include consumption of natural gas, heating and cooling of buildings, landscaping activities and other equipment used directly by land uses. Indirect emissions include the consumption of fossil fuels for vehicle trips, electricity generation, water usage, and solid waste disposal.

According to *California Greenhouse Gas Emissions for 2000 to 2019 Trends of Emissions and Other Indicators*, prepared by CARB, July 28, 2021, the State of California created 418.2 million metric tons of carbon dioxide equivalent ($MMTCO_2e$) in 2019. The 2019 emissions were 7.2 $MMTCO_2e$ lower than 2018 levels and almost 13 $MMTCO_2e$ below the State adopted year 2020 GHG limit of 431 $MMTCO_2e$. The breakdown of California GHG emissions by sector consists of: 39.7 percent from transportation; 21.1 percent from industrial; 14.1 percent from electricity generation; 7.6 percent from agriculture; 10.5 percent from residential and commercial buildings; 4.9 percent from high global warming potential sources, and 2.1 percent from waste.

Existing Project Site Conditions

The Project site consists of approximately 18.16 acres of land that is currently vacant and undeveloped.

5.6.4 THRESHOLDS OF SIGNIFICANCE

Appendix G of State CEQA Guidelines indicates that a project could have a significant effect if it were to:

GHG-1 Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or

GHG-2 Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs.

CEQA Guidelines Section 15064.4 provides discretion to the lead agency whether to: (1) use a model of methodology to quantify GHG emissions resulting from a project, and which model or methodology to use; or (2) rely on a qualitative analysis or performance-based standards. In addition, CEQA does not provide guidance to determine whether the project's estimated GHG emissions are significant, but recommends that lead agencies consider several factors that may be used in the determination of significance of project related GHG emissions, including:

- The extent to which the project may increase or reduce GHG emissions as compared to the existing environmental setting.
- Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
- The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

CEQA Guidelines Section 15130(f) describes that the effects of GHG emissions are by their very nature cumulative and should be analyzed in the context of CEQA's requirements for cumulative impact analysis. Additionally, CEQA Guidelines Section 15064(h)(3) states that a project's incremental contribution to a cumulative impact can be found not cumulatively considerable if the project would comply with an approved plan or mitigation program that provides requirements to avoid or lesson the cumulative problem.

The MDAQMD has established thresholds of significance for GHG emissions, applicable to both construction and operations regardless of whether they are stationary or mobile sources. The MDAQMD's GHG emissions thresholds are 548,000 pounds per day (lbs/day) CO_2e or 100,000 MT/year CO_2e.

However, in order to provide a more conservative analysis, the City recommends evaluating the Project's GHG emissions based on the South Coast Air Quality Management District (SCAQMD) GHG thresholds.

To provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents, SCAQMD has convened a GHG CEQA Significance Threshold Working Group (Working Group). Based on the last Working Group meeting held in September 2010 (Meeting No. 15), SCAQMD proposed to adopt a tiered approach for evaluating GHG emissions for development projects where SCAQMD is not the lead agency:

- Tier 1. Exemptions: If a project is exempt from CEQA, project-level and cumulative GHG emissions are less than significant.
- Tier 2. Consistency with a Locally Adopted GHG Reduction Plan: If the project complies with a GHG emissions reduction plan or mitigation program that avoids or substantially reduces GHG emissions in the project's geographic area (i.e., city or county), project-level and cumulative GHG emissions are less than significant.
- Tier 3. Numerical Screening Threshold: If GHG emissions are less than the numerical screening level threshold, project-level and cumulative GHG emissions are less than significant. For projects that are not exempt or where no qualifying GHG reduction plans are directly applicable, SCAQMD requires an assessment of GHG emissions. SCAQMD, under Option 1, is proposing a "bright-line" screening-level threshold of 3,000 metric tons (MT) of CO2e (or MT CO2e) per year (or MT CO2e/year) for all land use types or, under Option 2, the following land use-specific thresholds: 1,400 MT CO2e commercial projects; 3,500 MT CO2e for residential projects; or 3,000 MT CO2e for mixed-use projects. This bright-line threshold is based on a review of the OPR database of CEQA projects. Based on their review of 711 CEQA projects, 90 percent of CEQA projects would exceed the bright-line thresholds identified above. Therefore, projects that do not exceed the bright-line threshold would have a nominal and therefore less than cumulatively considerable impact on GHG emissions.
- Tier 4. Performance Standards: If emissions exceed the numerical screening threshold, a more detailed review of the project's GHG emissions is warranted. The SCAQMD has proposed an efficiency target for projects that exceed the bright-line threshold. The current recommended approach is per-capita efficiency targets. The SCAQMD is not recommending use of a percentage emissions reduction target. Instead, the SCAQMD proposed a 2020 efficiency target of 4.8 MT CO_2e per year per service population for project-level analyses and 6.6 MT CO_2e per year per service population for plan-level projects (e.g., program-level projects such as General Plans).

The SCAQMD's interim thresholds used the Executive Order S-3-05-year 2050 goal as the basis for the Tier 3 screening level. Achieving the Executive Order's objective would contribute to worldwide efforts to cap CO2 concentrations at 450 ppm, thus stabilizing global climate.

Based on the foregoing guidance, the City of Hesperia has elected to rely on compliance with a local air district threshold in the determination of significance of Project-related GHG emissions. Specifically, the City has selected the interim 3,000 $MTCO_2e$/yr threshold recommended by SCAQMD staff for residential and commercial sector projects against which to compare Project-related GHG emissions.

The 3,000 $MTCO_2e$ per year threshold is based on a 90 percent emission "capture" rate methodology. Prior to its use by the SCAQMD, the 90 percent emissions capture approach was one of the options suggested by the California Air Pollution Control Officers Association (CAPCOA) in their CEQA & Climate Change white paper (2008). A 90 percent emission capture rate means that unmitigated GHG emissions from the top 90 percent of all GHG-producing projects within a geographic area – the Basin in this instance – would be subject to a detailed analysis of potential environmental impacts from GHG

emissions, while the bottom 10 percent of all GHG-producing projects would be excluded from detailed analysis. A GHG significance threshold based on a 90 percent emission capture rate is appropriate to address the long-term adverse impacts associated with global climate change because medium and large projects will be required to implement measures to reduce GHG emissions, while small projects, which are generally infill development projects that are not the focus of the State's GHG reduction targets, are allowed to proceed. Further, a 90 percent emission capture rate sets the emission threshold low enough to capture a substantial proportion of future development projects and demonstrate that cumulative emissions reductions are being achieved while setting the emission threshold high enough to exclude small projects that will, in aggregate, contribute approximate one percent of projected statewide GHG emissions in the Year 2050.

In setting the threshold at 3,000 $MTCO_2e$ per year, SCAQMD researched a database of projects kept by the Governor's Office of Planning and Research (OPR). That database contained 798 projects, 87 of which were removed because they were very large projects and/or outliers that would skew emissions values too high, leaving 711 as the sample population to use in determining the 90th percentile capture rate. The SCAQMD analysis of the 711 projects within the sample population combined commercial, residential, and mixed-use projects. It should be noted that the sample of projects included warehouses and other light industrial land uses but did not include industrial processes (i.e., oil refineries, heavy manufacturing, electric generating stations, mining operations, etc.). Emissions from each of these projects were calculated by SCAQMD to provide a consistent method of emissions calculations across the sample population and from projects within the sample population. In calculating the emissions, the SCAQMD analysis determined that the 90th percentile ranged between 2,983 to 3,143 $MTCO_2e$ per year. The SCAQMD set their significance threshold at the low-end value of the range when rounded to the nearest hundred tons of emissions (i.e., 3,000 $MTCO_2e$ per year) to define small projects that are considered less than significant and do not need to provide further analysis.

The City understands that the 3,000 $MTCO_2e$/yr threshold for residential/commercial uses was proposed by SCAQMD a decade ago and was adopted as an interim policy; however, no permanent, superseding policy or threshold has since been adopted. The 3,000 $MTCO_2e$/yr threshold was developed and recommended by SCAQMD, an expert agency, based on substantial evidence as provided in the *Draft Guidance Document – Interim CEQA Greenhouse Gas Significance Threshold* (2008) document and subsequent Working Group meetings (latest of which occurred in 2010). SCAQMD has not withdrawn its support of the interim threshold and all documentation supporting the interim threshold remains on the SCAQMD website on a page that provides guidance to CEQA practitioners for air quality analysis (and where all SCAQMD significance thresholds for regional and local criteria pollutants and toxic air contaminants also are listed). Further, as stated by SCAQMD, this threshold "uses the Executive Order S-3-05 goal [80% below 1990 levels by 2050] as the basis for deriving the screening level" and, thus, remains valid for use in 2022. Lastly, this threshold has been used for hundreds, if not thousands of GHG analyses performed for projects located within the SCAQMD jurisdiction.

Thus, for purposes of analysis in this analysis, if Project-related GHG emissions do not exceed the 3,000 $MTCO_2e$/yr threshold, then Project-related GHG emissions would clearly have a less-than-significant impact pursuant to Threshold GHG-1. On the other hand, if Project-related GHG emissions exceed 3,000 $MTCO_2e$/yr, the Project would be considered a substantial source of GHG emissions.

The project is also evaluated for compliance with the County's Regional Greenhouse Gas Reduction Plan (GHGRP), the Scoping Plan, and SCAG's RTP/SCS.

5.6.5 METHODOLOGY

The California Emissions Estimator Model (CalEEMod) v2020.4.0 has been used to determine construction and operational GHG emissions for buildout of the proposed Project, based on the maximum development assumptions outlined in Section 3.0*, Project Description*.

The purpose of this model is to calculate construction-source and operational-source GHG emissions from direct and indirect sources; and quantify applicable air quality and GHG reductions achieved from measures incorporated into the Project to reduce or minimize GHG emissions. For construction phase Project emissions, GHGs are quantified and, per South Coast Air Quality Management District (SCAQMD) methodology.

In addition, CEQA requires the lead agency to consider the extent to which the Project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. Therefore, this section addresses whether the Project complies with various programs and measures designed to reduce GHG emissions. There is no Statewide program or regional program or plan that has been adopted with project-specific GHG thresholds which all new development must comply; thus, this analysis has identified the regulations and requirements most relevant to the City of Hesperia and the proposed Project.

5.6.6 ENVIRONMENTAL IMPACTS

IMPACT GHG-1: WOULD THE PROJECT GENERATE GREENHOUSE GAS EMISSIONS, EITHER DIRECTLY OR INDIRECTLY, THAT MAY HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT?

Construction

Less than Significant Impact. Construction activities associated with the Project would result in GHG emissions from various sources. During construction, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically use fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O. Furthermore, CH_4 is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change.

As indicated above, neither the MDAQMD nor SCAQMD has an adopted threshold of significance for construction-related GHG emissions. However, lead agencies are required to quantify and disclose GHG emissions that would occur during construction. As discussed above and further in the Air Quality, Health Risk, Greenhouse Gas, and Energy Impact Report prepared for the Project, the proposed Project is compared to the GHG threshold of 3,000 MT/year CO_2e. The SCAQMD also requires construction GHG emissions to be amortized over the life of the project, defined by SCAQMD as 30 years, added to the operational emissions, and compared to the applicable interim GHG significance threshold tier.

It is estimated that the Project would generate approximately 1,045.1 MT/year CO_2e during construction of the Project. When amortized over the 30-year life of the Project, annual emissions would be 34.8 MT/year CO_2e (Appendix B).

Operations

Less than Significant Impact. Long-term operations of uses proposed by the Project would generate GHG emissions from the following primary sources:

- **Area Source Emissions.** Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers,

shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping.

- **Energy Source Emissions.** GHGs are emitted from buildings as a result of activities for which electricity and natural gas are typically used as energy sources. Combustion of any type of fuel emits CO_2 and other GHGs directly into the atmosphere; these emissions are considered direct emissions associated with a building. GHGs are also emitted during the generation of electricity from fossil fuels; these emissions are considered to be indirect emissions.

- **Mobile Source Emissions.** The Project-related GHG emissions are derived primarily from vehicle trips generated by the Project, including employee trips to and from the site and truck trips associated with the proposed uses. Trip characteristics from the Vehicle Miles Traveled (VMT) Analysis (Appendix H) were utilized to quantify the GHGs from operation of the Project at buildout. To determine emissions from passenger car vehicles and truck trips, the CalEEMod defaults of 16.6 miles were utilized for trip lengths.

- **Water Supply, Treatment, and Distribution.** Indirect GHG emissions result from the production of electricity used to convey, treat, and distribute water and wastewater. The amount of electricity required depends on the volume of water as well as the sources of the water. For purposes of analysis, water usage is based on the estimated water demand.

- **Solid Waste.** The proposed land uses would result in the generation and disposal of solid waste. A percentage of this waste would be diverted from landfills by a variety of means, such as reducing the amount of waste generated, recycling, and/or composting. The remainder of the waste not diverted would be disposed of at a landfill. GHG emissions from landfills are associated with the anaerobic breakdown of material.

As shown in Table 5.6-1, the annual GHG emissions associated with construction and operation of the proposed Project would result in annual emissions of 2,207.5 $MTCO_2e/yr$.

Table 5.6-1: Proposed Project Generated Greenhouse Emissions

Source	Greenhouse Gas Emissions, CO_2e
	Metric Tons per Year
Project Operational Emissions	
Area Sources	<0.1
Energy Sources	218.8
Mobile Sources	1,405.1
Stationary Sources	1.1
Waste Sources	193.5
Water Sources	354.3
Total Project Emissions	**2,172.7**
Amortized Construction Emissions	34.8
Total Annual Emissions	**2,207.5**
SCAQMD Threshold	**3,000**
Significant?	**No**

Source: LSA (May 2023).
CO2e = carbon dioxide equivalent
SCAQMD = South Coast Air Quality Management District

As discussed above, a project would have less than significant GHG emissions if it would result in operational-related GHG emissions of less than 3,000 MT/year CO_2e. Based on the analysis results, the proposed Project would result in annual emissions of 2,207.5 MT/year CO_2e. Therefore, operation of the proposed Project would not generate significant GHG emissions that would have a significant effect on the environment and impacts would be less than significant.

IMPACT GHG-2: WOULD THE PROJECT CONFLICT WITH AN APPLICABLE PLAN, POLICY OR REGULATION ADOPTED FOR THE PURPOSE OF REDUCING THE EMISSIONS OF GREENHOUSE GASES?

Less than Significant Impact. The Project would provide contemporary, energy-efficient/energy-conserving design features and operational procedures. The proposed Project would not interfere with the state's implementation of AB 1279's target of 85 percent below 1990 levels and carbon neutrality by 2045 because it does not interfere with implementation of the GHG reduction measures listed in CARB's Updated Scoping Plan (2022), as demonstrated in Tables 5.6-2. CARB's 2022 Scoping Plan reflects the 2045 target of a, 85 percent reduction below 1990 levels, set by Executive Order B-55-18, and codified by AB 1279. In addition, the Project would be consistent with the following state policies that were adopted for the purpose of reducing GHG emissions.

- Pavley emissions standard and Low Carbon Fuel Standard: Pavley emissions standards (AB 1493) apply to all new passenger vehicles starting with model year 2009, and the Low Carbon Fuel Standard became effective in 2010 and regulates the transportation fuel used. The second phase of implementation of the Pavley regulations per AB 1493 is referred to as the Advanced Clean Car program, which combines the control of smog-causing pollutants and GHG emissions into a single coordinated package of requirements for model years 2017 through 2025. The regulation will reduce GHGs from new cars by 34 percent from 2016 levels by 2025. The proposed Project is consistent with these requirements as they apply to all new passenger vehicles and vehicle fuel purchased in California.
- Medium/Heavy-Duty Vehicle Regulations: Medium/heavy-duty vehicle regulations are implemented by the State to reduce emissions from trucks. Since the proposed Project has a large truck component, these regulations would aid in reducing GHG emissions from the Project. The proposed Project is consistent with this measure and its implementation as medium and heavy-duty vehicles associated with construction and operation of the Project would be required to comply with the requirements of this regulation.
- Tractor-Trailer Greenhouse Gas Regulation: Tractor-trailers subject to this State regulation are primarily 53-foot or longer box-type trailers, and are required to either use EPA SmartWay certified tractors and trailers or retrofit their existing fleet with SmartWay verified technologies. The proposed Project is consistent with this regulation, as it applies to specific trucks that are used throughout the State.
- Energy Efficiency – Title 24/CALGreen: The proposed Project is subject to the CALGreen Code Title 24 building energy efficiency requirements that offer builders better windows, insulation, lighting, ventilation systems, and other features as listed in Section 5.6.2, *Regulatory Setting* that reduce energy consumption. Compliance with the CALGreen standards would be verified by the City during the building permitting process.
- Renewable Portfolio Standard. As a customer of Southern California Edison (SCE), the proposed Project would purchase from an increasing supply of renewable energy sources and more efficient baseload generations which reduce GHG emissions, and would be consistent with this requirement.
- Million Solar Roofs Program: The proposed Project is consistent with this scoping plan measure as the Project structure would include a solar-ready roof.
- Water Efficiency and Waste Diversion: Development and operation of the proposed Project would be implemented in consistency with water conservation requirements (as included in Title 24) and solid waste recycling and landfill diversion requirements of the State.

Table 5.6-2: Project Consistency with the CARB 2022 Scoping Plan

Action	Consistency
GHG Emissions Reductions Relative to the SB 32 Target	
40% Below 1990 levels by 2030.	**Consistent.** The Project would comply with the 2022 Title 24, Part 6 building energy requirements along with other local and state initiatives that aim to achieve the 40% below 1990 levels by 2030 goal.
Smart Growth/Vehicle Miles Traveled VMT	
VMT per capita reduced 25% below 2019 levels by 2030, and 30% below 2019 levels by 2045.	**Consistent.** As discussed in Chapter 5.9, *Transportation*, of this Draft EIR, the Project would have a less than significant impact on VMT.
Light-Duty Vehicle (LDV) Zero-Emission Vehicles (ZEVs)	
100% of LDV sales are ZEV by 2035.	**Consistent.** The proposed Project would be designed and constructed in accordance with the 2022 Title 24 Part 6 and Part 11 requirements, which includes ZEV designated parking spaces and charging stations.
Truck ZEVs	
100% of medium-duty (MDV)/HDC sales are ZEV by 2040 (AB 74 University of California Institute of Transportation Studies [ITS] report).	**Consistent.** The proposed Project would be designed and constructed in accordance with the 2022 Title 24 Part 6 and Part 11 requirements, which includes prewiring for Truck ZEV charging stations at designated loading docks.
Aviation	
20% of aviation fuel demand is met by electricity (batteries) or hydrogen (fuel cells) in 2045. Sustainable aviation fuel meets most or the rest of the aviation fuel demand that has not already transitioned to hydrogen or batteries.	**Not Applicable.** The proposed Project would not utilize aviation fuel.
Ocean-going Vessels (OGV)	
2020 OGV At-Berth regulation fully implemented, with most OGVs utilizing shore power by 2027. 25% of OGVs utilize hydrogen fuel cell electric technology by 2045.	**Not Applicable.** The proposed Project would not utilize any OGVs.
Port Operations	
100% of cargo handling equipment is zero-emission by 2037. 100% of drayage trucks are zero emission by 2035.	**Not Applicable.** The proposed Project would not impact any operations at any ports.
Freight and Passenger Rail	
100% of passenger and other locomotive sales are ZEV by 2030. 100% of line haul locomotive sales are ZEV by 2035. Line haul and passenger rail rely primarily on hydrogen fuel cell technology, and others primarily utilize electricity.	**Not Applicable.** The proposed Project would not involve any freight or passenger rail operations.
Oil and Gas Extraction	

Action	Consistency
Reduce oil and gas extraction operations in line with petroleum demand by 2045.	**Not Applicable.** The proposed Project would not involve any oil or gas extraction.
Petroleum Refining	
CCS on majority of operations by 2030, beginning in 2028. Production reduced in line with petroleum demand.	**Not Applicable.** The proposed Project would not involve any petroleum refining.
Electricity Generation	
Sector GHG target of 38 million metric tons of carbon dioxide equivalent (MMTCO2e) in 2030 and 30 MMTCO2e in 2035. Retail sales load coverage 20 gigawatts (GW) of offshore wind by 2045. Meet increased demand for electrification without new fossil gas-fired resources.	**Not Applicable.** The Project would not preclude achievement of this goal.
New Residential and Commercial Buildings	
All electric appliances beginning 2026 (residential) and 2029 (commercial), contributing to 6 million heat pumps installed statewide by 2030.	**Not Applicable.** The Project proposes industrial use. The Project would not preclude achievement of this goal.
Existing Residential Buildings	
80% of appliance sales are electric by 2030 and 100% of appliance sales are electric by 2035. Appliances are replaced at end of life such that by 2030 there are 3 million all-electric and electric-ready homes—and by 2035, 7 million homes—as well as contributing to 6 million heat pumps installed statewide by 2030.	**Not Applicable.** The proposed Project would not involve any existing residential buildings.
Existing Commercial Buildings	
80% of appliance sales are electric by 2030, and 100% of appliance sales are electric by 2045. Appliances are replaced at end of life, contributing to 6 million heat pumps installed statewide by 2030.	**Not Applicable.** The proposed Project would not involve any existing commercial buildings.
Food Products	
7.5% of energy demand electrified directly and/or indirectly by 2030; 75% by 2045.	**Not Applicable.** The proposed Project would not include cold storage. The Project would not preclude achievement of this goal.
Construction Equipment	
25% of energy demand electrified by 2030 and 75% electrified by 2045.	**Consistent.** The proposed Project would be required to use construction equipment that are registered by CARB and meet CARB's standards. CARB sets its standards to be in line with the goal of reducing energy demand by 25% in 2030 and 75% electrified in 2045.
Chemicals and Allied Products; Pulp and Paper	
Electrify 0% of boilers by 2030 and 100% of boilers by 2045.	**Not Applicable.** The proposed Project would not be utilized for pulp and/or paper

Action	Consistency
Hydrogen for 25% of process heat by 2035 and 100% by 2045. Electrify 100% of other energy demand by 2045.	products food products. The Project would not preclude achievement of this goal.
Stone, Clay, Glass, and Cement	
CCS on 40% of operations by 2035 and on all facilities by 2045. Process emissions reduced through alternative materials and CCS.	**Not Applicable.** The proposed Project would not include manufacturing of stone, clay, glass or cement. The Project would not preclude achievement of this goal.
Other Industrial Manufacturing	
0% energy demand electrified by 2030 and 50% by 2045.	**Not Applicable.** The proposed Project does not preclude achievement of this goal.
Combined Heat and Power	
Facilities retire by 2040.	**Not Applicable.** The proposed Project would not involve any existing combined heat and power facilities.
Agriculture Energy Use	
25% energy demand electrified by 2030 and 75% by 2045.	**Not Applicable.** The proposed Project would not involve any agricultural uses.
Low Carbon Fuels for Transportation	
Biomass supply is used to produce conventional and advanced biofuels, as well as hydrogen.	**Not Applicable.** The proposed Project would not involve any production of biofuels.
Low Carbon Fuels for Buildings and Industry	
In 2030s, biomethane135 blended in pipeline. Renewable hydrogen blended in fossil gas pipeline at 7% energy (~20% by volume), ramping up between 2030 and 2040. In 2030s, dedicated hydrogen pipelines constructed to serve certain industrial clusters.	**Not Applicable.** The proposed Project would not involve any production of fuels for buildings and industry.
Non-combustion Methane Emissions	
Increase landfill and dairy digester methane capture. Some alternative manure management deployed for smaller dairies. Moderate adoption of enteric strategies by 2030. Divert 75% of organic waste from landfills by 2025. Oil and gas fugitive methane emissions reduced 50% by 2030 and further reductions as infrastructure components retire in line with reduced fossil gas demand.	**Not Applicable.** The proposed Project would not involve any landfill and/or dairy uses.
High GWP Potential Emissions	
Low GWP refrigerants introduced as building electrification increases, mitigating HFC emissions.	**Consistent.** The proposed Project would not include cold storage. The Project would not preclude achievement of this goal.

Source: California's 2022 Climate Change Scoping Plan Table 2-1: Actions for the Scoping Plan Scenario: AB 32 GHG Inventory Sectors

Further, the proposed Project is consistent with AB 32 and SB 32 through implementation of measures that address GHG emissions related to building energy, solid waste management, wastewater, and water conveyance. Thus, the Project would be consistent with the State's requirements for GHG reductions.

As discussed above, the City was a participant in the San Bernardino County Regional Greenhouse Gas Reduction Plan, which identifies the County's vision and goals on reducing greenhouse gas emissions throughout the County. Table 5.6-3 presents the proposed Project's consistency with each reduction measure evaluated for the City of Hesperia, as identified in the San Bernardino County Regional Greenhouse Gas Reduction Plan.

Table 5.6-3: Project Consistency with Hesperia Greenhouse Gas Reduction Plan Measures

Measure	Description	Project Consistency
Building Energy		
Energy-1. Building Energy Efficiency	• **Implementation Policy CN-7.4.** Educate the public about energy conservation techniques. • **Implementation Policy CN-7.5.** Coordinate with the local energy provider in developing policies and procedures to reduce energy consumption in existing and future developments. • **Implementation Policy CN-7.3.** Provide incentives like technical assistance and low interest loans for projects that are energy efficient and contain energy conservation measures. • **Implementation Policy CN-7.6.** Encourage residents and businesses to utilize the incentives provided by the local energy providers to retrofit their buildings and businesses for energy efficiency and conservation. • **Implementation Policy LU-6.2.** Promote sustainable building practices that go beyond the requirements of Title 24 of the California Administrative Code, and encourage energy-efficient design elements, consistent with Policy LU-6.1. • **Implementation Policy CN-7.2.** Encourage the use of green building standards and LEED or similar programs in both private and public projects. • **Implementation Policy CN-8.7.** Promote energy conservation through site layout, building design, natural light, and efficient mechanical and electrical products in development.	**Not Applicable.** These measures are not applicable as the City would be responsible for implementing them. However, the proposed Project would comply with the CALGreen Code, regarding building energy efficiency and other green building standards.
Energy-2. Lighting Efficiency	• **Implementation Policy LU-6.1.** Promote the use of green building standards and LEED, or other equivalent programs, in both private and public projects. • **Implementation Policy CN-7.4.** Educate the public about energy conservation techniques. • **Implementation Policy CN-8.9.** Promote sustainable principles in development that conserves such natural resources as air quality and energy resources.	**Consistent.** The proposed Project would comply with the CALGreen Code, regarding energy conservation and green building standards.
Energy-10. Urban Tree	• **Implementation Policy CN-7.5.** Coordinate	**Consistent.** The proposed

Measure	Description	Project Consistency
Planting for Shading and Energy Savings	with the local energy provider in developing policies and procedures to reduce energy consumption in existing and future developments. • **Implementation Policy LU-3.4.** Encourage the beautification of pedestrian areas, particularly through the use of landscaping. • **Implementation Policy LU-3.8.** Incorporate landscape plantings into commercial developments to define and emphasize entrances, inclusive of those areas along the front of a building facing a parking lot. • **Implementation Policy LU-4.7.** Incorporate landscape plantings into industrial projects to define and emphasize entrances, inclusive of those areas along the front of a building facing a parking lot. • **Implementation Policy LU-6.5.** Encourage development that incorporates green building practices to conserve natural resources as part of sustainable development practices.	Project would include landscaping along the perimeter of the project site consistent with the City's landscaping requirements.
On-Road		
On Road	• **Implementation Policy CI-5.3.** Continue to participate with the Victor Valley Transit Authority to ensure there are adequate routes to provide efficient, adequate, safe service for the community. • **Implementation Policy CI-5.4.** Continue to work with and support the Victor Valley Transit Authority in providing transit facilities for elderly and handicapped residents. • **Implementation Policy LU-6.7.** Encourage the development of public facilities in a manner which assures adequate levels of service, while remaining compatible with existing and future land uses. • **Implementation Policy CI-1.11.** Encourage alternative modes of transportation including bus, bicycle, pedestrian, and equestrian through street design. • **Implementation Policy CI-1.13.** Where feasible, create opportunities for recreation through the establishment of interconnected trail systems throughout the community. • **Implementation Policy CI-1.12.** Provide for a safe and efficient pedestrian network. • **Implementation Policy CI-1.14.** Coordinate with San Bernardino County Flood Control District and Southern California Edison Company to promote utilization of easements for the trail system. • **Implementation Policy CI-2.8.** Reduce trip generation through development and implementation of Transportation Demand Management Programs.	**Not Applicable.** The proposed Project consists of a warehouse building and would not include transit fleet vehicles.

Measure	Description	Project Consistency
	• **Implementation Policy CI-5.1.** Provide a wide range of travel alternatives to the use of single occupancy vehicles. • **Implementation Policy CI-5.2.** Work with Caltrans and SBCOG to provide additional park and ride lots at key locations. • **Implementation Policy OS-6.1.** Provide an interconnecting plan in conjunction with surrounding agencies to provide regional trails. • **Implementation Policy LU-2.4.** Utilize mixed-use development to create unique and varied housing. • **Implementation Policy LU-6.4.** Encourage sustainable development that incorporates green building best practices and involves the reuse of previously developed property and/or vacant sites within a built-up area.	
Off-Road		
Off-Road-2. Idling Ordinance	• **Implementation Policy CN-7.4.** Educate the public about energy conservation techniques.	**Not Applicable:** This measure is not applicable as the City would be responsible for implementing this measure.
Off-Road-3. Electric Landscaping Equipment	• **Implementation Policy CN-7.4.** Educate the public about energy conservation techniques.	**Not Applicable:** This measure is not applicable as the City would be responsible for implementing this measure.
Solid Waste Management		
Waste-2. Waste Diversion and Reduction	• **Implementation Policy CN-8.8.** Continue the existing recycling program and utilization of the material recovery facility program while exploring additional methods of reducing waste. • **Implementation Policy LU-6.3.** Support sustainable building practices that encourage the use of recycled or other building materials that promote environmental quality, economic vitality, and social benefits. Support construction, and operational practices that limit impacts to the environment.	**Consistent.** The proposed Project would be consistent with City and County Solid Waste and State requirements for waste reduction.
Wastewater Treatment		
Wastewater Treatment	• **Implementation Policy CN-8.4.** Promote the utilization of alternative energy resources such as wind and solar in new development. • **Implementation Policy CN 8.9.** Promote sustainable principles in development that conserves such natural resources as air quality and energy resources.	**Consistent:** The proposed Project would comply with the CALGreen Code regarding water and energy conservation.
Water Conveyance		
Water-1. Require Tier 1 Voluntary CALGreen Standards for new construction	• **Implementation Policy CN-1.6.** Encourage the use of low-water consumption fixtures in homes and businesses. • **Implementation Policy CN-1.7.** Require new development to use new technology, features, equipment, and other methods to reduce water	**Consistent:** The proposed Project would comply with the CALGreen Code regarding water conservation.

Measure	Description	Project Consistency
	consumption.	
Water-2. Renovate Existing Buildings to Achieve Higher Levels of Water Efficiency	• **Implementation Policy CN-1.2.** Educate residents on water conservation methods with best practices and tips. • **Implementation Policy CN-1.6.** Encourage the use of low-water consumption fixtures in homes and businesses.	**Not Applicable:** This measure is not applicable as the proposed Project would include a speculative warehouse building and would not retrofit an existing building.
Water-3. Water-Efficient Landscaping Practices	• **Implementation Policy CN-1.1.** Promote the use of desert vegetation with low water usage and drought tolerant materials in landscaped areas. • **Implementation Policy CN-1.2.** Educate residents on water conservation methods with best practices and tips. • **Implementation Policy CN-1.6.** Encourage the use of low-water consumption fixtures in homes and businesses. • **Implementation Policy CN-1.7.** Require new development to use new technology, features, equipment, and other methods to reduce water consumption.	**Consistent:** The proposed Project would include drought- tolerant landscaping and irrigation.

Source: Air Quality, Health Risk, Greenhouse Gas, and Energy Impact Report (Appendix B).
CALGreen Code = California Green Building Standards Code
LEED = Leadership in Energy and Environmental Design

In addition, the City has included the efficient use of energy resources as a goal in the General Plan Conservation Element. As detailed in Table 5.6-4, the Project would not conflict with the relevant General Plan goals and policies related to GHGs.

Table 5.6-4: Project Consistency with Hesperia General Plan Conservation Element Policies

General Plan Goal/Policy	Consistency
Policy CN-7.4 Promote the utilization of alternative energy resources such as wind and solar in new development.	**Consistent.** The Project would provide a solar-ready roof in order to promote utilization of solar energy.
Policy CN 7.5 Promote the utilization of environmentally sensitive construction materials to limit impacts on the ozone, global climate change and mineral resources.	**Consistent.** Where appropriate, Project design would incorporate wood or wood products. The Project would not obstruct or interfere with State efforts to encourage use of wood and agricultural products to increase the amount of carbon stored in the natural and built environments.

Overall, the proposed Project would not result in a conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. The Project would be implemented in compliance with state energy standards provided in Title 24, in addition to provision of sustainable design features. The Project would not interfere with the state's implementation of Executive Order B-30-15 and SB 32's target of reducing statewide GHG emissions to 40 percent below 1990 levels by 2030; or Executive Order S-3-05's target of reducing statewide GHG emissions to 80 percent below 1990 levels by 2050 because it would be consistent with the CARB 2017 Scoping Plan, which is intended to achieve the reduction targets required by the state. In addition, the proposed Project would be consistent with the relevant City General Plan goal and policies. Thus, the proposed Project would not result in a conflict with any applicable

plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs, and impacts would be less than significant.

5.6.7 CUMULATIVE IMPACTS

GHG emissions impacts are inherently cumulative, since no single project can cause a discernible change to climate. Climate change impacts are the result of incremental contributions from natural processes, and past and present human-related activities. Therefore, the area in which a proposed Project in combination with other past, present, or future projects, could contribute to a significant cumulative climate change impact would not be defined by a geographical boundary such as a project site or combination of sites, city or air basin. GHG emissions have high atmospheric lifetimes and can travel across the globe over a period of 50 to 100 years or more. Even though the emissions of GHGs cannot be defined by a geographic boundary and are effectively part of the global issue of climate change, CEQA places a boundary for the analysis of impacts at the state's borders. Thus, the geographic area for analysis of cumulative GHG emissions impacts is the State of California.

Executive Order S-3-05, Executive Order B-30-15, AB 32, and SB 32 recognize that California is a source of substantial amounts of GHG emissions; recognize the significance of the cumulative impact of GHG emissions from sources throughout the state; and set performance standards for reduction of GHGs.

The analysis of GHG emission impacts required under CEQA and contained in this EIR effectively constitutes an analysis of a project's contribution to the cumulative impact of GHG emissions. CEQA Guidelines Section 15183.5(b) states that compliance with GHG-related plans can support a determination that a project's cumulative effect is not cumulatively considerable. As the Project would be implemented in compliance with applicable plans for the reduction of GHG emissions, detailed previously, the contribution of the Project to significant cumulative GHG impacts would be less than cumulatively considerable. Also, it is presumed that future projects in the City shall similarly be required to comply with the Hesperia CAP, San Bernardino GHG Reduction Plan and other applicable state and local GHG reduction regulations and policies.

5.6.8 EXISTING REGULATIONS AND PLANS, PROGRAMS, OR POLICIES

Existing Regulations

State

- Clean Car Standards – Pavley AB 1493
- California Executive Order S-3-05
- AB 32 (Global Warming Solutions Act of 2006)
- SB 375
- California Executive Order B-30-15
- SB 32
- California Green Building Standards Code (Code of Regulations, Title 24 Part 6)

Local

- County of San Bernardino Greenhouse Gas Emissions Reduction Plan Update (2021)
- City of Hesperia Climate Action Plan

5.6.9 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

As a result of compliance with existing regulatory requirements, impacts GHG-1 and GHG-2 would be less than significant.

5.6.10 MITIGATION MEASURES

No mitigation measures are required.

5.6.11 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts GHG-1 and GHG-2 would be less than significant.

REFERENCES

City of Hesperia. June. "City of Hesperia Climate Action Plan." 2010. Website: https://www.cityofhesperia.us/DocumentCenter/View/1587/Climate-Action-Plan-7210?bidId= (accessed May 2023).

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City of Hesperia General Plan 2010 Final Environmental Impact Report, Michael Brandman Associates, December 2010.

LSA. "Air Quality, Health Risk, Greenhouse Gas, and Energy Impact Analysis." May 2023. Appendix B.

5.7 Hydrology and Water Quality

5.7.1 INTRODUCTION

This section describes the existing hydrology and water quality conditions and potential impacts from implementation of the Project. The analysis in this section is based, in part, on the following:

- City of Hesperia General Plan, Conservation Element, 2010
- City of Hesperia General Plan 2010 Final Environmental Impact Report, Michael Brandman Associates, December 2010
- City of Hesperia Municipal Code
- Hesperia Water District 2020 Urban Water Management Plan (UWMP)
- Preliminary Drainage Study (Appendix E), SDH & Associates, Inc., February 2022.
- Preliminary Water Quality Management Plan (Appendix F), SDH & Associates, Inc., February 2022.

5.7.2 REGULATORY SETTING

5.7.2.1 FEDERAL REGULATIONS

Clean Water Act

The Clean Water Act (CWA) established the basic structure for regulating discharges of pollutants into "waters of the U.S." The Act specifies a variety of regulatory and non-regulatory tools to sharply reduce direct pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff. Key components of the Clean Water Act that are relevant to the proposed Project are:

- Sections 303 and 304, which provide for water quality standards, criteria, and guidelines. Section 303(d) requires the state to develop lists of water bodies that do not attain water quality objectives (are impaired) after implementation of required levels of treatment by point-source dischargers (municipalities and industries). Section 303(d) also requires that the state develop Total Maximum Daily Loads (TMDLs) for each of the listed pollutants. The TMDL is the amount of pollutant loading that the water body can receive and still be in compliance with water quality objectives. After implementation of the TMDL, it is anticipated that the contamination that led to the 303(d) listing would be remediated. Preparation and management of the Section 303(d) list is administered by the Regional Water Quality Control Boards (RWQCBs).
- Section 401 requires activities that may result in a discharge to a federal water body to obtain a water quality certification to ensure that the proposed activity would comply with applicable water quality standards.
- Section 402 regulates point- and nonpoint-source discharges to surface waters through the National Pollutant Discharge Elimination System (NPDES) program. In California, the State Water Resources Control Board (SWRCB) oversees the NPDES program, which is administered by the local RWQCBs. The NPDES program provides both general permits (those that cover a number of similar or related activities) and individual permits.

National Pollutant Discharge Elimination System Permit Program

The NPDES permit program under the CWA controls water pollution by regulating point- and nonpoint-sources that discharge pollutants into "waters of the U.S." California has an approved state NPDES program. The United States Environmental Protection Agency has delegated authority for NPDES permitting to the SWRCB, which has nine regional boards. The Lahontan RWQCB regulates water quality of discharges to the Mojave River in the City of Hesperia. Discharge of stormwater runoff from construction areas of one acre or more requires either an individual permit issued by the RWQCB or coverage under the statewide Construction General Stormwater Permit for stormwater discharges (discussed below). Specific industries and public facilities, including wastewater treatment plants that have direct stormwater discharges to navigable waters, are also required to obtain either an individual permit or obtain coverage under the statewide General Industrial Stormwater Permit.

5.7.2.2 STATE REGULATIONS

Porter-Cologne Act

The Porter-Cologne Water Quality Control Act of 1969, codified as Division 7 of the California Water Code, authorizes the SWRCB to provide comprehensive protection for California's waters through water allocation and water quality protection. The SWRCB implements the requirement of CWA Section 303, establishing that water quality standards have to be set for certain waters by adopting water quality control plans under the Porter-Cologne Act. The Porter-Cologne Act establishes the responsibilities and authorities of the nine RWQCBs, including preparing water quality plans for areas in the region, and identifying water quality objectives and waste discharge requirements (WDRs). Water quality objectives are defined as limits or levels of water quality constituents and characteristics established for reasonable protection of beneficial uses or prevention of nuisance. Beneficial uses consist of all the various ways that water can be used for the benefit of people and/or wildlife. The Porter-Cologne Act has been amended to provide the authority delegated from the USEPA to issue NPDES permits regulating discharges to surface waters of the U.S.

California Anti-Degradation Policy

A key policy of California's water quality program is the State's Anti-Degradation Policy. This policy, formally known as the Statement of Policy with Respect to Maintaining High Quality Waters in California (SWRCB Resolution No. 68-16), restricts degradation of surface and ground waters. In particular, this policy protects water bodies where existing quality is higher than necessary for the protection of beneficial uses. Under the Anti-Degradation Policy, any actions that can adversely affect water quality in all surface and ground waters must (1) be consistent with maximum benefit to the people of the state; (2) not unreasonably affect present and anticipated beneficial use of the water; and (3) not result in water quality less than that prescribed in water quality plans and policies (i.e., will not result in exceedances of water quality objectives).

California Construction General Permit

The State of California adopted a Statewide NPDES Permit for General Construction Activity (Construction General Permit) on September 2, 2009 (Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-0006-DWQ). The last Construction General Permit amendment became effective on July 17, 2012. The Construction General Permit regulates construction site stormwater management. Dischargers whose projects disturb one or more acres of soil, or whose projects disturb less than one acre, but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for discharges of stormwater associated with construction activity. Construction activity subject to this permit includes clearing, grading, and disturbances to the ground, such as

stockpiling or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility.

To obtain coverage under this permit, project operators must electronically file Permit Registration Documents, which include a Notice of Intent (NOI), a Stormwater Pollution Prevention Plan (SWPPP), and other compliance-related documents, including a risk-level assessment for construction sites, an active stormwater effluent monitoring and reporting program during construction, rain event action plans, and numeric action levels (NALs) for pH and turbidity, as well as requirements for qualified professionals to prepare and implement the plan.

The SWPPP would include a site map, description of stormwater discharge activities, and best management practices (BMPs) taken from the menu of BMPs set forth in the California Stormwater Quality Association (CASQA) BMP Handbook that will be employed to prevent water pollution. It must describe BMPs that will be used to control soil erosion and discharges of other construction-related pollutants (e.g., petroleum products, solvents, paints, cement) that could contaminate nearby water bodies. It must demonstrate compliance with local and regional erosion and sediment control standards, identify responsible parties, provide a detailed construction timeline, and implement a BMP monitoring and maintenance schedule. The Construction General Permit requires the SWPPP to identify BMPs that will be implemented to reduce controlling potential chemical contaminants from impacting water quality. Types of BMPs include erosion control (e.g., preservation of vegetation), sediment control (e.g., fiber rolls), non-stormwater management (e.g., water conservation), and waste management. The SWPPP also includes descriptions of BMPs to reduce pollutants in stormwater discharges after all construction phases have been completed at the site (post-construction BMPs).

California Water Resources Control Board Low Impact Development Policy

The SWRCB adopted the Low Impact Development (LID) Policy which, at its core, promotes the idea of "sustainability" as a key parameter to be prioritized during the design and planning process for future development. The SWRCB has directed its staff to consider sustainability in all future policies, guidelines, and regulatory actions. LID is a proven approach to manage stormwater. The RWQCBs are advancing LID in California in various ways, including provisions for LID requirements in renewed NPDES Phase I Municipal Separate Storm Sewer System (MS4) permit.

5.7.2.3 REGIONAL/LOCAL REGULATIONS

Lahontan Water Quality Control Plan (Basin Plan)

The City of Hesperia is within the jurisdiction of the Lahontan RWQCB. The RWQCB sets water quality standards for all ground and surface waters within its region through implementation of a Water Quality Control Plan (Basin Plan). The Basin Plan describes existing water quality conditions and establishes water quality goals and policies. The Basin Plan is also the basis for the RWQCB's regulatory programs. To this end, the Basin Plan establishes water quality standards for all ground and surface waters of the region. The term "water quality standards," as used in the federal CWA, includes both the beneficial uses of specific water bodies and the levels of quality which must be met and maintained to protect those uses. The Basin Plan includes an implementation plan describing the actions that are necessary to achieve and maintain target water quality standards. The Basin Plan has been in place with the goal of protecting the public health and welfare and maintaining or enhancing water quality and potential beneficial uses of the water.

Municipal Regional Stormwater NPDES Permit

Phase II Small MS4 General Permit for the Mojave River Watershed, Water Quality (WQ) Order 2013-0001-DWQ NPDES NO. CAS000004, regulates the management and control of the municipal separate storm sewer system (MS4), which includes San Bernardino County (unincorporated areas of Phelan, Oak Hills, Spring Valley Lake and Victorville) and the incorporated cities of Hesperia and Victorville and the Town of Apple Valley. This area is overseen by the Lahontan Regional Water Quality Control Board (RWQCB).

On February 5, 2013, the State Water Resources Control Board (SWRCB) issued an area-wide MS4 permit to the above listed County and municipalities in San Bernardino County. Waste discharge requirements for stormwater entering municipal storm drainage systems are set forth in the MS4 permit, Order 2013-0001-DWQ NPDES NO. CAS000004. The Order expired on June 30, 2018 and the SWRCB adopted five amendments to this Permit. The adopted permit incorporates all of the adopted amendments. This combined Permit will remain marked "unofficial" until an Order number is assigned; however, the Permit, as amended, is fully in effect and enforceable.

City of Hesperia Storm Water Management Program

The Technical Guidance Document, *Mojave River Watershed Technical Guidance Document for Water Quality Management Plans,* is the guidance document for the Project's stormwater design compliance with the San Bernardino County Phase II Small MS4 General Permit for the Mojave River Watershed. The MS4 permit requires that a preliminary project-specific WQMP be prepared for review early in the project development process and that a Final WQMP be submitted prior to the start of construction. A project-specific WQMP is required to address the following:

- Develop site design measures using Low Impact Development (LID) principles;
- Evaluate feasibility of on-site LID Best Management Practices (BMPs);
- Maximum hydrologic source control, infiltration, and biotreatment BMPs;
- Select applicable source control BMPs; and
- Address post-construction BMP maintenance requirements.

Additionally, the permit requires that LID infiltration BMPs be used to capture and infiltrate the 85th percentile of a 24-hour precipitation event for all new or significant redevelopment projects.

City of Hesperia General Plan

The following goals and policies from the Conservation Element and Safety Element of the City of Hesperia General Plan are relevant to the proposed Project:

Goal CN-1 Conserve water resources within the Upper Mojave River Groundwater Basin.

Policy CN 1.1 Promote the use of desert vegetation with low water usage and drought-tolerant materials in landscaped areas.

Policy CN 1.2 Educate residents on water conservation methods with best practices and tips.

Policy CN 1.3 Promote reduced use of high nitrate fertilizers, herbicides, pesticides and other chemicals in landscaping areas that can contaminate the quality of the groundwater.

Policy CN 1.4 Limit the disturbance of natural water hydrology by minimizing the creation of impervious surface area and continued utilization of underground retention/detention facilities to recharge groundwater.

Policy CN 1.5 Work with local agencies and jurisdictions to provide a coordinated effort to ensure a safe and constant water supply for the region.

Policy CN 1.6 Encourage the use of low-water consumption fixtures in homes and businesses.

Policy CN 1.7 Require new development to use new technology, features, equipment, and other methods to reduce water consumption.

Goal CN-2 Establish building and development standards to maximize the reclamation of water resources.

Policy CN 2.1 Minimize impacts to washes that convey drainage by prohibiting development within drainage corridors that are not consistent with the Master Plan of Drainage.

Policy CN 2.2 Encourage the use of reclaimed water for irrigation and other non-potable uses.

Policy CN 2.3 Protect open space areas used for recharging groundwater basins.

Policy CN 2.4 Continue to implement the use of reclaimed water through the City's "purple pipe" ordinances and regulations to further the use of reclaimed and treated water.

Policy CN 2.5 Implement the state and City laws and policies to develop retention basins for the replenishment of the underground water supply.

Goal CN-3 Minimize development and set aside necessary open space near and along the surface waters as well as those washes and other water passageways located in the City, to preserve and protect plant and animal species and their natural habitat dependent on such surface waters and waterways.

Policy CN 3.1 Monitor the development impacts on these surface water resources within the City.

Policy CN 3.2 Preserve areas within the Oro Grande Wash and un-named wash #1 that exhibit ideal native habitat in a natural state.

Goal SF-2 Minimize injury, loss of life, property damage and economic and social disruption caused by flooding and inundation hazards.

Policy SF 2.1 The City shall continue enforcing the City's Municipal Code provisions for flood hazard reduction (Title 8: Safety, Chapter 8.28: Flood Hazard Protection and Regulations). This code, which applies to new construction and existing projects undergoing substantial improvements, provides construction standards that address the major causes of flood damage and includes provisions for anchoring, placement of utilities, raising floor elevations, using flood-resistant construction materials, and other methods to reduce flood damage.

Policy SF 2.2 The City will require that new discretionary development proposals include, as a condition of approval, hydrological studies prepared by a state-certified engineer with expertise in this area, that assess the impact that the new development will have on the flooding potential of existing development down-gradient. The studies shall provide mitigation measures to reduce this impact to an acceptable level. Single-family residences on existing lots shall be exempt.

Policy SF 2.3 The City shall continue participation in the National Flood Insurance Program and require that all owners of properties located within the 100-year floodplain (Zones A and AE), and repeat-flood properties in Zone X purchase and keep flood insurance for those properties.

Policy SF 2.4 The City will continue to participate in the Storm Ready Program with the National Weather Service, including the monitoring of precipitation and snow levels on the mountains to the south, providing storm watches and warnings in real-time, and issuing evacuation notices for affected neighborhoods in a timely manner, such as with a citizen notification or similar system.

Policy SF 2.5 The City will not permit any new facilities that use or store hazardous materials in quantities that would place them in the State's TRI or SQG databases to be located in the flood zone (Zones A, AE, and X), unless all standards of elevation, anchoring, and flood-proofing have been implemented to the satisfaction of the City's Building Department and the San Bernardino County Fire Department. The hazardous materials shall be stored in watertight containers that are not capable of floating or similar flood-proof receptacles or tanks.

Policy SF 2.6 The City will require all essential and critical facilities (including but not limited to essential City offices and buildings, medical facilities, schools, child care centers, and nursing homes) in or within 200 feet of Flood Zones A, AE and X, or the dam inundation pathways, to develop disaster response and evacuation plans that address the actions that will be taken in the event of flooding or inundation due to catastrophic failure of a dam.

Policy SF 2.7 The City will regulate development in drainages, especially in Flood Zones A and AE, pursuant to FEMA regulations.

Policy SF 2.8 The City will continue to maintain, and improve where needed, the storm drain systems, with an emphasis on those areas of the City that flood repeatedly. This entails maintaining and regularly cleaning the storm drains and other flood-control structures in low-lying areas, as necessary, such that floodwaters can be effectively conveyed away from structures.

Policy SF 2.9 The City will identify repetitive flood properties in the City and develop feasible mitigation options for these sites. Funding to implement the mitigation measures may be available through FEMA Hazard Mitigation Grant and Flood Mitigation Assistance Programs and their Predisaster Mitigation Program.

Policy SF 2.10 The City will encourage the development of areas in the floodplains as parks, nature trails, equestrian parks, golf courses, or other types of recreational facilities that can withstand periodic inundation, and will offer incentives to developers to retain these areas as open space.

Goal: SF-5 Plan for emergency response and recovery from natural disasters, especially from flooding, fire, and earthquakes, and from civil unrest that may occur following a natural disaster.

Policy SF 5.1 The City will maintain, update and adopt on a regular basis, as mandated by FEMA, a Local Hazard Mitigation Plan.

City of Hesperia Development Code

Chapter 8.30 – Surface and Groundwater Protection: NPDES Permit Implementation: The purpose of this Chapter is to consolidate the legal authority necessary to control discharges to and from the City's MS4 as required by the MS4 Permit. This chapter ensures the health, safety and general welfare of the residents of the city by prohibiting unauthorized non-stormwater discharges into the City's MS4, and by establishing legal authority to implement and enforce all stormwater management requirements, and carry out all inspection, surveillance, and monitoring procedures necessary to ensure compliance with this chapter, and the MS4 Permit.

5.7.3 ENVIRONMENTAL SETTING

Regional Hydrology

The City of Hesperia is in the Mojave River Basin, within the Lahontan Region. The jurisdiction of the Lahontan RWQCB extends from the Oregon border to the northern Mojave Desert and includes all of California east of the Sierra Nevada crest (Plates 1A, 1B, 2A and 2B). The South Lahontan Basin includes three major surface water systems (the Mono Lake, Owens River, and Mojave River watersheds) and a number of separate closed ground water basins. Very little quantitative information is available on most of the water bodies in the Region.

Watershed

The Project is located in the Mojave River Watershed. The Mojave River is the primary hydrologic feature in the watershed, formed by the confluence of two smaller streams - the West Fork Mojave River and Deep Creek. The headwaters of the Mojave River begin in the San Bernardino Mountains near Lake Arrowhead and the river terminus is Soda Lake in the Mojave Desert. The watershed encompasses approximately 4,500 square miles and is located entirely within San Bernardino County. The watershed is bounded on the south by the Santa Ana River watershed, on the east by the Lucerne Lake watershed, Ballarat and Trona watershed to the north, and Antelope Valley watershed to the west. The entire Mojave River watershed is divided into smaller sub-basins: (1) Headwaters - tributaries above the Mojave Forks Dam; (2) Upper Basin - Mojave Forks Dam to the Lower Narrows at Victorville; (3) Middle Basin - Lower Narrows to the Waterman Fault at Barstow; (4) Lower Basin - Waterman Fault to Afton Canyon; and (5) Tailwater - Afton Canyon to Silver Lake. This watershed is in an arid region and therefore has little natural perennial surface water.

Groundwater Basin

The Mojave region overlies 36 groundwater basins and subbasins. Groundwater basins along the Mojave River and adjacent areas are referred to collectively as the Mojave River Groundwater Basin and the area is commonly referred to as the "Mojave Basin Area." Within the Mojave River Basin, the Project is within the Upper Mojave River Valley Groundwater Basin which underlies an elongate north-south valley, with the Mojave River flowing (occasionally) through the valley from the San Bernardino Mountains on the south, northward into the Middle Mojave River Valley Groundwater Basin at the town of Helendale. The

groundwater basin is bounded on the north by a roughly east-west line from basement rock outcrops near Helendale to those in the Shadow Mountains. The southern boundary is the contact between Quaternary sedimentary deposits and unconsolidated basement rocks of the San Bernardino Mountains. The basin is bounded on the southeast by the Helendale fault and on the east by basement exposures of the mountains surrounding Apple Valley. In the west, the boundary is marked by a surface drainage divide between this basin and El Mirage Valley Basin, and a contact between alluvium and basement rocks that form the Shadow Mountains.

Groundwater is recharged into the basin predominantly by infiltration of water from the Mojave River. Treated wastewater effluent, septic tank effluent, effluent from two fish hatchery operations, and irrigation waters are allowed to percolate into the ground and recharge the groundwater system. Other sources of recharge include infiltration of storm runoff from the mountain, desert washes, and other activities such as irrigation return flows, wastewater discharge, and enhanced recharge with imported water. Groundwater is discharged from the Mojave Basin Area primarily by well pumping, evaporation through soil, transpiration by plants, seepage into dry lakes where accumulated water evaporates, and seepage into the Mojave River.

Determining water rights and how to manage the over-drafted supply and increasing demand, along with factoring the higher cost of imported water from the SWP, initiated the first adjudication efforts for the Mojave Water Agency service area in the 1960s. A second effort at adjudication in the Mojave River Basin starting in 1990 proved more successful, resulting in full adjudication of the Mojave Basin Area in 2002 between the five distinct hydrological subareas: Este, Oeste, Alto, Centro, and Baja. The Judgement and Adjudication help maintain proper water balances in the five subareas. The Mojave Water Agency was appointed Watermaster to implement the adjudication and judgment and maintain an ongoing assessment of the basin conditions.

Water Quality

The Mojave River is located approximately 9 miles east of the Project site. The Mojave River is separated into three reaches for evaluating water quality. The Project site discharges to the Upper Mojave reach or the Upper Narrows. The Mojave River (Forks Reservoir Outlet to the Upper Narrows) is classified as an impaired water body and has been placed on the 303(d) list of impaired waters for Sulfates, Fluoride, and Sodium (toxic inorganics and salinity/total dissolved solids/chlorides/sulfates).

Water Supply and Groundwater

As identified by the California Department of Water Resources in California's Groundwater (Bulletin 118), natural recharge of the basin is from direct precipitation, ephemeral streamflow, infrequent surface flow of the Mojave River, and underflow of the Mojave River into the basin from the southwest. The Mojave River Groundwater Basin has a general trend for declining groundwater levels, particularly in the fan unit, although levels vary each year subject to rainfall. Volatile organic compounds, salts and nitrates have leached into the local groundwater from the Lenwood landfill in the lower part of the basin. Irrigation with effluent from the Barstow wastewater reclamation facility, along with naturally occurring nitrates and salts, may also be affecting the basin. The Mojave Water Agency was appointed Watermaster to implement the adjudication and judgment and maintain an ongoing assessment of the basin conditions.

Water for the community is provided by Hesperia Water District (District), as subsidiary of the Victor Valley County Water District (VVCWD). The Mojave Basin Judgment assigned Base Annual Production (BAP) rights to each producer using 10 acre-feet or more, based on historical production from 1986 to 1990. Hesperia is located in the Alto subarea. Hesperia's BAP is 21,585 acre-feet per year (AFY). The District is categorized

as municipal and industrial and therefore is allowed a Free Production Allowance (FPA) of 55 percent of its BAP for the upcoming year, which for 2020-2021 was 11,871 AFY.

Existing Drainage

Stormwater facilities within the Project region are managed by the San Bernardino County Flood Control District. The existing condition of the Project site consists of an open/undeveloped space with very little vegetation. The site generally drains in a northeasterly direction onto Sultana Street and northerly existing parcels. An ephemeral stream traverses the site. The stream is an unnamed tributary that contributes to the Oro Grande Wash, which flows north toward the Mojave River. There appears to be an offsite run-on from the southerly offsite parcels (APNs 3064-581-04- and 3064-581-05). These southerly offsite parcels are expected to be developed by others and overflows are anticipated to be directed towards Mesa Linda Street and Lassen Road. Based on this preliminary concept, it appears that southerly offsite run-on to the Project site will be significantly reduced. It is also understood that there is no existing public storm drain along Sultana Street or Mesa Linda Street. It is currently unknown whether a new public storm drainpipe will be constructed along Sultana Street or Mesa Linda Street.

5.7.4 THRESHOLDS OF SIGNIFICANCE

Appendix G of State CEQA Guidelines indicates that a project could have a significant effect if it were to:

- WQ-1 Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality;
- WQ-2 Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin;
- WQ-3 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 a substantial erosion or siltation on- or off-site;
- WQ-4 Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
- WQ-5 Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;
- WQ-6 Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows;
- WQ-7 In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or
- WQ-8 Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

5.7.5 METHODOLOGY

This evaluation of the significance of potential impacts related to hydrology and water quality is based on a review of published information and reports regarding regional hydrology, groundwater conditions, and surface water quality. The potential impacts on hydrology and water quality were evaluated by considering the general type of pollutants that operation of the Project would generate during construction and operation. In determining the level of significance, the analysis recognizes that development under the proposed Project would be required to comply with relevant federal, state, and regional laws and regulations that are designed to ensure compliance with applicable water quality standards and waste discharge requirements. Because the regional and local regulations related to water quality standards have been developed to reduce the potential of pollutants in the water resources (as described in the Regulatory Setting Section above), and are implemented to specific waterbodies, such as 303(d) TMDL requirements, or development projects such as grading and construction permit regulations, implementation of all relevant water quality and hydrology requirements would limit the potential of the proposed Project to a less than significant impact.

5.7.6 ENVIRONMENTAL IMPACTS

IMPACTS WQ-1: WOULD THE PROJECT VIOLATE ANY WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS OR OTHERWISE SUBSTANTIALLY DEGRADE SURFACE OR GROUND WATER QUALITY?

Construction

Less than Significant Impact. Implementation of the proposed Project includes development involving site preparation, construction of a new building, and infrastructure improvements. Grading, stockpiling of materials, excavation and the import/export of soil and building materials, construction of new structures, and landscaping activities would expose and loosen sediment and building materials, which have the potential to mix with stormwater and urban runoff and degrade surface and receiving water quality.

Additionally, construction generally requires the use of heavy equipment and construction-related materials and chemicals, such as concrete, cement, asphalt, fuels, oils, antifreeze, transmission fluid, grease, solvents, and paints. In the absence of proper controls, these potentially harmful materials could be accidentally spilled or improperly disposed of during construction activities and could wash into and pollute surface waters or groundwater, resulting in a significant impact to water quality.

Pollutants of concern during construction activities generally include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. Each of these pollutants on its own or in combination with other pollutants can have a detrimental effect on water quality. In addition, chemicals, liquid products, petroleum products (such as paints, solvents, and fuels), and concrete-related waste may be spilled or leaked during construction, which would have the potential to be transported via storm runoff into nearby receiving waters and eventually may affect surface or groundwater quality. During construction activities, excavated soil would be exposed, thereby increasing the potential for soil erosion and sedimentation to occur compared to existing conditions. In addition, during construction, vehicles and equipment are prone to tracking soil and/or spoil from work areas to paved roadways, which is another form of erosion that could affect water quality.

As stated in under City Code 8.30.170 - Any person performing construction activities in the city shall implement appropriate BMPs to prevent the discharge of construction wastes, sediments, silts, pollutants, or contaminants from construction activities, materials, tools, and equipment from entering the MS4 or receiving

waters in accordance with the standards set forth in this chapter. Construction activity resulting in a land disturbance of one acre or more, or less than one acre but part of a larger common plan of development or sale, must obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (CGP). The existing NPDES Construction General Permit, as included in the City's Chapter 8.30, and PPP WQ-1, requires preparation and implementation of a SWPPP by a Qualified SWPPP Developer for construction activities that disturb one acre or more of soils. The SWPPP is required to address site-specific conditions related to potential sources of sedimentation and erosion and would list the required BMPs that are necessary to reduce or eliminate the potential of erosion or alteration of a drainage pattern during construction activities. Common types of construction BMPs include:

- Silt fencing, fiber rolls, or gravel bags
- Street sweeping and vacuuming
- Storm drain inlet protection
- Stabilized construction entrance/exit
- Vehicle and equipment maintenance, cleaning, and fueling
- Hydroseeding
- Material delivery and storage
- Stockpile management
- Spill prevention and control
- Solid waste management
- Concrete waste management

In addition, a Qualified SWPPP Practitioner (QSP) is required to ensure compliance with the SWPPP through regular monitoring and visual inspections during construction activities. The SWPPP would be amended and BMPs revised, as determined necessary through field inspections, in order to protect against substantial soil erosion, the loss of topsoil, or alteration of the drainage pattern. Compliance with the Construction General Permit and a SWPPP prepared by a QSD and implemented by a QSP would prevent construction-related impacts related to potential alteration of a drainage pattern or erosion from development activities.

Therefore, compliance with the State Construction General Permit, Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-0006-DWQ, the City of Hesperia Municipal Code, and other applicable requirements, which would be verified during the City's construction permitting process, would ensure that Project impacts related to construction activities resulting in a degradation of water quality would be less than significant.

Operation

Less than Significant Impact. As previously mentioned, the Project site is within the Mojave River watershed and drains to the Upper Mojave reach (Forks Reservoir Outlet to the Upper Narrows). The Mojave River (Forks Reservoir Outlet to the Upper Narrows) is classified as an impaired water body and has been placed on the 303(d) list of impaired waters for Sulfates, Fluoride, and Sodium (toxic inorganics and salinity/total dissolved solids/chlorides/sulfates).

The proposed Project would include development of a one-story, 408,997 SF warehouse building on the 18.16-acre site. The proposed warehouse building would have a building footprint of 402,997 SF and a mezzanine of 6,000 SF. Additional improvements would include landscaping, sidewalks, utility connections, implementation of stormwater facilities, and pavement of parking areas and driveways. The proposed building would provide approximately 402,997 SF for warehouse and office use and a 6,000 SF mezzanine

for office use. The proposed building would result in a FAR of 0.52 and approximately 15 percent of the Project site would include pervious landscaping.

Increases in impervious surface area would result in an increase in the volume and flow rate of surface runoff and potential pollutants from vehicles. Operation of the proposed land uses could generate pollutants including trash, debris, oil residue, and other residue that could be deposited on streets, sidewalks, driveways, paved areas, and other surfaces and wash into receiving waters. The pollutants that could be released include bacteria, nutrients, oil and grease, metals, organics, and pesticides. Nutrients in post-construction stormwater include nitrogen and phosphorous from fertilizers from landscaping areas. Excess nutrients can impact water quality by promoting excessive and/or rapid growth of aquatic vegetation and algae growth, which reduces water clarity and results in oxygen depletion. Pesticides can be toxic to aquatic organisms and bioaccumulate in larger species such as birds and fish and result in harmful effects. Oil and grease may end up in stormwater from leaking vehicles, and metals may enter stormwater as surfaces corrode, decay, or leach and from roadway runoff. Pollutants have the potential to further exacerbate existing impairments of local water bodies.

Proposed drainage improvements would include construction of onsite conveyance, including curbs and gutters and a subsurface storm drain. In the post-project condition, the drainage characteristics will be maintained as similar to the pre-Project condition. Runoff from the site will be collected via a proposed on-site private storm drain system (including catch basins and storm drain pipes) and conveyed in the northeasterly direction to a proposed stormwater management system. The proposed storm water management system would consist of a combination of an aboveground infiltration basin with a drywell system near the northeasterly edge and a supplemental underground storage facility beneath proposed vehicle parking at the southeastern corner of the Project site. The stormwater infrastructure would capture and treat the 100-year, 24-hour storm. This proposed system would address the San Bernardino County Phase II Small MS4 General Permit for the Mojave River Watershed requirements and design capture volume (DCV) (85th percentile, 24-hour storm). The City of Hesperia Engineering Department requested that the applicant provide capture of the 100-year, 24-hour storm, which exceeds existing San Bernardino County requirements. Overflow from the proposed facility would be directed towards Mesa Linda Street via a storm drain pipe and sidewalk underdrain. From this point, runoff will be conveyed in northerly direction as similar to the existing condition.

Implementation of the proposed Project would comply with BMPs pursuant to the County's NPDES requirements, and the City Code. The Project would be required to implement a WQMP pursuant to Chapter 8.30 of the City of Hesperia Municipal Code and included as PPP WQ-2. Post construction BMPs and LID included in the WQMP would avoid potential quality degradation of receiving waters resulting from proposed development. As part of the permitting approval process, construction plans would be required to demonstrate compliance with these regulations. Plans for grading, drainage, erosion control and water quality would be reviewed by the City Public Works Department prior to issuance of grading permits to ensure that the applicable and required LID BMPs are constructed during implementation of the Project.

Additionally, BMPs would include non-structural water quality controls to further minimize potential of water quality degradation of receiving waters. Non-structural BMPs would include but are not limited to:

- Education of property operators on stormwater pollutants,
- Enclosed trash receptacle areas,
- Effective landscape design to minimize water use and maximize stormwater treatment,
- BMP maintenance activities,
- California Code of Regulation (CCR) Title 22 compliance,
- Compliance with local water quality ordinances, and

- Implementation of a spill contingency plan.

Overall, adherence to the existing regulations as implemented by the City Code would ensure that Project impacts related to degradation of water quality from operational activities would be less than significant.

IMPACT WQ-2: 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. The Project site is underlain by the Upper Mojave River Basin, which is fully adjudicated and managed by the Mojave Water Agency (Watermaster). The Sustainable Groundwater Management Act (SGMA) of 2014 created a statewide framework to help protect groundwater resources over the long-term. SGMA is comprised of a three-bill legislative package, including AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley), and subsequent statewide Regulations. SGMA requires local agencies to form groundwater sustainability agencies (GSA's) for high and medium priority basins. GSA's are required to then develop and implement groundwater sustainability plans (GSP's) to avoid undesirable results and mitigate overdraft within 20 years. Low priority basins are not required to form GSA's or GSP's at this time. The Mojave Water Agency is a low priority basin that is not required to form a GSA or GSP. Additionally, Mojave Water Agency is exempt from this requirement due to the adjudication. Therefore, the Project would not conflict with SGMA.

Hesperia has historically relied upon groundwater from the Mojave Basin. Hesperia's primary supply is pumped groundwater from this Alto subarea – one of five subareas created by the Adjudication. Future Hesperia water demands are projected within the Hesperia Water District 2020 Urban Water Management Plan (UWMP) and were based on past growth rate, local economic predictions, and current and projected land use. The UWMP anticipated 140 new nonresidential connections by 2025 and 520 by 2045. The UWMP determined that Hesperia has reliable supplies to meet its retail customer demands in normal, single dry years, and five consecutive dry year conditions through 2045. To conservatively estimate water used for irrigation and domestic uses for the proposed Project, a water demand rate of 2,000 gallons per day per acre was used. The Project includes development of an 18.16-acre site. Thus, the Project would generate an increased water demand of 36,320 gallons per day or 40.68 acre-feet per year, which is within the anticipated increased demand and supply for water. The Project is consistent with the designated land use of the Project site and would not substantially decrease water supplies and would not conflict with determinations of the UWMP.

Currently, the Project site is undeveloped and pervious which allows for groundwater recharge. The proposed Project would result in the addition of 644,636 SF of impervious surface area. According to the Mojave River Watershed Technical Guidance Document for Water Quality Management Plans, LID infiltration BMPs must be used to capture and infiltrate the 85th percentile of a 24-hour precipitation event. The proposed storm water management system would consist of a combination of aboveground infiltration basin with a drywell system at the northeastern corner of the Project site and a supplemental underground storage facility near the southeastern corner of the Project site. The stormwater system would provide mitigation of the 100-year, 24-hour storm, which exceeds existing County permit requirements. In addition, vegetated landscaping has also been incorporated into the design to capture, treat, and infiltrate stormwater. As specified in the Preliminary WQMP (Appendix F), the infiltration capability of the Project site is adequate based on San Bernardino County standards. The Project would decrease total pervious area and increase the infiltration rate within pervious areas. The proposed stormwater system would provide similar infiltration and

groundwater recharge capabilities to existing conditions. Therefore, the Project would not substantially impede groundwater recharge of the Project site.

Compliance with the MS4 permit requirements, the City Code, and other applicable requirements implemented through the WQMP, which would be verified during the Project permitting process, would ensure that Project impacts related to groundwater depletion and recharge would be less than significant.

IMPACT WQ-3: WOULD THE PROJECT SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF A STREAM OR RIVER, IN A MANNER WHICH WOULD RESULT IN SUBSTANTIAL EROSION OR SILTATION ON- OR OFF-SITE?

Construction

Less than Significant Impact. Construction of the Project would require site clearing and grading. Excavation, grading, and other site preparation activities would loosen soils, which has the potential to result in erosion and the loss of topsoil. Also, the Project site is generally flat and does not contain substantial slopes that could induce erosion or siltation. As discussed above, the existing NPDES Construction General Permit, as included as PPP WQ-1, requires preparation and implementation of a SWPPP by a Qualified SWPPP Developer for construction activities that disturb one acre or more of soils. The SWPPP is required to address site-specific conditions related to potential sources of sedimentation and erosion and would list the required BMPs that are necessary to reduce or eliminate the potential of erosion or alteration of a drainage pattern during construction activities.

Overall, with implementation of the existing construction regulations that would be verified by the City during the permitting approval process, impacts related to alteration of an existing drainage pattern during construction that could result in substantial erosion or siltation would be less than significant.

Operation

Less than Significant Impact. Drainage A runs through the middle of the site from south to north. It is an unnamed feature that is tributary to the Oro Grande Wash, approximately 0.5 mile to the northwest, which flows north into the Mojave River. The existing drainage pattern for the site generally flows from the southwest to the northeast. Runoff from the site will be collected via a proposed on-site private storm drain system (including catch basins and storm drain pipes) and conveyed in the northeasterly direction to a proposed storm water management system. The proposed storm water management system would consist of a combination of above ground and drywell system, and a supplemental underground stormwater basin along with drainage outlet via gravity flow for overflows. The treated controlled low-flow would be infiltrated, while the overflow would be pumped to the outlet at the northeast corner of the site where flows would then follow existing drainage patterns. In the post-project condition, the drainage characteristics would be maintained similar to the pre-Project condition.

The Project site would be mostly developed and undeveloped areas would be vegetated, minimizing the potential for erosion or siltation on site. As previously discussed, the Project would include implementation of BMPs designed to fully capture and infiltrate the Project's DCV, reducing offsite stormwater flows. As part of the permitting approval process, the proposed drainage and water quality design and engineering plans would be reviewed by the City Department of Public Works to ensure that they meet the County's NPDES Permit and limit the potential for erosion and siltation. Therefore, impacts related to alteration of a drainage pattern and erosion/siltation from operational activities would be less than significant.

IMPACT WQ-4: 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 SUBSTANTIALLY INCREASE THE RATE OR AMOUNT OF SURFACE RUNOFF IN A MANNER WHICH WOULD RESULT IN FLOODING ON- OR OFF-SITE?

Construction

Less than Significant Impact. Construction of the proposed Project would include activities that could temporarily alter the existing drainage pattern of the site, for example by constructing foundations and paved areas, and could result in flooding on- or off-site if drainage is not properly controlled. However, as described previously, implementation of the Project requires a SWPPP that would address site-specific drainage issues related to construction of the Project and would include BMPs to eliminate the potential of flooding or alteration of a drainage pattern during construction activities. This includes diverting runoff from rooftops and other impervious surfaces to vegetated areas when possible to promote infiltration and controlling the perimeter of the site using sandbags, berms, and silt fencing. Therefore, impacts would be less than significant.

Operation

Less than Significant Impact. As described previously, the proposed Project would result in an increase in impervious area. As a result, the Project would increase surface flows compared to existing conditions. However, installation of new stormwater facilities, including aboveground and underground stormwater basins, pervious landscaped areas, and new storm drains would be installed. The proposed stormwater drainage system would collect onsite flows via a series of catch basins and storm drains.

Proposed onsite stormwater infrastructure has capacity to treat and detain 100 percent of the WQMP DCV. In addition, stormwater runoff would be directed towards landscaped areas wherever possible for treatment and infiltration. The aboveground and underground storage facilities are expected to retain and infiltrate the 100-year 24-hour storm. The use of the detention chambers and landscaping would regulate the rate and velocity of stormwater flows and would control the amount of discharge into the off-site drainage system. As determined by the Preliminary WQMP (Appendix F) and Preliminary Drainage Study (Appendix E), the proposed drainage improvements would slightly increase peak flow rates for a 10-year storm from existing conditions of 28.7 cubic feet per second (cfs) to 29.9 cfs. Proposed hydromodifications would be consistent with County requirements within the San Bernardino County Hydrology Manual flow requirements. As determined by the Preliminary WQMP (Appendix F) and Preliminary Drainage Study (Appendix E), the proposed Project would not impact flooding conditions to upstream or downstream properties with the proposed improvements. As part of the permitting approval process, the proposed drainage and water quality design and engineering plans would be reviewed by the City Department of Public Works to ensure that they meet the County NPDES Permit requirements and would not result in flood impacts.

Overall, the drainage facilities proposed for the Project have been sized to be consistent with the County MS4 permit requirements. Thus, implementation of the Project would not substantially increase the rate or amount of surface runoff, such that flooding would occur. Impacts would be less than significant.

IMPACT WQ-5: 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 CREATE OR CONTRIBUTE RUNOFF WATER WHICH WOULD

EXCEED THE CAPACITY OF EXISTING OR PLANNED STORMWATER DRAINAGE SYSTEMS OR PROVIDE SUBSTANTIAL ADDITIONAL SOURCES OF POLLUTED RUNOFF?

Less than Significant Impact. The proposed Project would develop an undeveloped site, which would result in the addition of 644,636 SF of impervious surface area. Project site existing drainages flow to the northeast portion of the Project site. Flows discharge to the Oro Grande Wash approximately 0.5 mile to the northwest of the Project site.

Use of the aboveground and underground storage chambers would regulate the rate and velocity of stormwater flows and would control the amount of discharge into the off-site drainage system. As discussed above, stormwater runoff would be treated via biotreatment and the Project would not result in significant impacts related to water quality. In addition, the drainage facilities proposed for the Project have been sized to adequately accommodate the stormwater flows from the proposed development and are consistent with the County drainage plans and MS4 permit requirements. The proposed stormwater system would accommodate existing stormwater infrastructure capacity by holding the entire DCV and allowing high flows to discharge from the site at a reduced flowrate. The existing drainage pattern would be maintained and peak flow rates would slightly increase. However, the proposed drainage improvements would be consistent with County standards and permit requirements. Therefore, Project impacts would be less than significant.

IMPACT WQ-6: 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 IMPEDE OR REDIRECT FLOOD FLOWS?

Construction

Less than Significant Impact. As described above, the Project site generally slopes to the northeast. Implementation of the Project would maintain existing drainage patterns of the Project site. Construction of the proposed Project would include activities that could temporarily alter the existing drainage pattern of the site and could result in flooding on- or off-site if drainage is not properly controlled. However, as described previously, implementation of the Project requires a SWPPP that would address site-specific drainage issues related to construction of the Project and include BMPs to eliminate the potential of flooding or alteration of a drainage pattern during construction activities. This includes regular monitoring and visual inspections during construction activities. Compliance with the County's NPDES Permit and a SWPPP, as verified by the City through the construction permitting process, would prevent construction-related impacts related to potential impediment or redirection of flood flows. Therefore, Project impacts would be less than significant.

Operation

Less than Significant Impact. Per the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Map (FIRM), the Project is within Zone X, an area determined to be outside of the 0.2 percent annual chance floodplain (Map Number 06071C6475H). As described previously, the proposed Project would result in an increase in impervious areas. As a result, the Project would increase surface flows compared to existing conditions. However, installation of new stormwater drainage facilities, including aboveground and subsurface storage chambers, pervious landscaped areas, and new storm drains would be installed. The proposed drainage system would collect onsite flows via a series of catch basins and subsurface storm drains.

Proposed onsite drainage infrastructure has capacity to retain 100 percent of the site's DCV. In addition, landscaped areas would accept runoff water from impervious surfaces. The use of the detention chambers

and landscaping would regulate the rate and velocity of stormwater flows and would control the amount of discharge into the off-site drainage system. The proposed flowrate would be slightly greater than the existing flowrate; however, the drainage system would be designed consistent with County standards. As part of the permitting approval process, the proposed drainage and water quality design and engineering plans would be reviewed by the City Department of Public Works to ensure that they meet the County NPDES Permit requirements and would not result in flood impacts.

Overall, the drainage facilities proposed for the Project have been sized to be consistent with the County MS4 permit requirements. The Project site is not within an existing floodplain and would not contribute to increased flooding. Thus, implementation of the Project would not substantially impede or redirect flood flows and impacts would be less than significant.

IMPACT WQ-*7*: WOULD THE PROJECT BE LOCATED IN FLOOD HAZARD, TSUMANI, OR SEICHE ZONES, AND RISK RELEASE OF POLLUTANTS DUE TO PROJECT INUNDATION?

No Impact. According to the Flood Insurance Rate Map (FIRM), published by the Federal Emergency Management Agency (FEMA) (06071C6475H), the Project site is located in "Zone X", which is an area located outside of the 100-year and 500-year flood plains.

Tsunamis are large waves that occur in coastal areas; therefore, since the City is not located in a coastal area, no impacts due to tsunamis would occur. Additionally, the Project site does not contain and is not adjacent to any water bodies that could seiche. The nearest body of water is Mojave River, approximately nine miles to the east, which is not a contained body of water with seiche potential. Therefore, the Project would result in no impacts related to a flood hazard, tsunami, or seiche or release of pollutants due to Project inundation.

IMPACT WQ-8: WOULD THE PROJECT CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF A WATER QUALITY CONTROL PLAN OR SUSTAINABLE GROUNDWATER MANAGEMENT PLAN?

Less than Significant Impact. The Project site is undeveloped, and the proposed Project would result in a substantial increase of imperviousness. As described above, the proposed storm drain system is sized to adequately accommodate increased stormwater flows from the Project area and would maintain the existing drainage pattern of the site. Runoff would discharge into the onsite underground storage chamber, which would retain and slow runoff before its treated by the proposed biotreatment BMP, infiltrating, or being discharged offsite.

The Project would not conflict with SGMA. The City of Hesperia is within the jurisdiction of the Lahontan RWQCB (Region 8). The RWQCB sets water quality standards for all ground and surface waters within its region through implementation of a Water Quality Control Plan (Basin Plan). This Basin Plan gives direction on the beneficial uses of the state waters within Region 8, describes the water quality that must be maintained to support such uses, and provides programs, projects, and other actions necessary to achieve the established standards. The County's NPDES Storm Water Permit, included as City of Hesperia Municipal Code Chapter 08.30, would require proposed projects in the Project area to prepare a WQMP, included as PPP WQ-2. WQMPs are required to include BMPs for source control, pollution prevention, site design, and structural treatment control BMPs. As part of the permitting approval process, construction plans would be required to demonstrate compliance with these regulations to minimize the potential of the Project to result in a degradation of water quality. Plans for grading, drainage, erosion control and water quality would be reviewed by the City Public Works Department prior to issuance of grading permits to ensure compliance. As discussed under Impact WQ-2, the Mojave River Basin is adjudicated and therefore is not subject to a sustainable groundwater management plan. Thus, the Project would not conflict with or obstruct

implementation of a water quality control plan or sustainable groundwater management plan. Impacts would be less than significant.

5.7.7 CUMULATIVE IMPACTS

The areas considered for cumulative impacts to hydrology and water quality are the Mojave River Watershed for drainage and water quality impacts, and the Upper Mojave River Basin for groundwater impacts.

Water Quality: The geographic scope for cumulative impacts related to hydrology and water quality includes the Mojave River Basin watershed because cumulative projects and developments could incrementally exacerbate the existing impaired condition and could result in new pollutant-related impairments.

Related developments within the watershed would be required to implement water quality control measures pursuant to the same NPDES General Construction Permit that requires implementation of a SWPPP (for construction), a WQMP (for operation) and BMPs to eliminate or reduce the discharge of pollutants in stormwater discharges, reduce runoff, reduce erosion and sedimentation, and increase filtration and infiltration. The NPDES permit requirements have been set by the SWRCB and implemented by the RWQCB (and County Code) to reduce incremental effects of individual projects so that they would not become cumulatively considerable. Therefore, overall potential impacts to water quality associated with present and future development in the watershed would not be cumulatively considerable upon compliance with all applicable laws, permits, ordinances and plans. As detailed previously, the proposed Project would be implemented in compliance with all regulations, as would be verified during the permitting process. Therefore, cumulative impacts related to water quality would be less than significant.

Drainage: The geographic scope for cumulative impacts related to stormwater drainage includes the geographic area served by the existing stormwater infrastructure for the Project area, from capture of runoff through final discharge points. As described above the proposed Project includes installation of an infiltration chamber that would retain, slow, filter, infiltrate, and discharge runoff through storm drain connections to the off-site infrastructure. These facilities would retain runoff and reduce erosion and siltation. In addition, pursuant to state and regional regulations that require development projects to maintain pre-project hydrology, no net increase of off-site stormwater flows would occur. As a result, the proposed Project would not generate runoff that could combine with additional runoff from cumulative projects that could cumulatively combine to impact erosion, siltation, flooding, and water quality. Thus, cumulative impacts related to drainage would be less than significant.

Groundwater Basin: The geographic scope for cumulative impacts related to the groundwater basin is the Upper Mojave River Basin. As described above, the proposed Project includes installation of an infiltration chamber that would recharge stormwater into the groundwater basin. In addition, the volume of water that would be needed by the Project is within the anticipated groundwater pumping volumes since the basin is adjudicated. Therefore, the Project would not result in changes to the projected groundwater pumping that would decrease groundwater supplies. As a result, the proposed Project would not generate impacts related to the groundwater basin that have the potential to combine with effects from other projects to become cumulatively considerable. Therefore, cumulative impacts related to the groundwater basin would be less than significant.

5.7.8 EXISTING STANDARD CONDITIONS AND PLANS, PROGRAMS, OR POLICIES

Existing Regulations

- Construction General Permit, Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-0006-DWQ
- California Water Resources Control Board Low Impact Development (LID) Policy
- Regional MS4 permit (Order No. 013-0001-DWQ)
- City Development Code Chapter 8.30; Surface and Groundwater Protection: NPDES Permit Implementation

Plans Programs and Policies

The following Plans Programs and Policies (PPPs) that are listed below would reduce impacts related to hydrology and water quality. These actions will be included in the project's mitigation monitoring and reporting program:

PPP WQ-1: NPDES/SWPPP. Prior to issuance of any grading permits, the applicant shall provide the City Building and Safety Department evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of one acre or larger. The Project applicant/proponent shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) and a monitoring program and reporting plan for the construction site.

PPP WQ-2: WQMP. Prior to the approval of the Grading Plan and issuance of Grading Permits a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the Public Works Department. The WQMP shall be submitted using the Mojave River Watershed Technical Guidance Document for Water Quality Management Plans and shall identify all Post-Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.

5.7.9 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements, Impacts WQ-1, WQ-2, WQ-3, WQ-4, WQ-5, WQ-6, and WQ-8 would be less than significant.

5.7.10 MITIGATION MEASURES

No mitigation measures are required.

5.7.11 LEVEL OF SIGNIFICANCE AFTER MITIGATION

No significant unavoidable adverse impacts related to hydrology and water quality have been identified and impacts would be less than significant.

REFERENCES

City of Hesperia General Plan, Conservation Element, 2010

City of Hesperia General Plan 2010 Final Environmental Impact Report, Michael Brandman Associates, December 2010.

City of Hesperia Municipal Code (Chapter 8.30 – Surface and Groundwater Protection: NPDES Permit Implementation).

County of San Bernardino. Mojave River Watershed Technical Guidance Document for Water Quality Management Plans. April 4, 2016.

Hesperia Water District 2020 Urban Water Management Plan (UWMP).

SDH & Associates, Inc. Preliminary Drainage Study (Appendix E). February 2022.

SDH & Associates, Inc. Preliminary Water Quality Management Plan (Appendix F). February 2022.

California Water Boards State Water Resources Control Board. March 1995 (Last amended June 2022). Lahontan Basin Plan. Accessed November 11, 2022. https://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.html

FEMA Flood Map Service Center. Accessed: November 11, 2022. https://msc.fema.gov

State Water Resources Control Board Construction Stormwater Program. Accessed: November 11, 2022. http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml.

5.8 Noise

5.8.1 INTRODUCTION

This Draft EIR section evaluates the potential noise impacts that would result from implementation of the proposed Project. It discusses the existing noise environment within and around the Project area, as well as the regulatory framework for regulation of noise. This section analyzes the effect of the proposed Project on the existing ambient noise environment during demolition, construction, and operational activities; and evaluates the Project's noise effects for consistency with relevant local agency noise policies and regulations. This section includes data from the following documents:

- City of Hesperia 2010 General Plan
- City of Hesperia Municipal Code
- Noise and Vibration Impact Analysis (Appendix G) prepared by LSA, October 2022.

Noise and Vibration Terminology

Various noise descriptors are utilized in this Draft EIR analysis, and are summarized as follows:

dB: Decibel, the standard unit of measurement for sound pressure level.

dBA: A-weighted decibel, an overall frequency-weighted sound level in decibels that approximates the frequency response of the human ear.

L_{eq}: The equivalent sound level, which is used to describe noise over a specified period of time, typically 1 hour, in terms of a single numerical value. The L_{eq} of a time-varying signal and that of a steady signal are the same if they deliver the same acoustic energy over a given time. The L_{eq} may also be referred to as the average sound level.

L_{max}: The instantaneous maximum noise level experienced during a given period of time.

L_{min}: The instantaneous minimum noise level experienced during a given period of time.

L_x: The sound level that is equaled or exceeded "x" percent of a specified time period. The "x" thus represents the percentage of time a noise level is exceeded. For instance, L50 and L90 represents the noise levels that are exceeded 50 percent and 90 percent of the time, respectively.

L_{dn}: Also termed the "day-night" average noise level (DNL), L_{dn} is a measure of the average of A-weighted sound levels occurring during a 24-hour period, accounting for the greater sensitivity of most people to nighttime noise by weighting noise levels at night (penalizing" nighttime noises). Noise between 10:00 p.m. and 7:00 a.m. is weighted by adding 10 dBA to take into account the greater annoyance of nighttime noises.

CNEL: The Community Noise Equivalent Level, which, similar to the Ldn, is the average A-weighted noise level during a 24-hour day that is obtained after an addition of 5 dBA to measured noise levels between the hours of 7:00 p.m. to 10:00 p.m. and after an addition of 10 dBA to noise levels between the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the evening and nighttime, respectively.

The "ambient noise level" is the background noise level associated with a given environment at a specified time and is usually a composite of sound from many sources from many directions.

Effects of Noise

Noise is generally loud, unpleasant, unexpected, or undesired sound that is typically associated with human activity that is a nuisance or disruptive. The effects of noise on people can be placed into four general categories:

- Subjective effects (e.g., dissatisfaction, annoyance)
- Interference effects (e.g., communication, sleep, and learning interference)
- Physiological effects (e.g., startle response)
- Physical effects (e.g., hearing loss)

Although exposure to high noise levels has been demonstrated to cause physical and physiological effects, the principal human responses to typical environmental noise exposure are related to subjective effects and interference with activities. Interference effects refer to interruption of daily activities and include interference with human communication activities, such as normal conversations, watching television, telephone conversations, and interference with sleep. Sleep interference effects can include both awakening and arousal to a lesser state of sleep. With regard to the subjective effects, the responses of individuals to similar noise events are diverse and are influenced by many factors, including the type of noise, the perceived importance of the noise, the appropriateness of the noise to the setting, the duration of the noise, the time of day and the type of activity during which the noise occurs, and individual noise sensitivity.

In general, the more a new noise level exceeds the previously existing ambient noise level, the less acceptable the new noise level will be by those hearing it. With regard to increases in A-weighted noise levels, the following relationships generally occur:

- Except in carefully controlled laboratory experiments, a change of 1 dBA cannot be perceived.
- Outside of the laboratory, a 3 dBA change in noise levels is considered to be a barely perceivable difference.
- A change in noise levels of 5 dBA is considered to be a readily perceivable difference.
- A change in noise levels of 10 dBA is subjectively heard as doubling of the perceived loudness.

Noise Attenuation

Stationary point sources of noise, including mobile sources such as idling vehicles, attenuate (lessen) at a rate of 6 dBA per doubling of distance from the source over hard surfaces to 7.5 dBA per doubling of distance from the source over hard surfaces, depending on the topography of the area and environmental conditions (e.g., atmospheric conditions, noise barriers [either vegetative or manufactured]). Thus, a noise measured at 90 dBA 50 feet from the source would attenuate to about 84 dBA at 100 feet, 78 dBA at 200 feet, 72 dBA at 400 feet, and so forth. Widely distributed noise, such as a large industrial facility spread over many acres or a street with moving vehicles, would typically attenuate at a lower rate, approximately 4 to 6 dBA per doubling of distance from the source.

Hard sites are those with a reflective surface between the source and the receiver, such as asphalt or concrete surfaces or smooth bodies of water. No excess ground attenuation is assumed for hard sites and the changes in noise levels with distance (drop-off rate) is simply the geometric spreading of the noise from the source. Soft sites have an absorptive ground surface such as soft dirt, grass, or scattered bushes and trees. In addition to geometric spreading, an excess ground attenuation value of 1.5 dBA (per doubling distance) is normally assumed for soft sites. Line sources (such as traffic noise from vehicles)

attenuate at a rate between 3 dBA for hard sites and 4.5 dBA for soft sites for each doubling of distance from the reference measurement.

Fundamentals of Vibration

Vibration is energy transmitted in waves through the ground or man-made structures. These energy waves generally dissipate with distance from the vibration source. There are several different methods that are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe vibration impacts to buildings but is not always suitable for evaluating human response (annoyance) because it takes some time for the human body to respond to vibration signals. Instead, the human body responds to average vibration amplitude often described as the root mean square (RMS). The RMS amplitude is defined as the average of the squared amplitude of the signal and is most frequently used to describe the effect of vibration on the human body. Decibel notation (VdB) is commonly used to measure RMS. VdB serves to reduce the range of numbers used to describe human response to vibration. Typically, ground-borne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration. Sensitive receivers for vibration include structures (especially older masonry structures), people (especially residents, the elderly, and sick), and vibration-sensitive equipment.

The background vibration-velocity level in residential areas is generally 50 VdB. Ground-borne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels. Typical outdoor sources of perceptible ground-borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the ground-borne vibration is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration-velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings.

5.8.2 REGULATORY SETTING

5.8.2.1 FEDERAL REGULATIONS

Because the City does not have construction noise level limits, construction noise was assessed using criteria from the *Transit Noise and Vibration Impact Assessment Manual* (FTA 2018). Table 5.8-1 shows the FTA's Detailed Assessment Construction Noise Criteria based on the composite noise levels per construction phase.

Table 5.8-1: Federal Construction Noise Criteria

Land Use	Daytime 8-hour Leq (dBA)	Nighttime 8-hour Leq (dBA)
Residential	80	70
Commercial	85	85
Industrial	90	90

Source: FTA. *Transit Noise and Vibration Impact Assessment Manual* (2018)

5.8.2.2 LOCAL REGULATIONS

City of Hesperia General Plan

The City's Noise Element of the 2010 General Plan contains the following goals and policies related to noise that are applicable to the Project:'

Goal NS-1 To achieve and maintain an environment which is free from excessive or harmful noise through identification, control, and abatement.

Goal NS-2 To achieve and maintain an environment which is free from excessive vibration. To satisfy goals NS-1 and NS-2, the City's Noise Element identifies the following implementation policies:

Policy NS-1.2 Control and abate undesirable sounds through the use of the land use compatibility criteria shown in Exhibit NS-1, Table NS-3, and the Municipal Code Section 16.20.125(B).

Policy NS-1.5 Require the design and construction of commercial, industrial, office and mixed-use structures developments with noise attenuation methods to minimize excessive noise upon noise-sensitive land uses.

Policy NS-1.9 Encourage commercial, industrial, office and mixed-use developments to locate loading areas, parking lots, driveways, trash enclosures, mechanical equipment, and other noisier components away from noise-sensitive land uses.

Policy NS-1.10 Limit the hours of construction activity in, and around, residential areas in order to reduce the intrusion of noise in the early morning and late evening hours and on weekends and holidays.

Policy NS-1.11 Limit delivery hours for businesses with loading areas or docks fronting, siding, or bordering or gaining access on driveways adjacent to noise-sensitive areas.

Policy NS-1.12 Implement nighttime and daytime on-site noise level limits to address noise generated by commercial and industrial uses where it affects abutting residential and other noise-sensitive land uses.

City of Hesperia Municipal Code

Section 16.20.125, Noise

Section 16.20.125, Noise, of the City's Municipal Code sets noise standards for specific land uses by type of noise source. Noise standards for stationary noise sources are summarized in Table 5.8-2. As shown, the noise standard for residential properties is 60 dBA Leq from 7:00 a.m. to 10:00 p.m. and 55 dBA Leq from 10:00 p.m. to 7:00 a.m. For commercial properties, the noise standard from stationary noise sources is 65 dBA Leq at any time of the day or night. For industrial properties, the noise standard from stationary noise sources is 70 dBA Leq at any time of the day or night. Areas exposed to noise levels exceeding these standards are considered noise-impacted areas.

The City's Municipal Code exempts noise from construction activities, provided that construction is limited to the hours between 7:00 a.m. and 7:00 p.m., except on Sundays or federal holidays, when construction is not allowed.

Section 16.20.130, Vibration

Section 16.20.130, Vibration, establishes standards for acceptable vibration levels. The section states that no ground vibration shall be allowed that can be felt without the aid of instruments at or beyond the lot line, nor shall any vibration be allowed which produces a particle velocity greater than or equal to two-tenths (0.20) inches per second measured at or beyond the lot line. Temporary construction, maintenance, repair, or demolition activities between 7:00 a.m. and 7:00 p.m. are exempt from this vibration limit, except on Sundays and federal holidays, when construction is prohibited.

Table 5.8-2: City of Hesperia Noise Standards

Affected Land Use (Receiving Noise)	Maximum Noise Level (dBA Leq)	Time Period
Residential	55	10:00 p.m. – 7:00 a.m.
Residential	60[1]	7:00 a.m. – 10:00 p.m.
Commercial	65[1]	Anytime
Industrial	70[1]	Anytime

Source: Section 16.20.125 of the City of Hesperia Municipal Code (2022).
[1] Due to wind noise, the maximum permissible noise level may be adjusted so that it is no greater than five dBA above the ambient noise level.
dBA = A-weighted decibels
Lmax = maximum instantaneous sound level

5.8.3 ENVIRONMENTAL SETTING

Existing Noise Levels

To assess existing noise levels of the environment, long-term (24-hour) noise level measurements were conducted on August 30 and 31, 2022 at two locations, one along the Project site boundary and the other at the nearest existing use south of the Project site. The background ambient noise levels in the Project area are dominated by the transportation-related noise associated with surface streets and I-15. A description of these locations and the existing noise levels are provided in Table 5.8-3.

Table 5.8-3: Summary of 24-Hour Ambient Noise Level Measurements

#	Location	Daytime Noise Levels[1] (dBA Leq)	Evening Noise Levels[2] (dBA Leq)	Nighttime Noise Levels[3] (dBA Leq)	Daily Noise Level (dBA CNEL)
1	Poplar Street, approximately 800 feet west of Mesa Linda Street, in Juniper tree.	51.1 – 60.4	54.4 – 61.7	51.5 – 62.5.	65.7
2	Mesa Linda Street, approximately 1,180 feet north of Poplar Street, near fire hydrant.	57.3 – 61.4	58.3 – 63.2	54.3 – 64.0	67.4

Source: Compiled by LSA (2022).
Note: Noise measurements were conducted from August 30 to August 31, 2022, starting at 9:00 a.m.
[1] Daytime Noise Levels = noise levels during the hours from 7:00 a.m. to 7:00 p.m.
[2] Evening Noise Levels = noise levels during the hours from 7:00 p.m. to 10:00 p.m.
[3] Nighttime Noise Levels = noise levels during the hours from 10:00 p.m. to 7:00 a.m.

Existing Vibration

Aside from periodic construction work that may occur in the vicinity of the Project area, the Project site and adjacent land uses are not currently exposed to sources of groundborne vibration.

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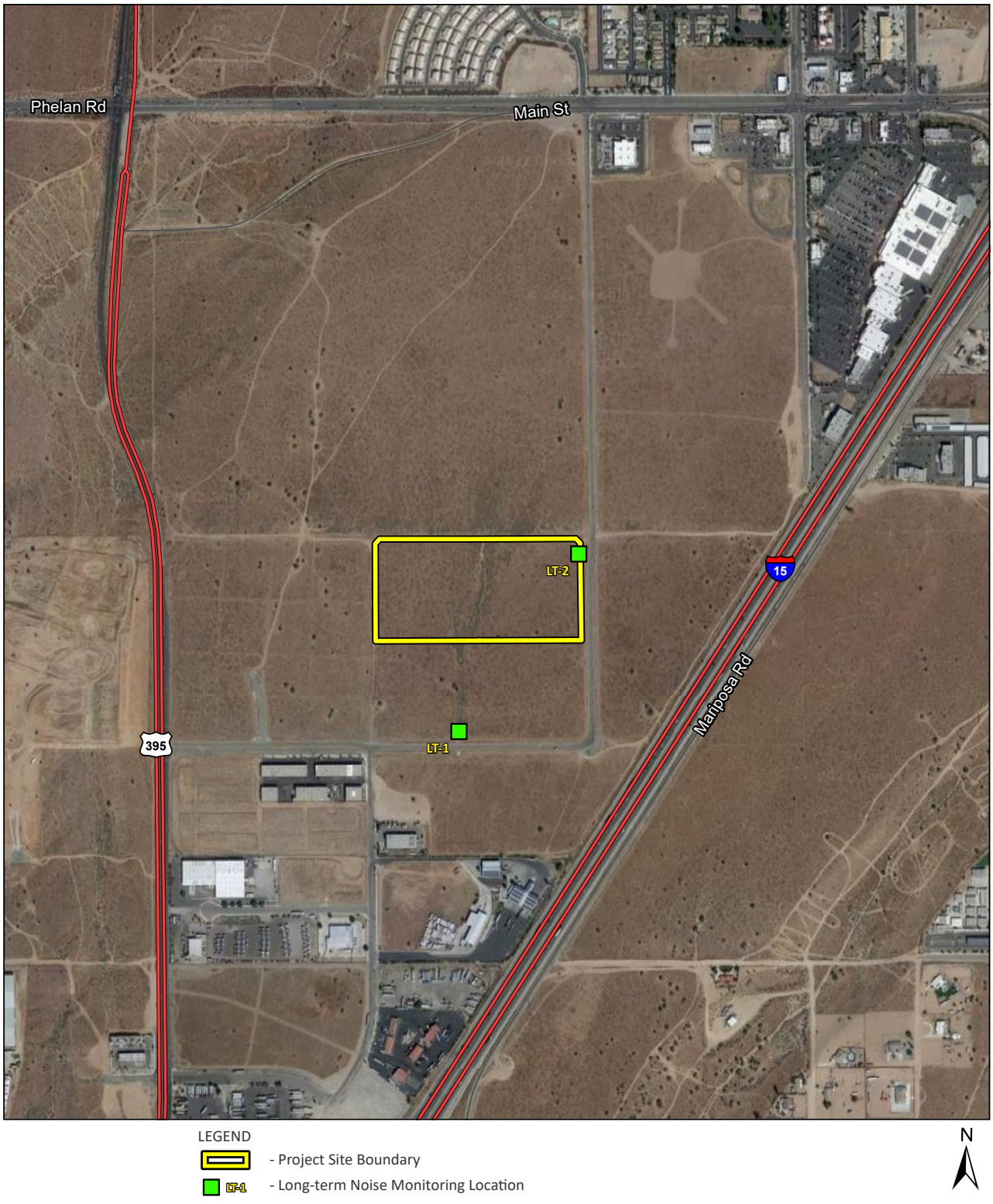
Noise Monitoring Locations



Mesa Linda Street Warehouse
City of Hesperia

Figure 5.8-1

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Sensitive Receptors

Noise sensitive receptors are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. Noise-sensitive land uses are generally considered to include: residences, schools, hospitals, and recreation areas.

The closest sensitive receptors include residential uses located approximately 2,200 feet southeast of the project site along Muscatel Street, residential uses approximately 2,800 ft north of the project site along Main Street, and residential uses located approximately 2,900 ft southeast of the project site along Seal Beach Drive.

5.8.4 THRESHOLDS OF SIGNIFICANCE

Appendix G of State CEQA Guidelines indicates that a project could have a significant effect if it were to:

NOI-1 Generate of a substantial temporary or permanent increase in ambient noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;

NOI-2 Generate excessive groundborne vibration or groundborne noise levels;

Construction Noise and Vibration

- If Project related construction activities:
    - Occur between the hours of 7:00 p.m. and 7:00 a.m. of the next day, or on Sundays or federal holidays (*City Municipal Code Section 16.20.125, Noise*); or
    - Create noise levels which exceed the acceptable noise level thresholds at the nearby sensitive receiver locations (FTA Transit Noise and Vibration Impact Assessment Manual).
- If Project-related construction activities generate vibration levels which exceed the City Municipal Code Section 16.20.130 vibration threshold of 0.2 PPV in/sec at receiver locations. Temporary construction, maintenance, repair, or demolition activities between 7:00 a.m. and 7:00 p.m. are exempt from this vibration limit, except on Sundays and federal holidays, when construction is prohibited.

Roadway Vehicular Noise

The City of Hesperia has not established noise standards for traffic-related noise; therefore, for purposes of this CEQA analysis, the standards for a perceivable difference in noise levels (3 dBA CNEL) has been applied as the vehicle noise threshold. The CNEL is the weighted average of the intensity of a sound, with corrections for time of day, and averaged over 24 hours. For example, if the ambient noise environment is very quiet and a new noise source substantially increases localized noise levels, a perceived impact may occur even though the numerical noise threshold might not be exceeded. Therefore, for the purpose of this analysis when the noise levels at existing noise sensitive land uses (e.g., residential, etc.): Bloomington Business Park Specific Plan Project 5.12 Noise County of San Bernardino 5.12-24 Draft EIR September 2021:

- Are less than 60 dBA CNEL and the project creates a readily perceptible 5 dBA CNEL or greater project-related noise level increase; or
- Range from 60 to 65 dBA CNEL and the project creates a barely perceptible 3 dBA CNEL or greater project-related noise level increase; or

- Already exceeds 65 dBA CNEL, and the project creates a community noise level impact of greater than 1.5 dBA CNEL.

On Site Operational Noise

- If Project-related operational (stationary source) noise levels:
  - exceed the exterior 60 dBA Leq daytime or 45 dBA Leq nighttime noise level standards (Development Code, Title 8, Section 83.01.080).

5.8.5 METHODOLOGY

Construction Noise

To identify the temporary construction noise contribution to the existing ambient noise environment, the construction noise levels anticipated from usage of construction equipment needed to implement the proposed Project were identified. The City Municipal Code limits construction hours to reduce noise but does not establish numeric maximum acceptable construction source noise levels at potentially affected receivers, which would allow for a quantified determination of what CEQA constitutes a *substantial temporary or periodic noise increase*. Therefore, a numerical construction threshold based on Federal Transit Administration (FTA) *Transit Noise and Vibration Impact Assessment Manual* is used for analysis of daytime construction impacts and has been used in past City CEQA documents for noise analysis purposes. The FTA considers a daytime exterior construction noise level of 80 dBA L_{eq} as a reasonable threshold for noise sensitive residential land use (residential). The construction noise levels are compared against the FTA threshold to assess the level of significance associated with temporary construction noise level impacts.

Operational Noise

The primary source of noise associated with the operation of the proposed Project would be from vehicular and truck trips. The expected roadway noise level increases from vehicular/truck traffic were calculated using the Federal Highway Administration (FHWA) traffic noise prediction model and the average daily traffic volumes from the Traffic Impact Analysis prepared for the proposed Project.

As detailed in Table 5.9-2 in Section 5.9, *Transportation,* the proposed Project is anticipated to generate approximately 573 daily trips, 33 AM peak hour trips and 41 PM peak hour trips. The increase in noise levels generated by the vehicular/truck trips has been quantitatively estimated and compared to the applicable noise standards and thresholds of significance listed previously.

Secondary sources of noise would include new stationary sources including loading dock, truck movement, parking and noise from heating, ventilation, and air conditioning units utilized by the new buildings on the Project site. The increase in noise levels generated by these activities has been quantitatively estimated and compared to the applicable noise standards listed previously.

Vibration

Aside from noise levels, groundborne vibration would also be generated during construction of the Project by various construction-related activities and equipment; and could be generated by truck traffic traveling to and from the Project site. The potential ground-borne vibration levels resulting from construction activities occurring from the proposed Project were estimated by data published by the Federal Transit Administration (FTA). Thus, the groundborne vibration levels generated by these sources have also been quantitatively estimated and compared to the applicable thresholds of significance listed previously.

5.8.6 ENVIRONMENTAL IMPACTS

IMPACT NOI-1: 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?

Construction

Less than Significant Impact. Noise generated by construction equipment would include a combination of trucks, power tools, concrete mixers, and portable generators that can reach high levels when combined. Construction is expected to occur in the following stages: excavation and grading, building construction, architectural coating, paving. The project construction composite noise levels at a distance of 50 feet would range from 74 dBA Leq to 88 dBA Leq with the highest noise levels occurring during the site preparation and grading phases, as shown in Table 5.8-4.

Table 5.8-4: Construction Reference Noise Levels

Equipment Description	Acoustical Usage Factor (%)[1]	Maximum Noise Level (Lmax) at 50 Feet[2]
Auger Drill Rig	20	84
Backhoes	40	80
Compactor (ground)	20	80
Compressor	40	80
Cranes	16	85
Dozers	40	85
Dump Trucks	40	84
Excavators	40	85
Flat Bed Trucks	40	84
Forklift	20	85
Front-end Loaders	40	80
Graders	40	85
Impact Pile Drivers	20	95
Jackhammers	20	85
Paver	50	77
Pickup Truck	40	55
Pneumatic Tools	50	85
Pumps	50	77
Rock Drills	20	85
Rollers	20	85
Scrapers	40	85
Tractors	40	84

Trencher	50	80
Welder	40	73

Source: FHWA Roadway Construction Noise Model User's Guide, Table 1 (FHWA 2006).
Note: Noise levels reported in this table are rounded to the nearest whole number.
1 Usage factor is the percentage of time during a construction noise operation that a piece of construction equipment is operating at full power.
2 Maximum noise levels were developed based on Specification 721.560 from the Central Artery/Tunnel program to be consistent with the City of Boston's Noise Code for the "Big Dig" project.
FHWA = Federal Highway Administration Lmax
= maximum instantaneous sound level

Per City Municipal Code Section 16.20.125, noise sources associated with construction activities are exempt from the City's established noise standards as long as the activities do not take place between the hours of 7:00 p.m. of any one day and to 7:00 a.m. of the next day, or on Sundays or federal holidays. The proposed Project's construction activities would occur pursuant to these regulations. Thus, the construction activities would be in compliance with the County's construction related noise standards.

Construction noise would be temporary in nature as the operation of each piece of construction equipment would not be constant throughout the construction day, and equipment would be turned off when not in use. The typical operating cycle for a piece of construction equipment involves one or two minutes of full power operation followed by three or four minutes at lower power settings. The construction equipment would include a combination of trucks, power tools, concrete mixers, and portable generators.

While construction noise will vary, it is expected that composite noise levels during construction at the nearest commercial uses southwest of the project would reach 59 dBA Leq. These predicted noise levels would only occur when all construction equipment is operating simultaneously; and therefore, are assumed to be rather conservative in nature. While construction-related short-term noise levels have the potential to be higher than existing ambient noise levels in the project area under existing conditions, the noise impacts would no longer occur once project construction is completed. As shown on Table 5.8-5, construction noise from the proposed Project at the nearby receptor locations would range from 51 to 59 dBA L_{eq}, which would not exceed the FTA 80 dba L_{eq} daytime construction noise level threshold. Therefore, impacts related to construction noise would be less than significant.

Table 5.8-5: Construction Noise Levels at Nearest Receptors

Receptor (Location)	Composite Noise Level (dBA Leq) at 50 feet1	Distance (feet)	Composite Noise Level (dBA Leq)
Commercial Uses (Southwest)	88	1,300	59
Commercial Uses (South)		1,570	58
Residences (North)		3,100	52
Residences (Southeast)		3,600	51

Source: Noise Impact Analysis, Appendix G.

Operation

Less than Significant Impact. The proposed Project would consist of the development of a warehouse/distribution facility that would have a truck loading area with 54 dock doors on the south side of the building, with 57 trailer parking spaces located south of the truck loading area. The parking lot would include 213 passenger vehicle stalls to the west and to the east of the proposed building. Potential noise impacts associated with the operations of the proposed Project would be from project-generated

vehicular traffic on the nearby roadways and from onsite activities, which have been analyzed separately below.

Traffic Noise Impacts

Vehicle noise is a combination of the noise produced by the engine, exhaust and tires. The level of traffic noise depends on three primary factors (1) the volume of traffic, (2) the speed of traffic, and (3) the number of trucks in the flow of traffic.

As detailed in Table 5.9-2 in Section 5.9, *Transportation,* the proposed Project is anticipated to generate approximately 573 daily trips, 33 AM peak hour trips and 41 PM peak hour trips. These trips would occur along Mesa Linda Street and Lassen Street and would access I-15 and Highway 395 from Main Street and Poplar Street. Poplar Street, between I-395 and Lassen Street. Existing daily trips (ADT) are shown in Table 5.8-6.

Table 5.8-6 shows that the increase in project-related traffic noise would be no greater than 2.9 dBA at existing commercial uses and no greater than 1.2 dBA at existing noise-sensitive residential uses. Noise level increases above 3.0 dBA may be perceptible to some people in an outdoor environment, but the expected increase is less than the readily perceptible threshold of 5.0 dBA. Therefore, traffic noise impacts from project-related traffic on off-site sensitive receptors would be less than significant, and no mitigation measures are required.

Off-Site Stationary Noise Impacts

Adjacent off-site land uses would be potentially exposed to stationary-source noise impacts from the proposed on-site heating, ventilation, and air conditioning (HVAC) equipment and truck deliveries and loading and unloading activities. To provide a conservative analysis, it is assumed that operations would occur equally during all hours of the day and that half the 54 loading docks would be active at all times. Additionally, it is assumed that within the peak hour, consistent with the Project's trip generation, 8 heavy trucks would maneuver to park near or back into one of the proposed loading docks.

The Project would include four rooftop HVAC units on the building to provide ventilation to the proposed office spaces. The HVAC equipment could operate 24 hours per day and would generate sound power levels (SPL) of up to 87 dBA SPL or 72 dBA Leq at 5 feet, based on manufacturer data (Trane).

Delivery trucks are anticipated to generate a noise level of 75 dBA Leq at 20 feet (see Noise and Vibration Impact Analysis [Appendix G]). Delivery trucks would arrive on site and maneuver their trailers so that trailers would be parked within the loading docks. During this process, noise levels are associated with the truck engine noise, air brakes, and back-up alarms while the truck is backing into the dock. These noise levels would occur for a shorter period of time (less than 5 minutes). After a truck enters the loading dock, the doors would be closed and the remainder of the truck loading activities would be enclosed, and therefore, much less perceptible. To present a conservative assessment, it is assumed that unloading activities could occur at half of the 54 docks simultaneously for a period of more than 30 minutes in a given hour. Maximum noise levels that would occur during the docking process are anticipated to be 86 dBA Lmax at a distance of 20 feet (see Noise and Vibration Impact Analysis [Appendix G]).

Tables 5.8-7 and 5.8-8 below show the combined hourly noise levels generated by HVAC equipment and truck delivery activities at the closest off-site land uses. The project-related noise level impacts would range from 21.6 dBA Leq to 48.1 dBA Leq at the surrounding receptors. These levels would be below the City's exterior daytime and nighttime noise standards of 60 dBA Leq and 55 dBA Leq for residential land uses, respectively, as well as the 65 dBA Leq standard for office uses any time of day. Therefore, because Project noise levels would not exceed the current ambient noise level by 3 dBA or more, the impact would be less than significant.

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Table 5.8-6: Traffic Noise Levels Without and With Proposed Project

Roadway Segment	Existing Without Project		Existing With Project			Opening Year		Opening Year With Project		
	ADT	CNEL (dBA) 50 feet from Centerline of Nearest Lane	ADT	CNEL (dBA) 50 feet from Centerline of Nearest Lane	Increase from Existing Conditions	ADT	CNEL (dBA) 50 feet from Centerline of Nearest Lane	ADT	CNEL (dBA) 50 feet from Centerline of Nearest Lane	Increase from Near-Term Conditions
Poplar Street between I-395 and Lassen Street	1,150	63.5	1,670	66.4	2.9	4,650	69.6	5,170	71.3	1.7
Main Street West of Mesa Linda Street	18,000	77.5	18,060	78.7	1.2	25,630	79.1	25,690	80.2	1.1
Main Street East of Mesa Linda Street	20,040	77.3	20,040	77.3	0.0	27,790	78.7	27,790	78.7	0.0
Mesa Linda Street South of Main Street	2,050	66.2	2,110	67.5	1.3	2,490	67.0	2,550	68.4	1.4

Source: Compiled by LSA (October 2022).
Note: Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information. Shaded cells indicate roadway segments adjacent to the project site.
ADT = average daily traffic
CNEL= Community Noise Equivalent Level dBA = A-weighted decibels

Table 5.8-7: Daytime Exterior Noise Level Impacts

Receptor	Direction	Daytime Noise Level Standard (dBA Leq)	Existing Quietest Daytime Noise Level (dBA Leq)	Project Generated Noise Levels (dBA Leq)	Potential Operational Noise Impact?[1]
Residential	Southeast	60	51.5	38.6	No
Residential / School	Southeast	60	51.5	32.9	No
Residential	North	60	51.5	29.1	No
Office / Industrial	Southwest	65	51.5	48.1	No

Source: Compiled by LSA (2022).
1 A potential operational noise impact would occur if (1) the quietest daytime ambient hour is less than the applicable noise standard and project noise impacts are greater than the applicable noise standard, OR (2) the quietest daytime ambient hour is greater than the applicable noise standard and project noise impacts are 3 dBA greater than the quietest daytime ambient hour.
dBA = A-weighted decibels
Leq = equivalent noise level

Table 5.8-8: Nighttime Exterior Noise Level Impacts

Receptor	Direction	Nighttime Noise Level Standard (dBA Leq)	Existing Quietest Nighttime Noise Level (dBA Leq)	Project Generated Noise Levels (dBA Leq)	Potential Operational Noise Impact?[1]
Residential	Southeast	55	51.1	37.9	No
Residential / School	Southeast	55	51.1	31.4	No
Residential	North	55	51.1	21.6	No
Office / Industrial	Southwest	65	51.1	47.3	No

Source: Compiled by LSA (2022).
[1] A potential operational noise impact would occur if (1) the quietest nighttime ambient hour is less than 55 dBA Leq and project noise impacts are greater than 55 dBA Leq, OR (2) the quietest nighttime ambient hour is greater than 55 dBA Leq and project noise impacts are 3 dBA greater than the quietest nighttime ambient hour.
dBA = A-weighted decibels
Leq = equivalent noise level

IMPACT NOI-2: WOULD THE PROJECT RESULT IN GENERATION OF EXCESSIVE GROUNDBORNE VIBRATION OR GROUNDBORNE NOISE LEVELS?

Construction

Less than Significant Impact. Construction activities for development of the proposed Project would include demolition, excavation, and grading activities, which have the potential to generate low levels of groundborne vibration. People working in close proximity to the construction could be exposed to the generation of excessive groundborne vibration or groundborne noise levels related to construction activities. The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight structural damage at the highest levels. Site ground vibrations from construction activities very rarely reach the levels that can damage structures, but they can be perceived in the audible range and be felt in buildings very close to a construction site.

Demolition, excavation, and grading activities are required for implementation of the Project and can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Based on the reference vibration levels provided by the FTA and the

equipment that would be used for the proposed Project, a large bulldozer represents the peak source of vibration with a reference velocity of 0.089 in/sec PPV at 25 feet, as shown on Table 5.8-9.

Table 5.8-9: Vibration Source Levels for Construction Equipment

Equipment	Peak Particle Velocity (inches/second)	Approximate Vibration Level (Lv)at 25 feet
Large bulldozer	**0.089**	**87**
Caisson drill	0.089	87
Loaded trucks	**0.076**	**86**
Jackhammer	0.035	79
Small bulldozer	0.003	58

Source: Noise Impact Analysis, Appendix G.

The primary source of vibration during construction would be from the operation of a bulldozer. As shown on Table 5.8-9, a large bulldozer would create a vibration level of 0.089 inch per second PPV at 25 feet. Based on typical propagation rates, the vibration level at the nearest offsite structure (800 feet away) would be 0.0005 inch per second PPV (see Table 5.8-10), which is below the City's 0.2 inch per second PPV threshold. Therefore, impacts related to construction vibration would be less than significant.

Table 5.8-10: Construction Vibration Levels at Nearest Receptors

Receptor (Location)	Composite Noise Level (dBA Leq) at 50 feet1	Distance (feet)	Composite Noise Level (dBA Leq)
Commercial Uses (Southwest)	88	800	0.0005
Commercial Uses (South)		1,200	0.0003
Residences (North)		2,800	0.0001
Residences (Southeast)		2,900	0.0001

Source: Noise Impact Analysis, Appendix G.

Operation

Less than Significant Impact. Operation of the proposed Project would include operation of heavy trucks, deliveries, and moving trucks, and garbage trucks for solid waste disposal. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. However, vibration levels generated from Project-related traffic within the Project site and on the adjacent roadways are unusual for on-road vehicles because the rubber tires and suspension systems of on-road vehicles provide vibration isolation. Vibration levels generated from Project-related traffic on the adjacent roadways would be less than significant.

5.8.7 CUMULATIVE IMPACTS

Cumulative noise assessment considers development of the proposed Project in combination with ambient growth and other development projects within the vicinity of the Project area. As noise is a localized phenomenon, and drastically reduces in magnitude as distance from the source increases, only projects

and ambient growth in the nearby area could combine with the proposed Project to result in cumulative noise impacts.

Development of the proposed Project in combination with the related projects would result in an increase in construction-related and traffic-related noise. However, City Municipal Code Section 16.20.125, Noise, requires construction activities to not occur between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, including Saturday, or anytime on Sunday or a federal holiday. Also, construction noise and vibration is localized in nature and decreases substantially with distance. Consequently, in order to achieve a substantial cumulative increase in construction noise and vibration levels, more than one source emitting high levels of construction noise would need to be in close proximity to the proposed Project construction.

The closest cumulative project is the I-15 Industrial Park Project, which would be constructed directly to the west and east of the Project site. Project construction is was identified as anticipated to commence in or around December 2022 and last approximately 12 months, ending in or around December 2023. Construction of the Project is anticipated to last approximately 14 months and would occur from October of 2023 to December of 2024. Therefore, construction activities of the two projects could slightly overlap. However, cumulative noise increases due to construction would be temporary and localized. The distance from construction activities to nearby receptors is substantial and the combined noise levels are anticipated to be less than significant. Thus, due to the distance from nearby receptors and timing differences between the projects, construction noise and vibration levels from the proposed Project would not combine to become cumulatively considerable, and cumulative noise and vibration impacts associated with construction activities would be less than significant.

Cumulative mobile source noise impacts would occur primarily as a result of increased traffic on local roadways due to the proposed Project and related projects within the study area. Therefore, cumulative traffic-generated noise impacts have been assessed based on the contribution of the proposed Project traffic volumes on the roadways in the Project vicinity. The increase in noise levels associated with the traffic volumes of the proposed Project were previously identified. As detailed, development of the proposed Project would result in noise levels much lower than the 3 dBA threshold. Therefore, the Project would not result in a cumulatively considerable impact when combined with existing and future development. Cumulative impacts would be less than significant.

5.8.8 EXISTING REGULATIONS AND REGULATORY REQUIREMENTS

- City Municipal Code Section 16.20.125, Noise
- City Municipal Code Section 16.20.130, Vibration

5.8.9 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

With compliance with existing regulations, Impacts NOI-1 and NOI-2 would be less than significant.

5.8.10 MITIGATION MEASURES

Impacts related to noise and vibration would be less than significant and no mitigation measures are required.

5.8.11 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts related to noise would be less than significant.

REFERENCES

City of Hesperia. December 2010. City of Hesperia General Plan Update. https://www.cityofhesperia.us/409/Hesperia-General-Plan.

Federal Transit Administration Transit Noise and Vibration Impact Assessment. May 2006. Accessed: https://docs.vcrma.org/images/pdf/planning/ceqa/FTA_Noise_and_Vibration_Manual.pdf

LSA. October 2022. Noise and Vibration Impact Analysis. (Appendix G)

Office of Planning and Research (OPR). July 2017. General Plan Guidelines. Accessed: http://opr.ca.gov/docs/OPR_COMPLETE_7.31.17.pdf

5.9 Transportation

5.9.1 INTRODUCTION

This section describes the existing transportation and circulation conditions in the Project site, identifies applicable regulations, evaluates the Project's consistency with applicable goals and policies, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the Project. A VMT analysis was prepared using the City's guidelines for VMT analysis. The analysis was prepared by EPD using the San Bernardino County Transportation Analysis Model (SBTAM) hereafter referred to as "Model". The SBTAM model utilized for the Project includes a base year scenario for 2016 and an anticipated future scenario for 2040. These scenarios were validated by the San Bernardino Associated Governments (SANBAG) using 2016 traffic counts. Data for years between 2016 and 2040 can be extrapolated using linear interpolation between the 2016 and 2040 model output. The model was run for the base year (2016) and future year (2040) without and with-project conditions (i.e. four full model runs) and extrapolated to determine existing baseline year (2022) VMT per service population with implementation of the Project. This analysis in the section is, based in part, on the following resources:

- City of Hesperia General Plan, Circulation Element, 2010
- City of Hesperia General Plan 2010 Final Environmental Impact Report, Michael Brandman Associates, December 2010
- City of Hesperia Development Code
- City of Hesperia Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT)
- *Vehicle Miles Traveled Analysis*, EPD Solutions, Inc., October 19, 2022 (Appendix H)
- *Traffic Impact Analysis*, EPD Solutions, Inc., April 20, 2023 (Appendix I)

5.9.2 REGULATORY SETTING

5.9.2.1 STATE REGULATIONS

Senate Bill 743

Senate Bill 743 (SB 743) was signed by Governor Brown in 2013 and required the Governor's Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to LOS for evaluating Transportation impacts. SB 743 specified that the new criteria should promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks and a diversity of land uses. The bill also specified that delay-based level of service could no longer be considered an indicator of a significant impact on the environment. In response, Section 15064.3 was added to the CEQA Guidelines beginning January 1, 2019. Section 15064.3 - Determining the Significance of Transportation Impacts states that VMT is the most appropriate measure of transportation impacts and provides lead agencies with the discretion to choose the most appropriate methodology and thresholds for evaluating VMT. Section 15064.3(c) states that the provisions of the section shall apply statewide beginning on July 1, 2020.

5.9.2.2 REGIONAL REGULATIONS

SCAG 2020 - 2045 Regional Transportation Plan/Sustainable Communities Strategy

The Southern California Association of Governments (SCAG) is the designated metropolitan planning organization for six Southern California counties (Ventura, Los Angeles, San Bernardino, Riverside, Orange, and Imperial). As the designated metropolitan planning organization, SCAG is mandated by the federal and state governments to prepare plans for regional transportation and air quality conformity. The most recent plan adopted by SCAG is the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), also known as Connect SoCal, which was adopted in September 2020. The RTP/SCS integrates transportation planning with economic development and sustainability planning and aims to comply with state GHG emissions reduction goals, such as SB 375. With respect to transportation infrastructure, SCAG anticipates in the RTP/SCS that the six-county region will have to accommodate 22.5 million residents by 2045 while also meeting the GHG emissions reduction targets set by the California Air Resources Board. SCAG is empowered by state law to assess regional housing needs and provide a specific allocation of housing needs for all economic segments of the community for each of the region's counties and cities. In addition, SCAG has taken on the role of planning for regional growth management.

City of Hesperia General Plan

The City of Hesperia General Plan Circulation Element contains the following policies related to transportation that are applicable to the proposed Project:

Goal CI-1 Develop a safe, efficient, convenient, and attractive transportation system throughout the community, providing links within the City and with neighboring regions, and accommodating automobile, truck, pedestrian, recreational, equestrian, rail, air, and public transit needs which will meet current and future development requirements within the planning area.

Policy CI-1.10 Ensure that new development provides for adequate road improvements to serve internal circulation needs, as well as to mitigate impacts of increased traffic on the existing road system.

Goal CI-2 Develop and implement a City-wide Congestion Management Plan.

Policy CI-2.5 Maintain the City's development impact fee program for future development which includes improvements to roadways to mitigate the impact of the new development.

Policy CI-2.7 Review and monitor street improvements to ensure that improvements optimize traffic flow efficiency.

Policy CI-2.8 Reduce trip generation through development and implementation of Transportation Demand Management Programs.

Goal CI-4 Provide a circulation system that facilitates the movement of goods and services throughout the City while protecting residences, sensitive land uses, and pedestrians from activities along rail and truck corridors.

Policy CI-4.2 Locate new development and their access points in such a way that traffic is not encouraged to utilize local residential streets for access to the development and its parking.

Policy CI-4.3 Discourage non-local traffic from using neighborhood streets through project design and traffic control measures.

Policy CI-4.4 Develop an efficient and effective truck route system that is compatible with land uses and street improvement standards, and provide monitoring to ensure compatibility.

Main Street and Freeway Corridor Specific Plan

The City of Hesperia Main Street and Freeway Corridor Specific Plan (MSFCSP) contains the following policies related to transportation that are applicable to the proposed Project:

Goal C-1: Increase freeway access to Interstate-15, for purposes of conveying regional traffic into and out of the community.

Goal C-2: Explore and provide the highest level of access for all modes of transportation and maintains efficient circulation in the Specific Plan area throughout the day.

Policy C-2.1 Preserve the traffic-carrying capacity of arterial streets by implementing policies that include the promotion of shared access locations among multiple properties or establishments, reciprocal access agreements, shared parking, and the use of side streets to provide access to parcels, if possible.

Policy C-2.2 Increase trip reduction efforts.

Policy C-2.3 Provide truck route designations for specific facilities in the City.

Policy C-2.4 Reduce the number of median openings to only those intersections that are signalized.

Policy C-2.6 Encourage present and future public transit use.

Policy C-2.7 Identify activity centers that would benefit from increased transit access and work with Victor Valley Transit Authority (VVTA) to enhance service to these centers.

Policy C-2.8 Facilitate bicycle use and circulation within the Specific Plan area.

Policy C-2.9 Promote a safe and attractive pedestrian environment to encourage pedestrian traffic within and across the districts, especially in the City Center District, where wider sidewalks for pedestrians are desirable.

5.9.3 ENVIRONMENTAL SETTING

Existing Roadway Network

Interstate 15 (I-15) is a major north-south Interstate Highway that begins near the Mexican/US border and runs through Southern California to Alberta, Canada.

U.S. Highway 395 (US 395) is a north-south U.S. route that begins in the Mojave Desert at I-15 and runs through Southern California to the U.S./Canadian border.

Phelan Road/Main Street is an east-west undivided roadway that ranges from two to six lanes. The City of Hesperia classifies Phelan Road/Main Street as a major arterial roadway. The roadway is named Phelan Road west of US 395 and Main Street east of US 395 Phelan Road west of US 395 is a designated truck route. The posted speed limit is 55 MPH.

Mesa Linda Street is a north-south undivided roadway that ranges from two to four lanes. The City of Hesperia classifies Mesa Linda Street as an arterial roadway.

Poplar Street is an east-west undivided roadway that ranges from two to four lanes. The City of Hesperia classifies Poplar Street as a secondary arterial roadway.

Existing Transit Services

The Project area is served by bus service via Victor Valley Transit Authority (VVTA), which serves the Victor Valley area. VVTA Routes 21P/W, 25, 64, and 68 provide service within the vicinity of the Project site.

- Route 21P runs from Pinon Hills to Hesperia Super Target along SR-138, Phelan Road, I-15, Bear Valley Road, and Baldy Mesa Road. Service is every 2 hours from 8:00 a.m. to 6:21 p.m. The nearest bus stop is located near Phelan Road and Cataba Road intersection approximately 0.5 mile to the northeast.
- Route 25 runs from the Hesperia Post Office to the Super Target along I-15, Ranchero Road, Escondido Avenue, around Oak Hills High School, and C Avenue. Service is every 2 hours from 8:07 a.m. to 6:35 p.m. The nearest bus stop is located near Phelan Road and Cataba Road intersection approximately 0.5 mile to the northeast.
- Route 64 runs from the Hesperia Post Office to the Super Target around Malibu Park, along Escondido Avenue, Phelan Road, I-15, Willow Street, 9th Avenue, Juniper Street, 7th Avenue, Mesa Street, 3rd Avenue, Main Street, E Avenue, Olive Street, I Avenue, and Sultana Street. Service is every 1 hour from 7:31 a.m. to 7:53 p.m. The nearest bus stop is located near Phelan Road and Cataba Road intersection approximately 0.5 mile to the northeast.
- Route 68 runs from the Hesperia Post Office to the Super Target along Main Steet, Cottonwood Avenue, 7th Avenue, Lime Street, 3rd Avenue, E Avenue, Olive Street, G Avenue, and Sultana Street. Service is every 1 hour from 7:14 a.m. to 7:53 p.m. The nearest bus stop is located near Phelan Road and Cataba Road intersection approximately 0.5 mile to the northeast.

Existing Bicycle and Pedestrian Facilities

The Project site does not contain any existing bicycle facilities. The City's General Plan Circulation Element does not include any planned bicycle facilities west of I-15. A Class I bike path is planned along Main Street east of I-15 and a Class II bike path is planned along the east side of I-15. Additionally, the Project site does not contain any existing sidewalks.

5.9.4 THRESHOLDS OF SIGNIFICANCE

Appendix G of State CEQA Guidelines indicates that a project could have a significant effect if it were to:

TR-1 Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities;

TR-2 Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b);

TR-3 Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

5.9.5 METHODOLOGY

On September 27, 2013, Senate Bill (SB) 743 was signed into state law. The California legislature found that with the adoption of the Sustainable Communities and Climate Protection Act of 2008 (SB 375), the state had signaled its commitment to encourage land use and transportation planning decisions and investments that reduce vehicle miles traveled (VMT) and thereby contribute to the reduction of greenhouse gas (GHG) emissions, as required by the California Global Warming Solutions Act of 2006 (AB 32). SB 743

requires the California Governor's Office of Planning and Research to amend the State CEQA Guidelines to provide an alternative to LOS as the metric for evaluating transportation impacts under CEQA. Particularly within areas served by transit, SB 743 requires the alternative criteria to promote the reduction of greenhouse gas emissions, development of multimodal transportation networks, and diversity of land uses. The alternative metric for transportation impacts detailed in the State CEQA Guidelines is VMT. Jurisdictions had until July 1, 2020, to adopt and begin implementing VMT thresholds for traffic analysis. As outlined in State CEQA Guidelines Section 15064.3, except as provided for roadway capacity transportation projects, a project's effect on automobile delay shall not constitute a significant environmental impact. Therefore, in order to comply with CEQA Guidelines Section 15064.3, impacts associated with automobile delay are not analyzed in this Draft EIR.

Vehicle Miles Traveled Analysis Methodology

As indicated above in this Section, SB 743 provided for an alternative to LOS for evaluating Transportation impacts. Thereby, SB 743 specified that the new criteria should promote reduction of greenhouse gas emissions, development of multimodal transportation networks and a diversity of land uses. SB 743 also specified that delay-based LOS could no longer be considered an indicator of a significant impact on the environment. The California Legislature then amended CEQA Guidelines (Section 15064.3 – Determining the Significance of Transportation Impacts) to state that VMT is the most appropriate measure of transportation impacts and provides lead agencies with discretion to choose the most appropriate methodology and thresholds for evaluating VMT. This Section also required provisions to become effective July 1, 2020.

The City of Hesperia Traffic Impact Analysis (TIA) Guidelines (July 2020) provide VMT analysis methodology, impact thresholds and screening thresholds to determine if projects would require VMT analysis. The TIA Guidelines provide criteria for projects that would be considered to have a less-than significant impact on VMT and therefore could be screened out from further analysis. If a project meets one of the following criteria, then the VMT impact of the project is considered less-than significant and no further analysis of VMT would be required:

- The project is located within a Transit Priority Area (TPA).
- The project is located in a low VMT generating area.
- Project Type Screening (the project generates fewer than 110 daily vehicle trips or is considered a local-serving land use).

The City's TIA Guidelines state that a project would result in a significant project generated VMT impact if either of the following conditions are satisfied:

- The baseline (2022) project generated VMT per service population exceeds the San Bernardino County Regional average baseline of 32.7 VMT per service population, or
- The cumulative project generated VMT per service population exceeds the San Bernardino County Regional average baseline of 32.7 VMT per service population.

The project's effect on VMT would be considered significant if it resulted in the following condition:

- The baseline link-level boundary (County of San Bernardino) VMT per service population increases under the plus project condition compared to the no project condition.
- The cumulative link-level boundary (County of San Bernardino) VMT per service population increases under the plus project condition compared to the no project condition.

5.9.6 ENVIRONMENTAL IMPACTS

Impact TR-1: 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 would include development of a one-story, 408,997 SF warehouse building on the 18.16-acre site. The proposed warehouse building would have a building footprint of 402,997 SF and a mezzanine of 6,000 SF. Additional improvements would include landscaping, sidewalks, utility connections, implementation of stormwater facilities, and pavement of parking areas and driveways. Primary access to the Project would be provided via four driveways, two from Lassen Street and two from Mesa Linda Street.

Roadway: Mesa Linda Street and Main Street/Phelan Road are identified as arterial roadways, Poplar Street is considered a secondary arterial roadway, and Lassen Street (future) and Sultana Road (future) are local roadways. Freeways providing regional access to the Project site include I-15 and US 395. Lassen Street is currently not constructed but is required for access to the Project. The Project would utilize designated truck routes including I-15, US Hwy 395, and Joshua Street. Main Street east of US Hwy 395 is no longer designated as a City truck route; therefore, all Project truck traffic traveling to and from I-15 would be routed through the Joshua Street interchange.

The Project would include construction of the east side of Lassen Street to its half width in compliance with the City's General Plan Circulation element. The west side of Lassen Street would be constructed as part of the neighboring I-15 Industrial Park project. The Project would include building the half width of Sultana Street and Mesa Linda Street along the Project's frontage. In addition, the Project would include constructing pedestrian facilities such as curb and gutter along project frontages.

Access to the proposed Project would be provided via four driveways, two from Lassen Street and two from Mesa Linda Street. The northernmost driveway along Mesa Linda Street would be 30 feet wide and dedicated to emergency access only. The southernmost driveway along Mesa Linda Street would be 40 feet wide and would provide access for trucks and passenger vehicles. The northernmost driveway along Lassen Street would be 30 feet wide and limited to passenger vehicles only. The southernmost driveway along Lassen Street would be 40 feet wide and would provide access for trucks and passenger vehicles. Internal circulation would be provided via 30-foot drive aisles. Access to trailer stalls and loading dock areas would be controlled through the use of swinging and sliding gates.

Transit: As described previously, the Project area is served by VVTA. This existing transit service would continue to serve its ridership in the area and may also serve employees of the Project site. The proposed Project would not alter or conflict with existing transit stops and schedules, and impacts related to transit services would not occur.

Bicycle: As previously described, the Project site and surrounding roadways do not currently support bicycle infrastructure. There are currently no plans for future bicycle infrastructure within the Project area. The proposed Project would not conflict with plans to implement Class II facilities and impacts related to bicycle facilities would not occur.

Pedestrian Facilities: As previously described, the Project site and surrounding roadways do not currently support sidewalk infrastructure. A 14-foot sidewalk would be constructed along the Project frontages on Lassen Street, Sultana Street, and Mesa Linda Street. Sidewalk area would be dedicated to the City as part of the Project. There are currently no plans for future pedestrian infrastructure connections within the Project area. Therefore, the Project would result in no impacts to pedestrian facilities.

Table 5.9-1: Consistency with Transportation Plans and Policies

Plan/Policy	Proposed Project Consistency with Policy
City of Hesperia General Plan	
Goal CI-1 Develop a safe, efficient, convenient, and attractive transportation system throughout the community, providing links within the City and with neighboring regions, and accommodating automobile, truck, pedestrian, recreational, equestrian, rail, air, and public transit needs which will meet current and future development requirements within the planning area.	Consistent. The Project would develop Sultana Street and Lassen Street to support safe, efficient, convenient, and attractive transportation for trucks, vehicles, and pedestrians to and from the Project site, which would connect to the existing transportation network.
Policy CI-1.10 Ensure that new development provides for adequate road improvements to serve internal circulation needs, as well as to mitigate impacts of increased traffic on the existing road system.	Consistent. As determined by the Project's VMT Analysis (Appendix H), the Project would not result in significant traffic.
Policy CI-2.5 Maintain the City's development impact fee program for future development which includes improvements to roadways to mitigate the impact of the new development.	Consistent. The Project applicant would pay all applicable development impact fees for the Project, including fair share costs of roadway facilities.
Policy CI-2.8 Reduce trip generation through development and implementation of Transportation Demand Management Programs.	Consistent. The project's effect on VMT would not be considered significant as the Countywide roadway VMT per service population would be reduced with implementation of the project, as discussed below in Section 5.9, *Transportation*, Response b). Therefore, the Project would not conflict with this policy.
Goal CI-4 Provide a circulation system that facilitates the movement of goods and services throughout the City while protecting residences, sensitive land uses, and pedestrians from activities along rail and truck corridors.	Consistent. The Project would utilize designated truck routes including I-15, US Hwy 395, and Joshua Street. Main Street east of US Hwy 395 is no longer designated as a City truck route; therefore, all project truck traffic traveling to and from I-15 will be routed through the Joshua Street interchange.
Policy CI-4.2 Locate new development and their access points in such a way that traffic is not encouraged to utilize local residential streets for access to the development and its parking.	Consistent. The Project would utilize designated truck routes including I-15, US Hwy 395, and Joshua Street. Main Street east of US Hwy 395 is no longer designated as a City truck route; therefore, all project truck traffic traveling to and from I-15 will be routed through the Joshua Street interchange.
Policy CI-4.3 Discourage non-local traffic from using neighborhood streets through project design and traffic control measures.	Consistent. The Project would utilize designated truck routes including I-15, US Hwy 395, and Joshua Street. Main Street east of US Hwy 395 is no longer designated as a City truck route; therefore, all project truck traffic traveling to and from I-15 will be routed through the Joshua Street interchange.
Policy CI-4.4 Develop an efficient and effective truck route system that is compatible with land uses and street improvement standards, and provide monitoring to ensure compatibility.	Consistent. The Project would utilize designated truck routes including I-15, US Hwy 395, and Joshua Street. Main Street east of US Hwy 395 is no longer designated as a City truck route; therefore, all project truck traffic traveling to and from I-15 will be routed through the Joshua Street interchange.
Main Street and Freeway Corridor Specific Plan	
Goal C-1: Increase freeway access to Interstate-15, for purposes of conveying regional traffic into and out of the community.	Consistent. The Project would provide direct access via Mesa Linda Street and Main Street for regional access.

Goal C-2: Explore and provide the highest level of access for all modes of transportation and maintains efficient circulation in the Specific Plan area throughout the day.	Consistent. The Project would develop Sultana Road and Lassen Street in order to provide safe and efficient access between the Project site and regional freeways. Additionally, pedestrian facilities would be implemented to facilitate greater walkability of the area.
Policy C-2.1 Preserve the traffic-carrying capacity of arterial streets by implementing policies that include the promotion of shared access locations among multiple properties or establishments, reciprocal access agreements, shared parking, and the use of side streets to provide access to parcels, if possible.	Consistent. The site would be accessible via local connector roadways, Lassen Street, in addition to Mesa Linda Street. The Project would not contribute substantial traffic increases, as discussed below in Section 5.9, *Transportation*, Response b).
Policy C-2.2 Increase trip reduction efforts.	Consistent. The project's effect on VMT would not be considered significant as the Countywide roadway VMT per service population would be reduced with the implementation of the project, as discussed below in Section 5.9, *Transportation*, Response b). Therefore, the Project would not conflict with this policy.
Policy C-2.9 Promote a safe and attractive pedestrian environment to encourage pedestrian traffic within and across the districts, especially in the City Center District, where wider sidewalks for pedestrians are desirable.	Consistent. A 14-foot sidewalk would be constructed along the Project frontages on Lassen Street, Sultana Street, and Mesa Linda Street. The sidewalk area would be dedicated to the City as part of the Project. Frontages would be landscaped for an attractive pedestrian environment.
RTP/SCS Policy	
RTP/SCS G1: Encourage regional economic prosperity and global competitiveness.	Consistent. The Project would include development of an industrial site that would benefit regional economics by providing increased employment and providing additional goods and services. As an individual development, the Project is limited in its ability to directly contribute to regional economic prosperity and global competitiveness.
RTP/SCS G2: Improve mobility, accessibility, reliability, and travel safety for people ang goods.	Consistent. As an individual development, the Project is limited in its ability to maximize mobility and access for people and goods in the SCAG region. However, the Project would not create substantial traffic impediments that would affect the accessibility of goods in the region and it would provide added mobility in the immediate vicinity of the Project through the incorporation of sidewalks.
RTP/SCS G3: Ensure the preservation, security, and resilience of the regional transportation system.	Not Applicable. As an individual development, the Project is limited in its ability to ensure security and resilience of the regional transportation system. There are no components of the Project that would result in the deterioration of the transportation system.
RTP/SCS G4: Increase person and goods movement and travel choices within the transportation system.	Not Applicable. As an individual development, the Project is limited in its ability to maximize the goods movement and travel choices within the SCAG region. The Project would not create substantial traffic impediments and would not affect the accessibility of goods to the surrounding area. The Project would support the overall distribution and movement of goods in the region.

RTP/SCS G5. Reduce greenhouse gas emissions and improve air quality.	Consistent. While the Project would not improve air quality or reduce greenhouse gas emissions, it would not prevent SCAG from implementing actions that would improve air quality within the region and the Project would incorporate various measures related to building design, landscaping, and energy systems to promote the efficient use of energy, pursuant to Title 24 CALGreen Code and Building Energy Efficiency Standards.
RTP/SCS G6: Support healthy and equitable communities.	Consistent. The Project would comply with Citywide goals and policies to support healthy and equitable communities. Additionally, the Project would construct frontage improvements, including sidewalks, which would encourage walking in the Project area.
RTP/SCS G7: Adapt to a changing climate and support an integrated regional development pattern and transportation network.	Consistent. This policy would be implemented by cities and the counties within the SCAG region as part of their overall planning efforts; the Project is consistent with industrial use planned for the area.
RTP/SCS G8: Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	Not Applicable. This policy would be implemented by cities and the counties within the SCAG region as part of the overall planning and maintenance of the regional transportation system. The Project would not conflict with this goal.
RTP/SCS G9: Encourage development of diverse housing types in areas that are supported by multiple transportation options.	Not Applicable. The proposed Project would develop a warehouse in an area that is designated and zoned for industrial development.

Source: VMT Analysis (Appendix H)

As described above, the Project would be consistent with applicable policies in the City's General Plan, MSFCSP, and the SCAG RTP/SCS. Therefore, the Project would be consistent with all applicable programs, plans, ordinances, or policies addressing the circulation system and impacts would be less than significant.

IMPACT TR-2: WOULD THE PROJECT CONFLICT OR BE INCONSISTENT WITH CEQA GUIDELINES SECTION 15064.3, SUBDIVISION B?

Less than Significant Impact. The City's TIA Guidelines (July 2020) provide VMT analysis methodology, impact thresholds, and screening thresholds to determine if projects would require a VMT analysis. If a project meets one of the following criteria, then the VMT impact of the project is considered less-than significant and no further analysis of VMT would be required:

- The project is located within a Transit Priority Area (TPA).
- The project is located in a low VMT generating area.
- Project Type Screening (the project generates fewer than 110 daily vehicle trips or is considered a local-serving land use).

The applicability of each criterion to the Project is discussed below.

Screening Criteria–1 - Transit Priority Area Screening: According to the City's guidelines, projects located in a TPA may be presumed to have a less than significant impact. The Project is not located in a TPA; therefore, the Project would not satisfy the requirements of Screening Criteria 1 – TPA screening.

Screening Criteria–2 - Low VMT Area Screening: The City's guidelines include a screening threshold for projects located in a low VMT generating area. Low VMT generating area is defined as traffic analysis

zones (TAZs) with a total daily VMT/Service Population (employment plus population) that is less than the County of San Bernardino VMT/Service Population (noted to be 32.7 in the guidelines). The Project site was evaluated using the San Bernardino County Transportation Analysis Model (SBTAM) VMT Screening Tool. According to the results of the online tool, the VMT/Service Population of the Project site TAZ is higher than the County average. Therefore, the Project would not meet Screening Criteria 2 – Low-VMT Area Screening.

Screening Criteria 3 –Project Type: According to the City's guidelines, projects which generate fewer than 110 daily vehicle trips, propose local serving retail (retail projects less than 50,000 square feet) or other local serving uses would have a less than significant impact on VMT. As shown in Table 5.9-1, the Project would generate more than 110 daily trips. Furthermore, the Project is not a local serving use.

Because the Project would not meet any of the City's screening criteria, the Project's impact on VMT would not be considered less than significant and an analysis of VMT was prepared for the Project (Appendix H). As described previously, State CEQA Guidelines Section 15064.3(b) focuses on determining the significance of VMT-related transportation impacts. As stated above, according to the City's TIA Guidance, a project's VMT impacts are considered significant if the project baseline and cumulative VMT per service population is above the County's regional average or if the project results in a greater countywide link-level VMT per service population.

The VMT analysis results are shown in Tables 5.9-2 through 5.9-4. As shown in Table 5.9-2, the Project would have a less than significant impact on VMT in the baseline and cumulative conditions. The 2022 Project VMT per service population would be 27.7, which is 15 percent below the County's regional average of 32.7. The Cumulative Project (future scenario) VMT per service population would be 23.3, which is 28.78 percent below the County's regional average of 32.7.

The Project's effect on VMT would not be considered significant as the Countywide roadway VMT per service population would be reduced with implementation of the Project.

In summary, because the baseline and cumulative VMT per service population is below the County's regional average of 32.7 and the project would result in a lower countywide link-level VMT per service population, the Project would have a less than significant impact on VMT.

Table 5.9-2: Project Trip Generation

				AM Peak Hour			PM Peak Hour		
Land Use		**Units**	**Daily**	**In**	**Out**	**Total**	**In**	**Out**	**Total**
Trip Rates									
High Cube Transload and Short-Term Storage Warehouse[1]		TSF	1.40	0.06	0.02	0.08	0.03	0.07	0.10
Total Vehicle Trip Generation									
Mesa Linda Street Development	408.997	TSF	573	25	8	33	11	29	41
Vehicle Mix[2]		***Percent***							
Passenger Vehicles		69.00%	395	17	5	23	8	20	28
2-Axle Trucks		6.80%	39	2	1	2	1	2	3
3-Axle Trucks		5.50%	31	1	0	2	1	2	2
4+-Axle Trucks		18.70%	107	5	1	6	2	6	8
		100%	573	25	8	33	11	29	41
PCE Trip Generation[3]		***PCE Factor***							
Passenger Vehicles		1.0	395	17	5	23	8	20	28
2-Axle Trucks		1.5	58	3	1	3	1	3	4
3-Axle Trucks		2.0	63	3	1	4	1	3	4
4+-Axle Trucks		3.0	321	14	4	18	6	17	23
Total PCE Trip Generation			838	37	11	48	17	43	59

TSF = Thousand Square Feet

PCE = Passenger Car Equivalent

[1] Trip rates from the Institute of Transportation Engineers, *Trip Generation,11th Edition, 2021*. Land Use Code 154 - High-Cube Transload and Short-Term Storage Warehouse.

[2] Vehicle Mix from the *SCAQMD Warehouse Truck Trip Study*. July 17, 2017.

[3] Passenger Car Equivalent (PCE) factors from San Bernardino County CMP, Appendix B - Guidelines for CMP Traffic Impact Analysis Reports in San Bernardino County, 2016

Source: VMT Analysis (Appendix H)

Table 5.9-3: VMT Analysis of Project Impact

	2016	2040	2022
Project Zone VMT	7,973	20,913	11,208
TAZ 53901101 Population	-	-	-
TAZ 53901101 Employment	241	898	405
TAZ 53901101 Service Population	241	898	405
Project VMT/SP	33.1	23.3	27.7
Baseline Threshold[1]	**Baseline Proj VMT/SP**	**% Above/Below Threshold**	**Baseline VMT Impact?**
32.7	27.7	-15.42%	No
Cumulative Threshold[1]	**Cumulative Proj VMT/SP**	**% Above/Below Threshold**	**Cumulative VMT Impact?**
32.7	23.3	-28.78%	No

[1] The Baseline and Cumulative Thresholds of 32.7 VMT per service population are based on the County of San Bernardino County regional average VMT per service population, which is cited on page 28 and 29 of the City's TIA Guidelines.

Source: VMT Analysis (Appendix H)

Table 5.9-4: 2016 Project Effect on VMT

	Without Project	With Project	VMT Impact?
Countywide Roadway VMT	52,756,997	52,761,003	
Countywide Population	2,140,539	2,140,539	
Countywide Employment	790,400	790,641	
Countywide Service Population	2,930,939	2,931,180	
Countywide VMT/SP	18.000032	17.999919	No

Source: VMT Analysis (Appendix H)

Table 5.9-5: 2040 Project Effect on VMT

	Without Project	With Project	VMT Impact?
Countywide Roadway VMT	80,871,734	80,694,153	
Countywide Population	2,721,775	2,721,775	
Countywide Employment	1,027,872	1,028,770	
Countywide Service Population	3,749,647	3,750,545	
Countywide VMT/SP	21.56782596	21.52	No

Source: VMT Analysis (Appendix H)

IMPACT TR-3: WOULD THE PROJECT SUBSTANTIALLY INCREASE HAZARDS DUE TO A GEOMETRIC DESIGN FEATURE (E.G., SHARP CURVES OR DANGEROURS INTERSECTIONS) OR INCOMPATIBLE USES (E.G., FARM EQUIPMENT)?

Significant and Unavoidable. Access to the Project site would be provided via two unsignalized full-access driveways on Mesa Linda Street and two unsignalized full-access driveways on Lassen Street. The northernmost driveway along Mesa Linda Street would be 30 feet wide and dedicated to emergency access only. The southernmost driveway along Mesa Linda Street would be 40 feet wide and would provide access for trucks and passenger vehicles. The northernmost driveway along Lassen Street would be 30 feet wide and limited to passenger vehicles only. The southernmost driveway along Lassen Street would be 40 feet wide and would provide access for trucks and passenger vehicles. Internal circulation would be provided via 30-foot drive aisles. Trucks are expected to primarily utilize US 395, I-15, and Joshua Street, which are all designated truck routes within the city.

Proposed roadway improvements as required by the Project are summarized below. All roadway improvements would be constructed in accordance with all applicable local, state, and federal roadway standards and practices.

- Lassen Street would be built to a 36-foot half width along the west side of the Project.
- The west side of Lassen Street would be constructed as part of I-15 Industrial Park Project.
- Sultana Street would be built to a 36-foot half width along the north side of the Project.
- Mesa Linda Street would be built to a 41'8" half width along the east side of the Project.
- The Project would construct 14-foot sidewalks on Lassen Street and Sultana Street as well as 8'4" sidewalks on Mesa Linda Street.

LOS Analysis

The LOS analysis provided is informational only and does not substantiate a significant impact under CEQA pursuant to Public Resources Code (PRC) § 21099(b)(2), which states that automobile delay, as described solely by LOS or similar measure of traffic congestion, is no longer considered a significant impact under CEQA. The information provided in this document has been incorporated upon request by the City to summarize analysis from the Traffic Impact Analysis (Appendix I) and disclose it as part of the CEQA process.

LOS A indicates free-flow traffic conditions and is generally the best operating conditions while LOS F is an extremely congested condition and is considered the worst operating condition from the driver's perspective. The City of Hesperia utilizes a LOS standard of LOS D or better on all roadways and intersections. LOS E during peak hours is considered acceptable through freeway interchanges and major corridors (Bear Valley Road, Main Street/Phelan Road, US 395). The City identifies conditions as an impact if a project causes an intersection to deteriorate from acceptable LOS (LOS D or better) to an unacceptable LOS (LOS E or F). At an intersection already operating at LOS E or F in the baseline condition, a project impact would occur if the project added measurable delay (5 seconds or more) to an intersection already operating at an unacceptable LOS.

In addition to LOS, the City identifies a significant queueing deficiency for the following scenarios:

a) The addition of project trips causes the queue to exceed the storage length.
b) The project adds one car length (25 feet) of queue to a queue that exceeds the storage length in the baseline condition.

The Opening Year (2024) Baseline levels of service (LOS) (e.g. future conditions without Project) at the study area intersections were determined using methodology from the Highway Capacity Manual (HCM), 6th Edition.

Table 5.9-6: Opening Year (2024) AM and PM Peak Hour Levels of Service

Intersection	Traffic Control	Opening Year 2024				Opening Year 2024 with Project				AM Delay Difference	PM Delay Difference	Acceptable LOS[3]	Impact[4]	Recommended Improvements	Opening Year Plus Project IMP				Impact[4]
		AM Peak		PM Peak		AM Peak		PM Peak							AM Peak		PM Peak		
		Delay[1]	LOS[2]	Delay[1]	LOS[2]	Delay[1]	LOS[2]	Delay[1]	LOS[2]						Delay[1]	LOS[2]	Delay[1]	LOS[2]	
1. US-395/Poplar St	TWSC	>400	F	>400	F	>400	F	>400	F	>5.0	>5.0	E	Yes	Install a traffic signal, add a 3rd NBT lane, add a NBR turn lane, add a 2nd SBL turn lane, add a 2nd SBT lane.	10.4	B	19.7	B	No
2. US-395/Three Flags Rd	Signal	21.8	C	21.4	C	22.0	C	21.6	C	0.2	0.2	E	No	-	-	-	-	-	-
3. US-395/Joshua St	Signal	32.7	C	46.7	D	33.5	C	49.2	D	0.8	2.5	E	No	-	-	-	-	-	-
4. Main St/Mesa Linda St	Signal	17.0	B	19.1	B	17.4	B	20.6	C	0.4	1.5	E	No	-	-	-	-	-	-
5. Main St/Key Pointe Ave	Signal	37.5	D	70.8	E	37.8	D	71.5	E	0.3	0.7	E	No	-	-	-	-	-	-
6. Main St/I-15 SB Off Ramp	Signal	18.6	B	13.4	B	18.8	B	13.4	B	0.2	0.0	E	No	-	-	-	-	-	-
7. Main St/I-15 NB Ramps	Signal	18.7	B	14.7	B	18.0	B	14.7	B	-0.7	0.0	E	No	-	-	-	-	-	-
8. Three Flags Ave-Lassen St/Poplar St	TWSC	49.1	E	32.7	D	58.8	F	37.6	E	9.7	4.9	D	Yes	Convert to an all-way stop control and add an eastbound left-turn lane.	14.6	B	19.2	C	No
9. Mesa Linda St/Sultana Rd	TWSC	13.3	B	13.6	B	13.4	B	13.7	B	0.1	0.1	D	No	-	-	-	-	-	-
10. Joshua Rd/Outpost Rd	TWSC	30.7	D	41.3	E	31.5	D	43.1	E	0.8	1.8	E	No	-	-	-	-	-	-
11. Joshua St/I-15 SB Off-Ramp	TWSC	60.2	F	15.9	C	65.4	F	16.2	C	5.2	0.3	E	Yes	Install a traffic signal.	23.2	C	22.4	C	No
12. Joshua St/I-15 NB On-Ramp	TWSC	7.9	A	9.2	A	7.9	A	9.3	A	0.0	0.1	E	No	-	-	-	-	-	-
13. Lassen St/North Dwy	TWSC	-	-	-	-	8.6	A	8.6	A	-	-	D	No	-	-	-	-	-	-
14. Lassen St/South Dwy	TWSC	-	-	-	-	8.6	A	8.6	A	-	-	D	No	-	-	-	-	-	-
15. Mesa Linda St/North Dwy	TWSC	-	-	-	-	8.5	A	8.5	A	-	-	D	No	-	-	-	-	-	-
16. Mesa Linda St/South Dwy	TWSC	-	-	-	-	8.6	A	8.6	A	-	-	D	No	-	-	-	-	-	-

=Unsatisfactory Level of Service

TWSC = Two-Way Stop Control

[1] Delay in Seconds

[2] Level of Service

[3] Acceptable LOS per the City of Hesperia's General Plan Circulation Element - Goal C1-2.

[4] The City of Hesperia utilizes a LOS standard of LOS D. An impact would occur if the project causes an intersection to deteriorate from acceptable LOS (LOS D or better) to an unacceptable LOS (LOS E or F). At an intersection already operating at LOS E or F in the baseline condition, a project impact would occur if the project adds measurable delay (5 seconds or more) to an intersection already operating at an unacceptable LOS.

Table 5.9-6 shows the Opening Year (2024) Baseline AM and PM peak hour levels of service at study intersections with and without the proposed Project. As shown in Table 5.9-6, all study intersections would operate at satisfactory LOS in the Opening Year (2024) with or without the Project except for the following intersections which are forecast to operate at a deficient LOS E or F:

- US-395/Poplar Street
- Three Flags Ave-Lassen St/Poplar St
- Joshua Street/I-15 SB Off-Ramp

When compared to the Opening Year scenario without Project, the Project adds more than 5 seconds of delay to the deficient intersections, and therefore, would have a significant effect on traffic operations at the intersections of US-395/Poplar Street, Three Flags Avenue-Lassen Street/Poplar Street, and Joshua Street/I-15 SB Off-Ramp in the Opening Year Plus Project scenario. The following improvements are recommended to improve the deficient intersections.

US-395/Poplar Street Recommended Improvement: The California Manual on Uniform Traffic Control Devices (CAMUTCD) peak hour traffic signal warrant is met for the intersection of US-395/Poplar Street under the Opening Year Plus Project scenario; therefore, installing a traffic signal and adding a 3rd northbound through lane, northbound right-turn lane, 2nd southbound left-turn lane, and 2nd southbound through lane as an improvement would reduce the Project traffic for the intersection of US-395/Poplar Street in the Opening Year Plus Project scenario. With the implementation of this improvement, the LOS operations at the intersection of US-395/Poplar Street would be improved to a satisfactory LOS B.

Three Flags Avenue-Lassen Street/Poplar Street Recommended Improvement: The CAMUTCD multi-way stop control warrant is met for the intersection of Three Flags Avenue-Lassen Street/Poplar Street under the Opening Year Plus Project scenario; therefore, changing the Three Flags Avenue-Lassen Street/Poplar Street intersection control from Two-Way Stop Control (TWSC) to an All-Way Stop Control (AWSC) would improve the intersection's LOS to a satisfactory LOS C in the Opening Year Plus Project scenario.

Joshua Street/I-15 SB Off-Ramp Recommended Improvement: The CAMUTCD traffic signal warrant is met for the intersection of Joshua Street/I-15 SB Off-Ramp under the Opening Year Plus Project scenario; therefore, installing a traffic signal would improve the traffic conditions for the intersection of Joshua Street/I-15 SB Off-Ramp in the Opening Year Plus Project scenario. With the implementation of this improvement, the LOS operations at the intersection of Joshua Street/I-15 SB Off-Ramp would be improved to a satisfactory LOS C.

Queueing Analysis

A queueing analysis has been conducted for all intersections on Main Street, US 395 and Joshua Street for the Opening Year 2024 Plus Project condition to assess vehicle queues along the roadways (Appendix I). The results of the queueing analysis show that several intersections would be deficient in the Opening Year with and without the Project; however, the Project would cause a queueing deficiency in the Opening Year 2024 Plus Project condition at only one of the approaches (see Table 5.9-7):

- US 395/Poplar Street
    - Westbound left-turn lane.

The City has identified this as a potentially significant hazard condition, which should be evaluated under CEQA.

Table 5.9-7: Opening Year 2024 Without and With-Project Queueing Analysis

Intersection	Turning Movement	Available Queue Length (Ft)	Opening Year Without Project		Opening Year With Project		Project Deficiency?[1]		Queue Difference		Opening Year With Project		Less than Baseline?	
			AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
			Required Queueing (Ft)	Required Queueing (Ft)	Required Queueing (Ft)	Required Queueing (Ft)			Queueing Difference (Ft)	Queueing Difference (Ft)	With Mitigation Queueing (Ft)	With Mitigation Queueing (Ft)		
1. US-395/Poplar St	NBL[2]	150	9	6	9	6	No	No	-	-	-	-	-	-
	NBR[2]	100	-	-	-	-	-	-	-	-	89	10	Yes	Yes
	SBL	373	27	9	30	10	No	No	-	-	-	-	-	-
	SBR[2]	100	0	0	0	0	No	No	-	-	-	-	-	-
	EBL[2]	100	53	118	53	118	No	No	-	-	-	-	-	-
	WBL	507	564	1578	607	1698	Yes	Yes	43	120	101	314	Yes	Yes
	WBR	507	97	376	113	399	No	No	-	-	-	-	-	-
2. US-395/Three Flags Rd	NBL	190	63	89	63	89	No	No	-	-	-	-	-	-
	NBR	190	47	47	47	47	No	No	-	-	-	-	-	-
	SBL	224	56	49	56	49	No	No	-	-	-	-	-	-
	SBR	224	26	34	26	34	No	No	-	-	-	-	-	-
	EBL	182	36	77	36	77	No	No	-	-	-	-	-	-
	WBL	274	312	305	312	305	No	No	-	-	-	-	-	-
3. US-395/Joshua St	NBL	191	14	44	14	44	No	No	-	-	-	-	-	-
	NBR	226	54	231	54	232	No	No	-	-	-	-	-	-
	SBL	200	247	555	251	569	No	No	-	-	-	-	-	-
	SBR	223	35	8	35	8	No	No	-	-	-	-	-	-
	EBL	140	22	62	22	62	No	No	-	-	-	-	-	-
	WBL	100	414	334	414	334	No	No	-	-	-	-	-	-
	WBR	100	283	232	293	235	No	No	-	-	-	-	-	-
4. Main St/Mesa Linda St	NBR	100	54	184	71	188	No	No	-	-	-	-	-	-
	SBR	100	10	3	12	3	No	No	-	-	-	-	-	-
	EBL	340	202	361	199	379	No	No	-	-	-	-	-	-
	WBL	150	365	210	358	216	No	No	-	-	-	-	-	-
5. Main St/Key Pointe Ave	NBL	222	4	45	5	45	No	No	-	-	-	-	-	-
	NBR	100	90	256	90	256	No	No	-	-	-	-	-	-
	SBL	136	192	389	192	389	No	No	-	-	-	-	-	-
	EBL	210	42	98	42	98	No	No	-	-	-	-	-	-
	EBR	210	4	11	4	11	No	No	-	-	-	-	-	-
	WBL	177	260	515	260	515	No	No	-	-	-	-	-	-
6. Main St/I-15 SB Ramps	SBL	549	52	111	52	110	No	No	-	-	-	-	-	-
	SBR	515	293	209	297	209	No	No	-	-	-	-	-	-
7. Main St/I-15 NB Ramps	NBL	600	335	141	318	138	No	No	-	-	-	-	-	-
	NBR	615	46	134	47	134	No	No	-	-	-	-	-	-
10. Joshua Rd/Outpost Rd	SBL	100	29	45	31	47	No	No	-	-	-	-	-	-
	SBR	100	45	18	46	18	No	No	-	-	-	-	-	-
11. Joshua St/I-15 SB Off-Ramp	SBL	25	14	7	14	7	No	No	-	-	-	-	-	-
	SBR	1500	567	106	601	108	No	No	-	-	-	-	-	-
12. Joshua St/I-15 NB On-Ramp	EBLT[3]	980	17	57	17	58	No	No	-	-	-	-	-	-

Indicates queueing required greater than storage available

[1] The project would cause a deficiency if: a) The addition of project trips causes the queue to exceed the storage length and b) The project adds one car length (25 feet) of queue to a queue that exceeds the storage length in the baseline condition.

[2] Future Approches.

[3] Available queue length is measured from the Joshua St/I-15 SB Off-Ramp intersection.

Consistent with the measure identified to improve LOS conditions, the recommended improvement for the US-395/Poplar Street intersection to:

- install a traffic signal,
- add a 3rd northbound through lane,
- add a northbound right-turn lane,
- add a 2nd southbound left-turn lane, and
- add a 2nd southbound through lane

would also mitigate the Project's queueing impact on the intersection in the Opening Year 2024 Plus Project condition. These measures would improve the overall traffic queueing to 101 feet during the AM peak hour and 314 feet during the PM peak hour, which is within the available queue length storage at the intersection.

However, since the City does not have jurisdiction over these California Department of Transportation facilities, these improvements cannot be assumed to be in place prior to the Project's occupancy. Therefore, the Project's impact to increase in hazardous conditions (i.e., queuing) would remain significant and unavoidable.

5.9.7 CUMULATIVE IMPACTS

Vehicle Miles Traveled

The cumulative traffic study area for the proposed Project includes the City of Hesperia. The Project would not result in a significant project-generated VMT impact or effect on VMT according to the City's TIA Guidance; thus, the Project is presumed to have a less than significant impact on VMT. Cumulative development would be subject to site-specific environmental and planning reviews that would address VMT impacts and mitigate impacts accordingly as feasible. Thus, the proposed Project would not result in cumulative impacts related to VMT.

Design and Roadway Hazards

The evaluation of Impact TR-3 concluded that the proposed Project would result in significant and unavoidable impacts associated with increasing hazards due to a geometric design feature related to queuing at the intersections of US-395/Poplar Street under the Opening Year (2024) Baseline analysis scenario. However, these facilities are not within the City's jurisdiction, but rather within the jurisdiction of other agencies, such as the California Department of Transportation. Since the City does not have jurisdiction over these facilities; the proposed intersection and roadway improvements cannot be assumed to be in place prior to Project's occupancy. Therefore, the Project's impact to increase in hazardous conditions (i.e., queuing) would be significant and unavoidable, and the Project could thereby contribute to a cumulatively considerable impact associated with queuing and hazardous design features.

Alternative Transportation

The evaluation of Impact TR-1 concluded that the proposed Project would not result in significant impacts related to alternative transportation or policies addressing the circulation system. Cumulative development in the City and surrounding jurisdictions would be subject to site-specific reviews, including reviews of sidewalk, bike lane, and bus stop designs that would not allow potential cumulatively considerable impacts related to alternative transportation. Therefore, the Project would not cumulatively combine with other projects to result in impacts related to alternative transportation. Thus, cumulative impacts would be less than significant.

5.9.8 EXISTING STANDARD CONDITIONS AND PLANS, PROGRAMS, OR POLICIES

- City of Hesperia General Plan, Circulation Element, 2010
- City of Hesperia Development Code
- City of Hesperia Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT)
- Level of Service Assessment (LOS).

5.9.9 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Impacts TR-1 and TR-2 would be less than significant. Impact TR-3 would be significant and unavoidable.

5.9.10 MITIGATION MEASURES

No feasible mitigation measures.

5.9.11 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Proposed improvements required to mitigate Impact TR-3 would reduce the queuing deficiency of the US-395/Poplar Street intersection to a less than significant level. However, since the City does not have jurisdiction over these facilities, these improvements cannot be assumed to be in place prior to Project's occupancy. Therefore, Project's impact to increase in hazardous conditions (i.e. queuing) would be significant and unavoidable

REFERENCES

City of Hesperia. 2020. City of Hesperia Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment (LOS).

City of Hesperia. 2010. City of Hesperia General Plan. City of Hesperia General Plan.

City of Hesperia. 2021. Hesperia Main Street and Freeway Corridor Specific Plan.

EPD Solutions. 2022. Vehicle Miles Traveled (VMT) Analysis (Appendix H).

EPD Solutions. 2023. Traffic Impact Analysis (Appendix I).

SCAG. 2020. Connect SoCal (2020–2045 Regional Transportation Plan/Sustainable Communities Strategy). http://scagrtpscs.net/Documents/2020/2020RTPSCS_LocalInputProcessFS.pdf.

5.10 Tribal Cultural Resources

5.10.1 INTRODUCTION

This section addresses potential impacts to tribal cultural resources associated with implementation of the Project. In adopting AB 52, the Legislature stated: "Recognize that California Native American tribes may have expertise with regard to their tribal history and practices, which concern the tribal cultural resources with which they are traditionally and culturally affiliated. Because the California Environmental Quality Act calls for a sufficient degree of analysis, tribal knowledge about the land and tribal cultural resources at issue should be included in environmental assessments for projects that may have a significant impact on those resources". The primary source of this analysis is based upon Project-specific coordination and consultation with California Native American tribes that are traditionally and culturally affiliated with the Project region. The analysis in this section is also based, in part, on the following documents and resources:

- City of Hesperia General Plan, Conservation Element, 2010
- City of Hesperia General Plan 2010 Final Environmental Impact Report, Michael Brandman Associates, December 2010
- Cultural Resources Assessment, Material Culture Consulting (MCC 2022), which is provided as Appendix D to this EIR.

5.10.2 REGULATORY FRAMEWORK

5.10.2.1 STATE REGULATIONS

California Assembly Bill 52

Assembly Bill 52 (AB 52) established a new requirement under CEQA to consider "tribal cultural values, as well as scientific and archaeological values when determining impacts and mitigation." Public Resources Code (PRC) Section 21074(a) defines "tribal cultural resources" (TCRs) as "[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" that are either "[i]ncluded or determined to be eligible for inclusion in the California Register of Historical Resources" or "in a local register of historical resources." Additionally, defined cultural landscapes, historical resources, and archaeological resources may be considered tribal cultural resources. (PRC § 21074(b), (c)). The lead agency may also in its discretion treat a resource as a TCR if it is supported with substantial evidence.

Projects for which a Notice of Preparation of a Draft EIR was filed on or after July 1, 2015 are required to have lead agencies offer California Native American tribes traditionally and culturally affiliated with the project area consultation on CEQA documents prior to submitting an EIR in order to protect TCRs. PRC Section 21080.3.1(b) defines "consultation" as "the meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties' cultural values and, where feasible, seeking agreement." Consultation must "be conducted in a way that is mutually respectful of each party's sovereignty [and] recognize the tribes' potential needs for confidentiality with respect to places that have traditional tribal cultural significance." The consultation process is outlined as follows:

1. California Native American tribes traditionally and culturally affiliated with the project area submit written requests to participate in consultations.
2. Lead agencies are required to provide formal notice to the California Native American tribes that requested to participate within 14 days of the lead agency's determination that an application package is complete or decision to undertake a project.
3. California Native American tribes have 30 days from receipt of notification to request consultation on a project.

4. Lead agencies initiate consultations within 30 days of receiving a California Native American tribe's request for consultation on a project.
5. Consultations are complete when the lead agencies and participating California Native tribes have agreed on measures to mitigate or avoid a significant impact on a TCR, or after a reasonable effort in good faith has been made and a party concludes that a mutual agreement cannot be reached (PRC §§ 21082.3(a), (b)(1)-(2); 21080.3.1(b)(1)).

AB 52 requires that the CEQA document disclose significant impacts on TCRs and discuss feasible alternatives or mitigation to avoid or lessen an impact.

California Health and Safety Code Section 7050.5

Health & Safety Code Section 7050.5 requires that if human remains are discovered in the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation into 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. If the coroner determines the remains are not subject to his or her authority and recognizes or has reason to believe the human remains are those of a Native American, he/she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

California Public Resources Code Sections 5097.9 to 5097.991

PRC Sections 5097.9 to 5097.991 provide protection to Native American historical and cultural resources and sacred sites and identify the powers and duties of the NAHC. These sections also require notification to descendants of discoveries of Native American human remains and provide for treatment and disposition of human remains and associated grave goods.

5.10.2.2 LOCAL REGULATIONS

City of Hesperia General Plan Conservation Element

The City General Plan Conservation Element contains the following goal and policies that are applicable to the Project:

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

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

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

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

Policy CN-5.5. Through its CEQA and other environmental procedures, the City shall notify appropriate Native American representatives of possible development and shall comply with all State and Federal requirements concerning the monitoring and preservation of Native American artifacts and places.

5.10.3 ENVIRONMENTAL SETTING

Native American Tribes

The Project is within an area considered the Traditional Tribal Land of the Serrano people. As part of development of the Phase I Cultural and Paleontological Resources Assessment (Appendix D), Material Culture Consulting (MCC) conducted research using several resources to identify potential tribal cultural resources within the Project site. The assessments included a California Historical Resources Information System (CHRIS) records search at the South Central Coastal Information Center (SCCIC), background and literature research, a search of the Sacred Lands File (SLF) by the Native American Heritage Commission (NAHC), outreach efforts with 10 Native American tribal representatives, an examination of geological maps and paleontological literature, a locality search at the Natural History Museum of Los Angeles County (LACM), and an intensive-level pedestrian survey of the Project site. MCC reached out to 10 tribes, provided by NAHC, that have indicated an interest in the region associated with the Project site. During outreach efforts, MCC received two responses, from the San Manuel Band of Mission Indians (SMBMI) and the Quechan Tribe of the Fort Yuma Reservation, stating that the tribes had no additional comments. None of the tribes identified potential tribal cultural resources within the Project site. Additionally, no tribal cultural resources were identified as part of the MCC's site survey and records search of the Project site.

Site Conditions

As discussed in Section 5.4, Cultural Resources, a portion of the Project site had previously been occupied as a homestead from 1861 to 1864. The homestead has since been abandoned and the Project site is currently vacant. Therefore, the site soil is mostly undisturbed. The Phase I Cultural Report (Appendix D) identified the Project site as consisting of native soils made up of coarse-grained, light brown sand with decomposing granitic pebbles attributed to the middle Holocene-age young alluvial fan deposits, Unit 3 (Qyf3). The site is not listed on the NAHC Sacred Lands File.

5.10.4 THRESHOLDS OF SIGNIFICANCE

Appendix G of State CEQA Guidelines indicates that a project could have a significant effect if it were to 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:

TCR-1 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

TCR-2 A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, that considers the significance of the resource to a California Native American tribe.

5.10.5 METHODOLOGY

In compliance with AB 52, on December 7th, 2022, the City sent letters via email to the following Native American groups or individuals that may have knowledge regarding tribal cultural places or heritage sites in the Project area:

- Cabazon Band of Mission Indians,
- Torres Martinez Desert Cahuilla Indians, and

- San Manuel Band of Mission Indians

As a result of tribal consultation, no tribal cultural resources were identified within the Project site by the tribes and tribal cultural measures were not included.

5.10.6 ENVIRONMENTAL IMPACTS

IMPACT TCR-1: WOULD THE PROJECT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A TRIBAL CULTURAL RESOURCE 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)?

Less than Significant Impact with Mitigation. Based on literature review (i.e., records check and archival research) and pedestrian surveys, no prehistoric resource sites or isolates—including a historic TCR—as defined by PRC Section 5020.1(k) have been identified within the Project site. As discussed in Section 5.4, Cultural Resources, potential for encountering paleontological resources within the Project site is considered moderate due to the presence of sensitive middle to early Pleistocene-age very old axial-channel deposits (Qvoa) within the vicinity of the Project site, and the potential for these sediments to be encountered at depth within the Projects site during Project construction.

The Project would include construction of a one-story 408,997-square foot (SF) warehouse. Construction of the proposed Project would include earthmoving activities, such as grading, which have the potential to disturb previously unknown tribal cultural resources. Project construction would require excavation of up to seven feet below ground surface, it is possible that the development of the Project could disturb native soils that may inadvertently uncover archaeological resources. As a result, Mitigation Measure CUL-1 is included (as detailed in Section 5.4, *Cultural Resources*) which requires that a qualified archeologist be retained and present at pre-grade meetings, as well as for all initial ground disturbing activities, such as site preparation, up to five feet in depth, in order to quickly assess the potential for discoveries of archaeological resources during construction. The Main Street and Freeway Corridor Specific Plan (MSFCSP) Final Environmental Impact Report (EIR) included Mitigation Measure 6, which requires the landowner to relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the Project site to the appropriate Tribe for proper treatment and disposition.

The Project would include implementation of PPP TCR-1, PPP CUL-1, Mitigation Measure CUL-1, and Mitigation Measure 6 from the MSFCSP EIR, which would ensure that potential impacts on the inadvertent discovery of tribal cultural resources are less than significant.

IMPACT TCR-2: WOULD THE PROJECT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A TRIBAL CULTURAL RESOURCE DETERMINED BY THE LEAD AGENCY, IN ITS DESCRETAION AND SUPPORTED BY SUBSTANTIAL EVIDENCE, TO BE SIGNIFICANT PURSUANT TO CRITERIA SET FORTH IN SUBDIVISION (c) OF PUBLIC RESOURCES CODE SECTION 5024.1, THAT CONSIDERS THAT SIGNIFICANCE OF THE RESOURCE TO A CALIFORNIA NATIVE AMERICAN TRIBE?

Less than Significant Impact with Mitigation. The Project site contains mostly native soils and is mostly undisturbed. There were no known tribal cultural resources identified within the Project site by the Phase I Cultural Resources Assessment (Appendix D). Additionally, as part of the City's AB 52 consultation process, the City reached out to Cabazon Band of Mission Indians, Torres Martinez Desert Cahuilla Indians, and San Manuel Band of Mission Indians. No known no tribal cultural resources or sensitive sites were identified within the Project site during the AB 52 consultation process.

Project construction would require ground disturbing activities that could result in the excavation of soils up to seven feet in depth and has the potential to disturb unknown tribal cultural resources on the Project site. California Health and Safety Code Section 7050.5 and CEQA Guidelines 15064.5(e) requires that if human remains are discovered, disturbance to the site shall halt and remain halted until the coroner has conducted an investigation. If the coroner determines that the remains are those of a Native American, he or she shall contact the Native American Heritage Commission by telephone within 24 hours. Although AB 52 consultation did not yield substantial evidence that listed or eligible tribal cultural resources—pursuant to criteria in PCR Section 5024.1(c)— within the Project site, PPP TRC-1, PPP CUL-1, Mitigation Measure CUL-1, and Mitigation Measure 6 from the MSFCSP EIR would be implemented to ensure that potential impacts related to the inadvertent discovery of tribal cultural resources are less than significant.

Furthermore, the Project would be subject to CEQA Guidelines Section 15064.5, PRC Section 21083.2 and 5097.9, and Health and Safety Code Section 7050.5, to properly recover human remains if encountered. Therefore, with implementation of mitigation and applicable regulations, impacts related to tribal cultural resources would be less than significant.

5.10.7 CUMULATIVE IMPACTS

The cumulative study area for tribal cultural resources includes the City of Hesperia, which contains the same general tribal historic setting. Other projects throughout the City that would involve ground disturbances could reveal buried tribal cultural resources.

Cumulative impacts to tribal cultural resources would be reduced by compliance with applicable regulations and consultations required by AB 52. As described above, the Project area is not known to contain tribal cultural resources; however, Mitigation Measure CUL-1 and MSFCSP EIR Mitigation Measure 6 would be implemented to ensure that impacts would not occur in the case of an inadvertent discovery of a potential tribal cultural resource. These mitigation measures ensure that the Project would not contribute to a cumulative loss of tribal cultural resources. Therefore, potential cumulative impacts would be less than significant.

5.10.8 EXISTING STANDARD CONDITIONS AND PLANS, PROGRAMS, OR POLICIES

- California Government Code Sections 5097.9-5097.99
- California Health and Safety Code Section 7050.5
- California Public Resources Code Sections 21073 et seq. (AB 52)

The following Plans, Programs, or Policies (PPP) related to tribal cultural resources are incorporated into the Project and would reduce impacts related to tribal cultural resources. These actions will be included in the Project's mitigation monitoring and reporting program (MMRP):

PPP TCR-1: Native American historical and cultural resources and sacred sites are protected under PRC Sections 5097.9 to 5097.991, which require that descendants be notified when Native American human remains are discovered and provide for treatment and disposition of human remains and associated grave goods.

PPP CUL-1: Human Remains. Should human remains or funerary objects be discovered during Project construction, the Project would be required to comply with State Health and Safety Code Section 7050.5, which states that no further disturbance may occur in the vicinity of the body (within a 100-foot buffer of the find) until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine the identity of and notify a Most Likely Descendant (MLD). With the permission of the landowner

or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD must complete the inspection within 48 hours of notification by the NAHC.

5.10.9 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Without mitigation, Impacts TCR-1 and TCR-2 would be **potentially significant**:

- Impacts TCR-1 and TCR-2: Ground disturbance activities associated with Project construction have the potential to impact unknown buried tribal cultural resources.

5.10.10 MITIGATION MEASURES

Mitigation Measure CUL-1: Archaeological Resources (As provided in Section *5.4 Cultural Resources*).

Main Street and Freeway Corridor Specific Plan Final Environmental Impact Report Mitigation included the following applicable mitigation measure:

Mitigation Measure 6: The landowner will relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project area to the appropriate Tribe for proper treatment and disposition.

5.10.11 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Mitigation Measures identified above, along with existing regulatory programs, would reduce potential impacts associated with Tribal Cultural Resources for Impacts TCR-1 and TCR-2 to a level that is less than significant. Therefore, no significant unavoidable adverse impacts related to Tribal Cultural Resources would occur.

REFERENCES

Material Culture Consulting. May 2022. Phase I Cultural and Paleontological Resources Assessment (Appendix D).

HDR Engineering, Inc. November 2008. Main Street and Freeway Corridor Specific Plan Final Environmental Impact Report

5.11 Utilities and Service Systems

5.11.1 INTRODUCTION

This section of the Draft EIR evaluates the potential effects on utilities and service systems from implementation of the Project by identifying anticipated demand and existing and planned utility availability. This includes water supply and infrastructure, wastewater, drainage, and solid waste.

Because CEQA focuses on physical environmental effects, this section analyzes whether construction or installation of utility and service systems would result in significant adverse physical environmental effects. For example, an increase in water demand, by itself, would not be considered a physical change in the environment; however, physical changes in the environment resulting from the construction of new water lines could constitute a significant impact under CEQA.

5.11.2 ENVIRONMENTAL SETTING

Water

Water service to the Project site would be provided by the Hesperia Water District (HWD). The Hesperia Water District 2020 Urban Water Management Plan (UWMP 2021) was prepared for the HWD and therefore accounts for the water usage that would be attributed to development of the Project site, consistent with its existing land use designation. There is an existing 12-inch diameter water line in Sultana Street.

Wastewater

The Project site receives wastewater service from the City of Hesperia with connections to sewer lines in Sultana Street. Wastewater generated from the Project would be conveyed to the Victor Valley Wastewater Reclamation Authority (VVWRA). According to the Hesperia Water District's 2020 Urban Water Management Plan (UWMP), VVWRA has a current wastewater treatment capacity of 18.0 million gallons per day (mgd) (55.2 acre-feet per day) (UWMP 2021). The City and VVWRA have constructed a "sub-regional" wastewater treatment plant with an initial capacity of 1.0 mgd that is expandable to 4.0 mgd. This facility would result in a source of 1,000 to 5,000 AFY of recycled water available for use. As of 2021, VVWRA receives and average of 2.0 mgd or 2,240 acre-feet per year (AFY) from the service area. As such, VVWRA has an excess capacity of 16 mgd and the sub-regional wastewater treatment plan has capacity of 2 mgd.

Stormwater Drainage

Stormwater facilities within the Project region are managed by the San Bernardino County Flood Control District. The Project site is undeveloped with an ephemeral stream traversing the site. The stream is an unnamed tributary that contributes to the Oro Grande Wash, which flows north toward the Mojave River. There appears to be an offsite run-on from the southerly parcels (APN's 3064-581-04- and 3064-581-05). Southerly offsite parcels (APN's 3064-581-04 and 3064-581-05) are expected to be developed by others and overflows are anticipated to be directed towards Mesa Linda Street and Lassen Road. Based on this preliminary concept, it appears southerly offsite run-on to the Project site will be significantly reduced. It is also understood that there is no existing public storm drain along Sultana Street or Mesa Linda Street. It is currently unknown as to whether a new public storm drain pipe will be constructed along Sultana Street or Mesa Linda Street.

Solid Waste

Advance Disposal Company provides collection services to residential and commercial customers for refuse, recyclables, and green waste through a contract with the City. Solid waste from demolition and construction would be collected and sent to the Victorville Sanitary Landfill at 18600 Stoddard Wells Road in Victorville, owned and operated by the County of San Bernardino. The Victorville Sanitary Landfill has a daily permitted throughput of 3,000 tons/day and a remaining capacity of 79,400,000 cubic yards (CalRecycle 2022).

5.11.3 THRESHOLDS OF SIGNIFICANCE

Appendix G of State CEQA Guidelines indicates that a project could have a significant effect if it were to:

UT-1 Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

5.11.4 ENVIRONMENTAL IMPACTS

IMPACT UT-1: 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 would include development of a one-story, 408,997 SF warehouse building on the 18.16-acre site. The proposed warehouse building would have a building footprint of 402,997 SF and a mezzanine of 6,000 SF. Additional improvements would include landscaping, sidewalks, utility connections, implementation of stormwater facilities, and pavement of parking areas and driveways.

Water

The Project site would be provided water service by the Hesperia Water District (District), a self-sustaining utility enterprise of the City. The Project applicant would install onsite water lines that would connect to the existing 12-inch diameter water line in Sultana Street to provide water for potable use, fire services, and irrigation. The new and existing onsite water system would convey water supplies to the proposed industrial uses, and landscaping through plumbing/landscaping fixtures that are compliant with the CalGreen Plumbing Code for efficient use of water. Additionally, the District would have sufficient water supplies to serve the Project during normal, dry, and multiple dry years as discussed in the Initial Study. The construction activities related to the new water infrastructure that would be needed to serve the proposed high-cube warehouse are included as part of the Project and would not result in any physical environmental effects beyond those identified throughout this Draft EIR. For example, construction emissions for excavation and installation of the water infrastructure are included in Sections 5.2, *Air Quality* and 5.6, *Greenhouse Gas Emissions*. Therefore, the proposed Project would not result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Wastewater

The District would also provide sewer services to the Project. Wastewater generated from the Project would be conveyed to the Victor Valley Wastewater Reclamation Authority (VVWRA). The Project would install an onsite sewer system that would connect to the existing 10-inch sewer line in Sultana Street. As determined

under Section 5.19, *Utilities and Service Systems*, response c) of the Initial Study prepared for the Project (Appendix A), VVWRA existing facilities would have sufficient wastewater treatment capacity to serve the Project. The construction activities related to the new sewer infrastructure that would be needed to serve the proposed high-cube warehouse are included as part of the Project and would not result in any physical environmental effects beyond those identified throughout this Draft EIR. For example, construction emissions for excavation and installation of wastewater infrastructure are included in Sections 5.2, *Air Quality* and 5.6, *Greenhouse Gas Emissions*. Therefore, the proposed Project would not result in the construction of new wastewater facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Stormwater Drainage

Proposed drainage improvements would include construction of onsite conveyance, including curbs and gutters and a subsurface storm drain. Runoff from the site will be collected via a proposed on-site private storm drain system (including catch basins and storm drain pipes) and conveyed in the northeasterly direction to a proposed stormwater management system. The proposed storm water management system would consist of a combination of an aboveground infiltration basin with a drywell system near the northeasterly edge and a supplemental underground storage facility beneath proposed vehicle parking at the southeastern corner of the Project site. The stormwater infrastructure would capture and treat the 100-year, 24-hour storm. This proposed system would address the San Bernardino County Phase II Small MS4 General Permit for the Mojave River Watershed requirements and design capture volume (DCV) (85th percentile, 24-hour storm). Overflow from the proposed facility would be directed towards Mesa Linda Street via a storm drain pipe and sidewalk underdrain. From this point, runoff will be conveyed in northerly direction as similar to the existing condition.

As determined under Section 5.7, *Hydrology and Water Quality*, Impact WQ-5 of this EIR, the proposed stormwater system would be accommodated by existing stormwater infrastructure capacity by holding the entire design capture volume (DCV) onsite and allowing high flows to discharge from the site at a reduced flowrate with adequate stormwater treatment and retention capacity to serve the Project and comply with applicable NPDES requirements. The construction activities related to the new stormwater infrastructure that would be needed to serve the proposed high-cube warehouse are included as part of the Project and would not result in any physical environmental effects beyond those identified throughout this Draft EIR. For example, construction emissions for excavation and installation of stormwater infrastructure are included in Sections 5.2, *Air Quality* and 5.6, *Greenhouse Gas Emissions*. Therefore, the proposed Project would not result in the construction of new stormwater facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Solid Waste

The Project would be served by Advance Disposal Company solid waste services. Solid waste would be transported to the Victorville Sanitary Landfill at 18600 Stoddard Wells Road in Victorville as discussed above. The Project would comply with California Code of Regulations Title 24, Part 11; the California Green Building Code, which requires that requires demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste, and AB 341 that requires diversion of a minimum of 75 percent of operational solid waste. As determined under Section 5.19, Utilities and Service Systems, response d) of the Initial Study prepared for the Project (Appendix A), existing solid waste facilities would have sufficient capacity to serve the Project. Therefore, the proposed Project would not result in the construction of new solid waste facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Energy and Communications Utilities

Regulated electrical, gas and communication utilities would be extended to the site from existing facilities along Mesa Linda Street and Sultana Street. The Project would be served by Southern California Gas, Southern California Edison, and by several private telecommunication providers as requested. Utility providers have existing capacity to serve the Project site. Construction of utility connections to existing utility infrastructure along Mesa Linda Street is included as part of the Project and would not result in any physical environmental effects beyond those identified throughout this Draft EIR. For example, construction emissions for excavation and installation of energy and telecommunication utilities are included in Sections 5.2, *Air Quality* and 5.6, *Greenhouse Gas Emissions*. Therefore, the proposed Project would not result in the construction of new utility services or expansion of existing utility facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

5.11.5 CUMULATIVE IMPACTS

Cumulative water supply impacts are considered on a water purveyor basis and are associated with the capacity of the infrastructure system and the adequacy of the water purveyor's infrastructure and primary sources of water that include groundwater, surface water, and purchased or imported water.

As described previously, the Project site would be served by the District's water utility and connect to existing adjacent water infrastructure. The construction activities related to connecting to the existing water lines that would be needed to serve the proposed Project are included as part of the Project and would not result in any physical environmental effects beyond those identified throughout this Draft EIR. Additionally, the District has shown that they have sufficient water supplies to serve the Project during normal, dry, and multiple dry years as part of their UMWP planning efforts. Water facilities would not need to be expanded or created as a result of the Project and Project impacts would be less than significant. Thus, the Project would not result in cumulatively considerable water utility impacts.

The Project's wastewater would be treated by VVWRA. The construction activities related to connecting to the existing sewer lines that would be needed to serve the proposed Project are included as part of the Project and would not result in any physical environmental effects beyond those identified throughout this Draft EIR. The District has determined through their UWMP long term planning efforts that VVWRA would have sufficient capacity to serve wastewater flows generated by the Project. Wastewater facilities would not need to be expanded or created as a result of the Project and Project impacts would be less than significant. Thus, the Project would not result in cumulatively considerable wastewater utility impacts.

The Project would implement a stormwater system that would capture, treat, and infiltrate the 100-year, 24-hour storm. Additional overflows would be discharged to the corner of Mesa Linda Street and Sultana Street to follow the existing northerly drainage path to the Oro Grande Wash. The Project's offsite stormwater flows would be accommodated by San Bernardino County Flood Control District facilities. The construction activities related to the proposed stormwater system to serve the Project are included as part of the Project and would not result in any physical environmental effects beyond those identified throughout this Draft EIR. The Project would accommodate the DCV as required by the County's stormwater permit. The Project would not result in the addition of stormwater runoff and pollutants that would exceed capacity of existing stormwater facilities. Additional stormwater facilities would not need to be expanded or created as a result of the Project and Project impacts would be less than significant. Thus, the Project would not result in cumulatively considerable stormwater utility impacts.

Solid waste removal would be provided by Advance Disposal Company and solid waste would be transferred to the Victorville Sanitary Landfill. The landfill is anticipated to have sufficient long-term capacity to serve the Project. Solid waste facilities would not need to be expanded or created as a result of the

Project and Project impacts would be less than significant. Thus, the Project would not result in cumulatively considerable solid waste facility impacts.

The Project would be served by Southern California Gas and Southern California Edison for gas and electricity, respectively. Additionally, the Project may be served by one or several telecommunication utilities offered in the Project area. These providers would have sufficient capacity to serve the Project. Additional telecommunication facilities would not need to be expanded or created as a result of the Project and Project impacts would be less than significant. Thus, the Project would not result in cumulatively considerable telecommunication utility impacts.

5.11.6 EXISTING REGULATIONS AND PLANS, PROGRAMS, OR POLICIES

- California Code of Regulations Title 24, Part 11; the California Green Building Code
- Assembly Bill (AB 341)

5.11.7 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

None.

5.11.8 MITIGATION MEASURES

No mitigation measures are required.

5.11.9 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Less than significant.

REFERENCES

Hesperia Water District. 2021. FINAL DRAFT 2020 Urban Water Management Plan. Accessed: https://www.cityofhesperia.us/DocumentCenter/View/17573/Draft-2020-Urban-Water-Management-Plan?bidId=

CalRecycle. 2022. SWIS Facility/Site Activity Details - Victorville Sanitary Landfill (36-AA-0045). Accessed: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1870?siteID=2652

SDH & Associates, Inc. Preliminary Hydrology Study (Appendix G). February 2022.

SDH & Associates, Inc. Preliminary Water Quality Management Plan (Appendix H). February 2022.

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6.0 Other CEQA Considerations

6.1 SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL EFFECTS

State CEQA Guidelines Section 15126.2(c) requires an EIR to describe "any significant impacts, including those which can be mitigated but not reduced to a level of insignificance." As described in detail in Section 5.0 of this Draft EIR, implementation of the Project would result in environmental impacts that cannot be reduced to a level below significance after implementation of Project design features; regulatory requirements; plans, programs, policies; and feasible mitigation measures. The significant impacts that cannot be mitigated to a level below significance are summarized below:

Transportation

The Project could result in potentially significant impacts associated with increasing hazards due to a geometric design feature related to queuing. The Project may increase a hazardous condition due to queuing impacts at the intersection of US-395/Poplar Street under the Opening Year (2024) Baseline analysis scenario. However, this intersection is not within the City's jurisdiction, but rather within the jurisdiction of other agencies, such as the California Department of Transportation. Since the City does not have jurisdiction over these facilities; the proposed intersection and roadway improvements cannot be assumed to be in place prior to the Project's occupancy. Therefore, the Project's impact to increase in hazardous conditions (i.e., queuing) would be significant and unavoidable, and the Project could thereby contribute to a cumulatively considerable impact associated with queuing and hazardous design features.

6.2 GROWTH INDUCEMENT

State CEQA Guidelines Section 15126.2(e), Growth Inducing Impact of the Proposed Project, requires that an EIR "discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." The CEQA Guidelines also indicate that it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment. In general terms, a project may foster spatial, economic, or population growth in a geographic area, if it meets any one of the following criteria:

1. Directly or indirectly foster economic or population growth, or the construction of additional housing, in the surrounding environment;
2. Remove obstacles to population growth;
3. Require the construction of new or expanded facilities that could cause significant environmental effects; or
4. Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

1. Does the Project directly or indirectly foster economic or population growth, or the construction of additional housing?

Growth-inducing potential of a project would be considered significant if it fosters growth or a concentration of population in excess of what is assumed in master plans, land use plans, or in projections made by regional planning agencies, such as SCAG. The Project would contribute to the economic growth and may contribute to some population growth in the City of Hesperia and the surrounding areas. The growth would not be unexpected or constitute substantial unplanned growth, however. According to regional population projections included in SCAG's 2020 RTP/SCS, the City of Hesperia is projected to increase its population by 79 percent (from 93,700 persons in 2016 to 168,100 persons in 2045) and its housing stock by 99

percent (from 26,800 dwelling units in 2016 to 53,200 dwelling units in 2045) by 2045. Over this same time period, employment in the City is expected to increase by 105 percent (from 22,500 jobs in 2016 to 46,100 jobs in 2045). The Project site has a General Plan land use designation of Main Street and Freeway Corridor Specific Plan (MSFC-SP). Within the MSFC-SP, the site is zoned as Commercial/Industrial Park (CIBP). Thus, while the Project would contribute to employment growth through the proposed development within the Project site, the projected increases in employment from the Project are within SCAG's 2020 RTP/SCS increases.

The proposed Project may cause indirect economic growth as it would generate revenue to the City through taxes generated by the development. Additionally, employees (short-term construction and long-term operational employees) from the Project site would purchase goods and services in the region, but any secondary increase in employment growth associated with meeting these incremental demands would be marginal, as these goods and services could be accommodated by existing providers. The Project is highly unlikely to result in any new or additional physical impacts to the environment based on the amount of existing and planned future commercial and retail services, which can serve Project employees, available in areas near the Project site. As such, it is highly unlikely that additional commercial or retail services would be required to meet Project demands.

In addition, the proposed Project would create jobs, a majority of which could likely be filled by residents of Hesperia, San Bernardino County, and the surrounding areas. Employees would live in housing either already built or planned for development in Hesperia or unincorporated San Bernardino County and the surrounding areas. Because it is anticipated that most of the future employees of the Project would already be living in the Inland Empire area, the Project's introduction of employment opportunities would not induce substantial growth in the area and cause the need for additional housing.

SCAG considers an area balanced when the jobs-housing ratio is 1.36; communities with more than 1.36 jobs per dwelling unit are considered jobs-rich; those with fewer than 1.36 are "housing rich," meaning that more housing is provided than employment opportunities in the area. As shown on Table 6.2-1, the projected 2045 jobs-to-housing ratio for the City of Hesperia is 0.87. This means that the City is housing rich.

Table 6.2-1: Jobs – Housing Trends in the City of Hesperia

Employment in 2016	Number of Dwelling Units in 2016	2016 Jobs to Housing Ratio	Employment in 2045	Number of Dwelling Units in 2045	2045 Jobs to Housing Ratio
22,500	26,800	0.84	46,100	53,200	0.87

The Project would implement economic activity that would result in an improvement in the jobs-household ratio by providing employment within the housing-rich City of Hesperia, which is a benefit of the Project. In addition, the location of the new employment opportunities would be easily accessible from Highway 395 and would also accommodate employees in surrounding areas. The City of Hesperia has had unemployment rates ranging between 18.8 percent in 2010 and 4.9 percent in 2022 (EDD 2022), and most of the new jobs that would be created by the Project would be positions that do not require a specialized workforce, and this type of workforce exists in the City of Hesperia and surrounding communities. Thus, due to existing unemployment and the availability of a workforce, it is anticipated that new jobs generated from Project implementation would be filled by people within the City of Hesperia and surrounding communities and would not induce an unanticipated influx of new labor into the region or the need for additional housing. Furthermore, the proposed Project would offer space for new manufacturing, warehouse, and distribution uses. Thus, the Project would not result in the influx of new labor to serve the increased economic activities that would result from implementation of the Project.

2. Does the Project remove obstacles to population growth?

The elimination of a physical obstacle to growth is considered to be a growth inducing impact. A physical obstacle to growth typically involves the lack of public service infrastructure. The Project would induce growth if it would provide public services or infrastructure with excess capacity to serve lands that would otherwise not be developable.

The proposed Project contemplates expansion of existing infrastructure to serve the full buildout of the Project site. As described in Section 3.0, *Project Description*, the Project includes various roadway improvements to accommodate the safe passage and turning movements of the vehicles that would access the site. The Project does not propose roadway extensions into new undeveloped areas that would allow for additional growth and development. The Project also proposes expansion of existing and installation of new potable water lines, sewer lines, and stormwater drainage facilities that would accommodate the demands of the proposed Project. The proposed infrastructure improvements have been designed to serve only the demands of the Project. Therefore, the Project would not result in significant growth inducing impacts.

3. Does the proposed Project require the construction of new or expanded facilities that could cause significant environmental effects?

Growth induced by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services that requires the construction of new public service facilities, or if it can be demonstrated that the potential growth significantly affects the environment in some other way. The proposed Project would slightly increase the demand for fire protection and emergency response and sheriff protection. However, as described in the Initial Study prepared for the Project, the proposed Project would not require development of additional facilities or expansion of existing facilities to maintain existing levels of service for public services. Based on service ratios and build out projections, the proposed Project would not create a demand for services beyond the capacity of existing facilities. Therefore, an indirect growth inducing impact as a result of expanded or new public facilities that could support other development in addition to the proposed Project would not occur. The proposed Project would not have significant growth inducing consequences that would result in the need to expand public services to maintain desired levels of service.

4. Does the Project encourage or facilitate other activities that could significantly affect the environment, either individually or cumulatively?

Similar to the surrounding cities, the City of Hesperia is in the process of transitioning from its historical use of low-density residential and agricultural uses to more dense industrial uses and other urbanized uses as planned in the Hesperia General Plan and through the construction of multiple industrial developments, residential developments and other types of development. Areas immediately to the north, east, south and west of the Project site are currently vacant and undeveloped. Development of the Project site may place further development pressure on vacant areas surrounding the Project site. However, areas to the east and west of the site are already planned for development with CIBP uses under the MSFC-SP. As such, while the Project could spur increased development in areas surrounding the Project site, these areas are already developed or are slated for future development. Further, the proposed infrastructure is only sized to serve the Project and would not have capacity to serve additional development projects in the area. The Project would not individually or cumulatively encourage or facilitate substantial growth.

Based on the foregoing analysis, the Project would not directly or indirectly result in substantial, adverse growth-inducing impacts.

6.3 SIGNIFICANT IRREVERSIBLE EFFECTS

State CEQA Guidelines require the EIR to consider whether "uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely…. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified." (CEQA Guidelines Section 15126.2(d)). "Nonrenewable resource" refers to the physical features of the natural environment, such as land, waterways, mineral resources, etc. These irreversible environmental changes may include current or future uses of non-renewable resources, and secondary or growth-inducing impacts that commit future generations to similar uses.

Generally, a project would result in significant irreversible environmental changes if:

- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve a large commitment of nonrenewable resources;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The proposed irretrievable commitments of nonrenewable resources is not justified (e.g., the project involves the wasteful use of energy).

The Project would result in or contribute to the following irreversible environmental changes:

- Lands in the Project site would be committed to warehousing and industrial uses once the proposed buildings are constructed. Secondary effects associated with this irreversible commitment of land resources include:
- Changes in views associated with construction of the new buildings and associated development (Section 5.1, *Aesthetics)*.
- Increased traffic on area roadways (see Section 5.9, *Transportation*).
- Emissions of air pollutants associated with Project construction and operation (see Section 5.2, *Air Quality*).
- Consumption of non-renewable energy associated with construction and operation of the proposed Project due to the use of automobiles, trucks, lighting, heating and cooling systems, appliances, etc. (see Section 5.5, *Energy*).
- Increased ambient noise associated with an increase in activities and traffic from the Project (see Section 5.8, *Noise*).

- Construction of the proposed Project as described in Section 3.0, *Project Description*, would require the use of energy produced from non-renewable resources and construction materials.

In regard to energy usage from the proposed Project, as demonstrated in the analyses contained in Section 5.5, *Energy*, the proposed Project would not involve wasteful or unjustifiable use of non-renewable resources, and conservation efforts would be enforced during construction and operation of the proposed development. The proposed development would incorporate energy-generating and conserving Project design features, including those required by the California Building Code, California Energy Code Title 24, which specify green building standards for new developments. In addition, as listed in Section 3.0, *Project Description,* Section 5.5*, Energy*, and Section 5.6, *Greenhouse Gas Emissions*, the proposed Project would include sustainability features in line with Title 24 requirements that result in additional energy efficiency. Project-specific information related to energy consumption is provided in Section 5.5, *Energy*, of this EIR.

REFERENCES

California Employment Development Department. Local Area Unemployment Statistics (LAUS) Program. Accessed: https://data.edd.ca.gov/Labor-Force-and-Unemployment-Rates/Local-Area-Unemployment-Statistics-LAUS-/e6gw-gvii/data

Southern California Association of Governments (SCAG). 2020, September. Demographics and Growth Forecast. Accessed: https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_demographics-and-growth-forecast.pdf?1606001579

7.0 Effects Found Not Significant

CEQA Guidelines Section 15126.2(a) states that "[a]n EIR shall identify and focus on the significant effects on the environment". During the preparation of this EIR, the Project was determined to have no potential to result in significant impacts under five environmental issue areas: agriculture and forest resources, mineral resources, population and housing, recreation, and wildfire. Therefore, these issue areas were not required to be analyzed in detail in EIR Section 5.0, Environmental Impact Analysis.

CEQA Guidelines Section 15128 requires that an EIR contain a statement briefly indicating the reasons that various possible effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR. As allowed by CEQA Guidelines Section 15128, statements related to the above listed topic areas are presented below.

7.1 AGRICULTURE AND FOREST RESOURCES

The Project site is not designated as Prime, Unique, or Farmland of Statewide Importance. The California Department of Conservation (DOC) Farmland Mapping and Monitoring Program identifies the Project site as Grazing Land (DOC 2022). As such, implementation of the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use.

Further, according to Exhibit 3.2-2, Williamson Act Map, of the Hesperia General Plan Update Environmental Impact Report, the Project site is not subject to a land conservation (Williamson Act) contract and, thus, would not conflict with a land conservation contract (City of Hesperia 2010). In addition, the Project site has a General Plan land use designation of Main Street Freeway Corridor Specific Plan (MSFC-SP). Within the MSFC-SP, the Project site is zoned as Commercial/Industrial Business Park (CIBP). The Project site's land use and zoning designations are not intended for agricultural use. Additionally, the Project's proposed Specific Plan zoning designation of CIBP is not intended for agricultural use. Therefore, implementation of the Project has no potential to conflict with existing zoning for agricultural use.

The Project Site is not zoned as forest land, timberland, or Timberland Production, nor is it surrounded by forest land, timberland, or Timberland Production land. Therefore, implementation of the Project has no potential to conflict with or cause the rezoning of any areas currently zoned as forest, timberland, or Timberland Production and would not result in the rezoning of any such lands. As such, no impact would occur. Overall, implementation of the Project would not result in the loss of forest land or the conversion of forest land to non-forest use.

7.2 MINERAL RESOURCES

According to the Hesperia General Plan Conservation and Open Space Element, the City of Hesperia currently has not identified any known mineral resources that would be of value to the region and the residents of the state. Historical uses of the Project site have not included mineral extraction, nor does the Project site currently support mineral extraction. In addition, the Project does not propose any mineral extraction activities. The Project proposes the construction of an industrial warehouse building with no planned mining operations. Therefore, the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the State, and no impact would occur. Additionally, there are no mineral resource recovery sites on or near the Project site. Thus, the Project would not result in the loss of availability of mineral resources, including locally important mineral resource recovery sites. No impact to mineral resources would occur from implementation of the Project.

7.3 POPULATION AND HOUSING

The Project would result in an increase of employment at the Project site that could lead to a potential population increase in the surrounding area. According to the Southern California Association of Governments (SCAG), the generation rate for employees required for operation of an industrial project is one employee for every 1,195 SF of industrial space. As the Project would build and operate a 408,997 SF industrial facility, operation of the Project would require approximately 342 employees.

According to SCAG's 2020-2045 RTP/SCS population and household growth forecast for Hesperia, between 2016 and 2045, SCAG anticipates an employment increase of 23,600 additional jobs (from 22,500 to 46,100), yielding a 105 percent growth rate. SCAG also anticipates a population increase of 74,400 between 2016 and 2045 (from 93,700 to 168,100). The proposed Project would generate the need for approximately 342 employees, which represents approximately 0.4 percent of the forecasted population growth between 2016 and 2045 and approximately 1.45percent of the forecasted employment growth between 2016 and 2045 for the City. Thus, although the Project would generate additional long-term employment in the Project area, the new employment opportunities would be within the forecasted and planned growth of the City.

No habitable structures exist on the Project site nor are they currently planned for future development of residential uses. Therefore, the Project would not displace a substantial number of people or necessitate construction of replacement housing.

7.4 RECREATION

The demand for parks is determined by changes in housing and population. In this case, the Project is industrial in nature, and no new residents or housing would be introduced to the area. The proposed Project would develop the site with a new warehouse building, which would not result in an influx of new residents, as the employees needed to operate the Project are primarily anticipated to come from the unemployed labor force in the region. Thus, the proposed Project would not generate a substantial population that would generate a significant increase in use of existing neighborhood or regional parks and recreation facilities, nor would it require the construction of new or expansion of existing recreational facilities. Thus, impacts related to recreation would not occur.

7.5 WILDFIRE

The Project site is not located in or near a State Responsibility Area or lands classified as very high fire hazard severity zones (CAL FIRE 2022); therefore, implementation of the Project would not exacerbate wildfire hazard risks or expose people or the environment to adverse environmental effects related to wildfires.

REFERENCES

California Department of Conservation. 2022. California Important Farmland Finder. Accessed: https://maps.conservation.ca.gov/DLRP/CIFF/

California Department of Forestry and Fire Protection (CAL FIRE). 2022. Fire Hazard Severity Zone Maps. Accessed: 21 February 2023. https://osfm.fire.ca.gov/fire-hazard-severity-zones-maps-2022/

City of Hesperia. 2010. Draft Environmental Impact Report for the City of Hesperia General Plan Update. Accessed: 21 February 2023. https://www.cityofhesperia.us/DocumentCenter/View/1588/Hesperia-2010-GPU-Draft-EIR-121610?bidId=

City of Hesperia. City of Hesperia General Plan Update. Adopted 2010. Accessed: 21 February 2023. https://www.cityofhesperia.us/409/Hesperia-General-Plan.

8.0 Alternatives

This section addresses alternatives to the Project and describes the rationale for including them in the EIR. The section also briefly discusses environmental impacts associated with each alternative and compares the relative impacts of each alternative to those of the Project.

8.1 INTRODUCTION

The identification and analysis of alternatives to a project is a fundamental part of the environmental review process pursuant to CEQA. Public Resources Code (PRC) Section 21002.1(a) establishes the need to address alternatives in an EIR by stating that in addition to determining a project's significant environmental impacts and indicating potential means of mitigating or avoiding those impacts, "the purpose of an environmental impact report is . . . to identify alternatives to the project."

Pursuant to *CEQA Guidelines* Section 15126.6(a), an EIR must describe a reasonable range of alternatives to the proposed project or to the project's location that would feasibly avoid or lessen its significant environmental impacts while attaining most of the proposed project's objectives. *CEQA Guidelines* Section 15126.6(b) emphasizes that the selection of project alternatives be based primarily on the ability to reduce impacts relative to the proposed project. In addition, *CEQA Guidelines* Section 15126.6(e)(2) requires the identification and evaluation of an "Environmentally Superior Alternative."

Pursuant to *CEQA Guidelines* Section 15126.6(d), discussion of each alternative presented in this EIR Section is intended "to allow meaningful evaluation, analysis, and comparison with the proposed project." As permitted by CEQA, the significant effects of each alternative are discussed in less detail than those of the proposed Project, but in enough detail to provide perspective and allow for a reasoned choice among alternatives to the proposed Project.

In addition, the "range of alternatives" to be evaluated is governed by the "rule of reason" and feasibility, which requires the EIR to set forth only those alternatives that are feasible and necessary to permit an informed and reasoned choice by the lead agency and to foster meaningful public participation (*CEQA Guidelines* Section 15126.6(f)). CEQA generally defines "feasible" to mean an alternative that is capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, technological, and legal factors and other considerations (*CEQA Guidelines* Sections 15091(a)(3), 15364).

Based on the CEQA requirements described above, the alternatives addressed in this EIR were selected in consideration of one or more of the following factors:

- The extent to which the alternative could avoid or substantially lessen any of the identified significant environmental effects of the proposed Project;
- The extent to which the alternative could accomplish the objectives of the proposed Project;
- The potential feasibility of the alternative;
- The appropriateness of the alternative in contributing to a "reasonable range" of alternatives that would allow an informed comparison of relative advantages and disadvantages of the proposed Project and potential alternatives to it; and
- The requirement of the *CEQA Guidelines* to consider a "no project" alternative; and to identify an "environmentally superior" alternative in addition to the no project alternative (*CEQA Guidelines* Section 15126.6(e)).

Neither the CEQA statute, the *CEQA Guidelines*, nor recent court cases specify a specific number of alternatives to be evaluated in an EIR. Rather, "the range of alternatives required in an EIR is governed by the rule of reason that sets forth only those alternatives necessary to permit a reasoned choice" (*CEQA Guidelines* 15126(f)).

8.2 SIGNIFICANT ENVIRONMENTAL EFFECTS

CEQA requires the alternatives selected for comparison in an EIR to avoid or substantially lessen one or more significant effects of the Project being evaluated. This analysis evaluates both the potential to avoid or reduce a significant and unavoidable impact, and to avoid the need for mitigation to obtain less than significance levels.

The analysis in Chapter 5 of this Draft EIR determined that a significant and unavoidable Project-specific and cumulative traffic impact would occur, and that potentially significant impacts of the Project related to aesthetics, biological resources, cultural resources, and paleontological resources can be mitigated to a less than significant level. All other impacts would be less than significant without the need for mitigation.

8.2.1 SIGNIFICANT AND UNAVOIDABLE IMPACT

Transportation

Impact TR-3: Project impacts regarding substantially increasing hazards due to a geometric design feature or incompatible use.

As detailed in Section 5.9, *Transportation*, the proposed Project would develop the 18.16-acre vacant, undeveloped site with a new, one-story 408,997 SF warehouse building. The Project would also include the following roadway improvements:

- Lassen Street would be built to a 36-foot half width along the west side of the Project.
- The west side of Lassen Street would be constructed as part of I-15 Industrial Park Project.
- Sultana Street would be built to a 36-foot half width along the north side of the Project.
- Mesa Linda Street would be built to a 41'8" half width along the east side of the Project.
- The Project would construct 14-foot sidewalks on Lassen Street and Sultana Street as well as 8'4" sidewalks on Mesa Linda Street.

All roadway improvements would be constructed in accordance with all applicable local, state, and federal roadway standards and practices. However, based on the queueing analysis conducted for the Opening Year 2024 Plus Project condition, the Project would cause a queueing deficiency in the Opening Year 2024 Plus Project condition at the US 395/Poplar Street, westbound left-turn lane approach. Therefore, the following improvements were proposed to improve queuing conditions:

US-395/Poplar Street Recommended Improvement: The California Manual on Uniform Traffic Control Devices (CAMUTCD) peak hour traffic signal warrant is met for the intersection of US-395/Poplar Street under the Opening Year Plus Project scenario; therefore, installing a traffic signal and adding a 3rd northbound through lane, northbound right-turn lane, 2nd southbound left-turn lane, and 2nd southbound through lane as an improvement would mitigate the Project traffic for the intersection of US-395/Poplar Street in the Opening Year Plus Project scenario. With the implementation of this improvement, the LOS operations at the intersection of US-395/Poplar Street would be improved to a satisfactory LOS B.

Implementation or payment of fair share contributions towards proposed intersection improvements would improve the overall traffic queueing to 101 feet during the AM peak hour and 314 feet during the PM peak hour which is within the available queue length storage at the intersection. However, since the City does not have jurisdiction over these facilities, these improvements cannot be assumed to be in place prior to the

Project's occupancy. Therefore, the Project's impact related to an increase in hazardous conditions (i.e., queuing) would remain significant and unavoidable.

Further, the Project would result in cumulatively considerable impacts, when viewed in combination with other past, present, and reasonably foreseeable future projects within the Project vicinity related to hazardous conditions due to traffic queuing. Other projects are anticipated to participate in implementation and/or fair share contributions towards proposed improvements; however, the City does not have jurisdiction over all of these facilities, and improvements cannot be assumed to be in place prior to the Project's occupancy.

8.2.2 IMPACTS MITIGATED TO LESS THAN SIGNIFICANT

Aesthetics

Impact AE-2: Project impacts regarding consistency with applicable zoning and other regulations governing scenic quality.

As detailed in Section 5.1, *Aesthetics*, the proposed Project would develop the 18.16-acre vacant site with a new 408,997-square foot warehouse. The Project would be consistent with the policies identified in the Main Street Freeway Corridor Specific Plan (MSFC-SP). However, the MSFC-SP design standards are nonspecific and Project colors and building materials could contrast the surrounding landscape. Thus, aesthetic incompatibilities could diminish the existing visual character and quality of the surrounding High Desert landscape and detract from views of the distant mountains. Mitigation Measure AES-1 would require the applicant to prepare a color palette for review by the City to ensure consistency with the surrounding scenic landscape which would ensure impacts on visual character and quality would be less than significant.

Biological Resources

Impact BIO-1: Project impacts on 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 Services.

As detailed in Section 5.3, *Biological Resources,* one special-status plant species, Booth's evening-primrose, was determined to have the potential to be present within the Project site. Booth's evening-primrose *(Eremothera boothii ssp. boothii)* is ranked 2B.3 in the California Native Plant Survey (CNPS) Rare Plant Inventory. Mitigation Measure BIO-1 requires focused surveys for Booth's evening primrose to be conducted by an approved biologist during the appropriate blooming season to determine the presence or absence of the species in the Project site and potential impacts resulting from implementation of the proposed Project.

The Project site contains potential suitable habitat for Burrowing owl in the Sonoran Desert scrub habitat. The focused surveys completed for the Project found no sign of burrowing owl on site or within the 500-foot buffer. However, ground squirrels and ground squirrel burrows were observed, and approximately 21 suitable burrows were identified and recorded within the Project site and surrounding buffer, including 5 burrows within the Project site and 16 burrows within the 500-foot buffer. Implementation of preconstruction surveys would ensure avoidance of impacts to Burrowing owls within the Project site. The Project would result in less than significant impacts with implementation of Mitigation Measure BIO-2.

The Project site contains potential suitable habitat for sensitive wildlife species in the juniper woodland habitat. Implementation of the proposed Project has the potential to impact these species. The Project would include implementation of Mitigation Measure BIO-3, which requires a pre-construction survey to be conducted for these species to ensure no direct or indirect take will occur during site clearing or ground disturbing activities.

As discussed below in Impact BIO-4, the Project site has the potential to impact nesting birds and raptors through vegetation removal. The Project would include implementation of Mitigation Measure BIO-4, which requires compliance with the Federal Migratory Bird Treaty Act by only allowing ground disturbance and

development outside of the nesting bird season of February 1 through September 15th. If vegetation removal occurs during nesting season, a pre-construction nesting bird survey shall be conducted.

Western Joshua trees were identified within the Project site, which are currently listed as a Candidate Threatened Species. Implementation of Mitigation Measures BIO-5 and BIO-6 will ensure proper relocation of Western Joshua trees and/or mitigation at a 1:1 habitat replacement ratio of equal or better value, such that impacts to the 25 protected Joshua trees within the Project site and five Joshua trees within the buffer area will be reduced to less than significant.

Impact BIO-2: Project impacts on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.

As detailed in Section 5.3, *Biological Resources,* the Project site contains 2.95 acres of rabbitbrush (Ericameria nauseosa) dominant riparian habitat. Riparian area includes 0.30 acre of non-wetland Waters of the United States, 0.3 acre of Waters of the State subject to Porter-Cologne, and 2.95 acres of ephemeral stream and associated riparian habitat that is regulated under Section 1602 of the Fish and Game Code. Mitigation Measure BIO-5, which includes purchasing ephemeral stream credits from the Antelope Valley Conservation Bank and purchase of credits for Waters of the U.S. through In Lieu Fee Programs or fees per acre credit, would lessen impacts associated with Impact BIO-2 to less than significant.

Impact BIO-4: Project impacts on movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

As detailed in Section 5.3, *Biological Resources*, the Project contains trees and shrubs that can support nesting song birds or raptors. Mitigation Measure BIO-3 would reduce associated impacts by requiring compliance with the Federal Migratory Bird Treaty Act by requiring a pre-construction nesting bird survey if ground disturbance, vegetation removal or development occurs during the nesting bird season (February 1 through September 15th).

Cultural and Paleontological Resources

Impact CUL-2: Project impacts causing a substantial adverse change in the significance of an archaeological resource pursuant to CEQA guidelines section 15064.5.

As detailed in Section 5.4, *Cultural Resources*, the Project construction would include excavation of site soils to a depth of at least seven feet below existing grade. Because the proposed Project would disturb native soils that have a low to moderate potential for archaeological resources, excavation related to construction of the Project has the potential to impact unknown archaeological resources. Mitigation Measure CUL-1 has been included to require archaeological monitoring during all ground-disturbance activities, such as site preparation and grading up to five feet below surface, in order to quickly assess the potential for discoveries of archaeological resources during construction. Mitigation Measure CUL-1 also includes procedures in the event a potential resource is uncovered.

Impact PAL-1: Project impacts directly or indirectly destroying a unique paleontological resource or site or unique geologic feature.

As detailed in Section 5.4, *Cultural Resources*, the potential for encountering significant paleontological resources within the Project site is considered moderate due to the presence of sensitive middle to early Pleistocene-age very old axial-channel deposits (Qvoa) within the vicinity of the Project. Mitigation Measure PAL-1 would require preparation of a Paleontological Resources Management Plan (PRMP) prior to construction activities which would ensure that any potential impacts to undiscovered paleontological resources would not be impacted by the Project. All activities disturbing soil more than 6 feet below the

current ground surface would require paleontological spot checks during ground-disturbing activities in order to identify if moderate sensitivity middle to early Pleistocene-age very old axial-channel deposits (Qvoa) are being impacted. If sensitive sediments are observed, then paleontological monitoring will continue on a full-time basis in those areas. In the case that resources are inadvertently discovered during ground-disturbing activities, work shall be halted within 50 feet of the find until it can be evaluated by a qualified paleontologist.

Tribal Cultural Resources

Impact TCR-1: Project impacts causing a substantial adverse change in the significance of a tribal cultural resource 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 Resource Code Section 5020.1(k).

As detailed in Section 5.10, *Tribal Cultural Resources*, the Project construction would include excavation of site soils to a depth of at least seven feet below existing grade, which has the potential to disturb previously unknown tribal cultural resources. As a result, Mitigation Measure CUL-1 is included (as detailed previously in the Cultural Resources discussion). Also, the Main Street and Freeway Corridor Specific Plan (MSFCSP) Final EIR included Mitigation Measure 6, which requires the landowner to relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the Project site to the appropriate Tribe for proper treatment and disposition. With implementation of these mitigation measures and existing regulations, potential impact to tribal cultural resources would be less than significant.

Impact TCR-2: Project impacts causing a substantial adverse change in the significance of a tribal cultural 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 that considers that significance of the resource to a California Native American Tribe.

Project construction would require ground disturbing activities that could result in the excavation of soils up to seven feet in depth and has the potential to disturb unknown tribal cultural resources on the Project site. Although AB 52 consultation did not yield substantial evidence that listed or eligible tribal cultural resources—pursuant to criteria in PCR Section 5024.1(c)— are present within the Project site, Mitigation Measure CUL-1 and Mitigation Measure 6 from the MSFCSP EIR would be implemented to ensure that potential impacts related to the inadvertent discovery of tribal cultural resources are less than significant. Also, the Project would be subject to CEQA Guidelines Section 15064.5, PRC Section 21083.2 and 5097.9, and Health and Safety Code Section 7050.5, to properly recover human remains if encountered. Therefore, with implementation of mitigation and applicable regulations, impacts related to tribal cultural resources would be less than significant.

8.3 PROJECT OBJECTIVES

The Project site plan has been designed to meet a series of Project-specific objectives that have been carefully crafted to aid decision makers in their review of the Project and its associated environmental impacts. The Project objectives have been refined throughout the planning and design process for the proposed Project, and are listed below:

The primary purpose of the Project and its primary goal is to develop a vacant or underutilized property with a warehouse building to provide an employment-generating use to help grow the economy in the City of Hesperia. The Project would achieve this goal through the following Objectives:

- To make efficient use of the property in the City of Hesperia by adding to its potential for employment-generating uses.
- To attract new business and employment to the City of Hesperia and thereby promote economic growth.

- To reduce the need for members of the local workforce to commute outside the Project vicinity to work.
- To develop an underutilized property with an industrial warehouse building near available infrastructure, including roads and utilities, to help meet demand for logistics business in the City and surrounding region.
- To build an industrial warehouse project consistent with the City of Hesperia land use designation and City of Hesperia Development Code regulations.
- To provide a Project designed to avoid impacts to sensitive land uses through implementation of CARB and SCAQMD recommended setbacks. Develop a project that does not contribute to surface and groundwater quality degradation by treating surface and stormwater flows.

8.4 ALTERNATIVES CONSIDERED BUT REJECTED

Pursuant to *CEQA Guidelines* Section 15126.6(c), an EIR must briefly describe the rationale for selection and rejection of alternatives. The Lead Agency may make an initial determination as to which alternatives are potentially feasible and therefore merit in-depth consideration, and which are infeasible and need not be considered further. Alternatives that are remote or speculative, or the effects of which cannot be reasonably predicted, need not be considered (*CEQA Guidelines* Section 15126.6(f)(3)). This section identifies alternatives considered by the Lead Agency but rejected as infeasible and provides a brief explanation of the reasons for their exclusion. Alternatives may be eliminated from detailed consideration in the EIR if they fail to meet most of the Project Objectives, are infeasible, or do not avoid any significant environmental effects.

- **Alternative Site.** An alternate site for the Project was eliminated from further consideration. The Project's focus is to provide for an industrial warehouse within an industrializing area of the City of Hesperia that benefits from the Highway 395 and I-15 corridor's regional transportation network and generates employment opportunities in proximity to an available labor pool. There are no suitable sites within the control of the Project applicant near the Highway 395 and I-15 transportation corridors. However, in the event land could be purchased of suitable size, the Project could have the same potential impacts to traffic, aesthetics, biological resources, cultural resources, and paleontological resources. Therefore, analysis of an alternative site for the proposed Project is neither meaningful nor necessary because the impacts and need for mitigation resulting from the proposed Project would not be avoided or substantially lessened by its implementation.

8.5 ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

Two alternatives to the Project have been identified for further analysis as representing a reasonable range of alternatives that attain most of the Project Objectives, may avoid or substantially lessen the Project's significant impact, avoid the need for mitigation, or are feasible from a development perspective. These alternatives have been developed based on the criteria identified in Section 6.1, and are described below:

- **Alternative 1: No Project/No Build Alternative.** Under this alternative, the Project would not be developed, and no development would occur. The Project site would remain vacant and undeveloped. In accordance with the CEQA Guidelines, the No Project/No Build Alternative for a development project on an identifiable property consists of the circumstance under which the project does not proceed. Section 15126.6(e)(3)(B) of the *CEQA Guidelines* states that, "In certain instances, the no project alternative means 'no build' wherein the existing environmental setting is maintained."

  Accordingly, Alternative 1: No Project/No Build provides a comparison between the environmental impacts of the Project in contrast to the result from not approving, or denying, the Project. Thus, this alternative is intended to meet the requirements of *CEQA Guidelines* Section 15126.6(e) for evaluation of a no project alternative.

- **Alternative 2: Reduced Intensity Alternative.** The Reduced Intensity Alternative would reduce the intensity of the proposed light industrial uses, locate the development on the eastern portion of the site, and the remainder of the site would be left in its existing condition. Under this alternative, the eastern 4.54-acre portion of the site (shown on Figure 8-1) would be developed at a FAR of 0.50 with a 98,881 SF warehouse building. A proportional reduction in the amount of loading docks, surface parking area and commensurate number of parking spaces for vehicles and trucks also would occur in the Reduced Intensity Alternative. This alternative assumes that access to the site would be provided from two driveways on Mesa Linda Street. The remaining 13.62 acres (75 percent) of the Project site would remain undeveloped and in its existing condition.

8.6 NO PROJECT/NO BUILD ALTERNATIVE

Section 15126.6(e) of the *CEQA Guidelines* requires analysis of the No Project Alternative. The No Project Alternative analysis must discuss existing conditions at the time the Notice of Preparation was published and considers conditions that would be reasonably expected to occur in the foreseeable future if the Project were not approved. The No Project Alternative applies to the following scenarios:

(1) When the project is a revision of an existing land use or regulatory plan, policy, or ongoing operation, the "no project" alternative is the continuation of the existing plan, policy, or operation into the future; or

(2) If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the "no project" alternative is the circumstance under which the project does not proceed.

Therefore, under the No Project/No Build Alternative, the preferred Project would not be developed, and the Project site would remain vacant and undeveloped.

The No Project/No Build Alternative provides a comparison between the environmental impacts of the proposed Project and the result of not approving, or denying, the proposed Project.

8.6.1 ENVIRONMENTAL IMPACTS

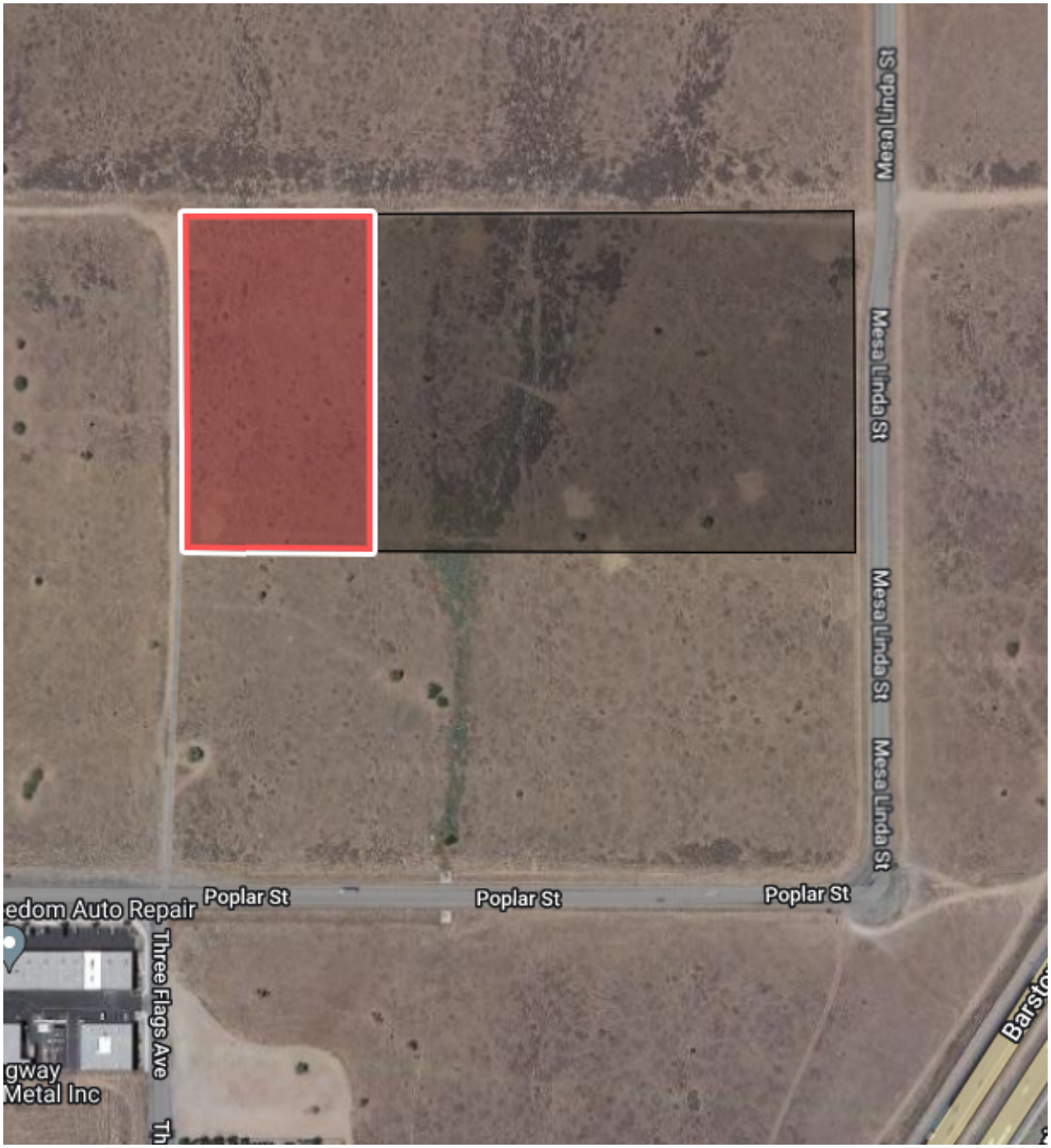
Aesthetics

Under the No Project/No Build Alternative, no new development would occur within the Project site, and the visual character and quality of the site would be maintained in its existing condition, which includes undeveloped and mostly undisturbed conditions. No structures or landscaping would be introduced on the site. No additional lighting or sources of glare would be installed. No views across the Project site would change. Thus, implementation of the No Project/No Build Alternative would not result in contrast or aesthetic incompatibilities with the existing environment, and no mitigation measures would be required. However, the visual improvements that would be introduced throughout the Project site, including new and improved landscaping, providing a building of contemporary design, and improvements to the public realm by streetscaping would not be implemented by the No Project/No Build Alternative. Overall, the aesthetic impacts from this alternative would be less than significant and would be reduced in comparison to the Project.

Air Quality

Under the No Project/No Build Alternative no new development would occur, which means that no grading, construction and building finishing activities and the related emissions would occur. In addition, by maintaining the existing site as vacant and undeveloped, no new operational trips would occur, which would further reduce the less than significant air quality impacts from the proposed Project. Therefore, overall air quality impacts would be reduced in comparison to the less than significant impacts of the Project.

Alternative 2: Reduced Intensity Alternative



Mesa Linda Logistics Center
City of Hesperia

Figure 8-1

Biological Resources

Under the No Project/No Build Alternative, the site would remain in its existing condition, which includes vacant and mostly undisturbed land. No grading or development would occur on the site under this alternative and there would be no potential impacts to Joshua Trees, jurisdictional waters, or migratory and nesting birds. Therefore, the No Project/No Build Alternative would not require implementation of mitigation, and impacts under this alternative would be reduced compared to the Project.

Cultural Resources

Under the No Project/No Build Alternative, the site would remain in its existing condition, which includes vacant and mostly undisturbed land. No grading or development would occur on the site under this alternative and there would be no potential impacts to subsurface cultural, historical, archaeological, or paleontological resources. Therefore, the No Project/No Build Alternative would avoid site disturbances that could impact resources and would not require mitigation. Thus, Project impacts would not occur under this alternative, and would be reduced compared to the Project.

Energy

The Project site would remain vacant and mostly undisturbed under the No Project/No Build Alternative. Therefore, there would be no increase in demand for energy. Although the Project demands for Energy were determined to be less than significant, the amount of energy used by the No Project/No Build Alternative would be reduced compared to the Project.

Greenhouse Gas Emissions

Under the No Project/No Build Alternative, no new development would occur, which means no new development or operational activities would generate GHG emissions. Although Project impacts related to greenhouse gases would be less than significant, this alternative would not increase greenhouse gases above existing conditions. Therefore, overall GHG impacts would be reduced in comparison to the Project.

Hydrology and Water Quality

Existing water quality conditions, groundwater supplies, drainage patterns, and runoff water amounts would remain "as is" under this Alternative as no new development would occur. This alternative would not introduce new sources of water pollutants from either the construction or operation phases of development to the Project site, because no new development would occur. Additionally, this alternative would not require the storm drain facility improvements that would be necessary with the Project. However, this alternative would not include installation of new low-impact development (LID) treatment control best management practices (BMPs) to minimize runoff, which would occur under the Project. Storm water leaving the site would continue to contain sediment associated with the existing conditions of the site. Due to the lack of urban activities that would occur under the No Project/No Build Alternative, a reduction in potential pollutants would result. Therefore, the No Project/No Build Alternative would reduce potential impacts to Hydrology and Water Quality, compared to those that could occur from the Project.

Noise

Under this alternative, no development would occur onsite, and no new sources of noise would be introduced. Since no new development would occur and no traffic trips would be generated, this alternative would not contribute to an incremental increase in area-wide traffic noise levels. In addition, this alternative would not result in construction onsite and no construction noise or vibration would occur. As a result, the No Project/No Build Alternative would avoid potential impacts related to noise and would not generate any noise. Thus, impacts related to noise would be less than the proposed Project.

Transportation

This alternative would not result in new development, and as such, would not result in any vehicular trips or VMT related to operation of the Project site. This alternative would not impact existing transit service and alternative transportation facilities serving the Project site. As the Project site would not be developed and trips would not be generated, the No Project/No Development alternative would avoid the Project's significant and unavoidable impacts related to traffic hazards (vehicle queuing) and would further reduce the Project's less than significant VMT impacts. Therefore, the No Project/No Development Alternative would result in less impacts than the proposed Project.

Tribal Cultural Resources

The No Project/No Build Alternative would not develop the Project site. No grading or excavation would occur under this alternative and there would be no potential impacts to subsurface Tribal Cultural Resources that may exist beneath the ground surface. Therefore, the Project's potential impacts to Tribal Cultural Resources would not occur and mitigation measures would not be required. Thus, impacts under this alternative would be less than the Project.

Utilities and Service Systems

Under this alternative, existing conditions would remain, and no new development would occur. No additional domestic water, wastewater, stormwater drainage, electric power, natural gas, or telecommunication facilities would be needed under this alternative, and there would be no change in the demand for domestic water or wastewater treatment services. This alternative would also not result in increased demand for solid waste collection and disposal. Selection of this alternative would avoid all of the Project's impacts to utilities and service system providers. While the Project would result in less than significant impacts, this alternative would result in less impacts due to no change in demand of these service systems. Therefore, the No Project/No Development Alternative would result in less impacts than the proposed Project.

8.6.2 CONCLUSION

Ability to Reduce Impacts

This alternative would reduce the Project's significant and unavoidable impacts related to hazardous traffic conditions to no impact. The No Project/No Build Alternative would also eliminate less than significant impacts related to the topical sections analyzed in this EIR and would not necessitate identified mitigation measures related to aesthetics, biological resources, cultural resources, paleontological resources, and tribal cultural resources that would result in the identified impacts being reduced to a less than significant level under the Project.

Ability to Achieve Project Objectives

Implementation of the No Project/No Build Alternative would not implement the proposed development on the Project site, and none of the Project objectives would be achieved under this alternative. The No Project/No Build Alternative would not add to the City's employment-generating uses or new businesses, would not promote economic growth, would not reduce the need for commuting to employment and would not develop the site for industrial warehousing consistent with the City's land use designation. A comparison of the No Project/No Build Alternative and the Project objectives is provided in Table 6-2.

8.7 REDUCED INTENSITY ALTERNATIVE

The Reduced Intensity Alternative would reduce the intensity of the proposed light industrial uses, locate the development on the eastern portion of the site, and the remainder of the site would be left in its existing

condition. Under this alternative, the eastern 4.54-acre portion of the site (shown on Figure 6-1) would be developed at a FAR of 0.50 with a 98,881 SF warehouse building. A proportional reduction in the amount of surface parking area and commensurate number of parking spaces for vehicles and trucks also would occur in the Reduced Project Alternative. This alternative assumes that access to the site would be provided from two driveways on Mesa Linda Street. The remaining 13.62 acres (75 percent) of the Project site would remain undeveloped and in its existing condition.

8.7.1 ENVIRONMENTAL IMPACTS

Aesthetics

Under the Reduced Intensity Alternative, the same type of light industrial warehouse development would occur on the Project site. However, the development would be limited to the eastern 4.54-acre portion of the site and the aesthetics of the remaining 13.62 acres (75 percent) of the Project site would remain undeveloped and in its existing condition. The Reduced Intensity Alternative would be visually less dense than the proposed Project. The Reduced Intensity Alternative would include construction of a building with a smaller footprint, but of the same height and the same architectural character as the Project. Thus, the visual character and quality of the developed portion of the site would be the similar to the Project, and Mitigation Measure AES-1 would be required to ensure consistency of the development with the surrounding scenic landscape to ensure that impacts to visual character and quality would be less than significant.

Because 75 percent of the site would remain as undeveloped under this alternative, and fewer lights would be required to illuminate the exterior of a smaller building and parking lot, the Reduced Intensity Alternative would result in fewer sources of light and glare. Overall, implementation of the Reduced Intensity Alternative would result in a large area of undeveloped open space on the western portion of the Project site and requires the same mitigation measures as the proposed Project to reduce impacts to a less than significant level. Thus, aesthetic impacts from the Reduced Intensity Alternative would be neutral in comparison to the proposed Project.

Air Quality

The Reduced Intensity Alternative would reduce the proposed industrial development on the Project site by 75 percent. Therefore, a reduced volume of construction activities and related emissions would occur. In addition, the reduced amount of square footage that would be developed by this alternative would result in fewer stationary source emissions from equipment on-site and substantially fewer vehicular trips and associated emissions than the Project. Therefore, overall air quality impacts would be reduced in comparison to the less than significant impacts of the Project. Thus, this alternative and cumulative impacts under this alternative would be the less than the Project.

Biological Resources

The Reduced Intensity Alternative would reduce the amount of building area and associated parking stalls proposed for the Project site. This alternative would largely reduce the impacts to Joshua Trees. As detailed in Section 5.3, *Biological Resources*, 25 Joshua trees within the Project boundaries have the potential to be impacted. The development area of the Reduced Intensity Alternative includes approximately 4 Joshua trees. Thus, this alternative would avoid impacts to 84 percent of the Joshua trees within the Project boundaries. However, because some Joshua trees would still be impacted by this alternative, mitigation measures would continue to be required to reduce impacts to Joshua trees to a less than significant level. Similarly, the area of potential impacts to Booth's evening-primrose, Burrowing owl, and other sensitive wildlife species would be reduced; but Mitigation Measures BIO-1 through BIO-3, and Mitigation Measures BIO-5 and BIO-6 would continue to be required to be implemented.

However, the Reduced Intensity Alternative would avoid the ephemeral stream on the Project site, as shown in Figure 6-1. As such, the impacts to the stream would not occur and Mitigation Measure BIO-4 would not be required. Thus, this alternative would result in fewer impacts to biological resources, and a reduction in the necessary mitigation would occur compared to the proposed Project.

Cultural and Paleontological Resources

The Reduced Intensity Alternative would result in similar impacts to potential undiscovered subsurface archaeological and paleontological resources within the reduced construction area. Grading and excavation would still be required as part of the construction process; therefore, the same mitigation would be required to reduce potential impacts to less than significant. Therefore, impacts to cultural and paleontological resources from the Reduced Intensity Alternative would be similar to those associated with the proposed Project.

Energy

Under the Reduced Intensity Alternative, approximately 75 percent less building area would be developed within the Project site. This would result in an approximately 75 percent decrease in the demand for energy in comparison to the proposed Project, which was determined to be less than significant. Although the Project demands for energy were determined to be less than significant, the amount of energy used by the Reduced Intensity Alternative would be 75 percent less and would comply with the same regulations/incorporate the same measures to ensure no wasteful or inefficient use of energy. Therefore, impacts to energy would be less under this alternative than the less than significant impacts that would occur from implementation of the Project.

Greenhouse Gas Emissions

The Reduced Intensity Alternative would develop the Project site with the same type of industrial warehouse use, but with a 75 percent reduction in square footage. Therefore, a reduction of construction and related production of GHG emissions would occur, compared to the proposed Project. In addition, the reduced amount of square footage that would be developed by this alternative would result in fewer stationary source emissions from equipment on-site, and fewer vehicular trip-associated GHG emissions than the Project. The increase in GHG emissions that would be generated from operation of this alternative would be approximately 75 percent less than the proposed Project. Therefore, overall GHG emissions would be reduced in comparison to the Project, and the Reduced Intensity Alternative would result in a reduction of the less than significant impacts generated from the Project.

Hydrology and Water Quality

The Reduced Intensity Alternative would result in a reduced area of impervious surfaces compared to the Project. However, like the proposed Project, this alternative would introduce new sources of water pollutants from warehouse development and operation activities. Additionally, this alternative would be required to include storm drain facility improvements, LID, source control, site design, and treatment control BMPs that are similar to those that are included in the Project. Therefore, the Reduced Intensity Alternative would result in less than significant impacts to hydrology and water quality that are similar to those that would occur from the Project. Overall, hydrology and water quality impacts would be less than significant, and neutral in comparison to the Project.

Noise

Noise impacts would be reduced from the noise impacts of the Project because a smaller building would be constructed, and the construction timeline would be shorter. Project operational noise impacts would be reduced because this alternative would result in fewer truck trips than the Project, and the stationary noise

sources would be reduced in relation to the reduction in warehouse/logistics building square footage. Overall, noise impacts from the Reduced Intensity Alternative would be reduced as compared to the Project's less than significant impacts.

Transportation

Construction and operation-related traffic and truck trips would be reduced under the Reduced Intensity Alternative because this alternative would decrease the Project by 75 percent. Daily operational vehicular trips would be reduced in relation to the reduction of the building area. In addition, the VMT generated from this alternative would be less than the proposed Project. As a result, the Reduced Intensity Alternative would reduce the Project's significant impacts; however, impacts resulting from hazardous conditions due to queuing would remain significant and unavoidable since improvements would be within Caltrans jurisdiction and improvements cannot be guaranteed. Therefore, impacts that would occur under the Reduced Intensity Alternative would be less than those associated with the Project, but would remain significant and unavoidable.

Tribal Cultural Resources

Under this alternative, the Project would be reduced by approximately 75 percent. Grading and excavation would still occur under this alternative; therefore, there could be similar impacts to tribal cultural resources and the same mitigation measures would be required for the reduced construction area. Therefore, impacts that could occur by the Reduced Intensity Alternative would be similar to those associated with the Project.

Utilities and Service Systems

The Reduced Intensity Alternative would reduce the size of the Project by approximately 75 percent. This would reduce the number of employees on the Project site in relation to the reduction of building square footage; and would also reduce demand for utilities from the proposed building.

Under this alternative, demand for regional water supplies would be less than the Project. Thus, impacts related to water supplies would be reduced as compared to the less than significant impacts that would occur from implementation of the Project. Similarly, solid waste generation would be less than the amount of solid waste generated by the Project and would require less landfill capacity. Therefore, impacts to utilities and service systems under this alternative would result in similar less than significant impacts as the proposed Project.

8.7.2 CONCLUSION

Ability to Reduce Impacts

The Reduced Intensity Alternative would reduce the total graded and developed area which would decrease the impacts related to biological, cultural, paleontological, and tribal cultural resources. However, similar to the Project, this alternative would require mitigation measures to ensure impacts are less than significant. As with the Project, significant and unavoidable impacts on transportation would result from implementation of this Alternative. Overall, the volume of impacts would be less under the Reduced Intensity Alternative in comparison to the Project. However, mitigation for biological resources, cultural resources, paleontological resources, and tribal cultural resources would still be required to reduce the identified potentially significant impacts to less than significant levels. This alternative would further reduce the less than significant impacts related to air quality, greenhouse gas, energy, and noise. However, similar to the Project, no mitigation related to these environmental topics would be required.

Ability to Achieve Project Objectives

Implementation of the Reduced Intensity Alternative would meet the Project objectives, but some of them would not be met to the extent as would be achieved by the Project, as listed in Table 6-2. The Reduced Intensity Alternative would provide for development of a warehouse use on the site; however, the alternative provides approximately 75 percent less warehouse space than the Project, and it would attract less business activity, less economic growth, fewer local employment opportunities to area residents and less efficient development of an underutilized site that is designated for development.

8.8 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires a lead agency to identify the "environmentally superior alternative" when significant environmental impacts result from a proposed project. The Environmentally Superior Alternative to the Project would be the No Project/No Build Alternative. No substantially significant and long-term impacts would occur to the environment as a result of this No Project/No Build Alternative. However, CEQA Guidelines Section 15126.6(3)(1) states:

> *The "no project" analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. (Emphasis added).*

The Environmentally Superior Alternative (other than the No Project/No Build Alternative) is the Reduced Intensity Alternative, which would reduce the building size by approximately 75 percent, to an approximate size of 98,881 SF, with a reduction in parking area and parking spaces. Although some of the of less than significant impacts would be reduced under the Reduced Intensity Alternative in comparison to the proposed Project, this alternative would not eliminate the need for any of the mitigation measures. Additionally, this alternative would not avoid the Project's significant and unavoidable impacts related to increasing hazardous traffic conditions due to vehicle queuing.

Regarding Project Objectives, the Reduced Intensity Alternative would result in less economic gain and fewer employment opportunities than the Project. This alternative would attract less business activity and fewer employment opportunities to area residents. In addition, the smaller development would not fully develop an underutilized property. Fewer members of the local workforce would be able to obtain local employment.

CEQA does not require the Lead Agency (the City of Hesperia) to choose the environmentally superior alternative. Instead, CEQA requires the City to consider environmentally superior alternatives, weigh those considerations against the environmental impacts of the Project, and make findings that the benefits of those considerations outweigh the harm.

Table 8-1 provides, in summary format, a comparison between the level of impacts for each alternative and the Project. In addition, Table 8-2 provides a comparison of the ability of each of the alternatives to meet the Project Objectives.

Table 8-1: Impact Comparison of the Proposed Project and Alternatives

	Proposed Project	Alternative 1: No Project/No Build	Alternative 2: Reduced Intensity Alternative
Aesthetics	Less than significant with mitigation	Less, no impacts, no mitigation required	Same as proposed Project, less than significant with mitigation
Air Quality	Less than significant	Less, no impacts	Less, but also less than significant
Biological Resources	Less than significant with mitigation	Less, no impacts, no mitigation required	Same as proposed Project, less than significant with mitigation
Cultural and Paleontological Resources	Less than significant with mitigation	Less, no impacts, no mitigation required	Same as proposed Project, less than significant with mitigation
Energy	Less than significant	Less, no impacts	Less, but also less than significant
Greenhouse Gas Emissions	Less than significant	Less, no impacts	Less, but also less than significant
Hydrology and Water Quality	Less than significant	Less, no impacts	Same as proposed Project, less than significant
Noise	Less than significant	Less, no impacts	Less, but also less than significant
Transportation	Significant and Unavoidable	Less, no impacts	Same as proposed Project, Significant and Unavoidable
Tribal Cultural Resources	Less than significant with mitigation	Less, no impacts	Same as proposed Project; less than significant with mitigation
Utilities	Less than Significant	Less, no impacts	Less, but also less than significant
Reduce Impacts of the Project?		Yes	Yes
Areas of Reduced Impacts Compared to the Project		11	*5*
Areas of Reduced Need for Mitigation		4	0

Table 8-2: Comparison of the Proposed Project and Alternatives Ability to Meet Objectives

	Proposed Project	Alternative 1: No Project / No Build	Alternative 2: Reduced Intensity Alternative
To make efficient use of the property in the City of Hesperia by adding to its potential for employment-generating uses.	Yes	No	Yes, but not to the same extent as the proposed Project.
To attract new business and employment to the City of Hesperia and thereby promote economic growth.	Yes	No	Yes, but not to the same extent as the proposed Project.

	Proposed Project	Alternative 1: No Project / No Build	Alternative 2: Reduced Intensity Alternative
To reduce the need for members of the local workforce to commute outside the Project vicinity to work.	Yes	No	Yes, but not to the same extent as the proposed Project.
To develop an underutilized property with an industrial warehouse building near available infrastructure, including roads and utilities, to help meet demand for logistics business in the City and surrounding region.	Yes	No	Yes, but not to the same extent as the proposed Project.
To build an industrial warehouse project consistent with the City of Hesperia land use designation and City of Hesperia Development Code regulations.	Yes	No	Yes.
To provide a Project designed to avoid impacts to sensitive land uses through implementation of CARB and SCAQMD recommended setbacks.	Yes	No	Yes
Develop a project that does not contribute to surface and groundwater quality degradation by treating surface and stormwater flows.	Yes	No	Yes

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