

PUBLIC DRAFT
**MITIGATED NEGATIVE DECLARATION/
INITIAL STUDY**
FOR THE
CITY OF NEEDLES
GENERAL PLAN UPDATE
LAND USE AND TRANSPORTATION ELEMENTS

City of Needles
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1.0 INTRODUCTION

1.1 OVERVIEW

The City of Needles is updating its General Plan Update for Land Use and Transportation Elements (proposed Project) of the current General Plan. The City last completed a comprehensive update of its General Plan in 1986. The City's recent completion of the Housing Element presents the City of Needles' goals, quantified objectives, and policies relative to the development, improvement, and maintenance of housing within the incorporated areas of the City, during the period of 2021 to 2029.

The Land Use and Transportation elements form the backbone of the City's general plan and guide the long-term growth and improvement of the Needles community. The proposed project updates the Land Use and Transportation elements of the general plan to guide the City's growth and development for the next 20 years through 2040. The City intends to limit growth and development to its incorporated boundaries and does not plan on promoting growth or changing land use or circulation in its unincorporated sphere of influence (SOI).¹

The City will also create a single-map system that bring its General Plan and Zoning maps into consistency, and introduce mixed-use development into the City's downtown and the creation of a Downtown (DT) designation and corresponding changes to the Development Code.

1.2 AUTHORITY

The City, as Lead Agency pursuant to California Environmental Quality Act (CEQA), is required to undergo an environmental review process for the proposed Project, pursuant to the CEQA and the CEQA Guidelines. The basic purposes of CEQA are as follows: to inform decision-makers and the public about the potentially significant environmental effects of proposed activities, identify ways to eliminate or reduce such potentially significant environmental impacts through the use of feasible alternatives and mitigation measures, and to disclose why a governmental agency may consider approving a project if significant environmental effects are involved. To help with understanding select issues, this document will provide references to the statute, CEQA Guidelines, or appropriate case law.

1 The majority of unincorporated SOI is north, south, and west of the incorporated boundaries; the exception is an 18-acre area that is owned by the Fort Mojave Indian Tribe and entirely surrounded by incorporated lands. The City assumes County land use designations for all unincorporated SOI areas, most of which are not associated with residential or nonresidential building activities (either Open Space or Resource/Land Management). The unincorporated land owned by the Fort Mojave Indian Tribe is designed for Rural Living by the County.

The CEQA Guidelines Appendix G Initial Study (IS) Checklist is used to determine if a project may have a significant effect on the environment. The IS describes the proposed Project and environmental setting, discusses the potential environmental impacts, and identifies feasible mitigation measures to eliminate or reduce the potentially significant effects. The IS also examines the Proposed Project's consistency with applicable zoning, plans, and policies. Furthermore, the preparers of the Initial Study are identified.

1.3 ORGANIZATION OF THE MND/IS

The content and format of this report are designed to meet the requirements of CEQA and the CEQA Guidelines. The Initial Study (IS) supports the finding that the Proposed Project, as mitigated, would have no significant environmental impact, thus preparation of an MND is appropriate for the Project. This report contains the following sections:

- **Section 1: Introduction** identifies the purpose and scope of the MND/IS and the terminology used in this document.
- **Section 2: Project Setting** identifies the location, background, and planning objectives of the Proposed Project and describes it in detail.
- **Section 3: Environmental Setting and Regulatory Framework** describes the existing conditions, surrounding land use, general plan, and zoning in the area.
- **Section 4: Environmental Checklist** presents the checklist responses and evaluation for each resource topic.
- **Section 5: Environmental Analysis** includes an analysis for each resource topic and identifies impacts of implementing the Proposed Project. It also identifies mitigation measures, if applicable.
- **Section 6: References** identifies all printed references and individuals cited in this MND/IS.
- **Section 7: List of Preparers** identifies the individuals who prepared this report and their affiliation.
- **Section 8: Acronyms.**

Appendices present data supporting the analysis or contents of this report. These include:

- **Appendix A: Air Quality and Greenhouse Gas Calculations**
- **Appendix B.1: California Natural Diversity Database**
- **Appendix B.2: eBird Database**
- **Appendix C: Energy Use Calculations**

- **Appendix D:** Environmental Data Resources Report
- **Appendix E:** Noise Levels
- **Appendix F:** Traffic Report
- **Appendix G.1:** AB52 Tribal Consultation Letters
- **Appendix G.2:** SB18 Tribal Consultation Letters

1.4 PUBLIC AND AGENCY REVIEW OF THE DRAFT MND/IS

The City is providing a 30-day period for review and comment on the Draft Supplemental MND/IS herein and online at <https://www.cvmosquito.org>. Interested individuals, organizations, trustee and responsible agencies, and other agencies can provide written comments to the address below.

City of Needles
Planning Department
817 Third St.
Needles, CA 92363

Contact: Patrick Martiez, Assistant City Manager/Development Services
E-mail: pmartinez@cityofneedles.com

Please include “Needles General Plan Update” in the subject line. Comments should include the name of a contact person within the commenting agency.

Upon completion of the public and agency review-period, the District will evaluate the comments on environmental issues received and prepare written responses that will be considered for adoption by the City Council.

2.0 PROJECT SETTING

2.1 OVERVIEW

The City of Needles is updating its General Plan Update for Land Use and Transportation Elements (proposed Project) of the current General Plan. The City last completed a comprehensive update of its General Plan in 1986. The City's recently completed Housing Element presents the City of Needles' goals, quantified objectives, and policies relative to the development, improvement, and maintenance of housing within the incorporated areas of the City, during the period of 2021 to 2029.

2.2 PROJECT LOCATION

As shown in **Figure 2.0-1: Regional and Local Vicinity Map**, the City of Needles is located in San Bernardino County in the Mojave Desert and lies on the western banks of the Colorado River along the California/Arizona/Nevada borders. Needles has a local population of 5,200 and a regional population of 142,000. The City is roughly 110 miles (180 km) from the Las Vegas Strip and is the easternmost city of the San Bernardino-Riverside metropolitan area. Needles is geographically isolated from other cities in the County. Barstow, the nearest city within the County, is separated from Needles by over 140 miles of desert and 2 mountain ranges. The city is accessible via major highways, I-40 and U.S. Route 95.

The City's boundary and Sphere of Influence (SOI) is shown in **Figure 2.0-2: City of Needles and Sphere of Influence**.

2.3 DESCRIPTION OF PROPOSED PROJECT

Proposed Changes to the Existing General Plan

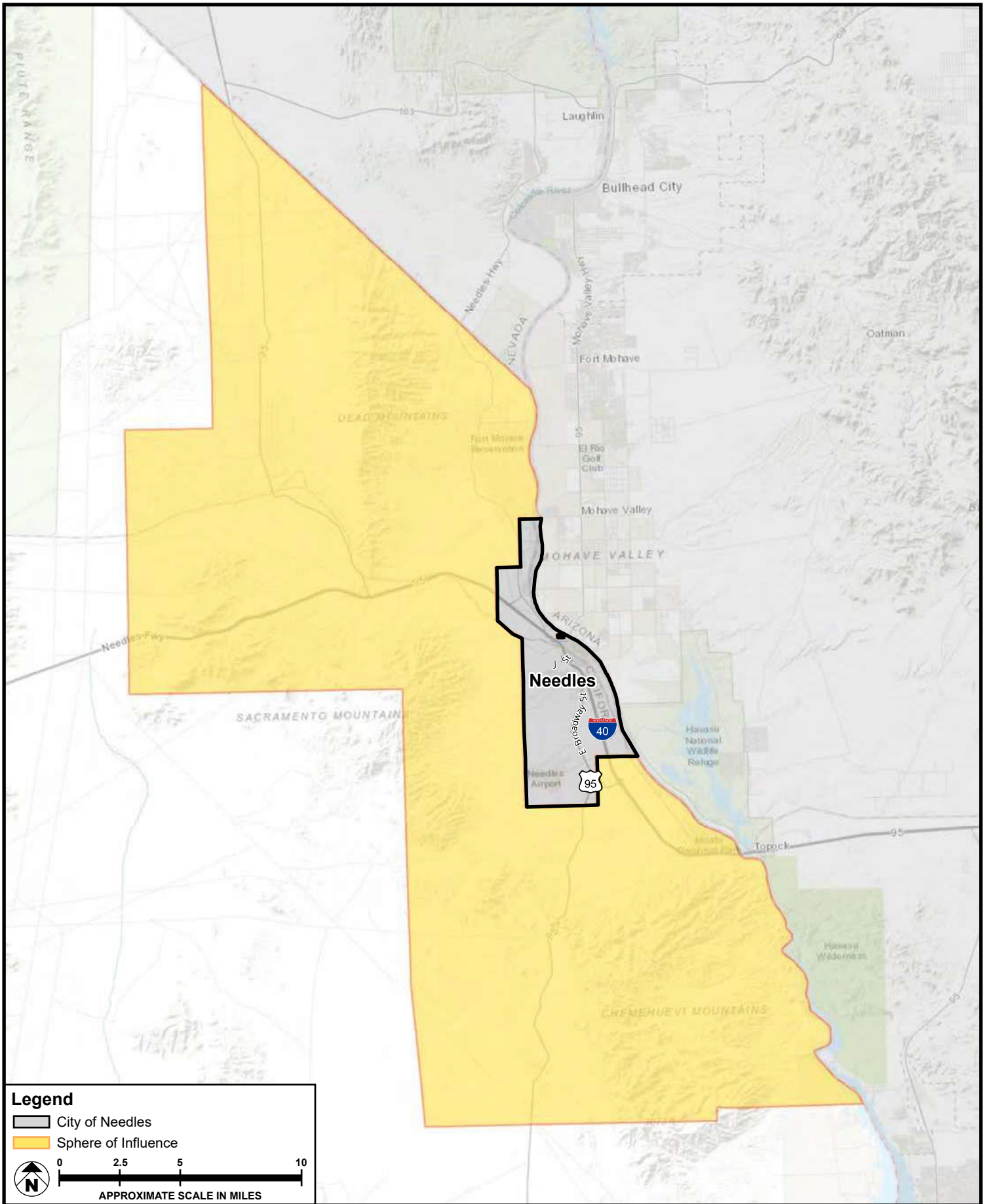
The City's Land Use and Transportation elements form the backbone of the General Plan and guide the long-term growth and improvement of the Needles community. The proposed project updates the Land Use and Transportation elements of the general plan to guide the City's growth and development for the next 20 years through 2040. The City intends to limit growth and development to its incorporated boundaries and does not plan to promote growth or changing land use or circulation in its unincorporated sphere of influence (SOI).²

2 The majority of unincorporated SOI is north, south, and west of the incorporated boundaries; the exception is an 18-acre area that is owned by the Fort Mojave Indian Tribe and entirely surrounded by incorporated lands. The City assumes County land use designations for all unincorporated SOI areas, most of which are not associated with residential or nonresidential building activities (either Open Space or Resource/Land Management). The unincorporated land owned by the Fort Mojave Indian Tribe is designed for Rural Living by the County.



SOURCE: Google Earth - 2022

FIGURE 2.0-1



SOURCE: San Bernardino County LAFCO, City of Needles, 2018

FIGURE 2.0-2

As part the General Plan update, the City will also create a single-map system that bring its General Plan and Zoning maps into consistency, and introduce mixed-use development into the City’s General Commercial (GC) designation (including corresponding changes to the City’s Development Code). **Table 2.0-1: Buildout Statistical Summary**, provides a statistical summary of the buildout potential associated with the Proposed Land Use Element compared to existing conditions.

TABLE 2.0-1 BUILDOUT STATISTICAL SUMMARY					
Scenario	Acres	Units	Population	Non-res Sq. Feet	Employment
<i>Existing Conditions (2021)</i>	19,124	2,829	5,225	1,876,869	1,403
<i>Proposed GP (2040)</i>	19,124	3,907	7,750	2,743,154	2,395
<i>Potential Growth</i>	--	1,078	2,525	866,285	992

The City’s circulation system (streets and roads, bikeways, and pedestrian routes) will be updated to enhance mobility in and around Needles for more efficient and safer motorized and nonmotorized circulation, with a focus on aligning future growth projections and necessary roadway improvements.

The proposed project is designed to achieve the following primary objectives:

- Facilitate more flexible and innovative mix of land uses that will revitalize the downtown and provide new housing opportunities throughout the city.
- Support economic growth through the cannabis industry while ensuring land use compatibility and preserving City identity and history.
- Improve public access to and increase tourism related to the Colorado River.
- Provide better alternatives to driving with expanded access for people walking, bicycling, and taking transit.
- Manage growth to ensure safe and fiscally sustainable infrastructure systems.

Figure 2.0-3: Existing Land Use Plan, depicts the City’s general location and pattern of existing land uses and roadways as depicted on the current Land Use Plan Map for the General Plan.

Figure 2.0-4: Proposed Land Use Plan, displays the proposed Land Use Plan Map, using a single-map system to depict General Plan land use designations and Zoning districts.

City of Needles, California GENERAL PLAN LAND USE

RESIDENTIAL

- LOW DENSITY
- MED DENSITY
- HIGH DENSITY

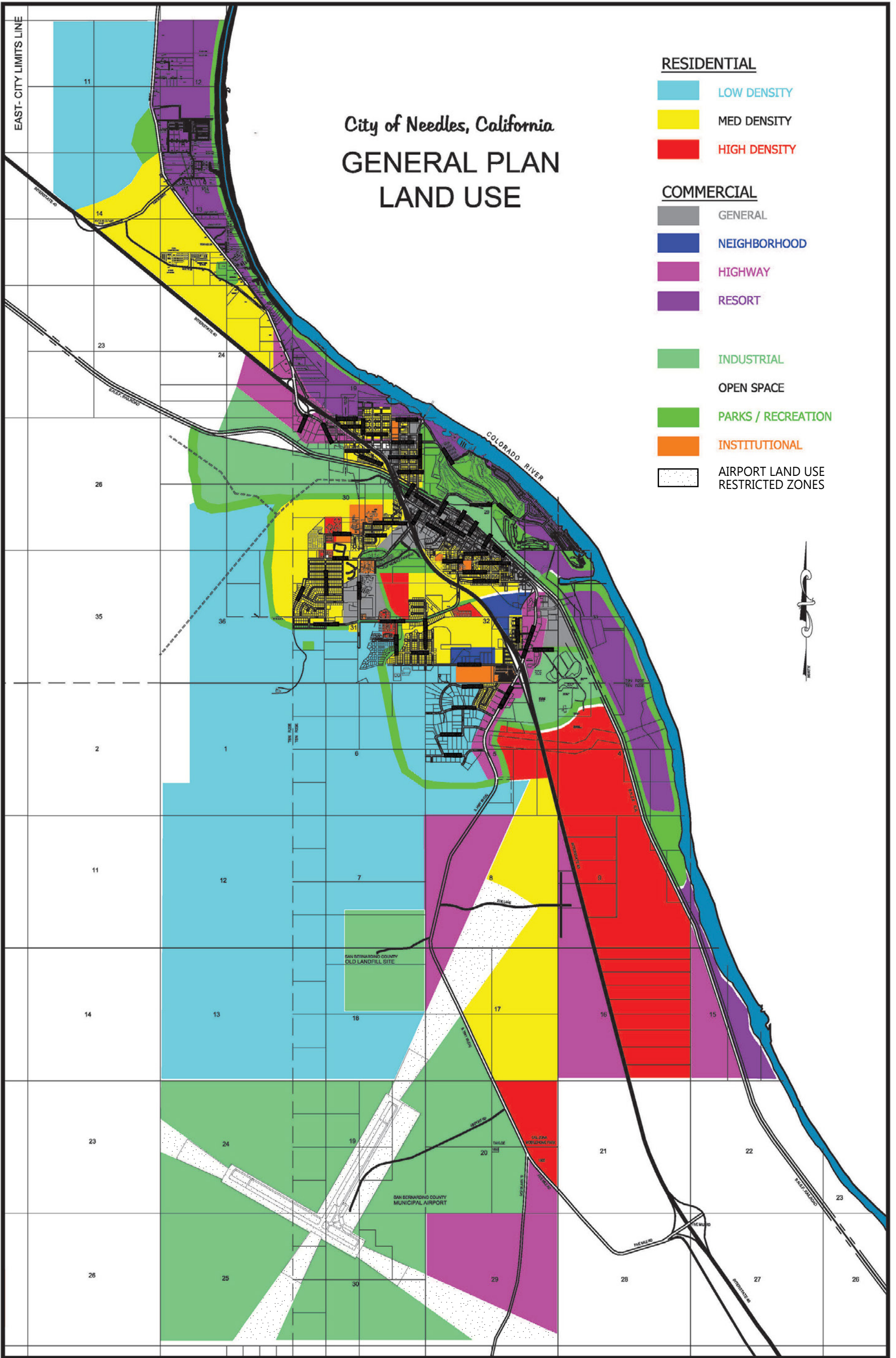
COMMERCIAL

- GENERAL
- NEIGHBORHOOD
- HIGHWAY
- RESORT

INDUSTRIAL

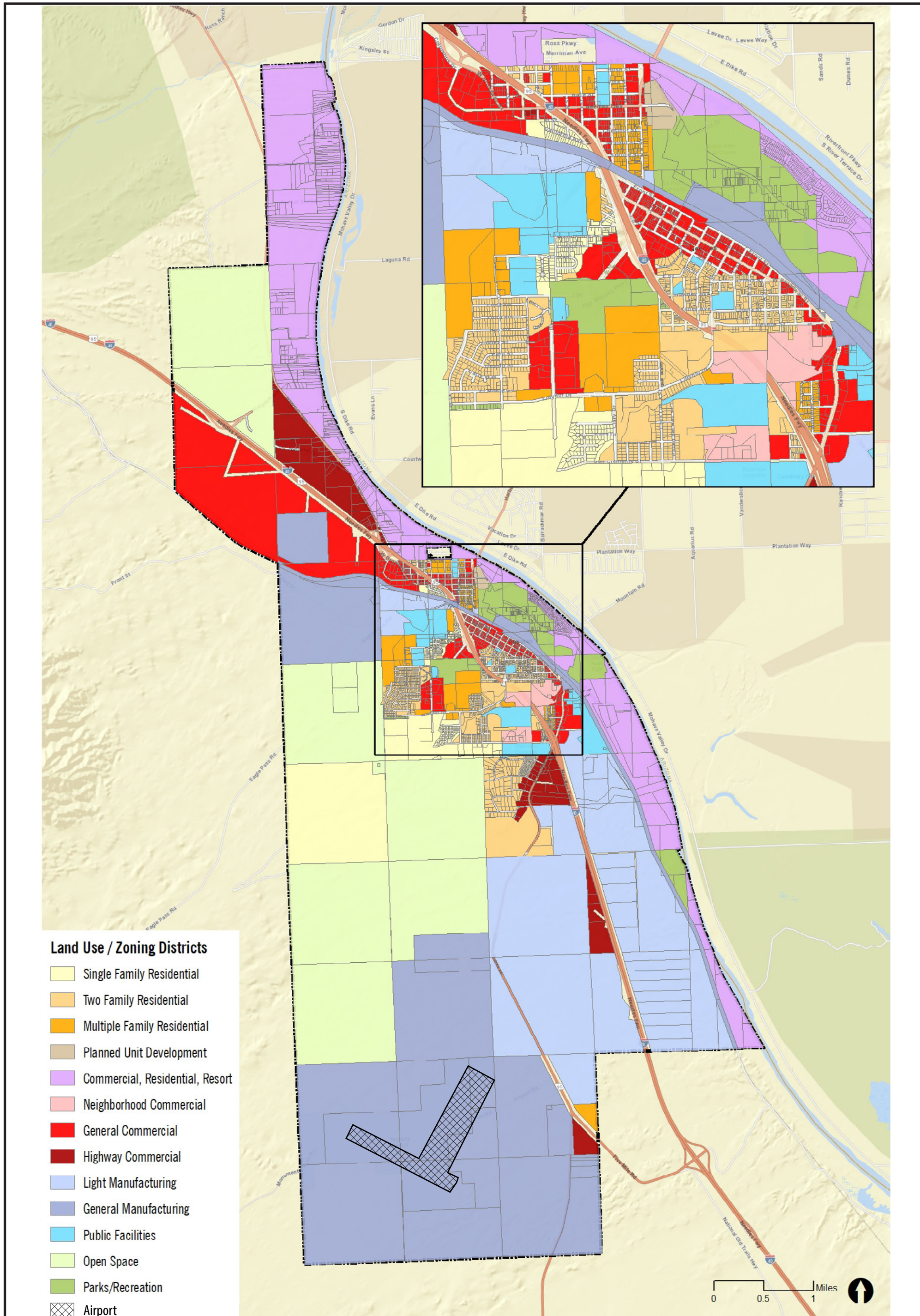
- OPEN SPACE
- PARKS / RECREATION
- INSTITUTIONAL

- AIRPORT LAND USE RESTRICTED ZONES



SOURCE: City of Needles - 2022; Placeworks - 2022

FIGURE 2.0-3



SOURCE: City of Needles - 2022; Placeworks - 2022

FIGURE 2.0-4

The proposed Land Use Map will include the following land use designations:

- Single Family Residential
- Two Family Residential
- Multiple Family Residential
- Planned Unit Development
- Commercial Residential Resort
- Neighborhood Commercial
- General Commercial
- Highway Commercial
- Light Manufacturing
- General Manufacturing
- Public Facilities
- Open Space
- Parks/Recreation

The proposed land Use Map combines or eliminates the following designations provided on the existing Land Use Map into other designations:

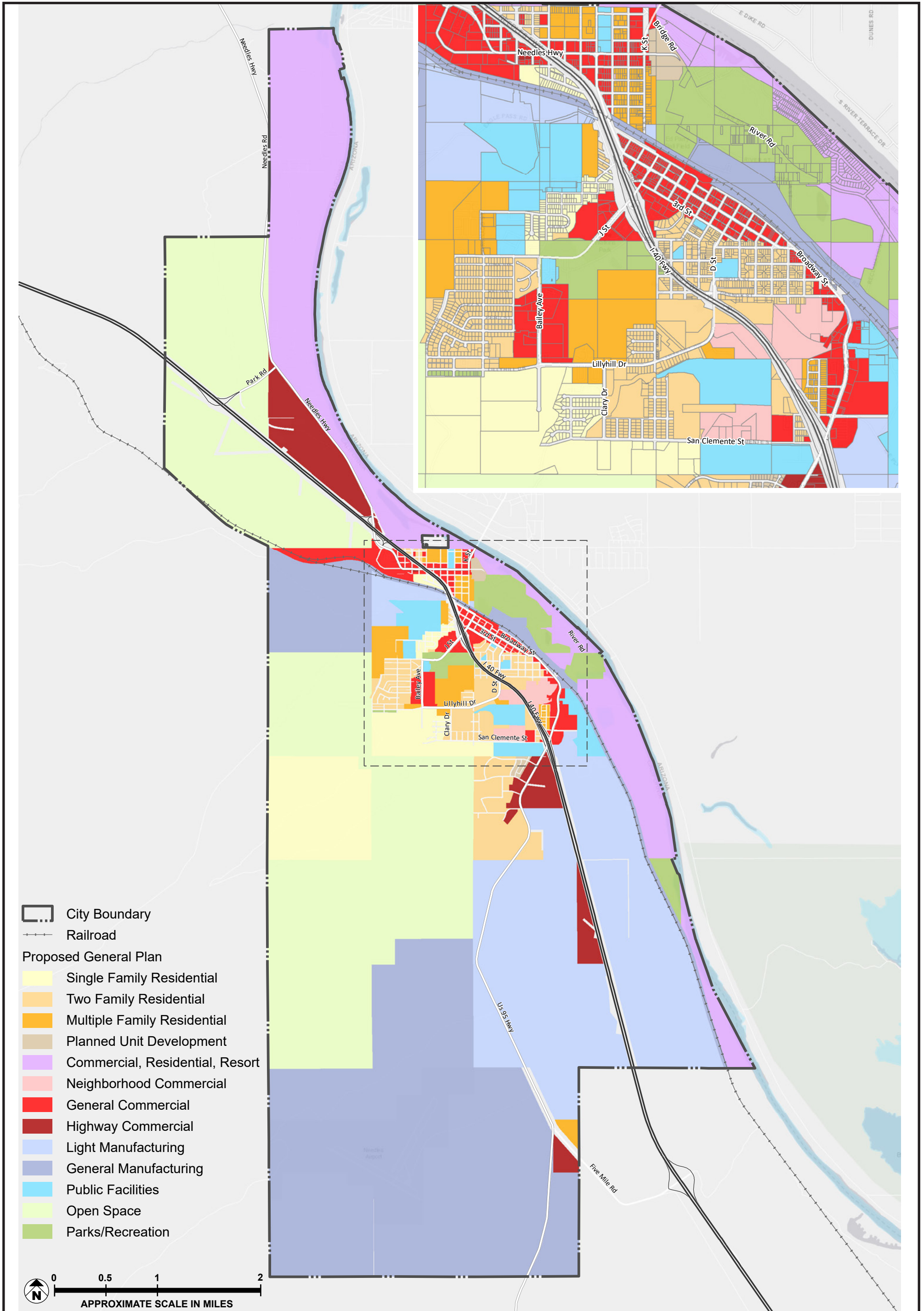
- Mobile Home
- Mixed Use
- Agriculture
- Airport
- Auto Service
- General Office
- Hotel/Motel
- Industrial
- Public/Quasi-Public
- Transportation
- Vacant

Proposed Downtown Core

As part of the revised Land Use Element and Land Use Map, the City will implement a Downtown Core area along West Broadway Street between E Street and H Street between 3rd Street and the Burlington Northern and Santa Fe Railway (BNSF) previously known as the Atchison, Topeka and Santa Fe Railway (ATSF) Railroad tracks. As noted in the proposed Land use policies, this area will provide for pedestrian and experience-oriented downtown that serves as a local gathering place and a regional destination. The area is shown in **Figure 2.0-5: Proposed Downtown Core**.

Proposed Broadway Avenue Reconfiguration

As part of the General Plan, the City is exploring the potential of a “Main Street” concept within Downtown Needles along Broadway Avenue. For this concept, potential lane reductions are being considered to create a more vibrant commercial district. The existing four-lane facility between L Street and A Street would be reduced to provide one travel lane in each direction with on-street angled parking. The lane reduction would only affect the lane geometries at one study intersection: J Street and Broadway Avenue. In addition, the lane reduction would only affect the number of travel lanes for the segment of Broadway Avenue between J Street and G Street.



SOURCE: City of Needles - 11/21/2022

FIGURE 2.0-5

Revisions to the Commercial Recreation Designation

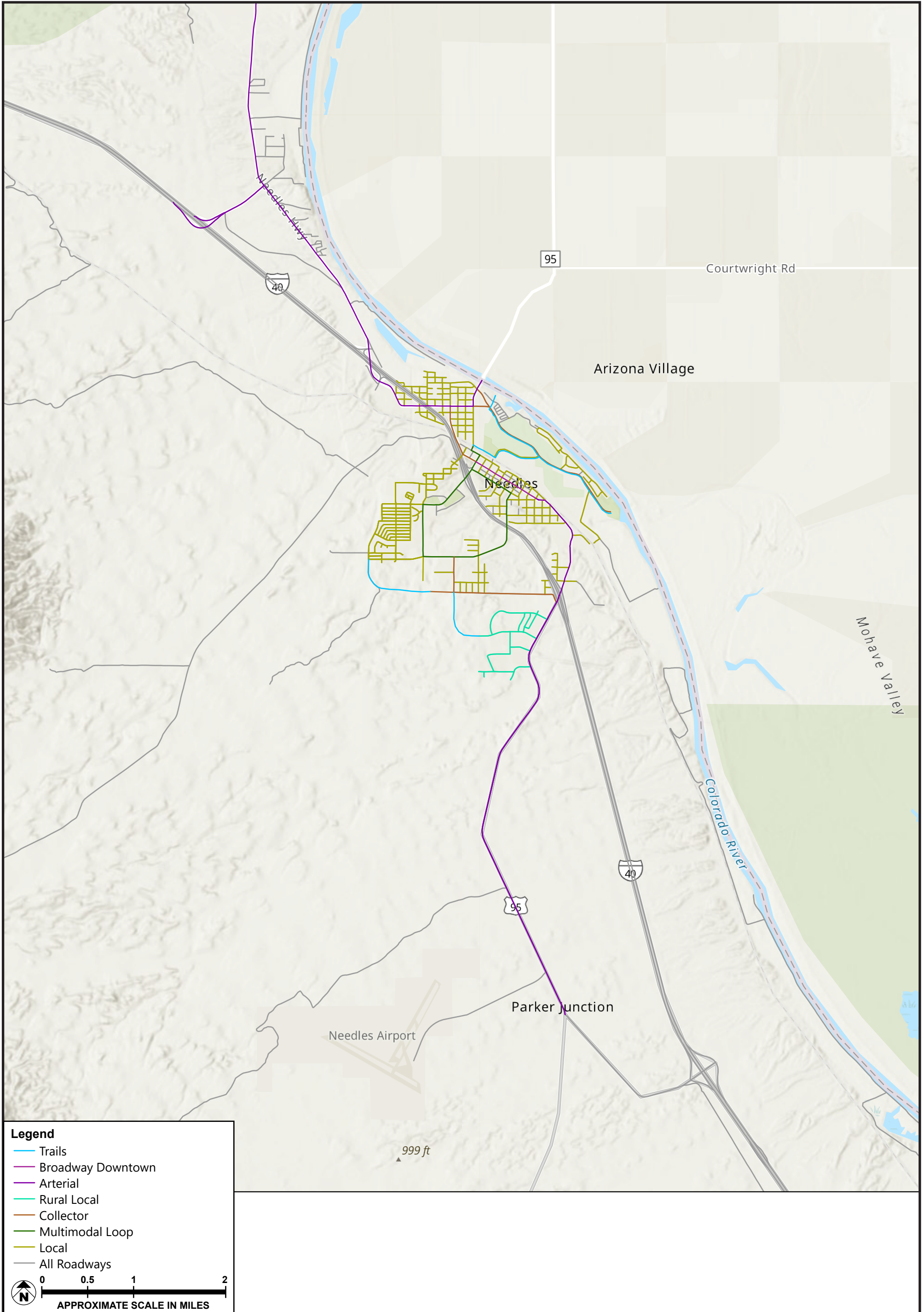
The current General Plan designates land adjacent to the Colorado River as Commercial Recreation (CRR). These areas are currently considered as part of CRR Commercial, Residential, Resort Zone in the City Municipal Code.³ Proposed Land Use Policy LU-1.8 Public Facilities would reclassify some land within the CRR Zone as the Public Facilities Zone (PF). The PF Zone allows for parks, as well as open space and other public uses. The General Plan Update proposes to create consistency across land use and zoning maps. as such, Commercial Recreation areas would be redesignated as Park/Recreation space under the proposed General Plan update.

Changes to the Circulation Plan

The City’s Circulation Plan will be revised to update roadway designations and accompanying street cross sections. The proposed Circulation Plan is shown in **Figure 2.0-6: Proposed Circulation Plan**. In addition, the City will update street designated “Truck Routes” to include portions of the following roadways:

- Broadway Street
- Eagle Pass Road
- J Street
- K Street (U.S. 95)
- M Street
- N Street
- Needles Highway
- Third Street
- W. Park Road
- Walnut Street

3 Article III. Zones. Ord. No. 427-AC Sections 93.00 Establishment of zones.



SOURCE: KOA- 2022

FIGURE 2.0-6

Proposed Goals and Polices

The proposed Goals and Policies of the proposed Land Use and Transportation Elements and provided below.

Land Use Goals & Policies

GOAL LU-1 A Compatible and Balanced Mix of Land Uses that Enable People to Live and Work in Needles

- Policy LU-1.1** **Growth management.** Encourage new development to take place in areas that are already served by existing utilities, expanding and improving systems and capacity as appropriate and fiscally sustainable. Discourage development and extension of services outside of the City’s incorporated boundaries.
- Policy LU-1.2** **New housing construction.** Promote and facilitate residential development to provide housing opportunities for those working in Needles and to help attract and retain key commercial services within Needles. Expand opportunities for multifamily and mixed-use residential development into General Commercial areas.
- Policy LU-1.3** **Compatibility with existing uses.** Require that new development be located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. Require new residential development to be located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.
- Policy LU-1.4** **Compatibility with planned uses.** Require that new development and proposed general plan amendments are located, scaled, buffered, and designed to minimize negative impacts both on and from adjacent areas as designated on the Land Use Map.
- Policy LU-1.5** **Land use buffers.** Require appropriate buffering between commercial, manufacturing, and other land use/zoning designations, considering noise, odors, vibration, emissions, and vehicular traffic.
- Policy LU-1.6** **Cannabis dispensaries.** Limit retail cannabis dispensaries to General Commercial areas that are outside of the downtown core and adjacent to residential neighborhoods.
- Policy LU-1.7** **Environmentally sensitive development.** Require new development to maximize its compatibility with the natural environment and avoid expansions or encroachments into environmentally sensitive areas.
- Policy LU-1.8** **Public facilities.** Plan and coordinate to locate land and size facilities dedicated to open space, parks, education,

and other public uses as appropriate to serve existing and future residents.

- GOAL LU-2 A Diversified Local Economy that Creates Jobs and a Sustainable Revenue Stream**
- Policy LU-2.1 Business attraction and investment.** Expand economic investment and high quality job opportunities through reinvestment by existing businesses and new investment from new businesses, particularly those that will provide jobs for Needles residents.
 - Policy LU-2.2 Workforce development.** Facilitate engagement between local businesses and the Workforce Development Board, the community college, and school district to support hiring, training, and retention of workers.
 - Policy LU-2.3 Energy and water advantages.** Conduct marketing and economic development activities to attract new businesses that can leverage Needles' energy and water advantages.
 - Policy LU-2.4 Rivers Edge.** Promote management of the Rivers Edge Golf Course to a fiscally sustainable format.
- GOAL LU-3 Expanded and Improved Public Access and Use of the Colorado River**
- Policy LU-3.1 River improvements.** Promote the public and seasonal use of the River through public improvements.
 - Policy LU-3.2 New development.** Leverage public property to facilitate hotel and resort development and expand public access to and use of the Colorado River.
 - Policy LU-3.3 Open space and recreation.** Seek to expand or create large public open space and recreation space along the Colorado River.
- GOAL LU-4 A Pedestrian and Experience-Oriented Downtown Core the Serves as a Local Gathering Place and Regional Destination**
- Policy LU-4.1 Downtown core.** Promote the development of higher intensity residential, commercial, and mixed-use development in the downtown core, with building and site designs that facilitate a walkable, experience-oriented atmosphere.
 - Policy LU-4.2 Downtown spaces and programming.** Establish, design, maintain, and program public spaces in the downtown core for public gathering, community activities, and tourism-generating events, particularly along or connecting to Broadway and Santa Fe Park.
 - Policy LU-4.3 Adaptive reuse.** Encourage the adaptive reuse of existing structures in the downtown core, especially those that are of local historic and/or architectural value.

Transportation Goals & Policies

GOAL TR-1 A Safe, Efficient and Fiscally Sustainable Network of Streets that are Adequate for Residents, Business, Visitors and Emergency Services

- Policy TR-1.1** **Comprehensive network.** Plan, design, operate, and maintain transportation networks that promote safe and convenient travel within and through Needles to and from key destinations as appropriate for all users: pedestrians, bicyclists, transit riders, freight, and motorists.
- Policy TR-1.2** **Level of service.** Maintain level of service (LOS) “D” or better along and at intersections of Broadway between J Street and Needles Highway, Needles Highway between Broadway and North K Street, and North K Street between Needles Highway and the Arizona state line. Maintain LOS C at all other public roadways and intersections during peak hours.
- Policy TR-1.3** **Fair share of improvements.** Require new development to pay a fair share of needed transportation improvements based on a project’s impacts to the multimodal transportation network.
- Policy TR-1.4** **VMT reduction.** Promote new development and transportation improvements that will reduce household and employment vehicle miles traveled (VMT) relative to existing conditions.
- Policy TR-1.5** **Road maintenance.** Regularly update the pavement management plan and maintain roadways to ensure safety and functionality, as an investment strategy, and to improve the City’s image and quality of life.
- Policy TR-1.6** **Roadway configuration.** Maintain existing roadway rights-of-way dimensions and the number of existing vehicle travel lanes to preserve Needles’ small town atmosphere, retain current speed limits, and manage ongoing maintenance costs. Allow expansions in roadway configuration when necessary and fiscally sustainable in order to meet desired levels of service.
- Policy TR-1.7** **Medians.** Avoid the installation of medians to enhance access and response times for emergency vehicles and to minimize the proportion of ROW dedicated to travel lanes. Allow medians for roadways if necessary to enhance safety, provided pedestrian and bicycle crossings are not expected.
- Policy TR-1.8** **Downtown parking.** Create and support flexible parking requirements and centralized parking options for downtown businesses.
- Policy TR-1.9** **Truck routes.** Plan and designate routes where trucks are prohibited to avoid overlaps or conflicts with safe routes

to schools, residential neighborhoods, noise-sensitive uses, and roads that are not designed and paved to accommodate trucks.

Policy TR-1.10 **Scenic highways.** Comply with state requirements regarding scenic highways along Interstate 40, maintaining the rights-of-way to protect and enhance the City’s scenic resources.

Policy TR-1.11 **Colorado River Bridge.** Pursue and support options to fund maintenance and improvements to the bridge across the Colorado River in a manner that is fiscally sustainable.

Policy TR-1.12 **Vehicular crossings at railroads.** Encourage the installation, modernization, and improvement of grade separations at rail crossings to facilitate more convenient access for cars, trucks, and emergency vehicles.

GOAL TR-2 **A Multimodal Network that Provides for the Safe and Convenient Movement of People of All Ages and Abilities**

Policy TR-2.1 **Nonmotorized networks.** Establish and maintain citywide networks of nonmotorized travel ways that create pedestrian and bicycle linkages between neighborhoods, recreational amenities, schools, employment centers, and commercial areas.

Policy TR-2. 2 **Multimodal design.** The design of the overall transportation network, individual roads, and pedestrian/bicycle facilities should consider the comfort, convenience, and safety of pedestrians, bicyclists, and motorists of all ages and abilities. Within public road rights-of-way, prioritize the design and use of the space outside of travel lanes and parking areas to serve pedestrians, bicycles, and transit service.

Policy TR-2.3 **Context-sensitive design.** Design vehicular, pedestrian, and bicycle facilities and networks based on a combination of their land use and roadway context to promote safety and efficiency for all users.

Policy TR-2.4 **Pedestrian- and bicycle-friendly streets.** Create and maintain pedestrian- and bicycle-friendly public streets within residential neighborhoods and the downtown core; around schools, parks, and public facilities; and along neighborhood and general commercial centers. Promote dedicated facilities instead of shared facilities for pedestrians and bicyclists.

Policy TR-2.5 **Pedestrian and bicycle crossings at railroads.** Coordinate with BNSF and pursue funding to modernize existing and establish new grade-separated railroad crossings to enhance connectivity for pedestrians and bicyclists.

Policy TR-2.6 **Electric bikes.** Support and encourage the use of electric bicycles to reduce resident and employee reliance on cars,

resulting in greater mobility while lowering vehicle miles traveled and associated emissions.

- Policy TR-2.7** **Transit service.** Maintain and enhance transit services to provide residents and workers with accessible and convenient service between residential neighborhoods, commercial centers, employment nodes, and medical facilities. Expand transit service as feasible to facilitate access to the Colorado River for residents and tourists.
- Policy TR-2.8** **Safe routes to school and recreation.** Provide pathways and facilities that encourage and facilitate safe travel between schools, parks, recreation facilities, and residential neighborhoods on foot and by bike.
- Policy TR-2.9** **Traffic calming.** Use traffic calming measures in residential areas and activity centers, where warranted and appropriate, to enhance the safety of pedestrians and bicyclists.
- Policy TR-2.10** Coordinate with the County to maintain Needles Airport for general aviation services.

PROPOSED CHANGES TO THE ZONING CODE

As part of the General Plan update process, the City is proposing to amend the currently adopted Zoning Code to facilitate greater production of residential development, consistent with the City's concurrent update to its Land Use and Transportation Element.

The City is proposing to expand and/or streamline residential development in the General Commercial (C-2) zone, whether developed in stand-alone or mixed-use residential projects. The City is also proposing to amend the Zoning Code to define "mixed-use residential" and the boundaries of a Downtown Core, and to add customized development standards that would encourage residential (stand-alone and mixed-use formats) within the area commonly referred to as the downtown.

Finally, the City is proposing to amend the Zoning Code to add the Downtown Core as an area where cannabis businesses (retail, cultivation facilities, manufacturing sites, testing laboratories, and distribution/transportation facilities) are prohibited.

2.4 REQUIRED ACTIONS

It is the intent of this MND/IS to evaluate the potential environmental impacts of the proposed Project, thereby enabling the City, as Lead Agency, and any responsible and reviewing agencies, and interested parties to make informed decisions. The anticipated approvals for the proposed Project are as listed.

Lead Agency	Action
<ul style="list-style-type: none"> • <i>City of Needles - City Council</i> 	<ul style="list-style-type: none"> • <i>Adopt the MND/IS</i> • <i>Adopt the Mitigation Monitoring & Reporting Plan (MMRP)</i> • <i>Adopt Land Use and Transportation Elements</i>

3.0 ENVIRONMENTAL SETTING AND REGULATORY FRAMEWORK

3.1 ENVIRONMENTAL SETTING

The City of Needles, named after a rock formation on the Arizona border, is the gateway to Route 66 in California. Founded in 1883, Needles is one of the oldest towns in San Bernardino County located at the far eastern edge of the County in the Mojave Desert. The City is located in the south easternmost portion of San Bernadino County and is bounded by the Colorado River on the east which is coterminous with the City’s boundary.

In the late 1880s, the town operated as a major hub for the Santa Fe Railroad and served as an icing station for fruits and vegetables that were shipped from inland valley farms in California. In the 1930s, Needles became a welcome haven for Dust Bowl and Depression-era transplants escaping poverty, signifying they had made it to the “land of opportunity.” The El Garces Harvey House (950 Front St. at G St.) was built by Frances Wilson in 1908 to resemble a Greek temple; it operated as a freight and passenger depot with a hotel and restaurant.

To the east, the City borders the Colorado River and State of Arizona, which includes the adjacent unincorporated communities of Mohave Valley and Fort Mohave. The Fort Mohave Indian Reservation is also located along the Colorado River and encompasses areas within Needles and the nearby Tri-State area of Arizona, California, and Nevada.

To the west and south of the City are vast expanses of unpopulated desert. Other nearby communities include Laughlin, which is located approximately 26 miles north of Needles in the State of Nevada, and in the State of Arizona are Bullhead City, which is located approximately 23 miles northeast of Needles, the city of Kingman approximately 60 miles to the east of Needles on Interstate 40 (I-40). There is considerable distance between the City and other major population centers, with the closest being the City of Las Vegas at 111 miles northwest of Needles. The Cities of Blythe and Barstow are located approximately 85 miles south and 135 miles west of Needles, respectively.

On the eastern edge of Needles, the Colorado River is a significant physical feature. Access between Needles and communities east of the Colorado River is limited to North K Street, which becomes the Mohave Valley Highway (I-40 and State Route 95) in Arizona). The nearest roadway connections to cross the Colorado River are located approximately 12 miles upriver (north) and 12 miles downriver (south) of the North Bridge crossing in Needles. To the north, Aztec Road

crosses the river adjacent to the Avi Resort & Casino in the Fort Mohave Reservation, while I-40 provides a crossing to the unincorporated community of Topock to the southeast.

Interstate 40 and the adjacent Burlington Northern Santa Fe (BNSF) railroad tracks are key transportation infrastructure components in the City, but they also limit access points to destinations within the City, including the Colorado River. Connections across Interstate 40 within the City of Needles are limited to Needles Highway, California Avenue (pedestrian only), L Street, J Street, D Street/Lillyhill Drive and Broadway Street. Crossings across the BNSF railroad tracks are currently limited to West Broadway Street and K Street (pedestrian only).

The original Route 66 alignment (1926 to 1947) goes the City; however, the full Route 66 is intact. However, the 1947-1966 alignment is drivable via Broadway Street in the City. The original 1926-1947 alignment continues along portions of Quivera Street onto Front Street. The original alignment also includes portions of F Street, Quinn Court, and G Street.

The portion of San Bernardino County that the City is located in consists of approximately 84 percent of federally owned lands, with the largest portion (about 41 percent) controlled by the U.S. Bureau of Land Management (BLM).

The topography of the City of Needles consists of gently sloping terrain ranging in elevation from approximately 700 feet to approximately 470 feet at the Colorado River. Topographically, Needles can be divided into two distinct areas: the lower City, consisting of the areas located generally northeast of I-40; and the upper City, located generally southwest of I-40. These two areas of the city are separated by river terraces as high as 40 feet in some sections.

The Needles area is located in the Sonoran Desert Section of the Basin and Range physiographic province. This section is characterized by roughly parallel mountains separated by alluvial basins and by an arid hot climate. Generally, the basins lie between sea level and 1,000 feet. Although the Sonoran Desert section is for the most part, one of ephemeral drainage, the Needles area is exceptional in that it contains a perennial stream with a wide flood plan in the Colorado River. The region is characterized by mountain ranges and hills separated by broad alluvial valleys. The desert is polarizing in its climate, it has hot, dry summers, accompanied by mild to cold winters. Rain events are spread out in frequency. The most abundant vegetation type is Sonoran and Mojavean Desert Scrub dominated by small to moderate-sized shrubs has a diverse set of land uses and settings.

The climate of the area is characterized by extremes in temperatures throughout the seasons. Freezing temperatures as well as strong winds are not uncommon in the winter, as well as

precipitation such as rain and snow in the mountains. In contrast, temperatures above 100 °F (38 °C) are not uncommon during the summer months. There is an annual average precipitation of 2 to 6 inches (51 to 152 mm). Most of the precipitation in the Mojave comes from the Pacific Cyclonic storms that are generally present passing eastward in November to April.

3.2 REGULATORY FRAMEWORK

The following plans are relevant to the land use and circulation considerations in the City.

3.2.1 Southern California Association of Governments (SCAG) Regional Comprehensive Plan (RCP) and Sustainable Communities Strategy (SCS)

The City is a member of the Southern California Association of Governments (SCAG). There are currently more than 18 million residents in this region. *SCAG's jurisdictional region encompasses six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura) and 191 cities in an area covering more than 38,000 square miles.*

SCAG is a federally established Metropolitan Planning Organization that provides regional planning services and administers regional planning programs on behalf of the member agencies within the SCAG region. SCAG is responsible for allocating annual federal, state, and local revenues for major transportation infrastructure investments and for managing and funding a variety of plans and programs to improve regional mobility, improve air quality, reduce greenhouse gas emissions, and support numerous local initiatives.

A foundational aspect of SCAG's work involves regular assessments of the region's land use and transportation patterns, demographic profile and environmental quality, and conducting growth forecasting to estimate changes and needs over time that will affect the quality of life and the manner in which major infrastructure investments are handled. SCAG's growth forecasts inform the regular updates of the Regional Transportation Plan and the regional Air Quality Management Plan, for example.

Regional Comprehensive Plan

Among SCAG's primary planning programs is the Regional Comprehensive Plan (RCP),⁴ which expresses a broad vision for shaping the region's growth patterns in ways that achieve goals related to mobility, quality of life, economic competitiveness and sustainability, housing,

4 Southern California Association of Governments (SCAG), Final 2008 Regional Comprehensive Plan, October 2, 2008.

environmental protection, and conservation of natural resources. Last adopted in 2008, the RCP focuses on the critical linkages between land use and transportation, recognizing that land uses create travel demands, that the time and distances involved in travel directly affect our quality of lives and the magnitude of vehicle-generated air pollution, and that coordinating land use and transportation decisions can improve mobility, increase the value of transportation system investments, expand housing, job opportunities, and preserve natural resources. The land use and housing goals in the RCP express a vision of targeting future growth within existing urban centers and along transportation corridors well served by transportation infrastructure and other urban services, and in promoting new urban forms that mix land uses and concentrate densities in urban areas where opportunities for transit, walkability, bicycling, and more housing options can be facilitated.

Compass Blueprint - 2% Strategy

Since 2000, SCAG and its member agencies have been developing strategies to meet the region's challenges and accommodate significant growth by examining alternative scenarios for the form and patterns of our urban places and the major transportation infrastructure that would provide travel linkages and achieve mobility for movement of people and goods. A consensus emerged by about 2004 that the build-out or "sprawl" pattern that has typified the region over the last half century is not sustainable, and that some of the growth would be better distributed to existing urban centers where substantial transportation and other infrastructure resources already exist and where jobs and housing needs can be accommodated through higher building intensities and reliance on transit, walking, bicycling, and other travel modes that involve shorter distances and low or zero emissions. The growth that would be shifted into urban centers would affect approximately 2% of the land area in the region. This alternative vision of growth became known as "Compass Blueprint - 2% Strategy." It was the framework for the preferred land use alternative of the 2004 Regional Transportation Plan, and is now a successful initiative that is being implemented through demonstration projects, on a voluntary basis, by local governments throughout the SCAG region.

3.2.2 City of Needles

General Plan

Within California, the General Plan has established status and specific requirements. Every California city and county is required by State Law to prepare and adopt a comprehensive, long-term general plan for the city and any land outside its boundaries which, in the planning agency's judgment bears relation to its planning. To further strengthen the need for a General

Plan, State Law requires that a city's zoning and subdivision regulations conform to the General Plan. In addition to requiring a General Plan and implementation of conformance to it, California also specifies minimum contents of the Plan. A General Plan must contain the following seven (7) elements: Safety; Conservation; Open Space; Noise; Housing; Circulation and Land use. State Law permits a city to combine elements or to include additional elements.

In 1969, the City of Needles adopted its initial General Plan. Because a General Plan is a long-range, comprehensive, general policy document, it must be periodically updated to meet changing conditions and, from time to time, revised or amplified to respond to changes, needs and desires. The 1985 Needles General Plan⁵ consists of two (2) basic sections: A General Plan policy document and six (6) Technical Background Reports.

The General Plan policy document is primarily based upon the material presented in the Technical Background Reports and upon a program of public participation. The General Plan consists of seven (7) elements: Land Use Element; Circulation, Transportation and Scenic Highways Element; Housing Element; Conservation and Historic Preservation Element; Open Space and Recreation Element; Noise Element; and Safety Element. Each element contains goals, policies, principles and standards, and plan proposals where appropriate. A General Plan Land Use Map visually presents the physical relationship of all seven (7) elements. The General Plan Land Use Map is a vital feature of the General Plan document.

The Technical Background Reports are published separately, not as part of the General Plan policy document. These technical reports analyze the following subjects: Community Development; Housing; Circulation and Transportation, and Scenic Highways; Community Facilities and Utilities; Natural, Cultural and Aesthetic Resources; and Hazards.

Overview

For the purpose of the Needles General Plan, the planning area extends beyond present City limits. Planning considerations are not usually limited to political boundaries but rather relate to the total human and geographical environs encompassing an area of urban influence. This evaluation area extends from the City boundaries on the north to the City boundaries on the south and covers the Needles Airport area.

For the purposes of actual implementation, the Needles Planning Area can be broken down into areas of direct or primary concern and areas of indirect or secondary concern. The City limits

5 City of Needles, General Plan, February 18, 1986.

comprises the area of direct concern. The City has primary responsibility for adopting and implementing the policies contained within the General Plan. The areas of secondary concern are those areas within the Planning Area but not within the City. secondary areas are closely related to Needles and have significant impacts on Needles, however, they are within the implementation authority of San Bernardino County and the states of Nevada and Arizona.

The City's current General Plan includes seven (7) elements: Land Use Element; Circulation, Transportation and Scenic Highways Element; Housing Element; Conservation and Historic Preservation Element; Open Space and Recreation Element; Noise Element: and Safety Element. Each element contains goals, policies, principles and standards, and plan proposals where appropriate. A General Plan Land Use Map visually presents the physical relationship of all seven (7) elements. The General Plan Land Use Map is a vital feature of the General Plan document.

The goals, policies and principals that guide the City in the General Plan's implementation. These are defined as:

- A goal is an ultimate end towards which effort is directed. Goals are general and usually not completely achievable within the planning time frame.
- Policies, when adopted, are official statements which call for action. Policies are to be implemented and they clearly indicate the City's intent.
- Principles are fundamental relationships, concepts and truisms upon which proper land use planning is based, Principles are not policies, nor do they call specific action, but rather are guidelines based upon planning knowledge.

Land Use Element

The most fundamental decisions in planning begin with land use: what to put where. Land use planning envisions the future of a city or county and interacts with all other elements of planning. At its best, the Land Use Element will reflect the community's vision; promote thoughtful, equitable, and accessible distribution of different land uses, including residential, commercial, industrial, agricultural, and open space; and align well with other general plan elements.

According to State Code,⁶ a Land Use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open

⁶ California Government Code, Title 7, Planning and Land Use, Sections 65000-66499.58, Article 5, Authority for Scope of General Plans, Section 65302(a).

space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, greenways and other categories of public and private uses of land. The location and designation of the extent of the uses of the land for public and private uses shall consider the identification of land and natural resources. The Land Use Element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan. The Land Use Element shall identify and annually review those areas covered by the plan that are subject to flooding identified by flood plain mapping prepared by the Federal Emergency Management Agency (FEMA) or the Department of Water Resources.

Transportation Element

The Transportation Element is not simply a transportation plan, but rather a strategy addressing infrastructure needs for the circulation of people, goods, energy, water, sewage, storm drainage, and communications. By statute, the Transportation Element must correlate directly with the land use element, but also has direct relationships with other elements. The provisions of a Transportation Element affect a community's physical, social, and economic environment, as well as its health. The passage of SB 1000 in 2016 requires local governments to address environmental justice considerations related to circulation--such as access to transportation systems, air quality related to transportation, delivery routes and transit options for nutritional food access, and promotion of physical activity.

According to State Code,⁷ a Transportation Element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan. Commencing January 1, 2011, upon any substantive revision of the Transportation Element, the legislative body shall modify the Transportation Element to plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan.

Municipal Code

Zoning regulations for the City are set forth in Sections 91 through 120 of the Municipal Code and the Zoning Map. Zoning implements the broader land use policies set forth in the General

⁷ California Government Code, Title 7, Planning and Land Use, Sections 65000-66499.58, Article 5, Authority for Scope of General Plans, Section 65302(b).

Plan, and defines development standards for various types of land use districts, such as allowed uses, lot sizes, building height, lot coverage, building intensity (dwelling units per acre and floor area ratio) parking, signs, and lighting. The Zoning Map identifies the spatial distribution of the various zoning districts.

The Municipal Code⁸ provides for a variety of zones as follows:

- Residential zones
- Commercial zones
- Manufacturing zones
- Public facilities zone
- Open space zone

The zones as provided for by the Municipal Code are shown on **Figure 3.1-1: City of Needles Existing Zoning Map**.

To classify, regulate, restrict, and segregate the uses of land and buildings; to regulate and restrict the height and bulk of buildings; and to regulate the area of yards and other open spaces about buildings; and to regulate the density of population, the following classes of land zones are established, with their general purpose as indicated:

Residential Zones

- **R-1 Single-Family Zone.** This zone is intended to provide for the development of low density, single-family residential areas (one (1) to seven (7) units per net acre).
- **R-2 Two-Family Zone.** This zone is intended to provide for the development of medium density, two-family residential areas (eight (8) to seventeen (17) units per net acre).
- **R-3 Multifamily Zone.** This zone is intended to provide for the development of high density multiple family units (eighteen (18) to thirty (30) units per net acre), such as apartments, condominiums, townhouses or other group dwellings compatible for the neighborhood environment.

Commercial Zones

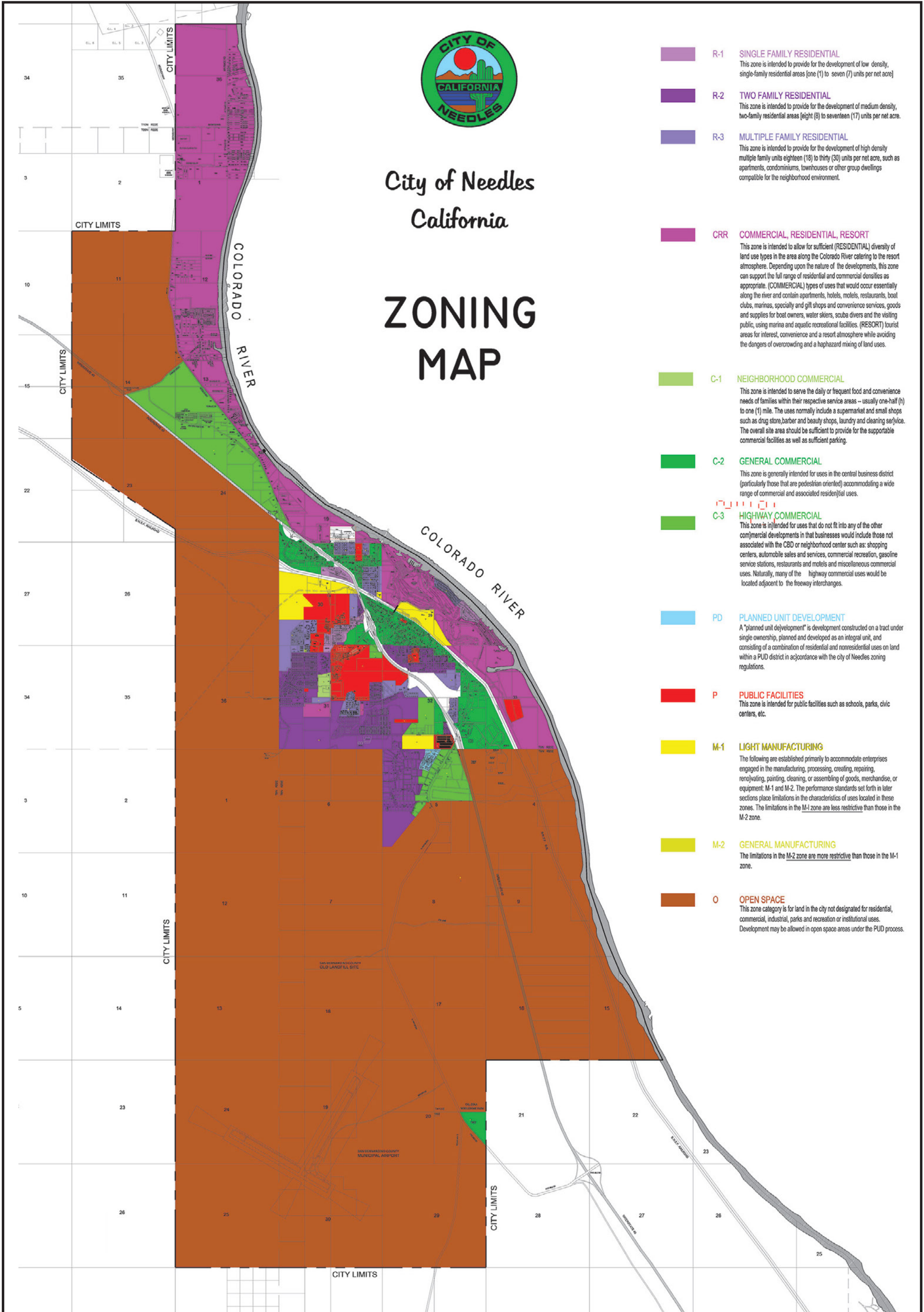
- **CRR Commercial, Residential, Resort Zone.** This zone is intended to allow for sufficient diversity of land use types in the area along the Colorado River catering to the resort atmosphere. Depending upon the nature of the development, this zone can support the full range of residential and commercial densities as appropriate.

8 Article III. Zones. Ord. No. 427-AC Sections 93.00 Establishment of zones.



City of Needles
California

ZONING MAP



- R-1 SINGLE FAMILY RESIDENTIAL**
 This zone is intended to provide for the development of low density, single-family residential areas (one (1) to seven (7) units per net acre).
- R-2 TWO FAMILY RESIDENTIAL**
 This zone is intended to provide for the development of medium density, two-family residential areas (eight (8) to seventeen (17) units per net acre).
- R-3 MULTIPLE FAMILY RESIDENTIAL**
 This zone is intended to provide for the development of high density multiple family units (eighteen (18) to thirty (30) units per net acre, such as apartments, condominiums, townhouses or other group dwellings compatible for the neighborhood environment.
- CRR COMMERCIAL, RESIDENTIAL, RESORT**
 This zone is intended to allow for sufficient (RESIDENTIAL) diversity of land use types in the area along the Colorado River catering to the resort atmosphere. Depending upon the nature of the developments, this zone can support the full range of residential and commercial densities as appropriate. (COMMERCIAL) types of uses that would occur essentially along the river and contain apartments, hotels, motels, restaurants, boat clubs, marinas, specialty and gift shops and convenience services, goods and supplies for boat owners, water skiers, scuba divers and the visiting public, using marina and aquatic recreational facilities. (RESORT) tourist areas for interest, convenience and a resort atmosphere while avoiding the dangers of overcrowding and a haphazard mixing of land uses.
- C-1 NEIGHBORHOOD COMMERCIAL**
 This zone is intended to serve the daily or frequent food and convenience needs of families within their respective service areas – usually one-half (h) to one (1) mile. The uses normally include a supermarket and small shops such as drug store, barber and beauty shops, laundry and cleaning service. The overall site area should be sufficient to provide for the supportable commercial facilities as well as sufficient parking.
- C-2 GENERAL COMMERCIAL**
 This zone is generally intended for uses in the central business district (particularly those that are pedestrian oriented) accommodating a wide range of commercial and associated residential uses.
- C-3 HIGHWAY COMMERCIAL**
 This zone is intended for uses that do not fit into any of the other commercial developments in that businesses would include those not associated with the CBD or neighborhood center such as: shopping centers, automobile sales and services, commercial recreation, gasoline service stations, restaurants and motels and miscellaneous commercial uses. Naturally, many of the highway commercial uses would be located adjacent to the freeway interchanges.
- PD PLANNED UNIT DEVELOPMENT**
 A "planned unit development" is development constructed on a tract under single ownership, planned and developed as an integral unit, and consisting of a combination of residential and nonresidential uses on land within a PUD district in accordance with the city of Needles zoning regulations.
- P PUBLIC FACILITIES**
 This zone is intended for public facilities such as schools, parks, civic centers, etc.
- M-1 LIGHT MANUFACTURING**
 The following are established primarily to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment. M-1 and M-2. The performance standards set forth in later sections place limitations in the characteristics of uses located in these zones. The limitations in the M-1 zone are less restrictive than those in the M-2 zone.
- M-2 GENERAL MANUFACTURING**
 The limitations in the M-2 zone are more restrictive than those in the M-1 zone.
- O OPEN SPACE**
 This zone category is for land in the city not designated for residential, commercial, industrial, parks and recreation or institutional uses. Development may be allowed in open space areas under the PUD process.

SOURCE: City of Needles - 2022

FIGURE 3.1-1

- **C-1 Neighborhood Commercial Zone.** This zone is intended to serve the daily or frequent food and convenience needs of families within their respective service areas - usually one-half (1/2) to one (1) mile. The uses normally include a supermarket and small shops such as drug store, barber and beauty shops, laundry, and cleaning service. The overall site area should be sufficient to provide for the supportable commercial facilities as well as sufficient parking.
- **C-2 General Commercial Zone.** This zone is generally intended for uses in central business district (particularly those that are pedestrian oriented) accommodating a wide range of commercial and associated residential uses.
- **C-3 Highway Commercial Zone.** This zone is intended for uses that do not fit into any of the other commercial development in that businesses would include those not associated with the CBD or neighborhood center such as shopping centers, automobile sales and services, commercial recreation, gasoline service stations, restaurants and motels and miscellaneous commercial uses. Naturally, many of the highway commercial uses would be located adjacent to the freeway interchanges.
- **CRR Commercial, Residential, Resort Zone.** This zone is intended for types of uses that would occur essentially along the river and contain apartments, hotels, motels, restaurants, boat clubs, marinas, specialty and gift shops and convenience services, goods and supplies for boat owners, water skiers, scuba divers and the visiting public, using marina and aquatic recreational facilities. This zone is intended to allow for sufficient diversity of land use types in the resort tourist areas for interest, convenience and resort atmosphere while avoiding the dangers of overcrowding and haphazard mixing of land uses.

Manufacturing Zones

- **M-1 and M-2.** The performance standards set forth in later sections place limitations in the characteristics of uses located in these zones. The limitations in the M-1 zone are less restrictive than those in the M-2 zone. This zone is intended for public facilities such as schools, parks, civic centers, etc.

Other Zones

- **Public facilities zone.** This zone is intended for public facilities such as schools, parks, civic centers, etc.
- **Open space zone.** This zone category is for land in the city not designated for residential commercial, industrial, parks and recreation or institutional uses. Development may be allowed in open space areas under the PUD process.

The zones aforesaid and the boundaries of such zones are shown upon the Zoning map. and made a part of the Zoning Ordinance,⁹ Boundaries of zones. where uncertainty exists as to the boundaries of any zone shown on such map, the following rules shall apply:

⁹ City of Needles, Zoning Ordinance, Ord. 427-AC) Sec. 93.01.

- a) Where such boundaries are indicated as approximately following streets and alley lines or lot lines, such lines shall be construed to be such boundaries;
- b) In subdivided property or where a zone boundary divides a lot, the location of such boundary, unless the same is indicated by dimensions, shall be determined by use of the scale appearing on the map;
- c) In case any uncertainty exists, the planning commission shall determine the location of boundaries;
- d) Where any public street or alley is officially vacated or abandoned, the regulations applicable to abutting property shall apply to such vacated or abandoned street or alley;
- e) Where any private right-of-way or easement of any railroad, railway, canal, transportation or public utility company is vacated or abandoned, the regulations applicable to abutting property shall apply to such vacated or abandoned property;
- f) All property in the city not otherwise classified, and all property hereafter annexed and not zoned upon annexation, is classified as OS zone.

3.2.3 San Bernardino County

General Plan

The San Bernardino County Policy Plan¹⁰ contains the long-term goals and policies that will guide County decisions, investments, and improvements toward achieving the Countywide Vision. The Policy Plan represents a unique approach to county planning. It serves as the County's General Plan for the unincorporated areas, which is mandated by state law, but it also includes policy direction for adult and child supportive services, healthcare, public safety, and other regional services the County administers in both incorporated and unincorporated areas.

The County plan is divided into four regions based on the characteristic landforms, climates, vegetation, and development patterns in each region:

- **Valley Region.** The Valley Region spans 434 square miles, about 2 percent of the County, in the Upper Santa Ana River Valley in the southwest corner of the County.
- **Mountain Region.** The Mountain Region spans 834 square miles, about 4 percent of the County, in the San Bernardino Mountains and eastern San Gabriel Mountains in the southwest part of the County.

¹⁰ San Bernardino County, Countywide Plan, Policy Plan, County Policy Plan, 2020. San Bernardino County (countywideplan.com).

- **North Desert Region.** The North Desert Region spans 15,389 square miles, that is, 77 percent of the County (the two desert regions combined cover about 94 percent of the County).
- **East Desert Region.** The East Desert Region encompasses 3,298 square miles, or 17 percent of the County, mostly in the south-central part of the County.

The East Desert Region encompasses 3,298 square miles, or 17 percent of the County, mostly in the south-central part of the County. The region is characterized by mountain ranges and hills separated by broad alluvial valleys. The Morongo Basin, a long east-west-trending desert valley, encompasses most of the southwest quadrant of the East Desert Region.

The Eastern Desert Region is approximately 84 percent of the region is federally owned. About 41 percent of the region is BLM land; other federal holdings in the region include the Twentynine Palms Marine Corps Air Ground Combat Center which spans much of the western half of the Region; and 189 square miles of the northern part of Joshua Tree National Park, which is mostly in Riverside County to the south.

4.0 ENVIRONMENTAL CHECKLIST

4.1 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input type="checkbox"/>	Geology/Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards & Hazardous Materials
<input type="checkbox"/>	Hydrology/Water Quality	<input checked="" type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources
<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation/Traffic	<input type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Wildfire	<input type="checkbox"/>	Mandatory Findings of Significance

On the basis of this initial evaluation:

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

Patrick Martinez
Signature

11/23/2022
Date

5.0 ENVIRONMENTAL ANALYSIS

This section provides an evaluation of the various topics contained in the State CEQA Guidelines Appendix G,¹¹ and are considered for environmental review.

A brief explanation for the determination of significance is provided for all impact determinations with the exception of “No Impact” determinations that are adequately supported by the information sources the Lead Agency cites in the parentheses following each question. A “No Impact” determination is adequately supported if the referenced information sources show that the impact simply does not apply to the Project (e.g., the project falls outside a fault rupture zone). A “No Impact” determination includes an explanation of its bases relative to project-specific factors, as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

Explanations take account the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

Once the Lead Agency has determined that a particular physical impact may occur, the checklist is utilized to indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant.

“Mitigated Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to less than significant.

11 California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387, Appendix G.

5.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
AESTHETICS–Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Framework

The City’s Conservation and Historic Preservation Element¹² of the existing General includes the following goal and policy that assist in maintaining aesthetics of the City:

Goal 1: To conserve and enhance Needles natural and historical resources, facilitating development in a manner which reflects the characteristics, sensitivities and constraints of these systems.

Policy 1: Vigorously pursue the conservation and preservation of historical and natural resources.

The City’s existing Circulation, Transportation, and Scenic Highways Element contains the following policies and measures related to transit services:¹³

1. Transit routes should be established to provide efficient and convenient service to the entire community.

¹² City of Needles, General Plan, Conservation and Historic Preservation Element, 1986.

¹³ City of Needles General Plan, Circulation, Transportation, and Scenic Highways Element, February 18, 1986.

2. Transit service should be planned on a system-wide basis, taking into consideration all operating bus systems in the region.
3. The routes of the system should provide direct service to the origins and destination of passengers.
4. Routes should not overlap except where they converge at transfer points. Looped two-way traffic is to be encouraged.
5. In urban areas, transit stops should be spaced out at approximately half-mile intervals (quarter-mile walking distance) with stopping intervals decreasing in areas of medium to low population density.
6. Routes should have reasonable long-term flexibility and adaptability to meet changing transit needs and conditions.

The proposed Land Use Element includes the following policies that assist in maintaining the aesthetic qualities of the City:

Policy LU-1.1 Growth management. Encourage new development to take place in areas that are already served by existing utilities, expanding and improving systems and capacity as appropriate and fiscally sustainable. Discourage development and extension of services outside of the City's incorporated boundaries.

Policy LU-1.3 Compatibility with existing uses. Require that new development be located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. Require new residential development to be located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

Policy LU-1.4 Compatibility with planned uses. Require that new development and proposed general plan amendments are located, scaled, buffered, and designed to minimize negative impacts both on and from adjacent areas as designated on the Land Use Map.

Policy LU-1.7 Environmentally sensitive development. Require new development to maximize its compatibility with the natural environment and avoid expansions or encroachments into environmentally sensitive areas.

Policy LU-4.3 Adaptive reuse. Encourage the adaptive reuse of existing structures in the downtown core, especially those that are of local historic and/or architectural value.

The proposed Transportation Element provides the following policy that relate to the development of roadways:

Policy TR-1.1 Comprehensive network. Plan, design, operate, and maintain transportation networks that promote safe and convenient travel within and through Needles to and from key destinations as appropriate for all users: pedestrians, bicyclists, transit riders, freight, and motorists.

Policy TR-1.10 Scenic highways. Comply with state requirements regarding scenic highways along Interstate 40, maintaining the rights-of-way to protect and enhance the City's scenic resources.

Discussion

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

Less Than Significant Impact.

Scenic vistas are views of features such as mountains, forests, the ocean, and/or urban skylines.

The City of Needles is situated in the Mohave Valley area of the eastern Mohave/Sonoran Desert. The Mohave Valley is ringed by the Sacramento and Dead Mountains on the West and the Black Mountains on the East. These mountain ranges reach elevations exceeding 3,000 feet. The Mohave Valley is bisected by the Colorado River which flows past the City.¹⁴

The topography of the City consists of gently sloping terrain ranging in elevation from approximately 470 feet at the waterfront to approximately 700 feet at the City's upper elevations. This topographic setting provides Needles residents and visitors views of the surrounding environs that are generally uninterrupted by tall structures or obstructions.

The setting of Needles, tucked in the Mohave Valley and alongside the Colorado River has become a visual resource of Needles residents.

The City of Needles General Plan cites these conditions as a resource of the City's that should be preserved and enhanced. The U.S. federal government has formally recognized the scenic quality of the surrounding area, designating the area immediately to the west of the City as the East Mojave National Scenic Area.

Buildout of the as provided for in the General Plan update would involve the construction of approximately 1,078 new dwelling units and 866,285 square feet of nonresidential (e.g., commercial and industrial) land uses. New land use designations and new zoning would, in some areas, result in development with greater intensities than previously permitted. In areas

¹⁴ City of Needles General Plan: Natural, Cultural & Aesthetic Resources.

with no proposed land use changes, previously unutilized building intensity could be developed, resulting in development more intense than under existing conditions. In both cases, construction of new buildings and land uses could obstruct or partially obstruct scenic vistas. Although this growth would result in adverse impacts to existing scenic views, potential impacts would be minimized by a number of factors as outlined in policies in the existing General Plan elements and the proposed Land Use Element. Implementation of existing and proposed goals and policies will prioritize conservation of existing natural landscapes.

The area surrounding the City does have numerous scenic vistas, including views across desert landscapes, toward mountains and ridgelines, and toward rock formations and outcroppings. However, the region is highly rural and is not planned for substantial changes in development patterns, level of urbanization. Therefore, existing views across desert landscapes and toward topographic features will largely be unaffected; small, sparsely distributed development projects consistent with the Planning Area are not expected to result in significant adverse impacts on scenic views in the region.

The proposed Land Use Element, as is the entire General Plan, comprises a programmatic, policy-level planning document. The General Plan update is intended to help facilitate orderly development and redevelopment in the City through alignment of the General Plan's Land Use Element with its existing Zoning Map, and thus does not propose any specific development at this time, nor does it propose any new uses not previously allowed by the existing General Plan or Zoning Map.

The proposed updates to the General Plan are consistent with other elements of the existing General plan.

Future development within the Planning area would be subject to environmental review (as required by federal, state, and City regulations), discretionary review, and must be consistent with the policies of the General Plan. Additionally, the City of Needles General Plan includes language regarding the preservation and enhancement of the above referenced aesthetic resources.

Impacts of the proposed Project would thus be less than significant.

Mitigation Measures: No mitigation is required.

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

Less Than Significant Impact.

An “Officially Designated” scenic highway means that the highway provides views of scenic backdrops and has been officially designated by the Caltrans Corridor Protection Program, which protects the views and natural landscapes surrounding the highway.¹⁵

According to the Caltrans Scenic Highway Systems Map, there is no officially designated scenic highway within the Planning area. Within the City of Needles, I-40 (US-95/Needles Freeway/San Bernardino County Route [I-40/Rte. 66]) is listed as a Federal Byway and is “Eligible” for designation as a California Scenic Highway.¹⁶

The proposed General Plan update, including both the Land Use and Transportation Elements, is a programmatic, policy-level planning document, and does not propose or approve any specific development at this time, nor does it propose any new uses not previously allowed by the existing General Plan or Zoning Map.

The proposed Land Use Map (**Figure 2.0-4**) includes changes to land use designations from the Existing Land Use Map (**Figure 2.0-3**) abutting I-40 (US-95/Needles Freeway/SBD County Rte. 40/Rte. 66) from open space to commercial in the northern portion of the City, and from open space to light manufacturing in the southern portion of the City. At present, the areas where these changes are proposed are currently undeveloped, with views from the freeway consisting of views across an open desert landscape towards the mountains surrounding the Mohave Valley on either side.

As previously noted, the City’s Conservation and Historic Preservation Element¹⁷ of the existing General includes the following goal and policy that assist in maintaining aesthetics of the City.

Buildout of the proposed Land Use Plan would involve construction of new land uses on parcels within the City’s boundary that feature unutilized development capacity. However, most of this growth is already allowed in the under existing land use regulations and the current General Plan and Land Use Map, and would not be introduced by the proposed General Plan

15 Caltrans, “Eligible (E) and Officially Designated (D) Routes.”

16 Caltrans - California State Scenic Highway System Map

17 City of Needles, General Plan, Conservation and Historic Preservation Element, 1986.

update. Under the General Plan, population and employment growth are generally focused in the City and does not extend beyond its boundary into the sphere of influence areas. County-designated scenic highways, most would not be affected by land use changes contained in the proposed General Plan update.

Should development occur pursuant to proposed changes in the land use designations surrounding the freeway, future development would conform to the existing visual character in the City, characterized by low-rise buildings and generally unobstructed views of the surrounding hills, mountains, and desert landscape. There are no significant trees, rock outcroppings, or historic buildings adjacent to the freeway that would be impacted by the proposed changes to land use designations.

The proposed updates to the General Plan are consistent with other elements of the existing General plan. Therefore, the proposed Project would have no aesthetic impact on trees, rock outcroppings, or historic buildings within a state scenic highway.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less Than Significant Impact.

The primary publicly accessible views in the Planning Area exist along the I-40 freeway corridor along north-south oriented city streets, and along the Colorado Riverbank.

The proposed General Plan Update consists of revisions to the City's Land Use and Transportation Elements and does not propose to modify or otherwise amend the City's existing Conservation Element, which contains policies designed to protect scenic quality in Needles.¹⁸ The policies within the Land Use Element of the proposed General Plan Update are

¹⁸ City of Needles General Plan: Conservation and Historic Preservation Element.

in part designed to maintain and enhance the existing visual and community character of Needles while accommodating future growth and facilitating the development of a more resource-efficient downtown area.

The proposed Land Use Element includes the following policies that would address development that could affect views.

The proposed General Plan update does not include any site-specific designs or proposals, nor does it grant any entitlements for development. As a policy and regulatory document, the General Plan update would align the City's General Plan Land Use Element with its existing Zoning Map in order to facilitate the orderly development and redevelopment of properties within the planning area.

Future development in the City pursuant to the proposed General Plan Update would be subject to applicable City regulations and requirements, as well as to environmental review according to federal, state, and/or local requirements, including project-level CEQA documentation.

The proposed updates to the General Plan are consistent with other elements of the existing General plan.

The City's current Zoning Code¹⁹ also contains standards intended to preserve the natural beauty of the City and to maintain visual orderliness, including provisions related to building standards, signage, screening of utilities in development, and outdoor improvements. Both the proposed General Plan Update and any future development initiated pursuant to said General Plan Update would be consistent with the provisions of the City's Zoning Code.

Given the built-out condition of the Planning Area, the limited nature of the conceptual improvements envisioned in the proposed General Plan Update, and because any new development would be subject to the existing and proposed regulatory environment, adoption of the proposed General Plan Update would not adversely affect existing scenic views or the Planning area's visual character or quality.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

¹⁹ City of Needles City Code, Sections 91-120: Zoning Code.

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

Less Than Significant Impact.

Sources of light present throughout the City include urban uses and both interior and exterior lighting, streetlights, signage, and vehicular traffic. Sources of glare include highly finished building materials such as glass and steel, street furniture, and roadway traffic.

The City is located in area that includes extensive expanses of rural, undeveloped areas such as those in the Sonoran Desert and surrounding mountains. These areas generally do not have existing high levels of light or light pollution. However, with a few exceptions, these areas are not planned for growth under the by either the City (as part of its sphere of influence) or by the County under its General Plan. Implementation of the proposed Land Use Element and Land Use Map would allow for additional development throughout the City within its boundary, which would introduce new sources of light into the area and its surroundings, with the potential to affect day and nighttime views.

Future development that would be allowed under the proposed updates to the City's General Plan may introduce light and glare sources typical of the uses. The proposed General Plan Update itself is a programmatic, policy-level planning document and does not propose or entitle any new development projects at this time.

As previously noted, the proposed Land Use Element includes the following policies that would address development that could affect views.

As such, these polices provide that any new sources of light and glare would be compatible with existing development, and avoid encroachment into areas that have environmentally sensitive resources.

Future development and redevelopment projects in all areas of the City within the Planning Area would be required to comply with California Building Energy Efficiency Standards and the City's Municipal Code,²⁰ which provide regulations and standards aimed at implementing outdoor lighting practices and systems that minimize light pollution, glare, and light trespass; conserve energy and resources while maintaining nighttime safety, visibility, utility, and productivity; and curtail the degradation of the nighttime visual environment.

²⁰ City of Needles City Code, Sections 91-120: Zoning Code.

All future development in the City would further be required to comply with the provisions of the City's General Plan, and may be subject to project-specific environmental evaluation in order to determine that any impacts are less than significant. Any potential impacts identified resulting from a proposed project would be addressed through mitigation measures specific to the impact.

Therefore, impacts relating to the introduction of new sources of substantial light or glare that would adversely affect day or nighttime views in the area would be less than significant.

Mitigation Measures: No mitigation is required.

5.2 AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
AGRICULTURE AND FORESTRY RESOURCES—Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forestland or conversion of forestland to nonforest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature could result in conversion of Farmland, to nonagricultural use or conversion of forestland to nonforest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Framework

The City has no designated farmland or forestry resources. As such, neither the existing or proposed General Plan update include goal or policies.

Discussion

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

No Impact.

According to the California Department of Conservation “California Important Farmland Map,” the planning area does not include any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as described in the Farmland Mapping and Monitoring Program of the California Resources Agency.²¹

Neither the City’s existing Land Use Element, Land Use Map, nor Zoning Map designate any portion of the City for farmland, agriculture, forestland, or timberland. The proposed General Plan Update similarly does not designate any portion of the City for such uses, and as such would not add, subtract, or convert any amount of farmland, agricultural land, forestland, or timberland to any other use.

Given that there are no such lands in the planning area, new development initiated pursuant to the provisions of the proposed Land Use and Transportation Elements would not result in changes to the existing environment that result in conversion of farmland to non-agricultural use or forestland to non-forest use.

The proposed General Plan Update is a programmatic, policy-level planning document that does not itself propose or entitle any new development projects, and thus does not propose or entitle the conversion of any identified farmlands. Upon its adoption, the goals and policies listed in the proposed Land Use and Transportation Elements would regulate future development in the City. These goals and policies are consistent with the provisions of the other Elements in Needles’ General Plan, including those in the Conservation Element regarding the conservation and stewardship of the City’s natural resources.

All future development or redevelopment projects initiated within the Planning area would be subject to the existing and proposed regulatory environment, including environmental review as required by federal, state, and/or local rules. Any future development would also be subject to the City’s zoning requirements, and any potential impacts identified would be addressed through mitigation measures specific to the impact.

No impacts would occur.

Mitigation Measures: No mitigation is required.

21 Department of Conservation, “California Important Farmland Map,” <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed September 2022.

b. Conflict with existing zoning for agricultural use, or Williamson Act Contract?

No Impact.

Neither the City's existing Land Use Element, Land Use Map, nor Zoning Map designate any portion of the City for farmland or agricultural use. The proposed General Plan Update similarly does not designate any portion of the City for such use, and as such would not add, subtract, or convert any amount of farmland or agricultural land, nor would it conflict with any existing zoning for agricultural use.

The City does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, nor does it contain any farmland subject to a Williamson Act Contract. According to the San Bernardino County Office of the Assessor-Recorder-Clerk, there are no properties in the planning area subject to a Williamson Act contract.²²

The proposed General Plan Update is a programmatic, policy-level planning document that does not itself propose or entitle any new development projects, and thus does not propose or entitle the conversion of any identified farmlands. Upon its adoption, the goals and policies listed in the proposed Land Use and Transportation Elements would regulate future development in the City. These goals and policies are consistent with the provisions of the other Elements in Needles' General Plan, including those in the Conservation Element regarding the conservation and stewardship of the City's natural resources.

All future development or redevelopment projects initiated within the Planning area would be subject to the existing and proposed regulatory environment, including environmental review as required by federal, state, and/or local rules. Any future development would also be subject to the City's zoning requirements, and any potential impacts identified would be addressed through mitigation measures specific to the impact.

Implementation of the changes to the Needles General Plan would not conflict with existing land use designations for agricultural use or Williamson Act Contract.

No impacts would occur.

Mitigation Measures: No mitigation is required.

22 San Bernardino County Office of Assessor-Recorder-Clerk, Parcels Under Open Space Contract Report NP014A00, July 9, 2021.

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

No Impact.

California Public Resources Code (PRC) Section 12220(g)²³ defines forest as “land that can support 10- percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.” In addition, PRC Section 4526²⁴ defines timberland as “land...which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees.”

The California Government Code Section 51104²⁵ defines a timberland production zone as “an area which has been zoned pursuant to Sections 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses; and timber as trees maintained for eventual harvest for forest product purposes (not including nursery stock).”

Land in Needles is characterized primarily by urban and vacant lands with no portion of the City used for agricultural, forestland, or timberland purposes. There are no existing forests, timberlands, or timberland production zones in the City.

The proposed General Plan Update does not include any new forestry or timberland uses or designations, and thus does not conflict with any existing zoning or cause the rezoning of any such land uses.

No impacts would occur.

Mitigation Measures: No mitigation is required.

23 California Code, Public Resources Code - PRC § 12220

24 California Code, Public Resources Code - PRC § 4526

25 California Code, Public Resources Code - PRC § 51104

d. Result in the loss of forestland or conversion of forestland to nonforest use?

No Impact.

There are no existing forests, timberlands, or timberland production zones in the City of Needles, and as discussed above, neither the City's existing Land Use Element, Land Use Map, or Zoning Map designate any portion of the City's land area for forestry or timberland purposes. The proposed General Plan Update does not include any new forestry or timberland zoning, and thus does not conflict with any existing zoning or cause the rezoning of any such land uses.

No impacts would occur.

Mitigation Measures: No mitigation is required.

e. Involve other changes in the existing environment which, due to their location or nature could result in conversion of Farmland, to nonagricultural use or conversion of forestland to nonforest use?

No Impact.

As previously note, there is no existing farmland or forestland in the Planning Area, and neither the City's existing Land Use Element, Land Use Map, nor Zoning Map designate any portion of the City for farmland, forestland, or agricultural use. The proposed General Plan Update similarly does not designate any portion of the City for such use, and as such would not add, subtract, or convert any amount of farmland, forestland, or agricultural land, nor would it conflict with any existing zoning for agricultural use.

The proposed General Plan Update does not include any new forestry or timberland uses or designations, and thus does not conflict with any existing zoning or cause the rezoning of any such land uses. As there are no existing farmlands or forestlands in the Planning Area, future development initiated following the adoption of the proposed General Plan Update would not result in the conversion of farmland to non-agricultural use or forestland to non-forest use.

No impacts would occur.

Mitigation Measures: No mitigation is required.

5.3 AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Framework

Mojave Desert Air Quality Management District

The Mojave Desert Air Quality Management District (MDAQMD) maintains a set of Rules and Regulations to improve and maintain healthy air quality for the entire population within our jurisdiction. When developing new regulations, the MDAQMD must comply with complex procedures established by statutes in federal and state codes. Our regulations development process is based on the specific nature of the regulation and its potential impacts.

Among these are the Final Mojave Desert Planning Area Federal Particulate Matter (PM10) Attainment Plan.²⁶ The USEPA has designated certain geographical areas as having violated the NAAQS for PM10. The geographical areas when so designated, become federal nonattainment areas. The Federal Clean Air Act²⁷ (FCAA) requires areas designated nonattainment with the PM10 National Ambient Air Quality Standards (NAAQS), to comply with federal attainment planning requirements. A large portion of the MDAQMD was classified

26 MDAQMD, Final Mojave Desert Planning Area Federal Particulate Matter (PM10) Attainment Plan, 1995. July 31, 1995.

27 USEPA, Summary of the Clean Air Act, <https://www.epa.gov/laws-regulations/summary-clean-air-act>. Accessed October 2022.

nonattainment and therefore must comply with all the federal requirements associated with PM10 attainment planning.

The FCAA requires the state air agency to make revisions to the State Implementation Plan (SIP) which include all the necessary elements statutorily required for federal PM10 attainment planning by July 20, 1995. The SIP submittal must contain a control strategy plan which provides for the adoption and implementation of Reasonably Available Control Measures (RACM) in the nonattainment area. In addition, the control strategy plan must demonstrate RFP and attainment with the NAAQS for PM10 by the end of the sixth calendar year after being designated nonattainment. The USEPA designated a major portion of the San Bernardino County area of the Air basin as a PM10 nonattainment area. The designation was based on a number of violations which occurred in the populated areas of the MDAQMD during the period 1989-1991. In consideration of the location of the observed violations and the sources of PM10, the Plan identifies a smaller nonattainment area surrounding the heavily populated cities and towns in the MDAQMD. This region includes the Victor Valley, Morongo Basin, Barstow, and Lucerne Valley, and is referred to as the MDPA. The air quality of the MDAQMD is impacted by both fugitive dust from local sources and occasionally by region-wide wind-blown dust during moderate to high wind episodes. This regionwide or “regional” event includes contributions from both local and distant dust sources which frequently result in violations of the NAAQS that are multi-district and interstate in scope. Local sources will be controlled with a strategy that focuses on unpaved road travel, construction, and local disturbed areas in the populated areas, and certain stationary sources operating in the rural Lucerne Valley. It is not feasible to implement control measures to reduce dust from regional wind events. The MDAQMD has estimated that attainment with the NAAQS will be achieved no later than December 31, 2000 within the MDPA. A demonstration of attainment will be based on progress toward attaining the NAAQS after the successful implementation of the control strategy.

USEPA is taking final action²⁸ to approve revisions to the MDAQMD portions of the California State Implementation Plan (SIP).²⁹ These revisions concern emissions of volatile organic compounds (VOCs) from metal coating operations and general regulatory definitions. MDAQMD is also finalizing the rescission of South Coast Air Quality Management District (SCAQMD) Rule 1107, Coating of Metal Parts and Products, as it applies to the Riverside County portion of the

28 Air Plan Approval; California; Mojave Desert Air Quality Management District, Placer County Air Pollution Control District, May 9, 2022. <https://www.federalregister.gov/documents/2022/05/09/2022-09726/air-plan-approval-california-mojave-desert-air-quality-management-district-placer-county-air>.

29 CARB, California State Implementation Plans, <https://ww2.arb.ca.gov/our-work/programs/california-state-implementation-plans>. Accessed October 2022.

MDAQMD. MDAQMD is approving these revisions, including local rules and a rescission, under the Clean Air Act (CAA or the Act).

Air quality is affected by various emissions sources (mobile, industry, etc.) and by atmospheric conditions such as wind speed, wind direction, temperature, and rainfall. The USEPA has established national ambient air quality standards (NAAQS) for seven air pollution constituents.³⁰

As permitted by the federal Clean Air Act,³¹ California has adopted more stringent air emissions standards and expanded the number of regulated air constituents. CARB is required to designate areas of the State as attainment, nonattainment, or unclassified for any State standard. A designation of "attainment" for an area signifies that pollutant concentrations do not violate the standard for that pollutant in that area. A "nonattainment" designation indicates that a pollutant concentration has violated the standard at least once.

City of Needles

The proposed General Plan Update would include policies that would assist in maintaining air quality and assuring that the District's air quality plans goals are maintained. These policies in the proposed Land Use Element and Transportation Element include:

Policy LU-1.4 Compatibility with planned uses. Require that new development and proposed general plan amendments are located, scaled, buffered, and designed to minimize negative impacts both on and from adjacent areas as designated on the Land Use Map.

Policy LU-1.5 Land use buffers. Require appropriate buffering between commercial, manufacturing, and other land use/zoning designations, considering noise, odors, vibration, emissions, and vehicular traffic.

Policy TR-1.4 VMT reduction. Promote new development and transportation improvements that will reduce household and employment vehicle miles traveled (VMT) relative to existing conditions.

Policy TR-2.6 Electric bikes. Support and encourage the use of electric bicycles to reduce resident and employee reliance on cars, resulting in greater mobility while lowering vehicle miles traveled and associated emissions.

30 United States Environmental Protection Agency (USEPA), NAAQS Table, <https://www.epa.gov/criteria-air-pollutants/naaqs-table>. Accessed October 2022.

31 USEPA, Summary of the Clean Air Act, <https://www.epa.gov/laws-regulations/summary-clean-air-act>. Accessed October 2022.

Policy TR-2.7 Transit service. Maintain and enhance transit services to provide residents and workers with accessible and convenient service between residential neighborhoods, commercial centers, employment nodes, and medical facilities. Expand transit service as feasible to facilitate access to the Colorado River for residents and tourists.

Setting

The City is located within the Mojave Desert Air Basin (Air Basin), as shown in **Figure 5.3-1: Mojave Desert Air Quality Management District**. The Air Basin consists of the eastern portions of San Bernardino, Riverside counties as well as portions of Kern and Los Angeles counties.³²

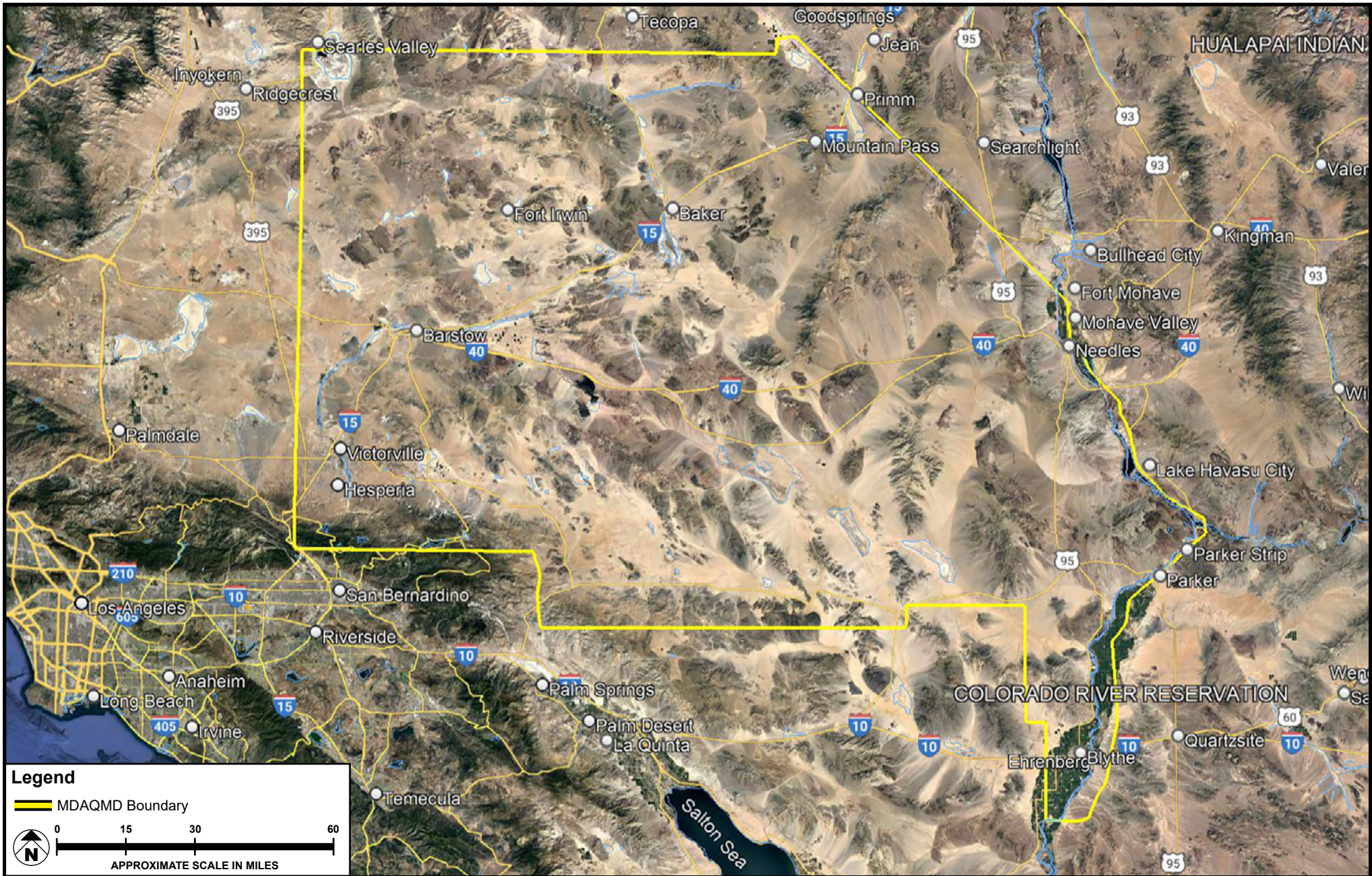
The Mojave Desert Air Quality Management District (MDAQMD) has primary responsibility for regulating stationary sources of air pollution within the Air Basin. The MDAQMD is geographically the second largest of California's 35 air districts. As the air pollution control agency for San Bernardino County's High Desert and Riverside County's Palo Verde Valley, the Air District has primary responsibility for regulating stationary sources of air pollution located within its jurisdictional boundaries.

The MDAQMD operates and maintains six monitoring stations (Barstow, Hesperia, Phelan, Trona, Twentynine Palms, and Victorville) within the District's 20,000 plus mile jurisdiction. Regulatory oversight for air quality is provided by the California Air Resources Board (CARB) at the State level and the U.S. Environmental Protection Agency (USEPA) Region IX office at the federal level.

The City of Needles is located in the southeastern portion of the Air Basin; this portion of the Air Basin is currently listed as "non-attainment" for the federal air quality standard related to the respirable particulate matter (PM10) and the State air quality standards related to PM10 and ozone (O3).³³ Both O3 and PM10 are considered regional pollutants, because their concentrations are not determined by proximity to individual sources, but show a relative uniformity over a region.

32 Mojave Desert Air Quality Management District (MDAQMD), About MDAQMD, <https://www.mdaqmd.ca.gov/about-us>. Accessed October 2022.

33 CARB, Maps of Current State and Federal Area Designations, <https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations>. Accessed October 2022.



SOURCE: Mojave Desert Air Quality Management District - 2022; Google Earth - 2022

FIGURE 5.3-1

The federal and California Clean Air Acts require MDAQMD achieve certain standards for PM10 and O3. MDAQMD prepared its PM10 Attainment Plan Final Report in July 1995³⁴ and its Ozone Attainment Plan (State and Federal) in April 2004.³⁵

MDAQMD's PM10 Attainment Plan Final Report includes requirements for construction activities to mitigate PM10 emissions and its Ozone Attainment Plan (State and federal) references the district's control measures in place affecting ozone precursor emissions.

To assist persons preparing environmental analysis or review documents for any project within the jurisdiction of the Air District, MDAQMD released the California Environmental Quality Act (CEQA) And Federal Conformity Guidelines (MDAQMD Guidelines) in February 2020.³⁶ These guidelines provide background information and guidance on the preferred analysis approach to be used in the environmental review process, including criteria regarding thresholds at which potential project impacts become significant. In general, a project's conformity with applicable attainment or maintenance plans can be considered sufficient for a determination of Less Than Significant so long as it does not (1) generate total emissions in excess of established limits, (2) generate a violation of any ambient air quality standard when added to the local background, or (3) expose sensitive receptors to substantial pollutant concentrations. MDAQMD has identified annual and daily thresholds to determine the significance of regional air quality emissions as shown in **Table 5.3-1: MDAQMD Significant Emissions Thresholds**.

The wettest month of the year is August and the mean annual precipitation is 4.4 inches. Most precipitation is associated with frontal activity. Relative humidity in summer is very low, below 10% during the hottest part of the day. Low humidity promotes intense heating during the day and marked cooling at 'night. These dry, clear conditions result in intense solar radiation which is conducive to photochemical smog formation.

34 MDAQMD, Federal Particulate Matter (PM10) Attainment Plan, July 31, 1995.

35 MDAQMD, 2004 Ozone Attainment Plan, (State and Federal), April 26, 2004.

36 MDAQMD California Environmental Quality Act (CEQA) And Federal Conformity Guidelines, <https://www.mdaqmd.ca.gov/home/showpublisheddocument/8510/637406182097070000>. Accessed October 2022.

**TABLE 5.3-1
MDAQMD SIGNIFICANT EMISSIONS THRESHOLDS**

Pollutant	Annual Threshold (short tons)	Daily Threshold (pounds)
Greenhouse Gases (CO ₂ e)	100,000	548,000
Carbon Monoxide (CO)	100	548
Oxides of Nitrogen (NO _x)	25	137
Volatile Organic Compounds (VOC)	25	137
Oxides of Sulfur (SO _x)	25	137
Particulate Matter (PM ₁₀)	15	82
Particulate Matter (PM _{2.5})	12	65
Hydrogen Sulfide (H ₂ S)	10	54
Lead (Pb)	0.6	3

Source: MDAQMD, MDAQMD CEQA Guidelines, February 2020.

The region is inclined to be windy since little friction is generated between the moving air and the low, sparse vegetation. Also, the rapid day time heating of lower air over the desert leads to convective activity. Exchange of upper and lower air tends to accelerate surface winds during the warm part of the day. During the winter months, rapid cooling in surface layers at night retards this momentum resulting in a high frequency of calm winds, up to 15 percent of the time at Needles.

Temperature inversions with a base level between 6,000 to 8,000 feet above ground level are prevalent at night throughout the year. Inversions tend to be destroyed early in the day during summer, but persist throughout much of the day during winter. When these inversions occur, they limit mixing in the lower atmosphere to a height of 200 to 2,000 feet.

Discussion

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

Less Than Significant Impact.

According to MDAQMD Guidelines,³⁷ a project is non-conforming 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). Conformity with growth forecasts can be established by demonstrating that the project is consistent with the land use plan that was used to generate the growth forecast.

Although not directly related to air quality, improving transit infrastructure would reduce the need for on-road vehicles and vehicle miles travelled (VMT) within the City thus reducing mobile emissions. The proposed General Plan Update would include policies that would assist in maintaining air quality and assuring that the District's air quality plans goals are maintained.

The proposed General Plan Update does not itself propose or entitle any new development in the City, nor does it propose any new uses that have not previously been studied for environmental impacts. The addition of the new DT land use designation and its associated mixed-use development component is consistent with the City's most recent Housing Element, adopted in 2019.³⁸

Moreover, any approved developments within the City would be required to conform with all applicable MDAQMD rules and regulations during construction and operation.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

37 MDAQMD California Environmental Quality Act (CEQA) And Federal Conformity Guidelines, <https://www.mdaqmd.ca.gov/home/showpublisheddocument/8510/637406182097070000>. Accessed October 2022.

38 City of Needles General Plan, 2013-2021 Housing Element, https://zachnews.net/wp-content/uploads/2019/09/Needles-Adoption-Draft-HE_Combined.pdf. Accessed October 2022.

b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?

Less than Significant Impact.

A significant impact could occur if a project would add a considerable cumulative contribution to federal or State nonattainment criteria pollutants.

The City is located within a portion of the Air Basin that is currently designated non-attainment for O₃ and PM₁₀, and in response MDAQMD has prepared air quality management plans for both pollutants. The General Plan Update would not directly result in construction or development activity, nor would it entitle any new development projects.

The Air Monitoring section of the MDAQMD is charged with monitoring the ambient (outside) air, in compliance with the Federal Clean Air Act and California air pollution laws. The California Air Resources Board (ARB) maintains a website with technical information on all of monitoring stations operated throughout the state, including within the MDAQMD's boundaries.

Six monitoring stations are located at different sites throughout the District. Additionally, the MDAQMD is contracted to the Antelope Valley AQMD to maintain an air monitoring station in Lancaster. At these stations, the MDAQMD collects information 24 hours a day, seven days a week on the ambient levels of pollutants, including ozone, particulate matter, nitrogen oxides, sulfur oxides, and carbon monoxide. Currently, there is no monitoring data for the Needles area. However, generalized predictions of local air quality can be based upon data from the nearest, most similarly situated station. Inquiries with the ARB indicated that the Twenty-Nine Palms Air Monitoring Station (AMS) was the most similar station to that of the Needles area.

There are certain pollutants that are found almost everywhere that are harmful to humans if their concentration in the ambient air is above certain levels. In the United States, National Ambient Air Quality Standards (NAAQS) have been set for each of these pollutants.

In addition to monitoring gaseous pollutants in the air, the MDAQMD also monitors the presence of microscopic solids that are suspended in the lower atmosphere. The presence of soot, ash or dust can have an effect on human health and produce haze that and may significantly reduce visibility. In the case of blowing dust or sand, "fugitive" particulate matter can damage property as well. Particulate matter, or "PM" is divided into three classes based on size, ranging

from PM10, particles less than 10 microns in diameter to PM2.5, or particles less than 2.5 microns in diameter. Generally, exposure to the smallest of particles has the greater effect on health and can have a significant effect on persons who have respiratory problems.

On April 28, 2005, the California Air Resources Board (CARB) approved the nation's most protective ozone standard with special consideration for children's health. Based on air monitoring data, the MDAQMD is designated nonattainment for the new ozone standard.³⁹

Operational emissions were evaluated for the land use changes under the proposed General Plan Update using CalEEMod. CalEEMod utilizes widely accepted models for emissions estimates combined with appropriate data that can be used if site-specific information is not available. For example, CalEEMod incorporates USEPA-developed emission factors; CARB's on-road and off-road equipment emission models, such as EMFAC (CARD on-road vehicle emissions model) and OFFROAD (CARB off-road emissions model);⁴⁰ and studies commissioned by other California agencies, such as the California Energy Commission and California Department of Resources Recycling and Recovery (CalRecycle).

The emissions analysis of the proposed land use changes considers three types of sources: 1) area; 2) energy; and 3) mobile. Area source emissions are generated by, among other things, landscape equipment and the use of consumer products. Energy source emissions are generated as a result of activities in buildings which utilize electricity or natural gas utility infrastructure. Mobile source emissions were calculated using the latest emissions rates from EMFAC2021 and data from the Project's transportation analysis.⁴¹ The transportation analysis shows that daily vehicle miles traveled (VMT) within the City would increase from 263,835 during existing (2021) conditions, to 397,870 during future (2040) conditions.

The maximum daily regional operational emissions are provided in **Table 5.3-2: Maximum Daily Operational Emissions**. As shown, operational emission levels would not exceed the MDAQMD daily regional thresholds. It should be noted that even though City-wide VMT would increase between future (2040) and existing (2021) conditions, emissions from mobile sources

39 MDAQMD, Attainment Status. <https://www.mdaqmd.ca.gov/air-quality/about-air-quality>. Accessed October 2022.

40 EMFAC is an emissions factor model used to calculate emissions rates from on-road vehicles (e.g., passenger vehicles). OFFROAD is an emissions factor model used to calculate emission rates from off-road mobile sources (e.g., construction equipment).

41 KOA, City of Needles, Transportation Element Update, Level of Service and Vehicle Miles Traveled Analysis, October 2022. See **Appendix F**.

would decrease in the future due to regulations in vehicle efficiency and alternative fuel usage.

The maximum annual regional operational emissions are provided in **Table 5.3-3: Maximum Annual Operational Emissions**. As shown, operational emission levels would not exceed the MDAQMD annual regional thresholds.

At such time that a future development proposal is considered that project will be subject to the existing regulatory environment, including adopted air quality standards, and any impacts identified through site-specific review will be addressed through mitigation measures specific to the impact. The MDAQMD states that a project is significant if it triggers or exceeds the most appropriate evaluation criteria, through emissions generation in excess of established thresholds, violation of any ambient air quality standard, non-conformity with the applicable attainment or maintenance plans, or by exposing sensitive receptors to substantial pollutant concentrations.⁴² Therefore, if a project generates less than significant construction or operational emissions, then the project would not generate a cumulatively considerable increase in emissions for those pollutants which the Basin is in nonattainment.

As discussed above, implementation of the proposed General Plan Update would not contribute significant quantities of criteria air pollutants to the Air Basin and would not be capable of exceeding MDAQMD thresholds.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

42 MDAQMD California Environmental Quality Act (CEQA) And Federal Conformity Guidelines, <https://www.mdaqmd.ca.gov/home/showpublisheddocument/8510/637406182097070000>. Accessed October 2022.

**TABLE 5.3-2
MAXIMUM DAILY OPERATIONAL EMISSIONS**

Source	VOCs	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
	pounds/day					
Area	68	11	93	<1	1	1
Energy	1	10	5	<1	1	1
Mobile ^a	(15)	(69)	(128)	<1	<1	(<1)
Total	55	(48)	(31)	<1	3	1
MDAQMD threshold	137	137	548	137	82	65
Threshold exceeded?	No	No	No	No	No	No

Source: Refer to **Appendix A** for air quality and greenhouse gas calculations.

^a Mobile emissions represent the net change in vehicle emissions from existing (2021) to future (2040) conditions.

Note: () = Represents negative emissions.

CO = carbon monoxide; NO_x = nitrogen oxides; PM₁₀ = particulate matter less than 10 microns; PM_{2.5} = particulate matter less than 2.5 microns; VOCs = volatile organic compounds; SO_x = sulfur oxides.

**TABLE 5.3-3
MAXIMUM ANNUAL OPERATIONAL EMISSIONS**

Source	VOCs	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
	tons/year					
Area	12	<1	8	<1	<1	<1
Energy	<1	2	1	<1	<1	<1
Mobile ^a	(3)	(12)	(22)	<1	<1	(<1)
Total	10	(10)	(13)	<1	<1	<1
MDAQMD threshold	25	25	100	25	15	12
Threshold exceeded?	No	No	No	No	No	No

Source: Refer to **Appendix A** for air quality and greenhouse gas calculations.

^a Mobile emissions represent the net change in vehicle emissions from existing (2021) to future (2040) conditions.

Note: () = Represents negative emissions.

CO = carbon monoxide; NO_x = nitrogen oxides; PM₁₀ = particulate matter less than 10 microns; PM_{2.5} = particulate matter less than 2.5 microns; VOCs = volatile organic compounds; SO_x = sulfur oxides.

c. Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact.

As discussed above, the proposed General Plan Update is a policy document and does not directly enable or entitle construction or development activities. Potential air quality-related impacts are location-specific and cannot be assessed in a meaningful way until the location of a project site is known. Moreover, as shown in **Table 5.3-2** and **Table 5.3-3** above, the

proposed land use changes under the General Plan Update would not exceed the daily or annual MDAQMD thresholds for any criteria pollutant.

Both the City's existing and proposed Land Use and Transportation Elements contain policies and measures related to protecting neighborhoods from air pollution-generating activities and reducing VMT within the City. At such time that a development proposal is considered that project will be subject to the development review process and any potential impacts identified would be addressed through mitigation measures specific to the impact.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less than Significant Impact.

As discussed above, the proposed General Plan Update is a policy document and does not directly enable or entitle construction or development activities. Potential air quality-related impacts are location-specific and cannot be assessed in a meaningful way until the location of a project site is known. Moreover, as shown in **Table 5.3-2** and **Table 5.3-3** above, the proposed land use changes under the General Plan Update would not exceed the daily or annual MDAQMD thresholds for any criteria pollutant.

Any unforeseen odors generated by the proposed land uses under General Plan Update will be controlled in accordance with MDAQMD Rule 402⁴³ which prohibits the discharge of air contaminants which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

43 MDAQMD, Rule 402 (Nuisance), <https://www.mdaqmd.ca.gov/home/showpublisheddocument/290/636305704801500000>. Accessed October 2022.

5.4 BIOLOGICAL RESOURCES

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

Regulatory Framework

The City of Needles current General Plan Conservation and Historic Preservation Element,⁴⁴ provides a variety of goals and implementation policies related to protecting and enhancing

⁴⁴ City of Needles General Plan, Conservation and Historic Preservation Element, 1986.

the existing habitat and present special-status species. The goals and policies that apply include:

- Goal 1. To conserve and enhance Needles natural and historical resources, facilitating development in a manner which reflects the characteristics, sensitivities, and constraints of these systems.
- Goal 3: To minimize conflicts between development and significant ecological resources.
 - Policy 1: Vigorously pursue the conservation and preservation of historical and natural resources.
 - Policy 4: Manage existing land uses and future development to insure minimization of pollution of the City's water supply or the Colorado River.

The proposed Land Use Element includes policies that would result in positive impacts to special-status species by requiring the protection and preservation of such resources, including biological resources:

- Policy LU-1.1 Growth management.** Encourage new development to take place in areas that are already served by existing utilities, expanding and improving systems and capacity as appropriate and fiscally sustainable. Discourage development and extension of services outside of the City's incorporated boundaries.
- Policy LU-1.4 Compatibility with planned uses.** Require that new development and proposed general plan amendments are located, scaled, buffered, and designed to minimize negative impacts both on and from adjacent areas as designated on the Land Use Map.
- Policy LU-1.5 Land use buffers.** Require appropriate buffering between commercial, manufacturing, and other land use/zoning designations, considering noise, odors, vibration, emissions, and vehicular traffic.
- Policy LU-1.7 Environmentally sensitive development.** Require new development to maximize its compatibility with the natural environment and avoid expansions or encroachments into environmentally sensitive areas.
- Policy LU-3.3 Open space and recreation.** Seek to expand or create large public open space and recreation space along the Colorado River.

Setting

The City of Needles is located in the Mojave Desert, bordering the Sonoran Desert immediately to the south, and displays typical basin and range topography, generally having a pattern of a series of parallel mountain ranges and valleys. The region is characterized by mountain ranges

and hills separated by broad alluvial valleys. The desert is polarizing in its climate, it has hot, dry summers, accompanied by mild to cold winters. Rain events are spread out in frequency. The most abundant vegetation type is Sonoran and Mojavean Desert Scrub dominated by small to moderate-sized shrubs has a diverse set of land uses and settings.

The Conservation and Historic Preservation Element of the City's existing General Plan notes that the Needles area contains important desert vegetation and wildlife habitats as a result of its location in the Mohave Valley area of the Mojave Desert.⁴⁵ The Colorado River, which runs along the City's eastern edge, supports a range of vegetation types and species near its banks, including Mesquite and Tamarisk thickets, Creosote Bush, Palo Verde (*Parkinsonia*), Catclaw (*Senegalia greggii*), Alfileria, Cacti, and Galleta Grass and other grasses.

Discussion

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

Less Than Significant Impact.

The City of Needles and the surrounding area are home to a wide variety of plant and wildlife species, including State and federally listed species. Wildlife species known to occur in the Needles area include fish, amphibian, reptile, bird, and mammals, primarily consisting of those species associated with desert and arid riverine environments.

The natural vegetation along the Colorado River generally consists of dense thickets of Mesquite and Tamarisk, with Arrowweed and Saltgrass in open areas and cattails in marshy areas. on the lower fans, above the river vegetations, are sparse stands of desert shrubs that include creosote Bush, Busage, Palo Verde, catclaw, alfileria, cacti, a smattering of Galleta Grass and several annual weeds and grasses. Karlin Marsh has the potential for the occurrence of three sensitive bird species in that report; the endangered Bell's Vireo (*Vireo bell*), the rare Yellow-Billed cuckoo (*Coccyzus americanus*), and the endangered Elf Owl (*Micrathene whitneyi*).

45 City of Needles General Plan, Conservation and Historic Preservation Element, (1986).

The California Natural Diversity Database (CNDDDB) contains an aggregate of the most recent, updated listing of plant and animal species in California.⁴⁶ A CNDDDB records-search was conducted for 9 quadrangles that include and border the City. (see **Appendix B.1: California Natural Diversity Database** for the full list of search results). The survey included the Needles quadrant and the six adjacent quadrants (Needles NE, Needles SW, Needles NW, Monumental Pass, Whale Mountain, and Topock) for a total of seven quadrants surveyed (as opposed to nine quadrants, resulting from Needles' location on the border of California and Nevada).

The search identified 68 species in total, with 45 species listed as either federally, or State, threatened or endangered, as well as additional species listed with special statuses. The 45 species identified as State or federally protected or otherwise listed as special status are detailed in **Table 5.4.1: Endangered, Threatened, and Protected Species in Needles Area** below. The full list of species identified as inhabiting the Needles area, including those not listed or otherwise protected, is detailed in **Appendix B.1: California Natural Diversity Database**.

A second database, eBird, which is a collaborative enterprise managed by the Cornell Lab of Ornithology, was also reviewed.⁴⁷ The review resulting in identifying common bird species historically observed in the City and surrounding area. The review noted that several bird species occur including American Coot (*Fulica americana*), Tree Swallow (*Tachycineta bicolor*), Brown-headed Cowbird (*Molothrus ater*), Brewer's Blackbird (*Euphagus cyanocephalus*), Great-tailed Grackle (*Quiscalus mexicanus*), European Starling (*Sturnus vulgaris*), American White Pelican (*Pelecanus erythrorhynchos*), Red-winged Blackbird (*Agelaius phoeniceus*), Rock Pigeon (*Columba livia*), White-faced Ibis (*Plegadis chihi*), and Yellow-rumped Warbler (*Setophaga coronata*). The results of the eBird search, documented in **Appendix B.2 eBird Database**, are consistent with the results of the above-referenced CNDDDB search, verifying the presence of the species identified as inhabiting the area by the CDFW.

Generally, proposed land use changes that would result in development in previously conserved areas (e.g., existing open space to proposed low density residential) or would result in higher density development (e.g., existing rural residential to proposed commercial) had the potential to impact special-status biological resources. Changes in the opposite direction—from more to less dense or from developed to open space—would have a positive impact.

46 California Department of Fish and Wildlife, California Natural Diversity Database (CNDDDB), Accessed October 2022

47 Cornell Lab of Ornithology, eBird Online Database, Accessed October 2022

**TABLE 5.4.1
ENDANGERED, THREATENED, AND PROTECTED SPECIES IN NEEDLES AREA**

Species Type	Scientific Name	Common Name	Federal Status	State Status	CDFW Status
Bird	<i>Rallus obsoletus yumanensis</i>	Yuma Ridgway's Rail	Endangered	Threatened	Fully Protected
Bird	<i>Empidonax traillii extimus</i>	Southwestern Willow Flycatcher	Endangered	Endangered	None
Fish	<i>Xyrauchen texanus</i>	Razorback Sucker	Endangered	Endangered	Fully Protected
Fish	<i>Gila elegans</i>	Bonytail	Endangered	Endangered	None
Fish	<i>Ptychocheilus lucius</i>	Colorado Pikeminnow	Endangered	Endangered	Fully Protected
Amphibians	<i>Incilius alvarius</i>	Sonoran Desert Toad	None	None	Special Concern
Bird	<i>Accipiter cooperii</i>	Cooper's Hawk	None	None	Watch List
Bird	<i>Accipiter striatus</i>	Sharp-Shinned Hawk	None	None	Watch List
Bird	<i>Circus hudsonius</i>	Northern Harrier	None	None	Special Concern
Bird	<i>Ixobrychus exilis</i>	Least Bittern	None	None	Special Concern
Bird	<i>Cardinalis</i>	Northern Cardinal	None	None	Watch List
Bird	<i>Piranga rubra</i>	Summer Tanager	None	None	Special Concern
Bird	<i>Charadrius montanus</i>	Mountain Plover	None	None	Special Concern
Bird	<i>Falco columbarius</i>	Merlin	None	None	Watch List
Bird	<i>Falco mexicanus</i>	Prairie Falcon	None	None	Watch List
Bird	<i>Xanthocephalus</i>	Yellow-Headed Blackbird	None	None	Special Concern
Bird	<i>Icteria virens</i>	Yellow-Breasted Chat	None	None	Special Concern
Bird	<i>Lanius ludovicianus</i>	Loggerhead Shrike	None	None	Special Concern
Bird	<i>Larus californicus</i>	California Gull	None	None	Watch List
Bird	<i>Toxostoma crissale</i>	Crissal Thrasher	None	None	Special Concern
Bird	<i>Pandion haliaetus</i>	Osprey	None	None	Watch List
Bird	<i>Leiothlypis luciae</i>	Lucy's Warbler	None	None	Special Concern
Bird	<i>Setophaga petechia</i>	Yellow Warbler	None	None	Special Concern
Bird	<i>Setophaga petechia sonorana</i>	Sonoran Yellow Warbler	None	None	Special Concern
Bird	<i>Nannopterum auritum</i>	Double-Crested Cormorant	None	None	Watch List

**TABLE 5.4.1
ENDANGERED, THREATENED, AND PROTECTED SPECIES IN NEEDLES AREA**

Species Type	Scientific Name	Common Name	Federal Status	State Status	CDFW Status
Bird	<i>Colaptes chrysoides</i>	Gilded Flicker	None	Endangered	None
Bird	<i>Melanerpes uropygialis</i>	Gila Woodpecker	None	Endangered	None
Bird	<i>Poliioptila melanura</i>	Black-Tailed Gnatcatcher	None	None	Watch List
Bird	<i>Asio otus</i>	Long-Eared Owl	None	None	Special Concern
Bird	<i>Athene cunicularia</i>	Burrowing Owl	None	None	Special Concern
Bird	<i>Micrathene whitneyi</i>	Elf Owl	None	Endangered	None
Bird	<i>Plegadis chihi</i>	White-Faced Ibis	None	None	Watch List
Bird	<i>Empidonax traillii</i>	Willow Flycatcher	None	Endangered	None
Bird	<i>Myiarchus tyrannulus</i>	Brown-Crested Flycatcher	None	None	Watch List
Bird	<i>Pyrocephalus rubinus</i>	Vermilion Flycatcher	None	None	Special Concern
Bird	<i>Vireo bellii arizonae</i>	Arizona Bell's Vireo	None	Endangered	None
Mammal	<i>Ovis canadensis nelsoni</i>	Desert Bighorn Sheep	None	None	Fully Protected
Mammal	<i>Eumops perotis californicus</i>	Western Mastiff Bat	None	None	Special Concern
Mammal	<i>Nyctinomops femorosaccus</i>	Pocketed Free-Tailed Bat	None	None	Special Concern
Mammal	<i>Lontra canadensis sonora</i>	Southwestern River Otter	None	None	Special Concern
Mammal	<i>Taxidea taxus</i>	American Badger	None	None	Special Concern
Mammal	<i>Antrozous pallidus</i>	Pallid Bat	None	None	Special Concern
Mammal	<i>Corynorhinus townsendii</i>	Townsend's Big-Eared Bat	None	None	Special Concern
Bird	<i>Coccyzus americanus occidentalis</i>	Western Yellow-Billed Cuckoo	Threatened	Endangered	None
Reptile	<i>Gopherus agassizii</i>	Desert Tortoise	Threatened	Threatened	None

Source: California Department of Fish and Wildlife, <https://wildlife.ca.gov/Data/CNDDDB>, (See Appendix B.1) Accessed September 2022

The proposed Land Use Map would change land use designations in the City; however, Open Space designated lands would remain as current designated. Future development could result in the loss of habitat or indirect impacts to wildlife. As such, the potential exists for impacts to occur from such future development of land not designated as Open Space. The proposed Land Use Element would be consistent with the City's Municipal Code;⁴⁸ as such lands zones as Open Space under the Municipal Code is for land in the city not designated for residential commercial, industrial, parks and recreation or institutional uses. Development may be allowed in open space areas under the PUD process.

The City of Needles current General Plan Conservation and Historic Preservation Element,⁴⁹ provides a variety of goals and implementation policies related to protecting and enhancing the existing habitat and present special-status species. The City's Conservation Element also notes the principal that critical habitat areas should not encourage mass public use so as to avoid polluting and degrading the habitat.

The General Plan Update and Land Use Element will revise the land use designations on certain lands within the City that may contain habitat or vegetation that includes candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or the U.S. Fish and Wildlife Service (USFWS).

The proposed General Plan Update, including the Land Use Element, maintains the zoning designations of land fronting the river, with Commercial, Residential, and Resort uses permitted. Both the existing,⁵⁰ and proposed land use designations state that river-fronting development must be appropriate for the location on which it is sited, and all developments are subject to review by the City.

The proposed Land Use Element includes policies that would result in positive impacts to special-status species by requiring the protection and preservation of such resources, including biological resources. None of the proposed land Use policies would result in adverse impacts to special-status species.

The proposed General Plan Update would maintain consistency with the remainder of the existing General Plan, including the Conservation and Historic Preservation Element. The

48 Article III. Zones. Ord. No. 427-AC Sections 93.00 Establishment of zones.

49 City of Needles General Plan, Conservation and Historic Preservation Element, 1986.

50 City of Needles, Zoning Map (Amended 2014).

proposed General Plan Element does not conflict with any other local or regional plans, policies, regulations, or by the CDFW or the U.S. Fish and Wildlife Service (USFWS).

Documented occurrences as noted in the CNDDDB and eBird lists (see **Table 5.4-1**) provide only a snapshot of potential impacts. Species documented within proposed development areas would not necessarily be impacted either due to no longer occurring in that locale or due to avoidance measures implemented by projects. Conversely, species that have not been documented in a locale may be present at the time of development and may be impacted.

Development in accordance with the proposed Land Use Element and Land Use Map would allow for the conversion of undeveloped land to new urban uses, or the redevelopment of existing developed areas. Development would introduce new uses in or adjacent to habitats that could support a number of special-status species.

Direct impacts to special-status species could result from the conversion of habitat either temporarily, as a result of grading, excavation, and construction activities, or permanently from the ongoing operation and/or maintenance of a project or plan. Indirect impacts could result from generation of fugitive dust, elevated noise levels, increased sediment loads in runoff from construction activities and the adverse effect of invasive plant species. Indirect impacts could also result from permanent alterations to hydrology upstream of habitats supporting special-status species, including increased runoff, sedimentation, or pollutant loads, and increased human activity.

Future development of land that may contain any such species would be subject to the requirements of CDFW and USFWS. The Land Use Element itself does not facilitate any development. Any future development would be subject to federal, State, regional, and local regulatory requirements related to biological resources.

Potential impacts related to biological resources are unique to a given project's location and cannot be meaningfully determined until a project site has been defined. All future development in the City would require project-specific environmental evaluation to determine any potential impacts to candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or the USFWS.

The proposed General Plan Update would maintain consistency with the remainder of the existing General Plan, including the Conservation and Historic Preservation Element. The proposed General Plan Update is a policy document and does not directly propose physical changes in the environment; all future development projects within the City following the

adoption of the General Plan Update would be required to comply with all City codes and regulations, and any impacts of said projects would be required to include site-specific mitigation measures for any potential impacts identified.

Further, the proposed General Plan Update includes policies intended to lessen impacts to biological resources within the proposed Land Use Element, including policies to minimize construction in environmentally sensitive areas, to improve energy efficiency through mixed-use development.

Future projects would be evaluated by the City for compliance with goals, policies, and measures within the General Plan intended to mitigate potential impacts to natural and biological resources, including those listed in the Conservation and Historic Preservation Element.

The adoption of the General Plan Update would have a less than significant impact, 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 CDFW or the USFWS.

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

Less Than Significant Impact.

The City of Needles and the surrounding area has been identified as containing a number of important desert vegetation and wildlife habitats, particularly along the 10-mile stretch of the Colorado River along the City's eastern boundary.⁵¹ The Colorado Riverbank contains a number of complex estuary and terrestrial ecosystems, as well as riparian habitats.

The proposed Land Use Map would change land use designations in the City; however, Open Space designated lands would remain as current designated. Future development could result in the loss of habitat or indirect impacts to wildlife. As such, the potential exists for impacts to occur from such future development of land not designated as Open Space. The

51 Lower Colorado River Multi-Species Conservation Program, Final Habitat Conservation Plan, Volume III, page 1-6, December 2004.

proposed Land Use Element would be consistent with the City’s Municipal Code;⁵² as such lands zones as Open Space under the Municipal Code is for land in the city not designated for residential commercial, industrial, parks and recreation or institutional uses. Development may be allowed in open space areas under the PUD process.

The City of Needles current General Plan Conservation and Historic Preservation Element,⁵³ provides a variety of goals and implementation policies related to protecting and enhancing the existing habitat and present special-status species. The City’s Conservation Element also notes the principal that critical habitat areas should not encourage mass public use so as to avoid polluting and degrading the habitat.

The proposed General Plan Update, including the Land Use Element, maintains the zoning designations of land fronting the river, with Commercial, Residential, and Resort uses permitted. Both the existing,⁵⁴ and proposed land use designations state that river-fronting development must be appropriate for the location on which it is sited, and all developments are subject to review by the City. The proposed Land Use Element includes the following policies to protect natural resources, including biological resources.

The proposed General Plan Update would maintain consistency with the remainder of the existing General Plan, including the Conservation and Historic Preservation Element. The proposed General Pan Element does not conflict with any other local or regional plans, policies, regulations, or by the CDFW or the USFWS. None of the proposed policies would result in adverse impacts to special-status vegetation communities. Development in accordance with the proposed policies and designations would allow for the conversion of undeveloped land to new urban uses in the City that could result in direct and indirect impacts to special-status vegetation communities.

Direct impacts to special-status vegetation communities could result from the conversion of habitat either temporarily, as a result of grading, excavation, and construction activities, or permanently from the ongoing operation and/or maintenance of a project or plan. Indirect impacts could result from generation of fugitive dust, increased sediment loads in runoff from construction activities or the adverse effect of invasive plant species. Indirect impacts could also result from permanent alterations to hydrology upstream of habitats, including increased

52 Article III. Zones. Ord. No. 427-AC Sections 93.00 Establishment of zones.

53 Needles General Plan, Conservation and Historic Preservation Element, (1986).

54 City of Needles, Zoning Map (Amended 2014).

runoff, sedimentation, or pollutant loads, and increased human activity, which could result in trampling and disturbance. Should new development occur within undeveloped areas of the County due to land use designation changes, acreages of special-status natural communities could be permanently reduced, resulting in a potentially significant impact to special-status natural communities.

The proposed General Plan Update is a policy document and does not directly propose, nor does it directly enable construction or development activity. All future development in the City would require project-specific environmental evaluation, and any potential impacts identified would be addressed through project-specific mitigation measures identified at the time a specific project is considered by the City.

Impacts would be less than significant.

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

Less Than Significant Impact.

A substantial adverse effect to federally protected wetlands would occur if the proposed General Plan update would result in a net loss of federally protected wetlands. Other jurisdictional waters including non-wetland waters of the United States under the jurisdiction of the Corps, wetland and non-wetland waters of the State under the jurisdiction of the SWRCB, and streambeds and lakes under the jurisdiction of CDFW are also addressed under this threshold.

The City is located immediately adjacent to the Colorado River. The Colorado River borders the eastern side of the City for approximately 10 miles and contains a number of complex estuary and terrestrial ecosystems, including wetland ecosystems. Areas adjacent to the River are within the jurisdiction of federal and State agencies in that they contain both Waters of the United States (WOTUS) and Waters of the State (SOS).

The Colorado River is the primary waterway in the area which together with other named and unnamed tributaries comprise wetland and non-wetland waters of the United States and State and streambeds under the jurisdiction of the U.S. Army Corps of Engineers (USACOE), Regional Water Quality Control Board (RWQCB), and/or CDFW. Other unnamed tributaries and lakes, ponds, or pools within the Desert Region may also be jurisdictional waters. Implementation of

the proposed Land Use Element and Land Use Map may result in actions that could adversely affect jurisdictional waters. As discussed under the Valley Region, implementation of the proposed Land Use Element policies and compliance with regulatory requirements would avoid, minimize and/or mitigate impacts to jurisdictional waters by requiring the protection and preservation of such resources. Through implementation of policies and regulatory requirements, potential impacts to jurisdictional waters would be less than significant.

The proposed Land Use Map would change land use designations in the City; however, Open Space designated lands would remain as currently designated. Future development could result in the loss of habitat or indirect impacts to existing wetland ecosystems. As such, the potential exists for impacts to occur from such future development of land not designated as Open Space. The proposed Land Use Element would be consistent with the City's Municipal Code;⁵⁵ as such lands zones as Open Space under the Municipal Code is for land in the city not designated for residential commercial, industrial, parks and recreation or institutional uses. Development may be allowed in open space areas under the PUD process.

The City of Needles current General Plan Conservation and Historic Preservation Element,⁵⁶ provides for the protection of the water resources of the area through zoning code enforcement and site plan review such that existing land uses and future development are managed to minimize the pollution of the City's water supply or of the Colorado River. The Conservation and Historic Preservation Element also provides a variety of goals and implementation policies related to protecting and enhancing the existing habitat and present special-status species.

The proposed General Plan Update, including the Land Use Element, maintains the zoning designations of land fronting the river, with Commercial, Residential, and Resort uses permitted. Both the existing,⁵⁷ and proposed land use designations state that river-fronting development must be appropriate for the location on which it is sited, and all developments are subject to review by the City.

The City's Conservation Element also notes the principal that critical habitat areas should not encourage mass public use so as to avoid polluting and degrading the habitat. The proposed

55 Article III. Zones. Ord. No. 427-AC Sections 93.00 Establishment of zones.

56 Needles General Plan, Conservation and Historic Preservation Element, (1986).

57 City of Needles, Zoning Map (Amended 2014).

Land Use Element includes policies that would minimize or avoid impacts to jurisdictional waters by requiring the protection and preservation of such resources.

The proposed General Plan Update would maintain consistency with the remainder of the existing General Plan, including the Conservation and Historic Preservation Element. The proposed General Plan Element does not conflict with any other local or regional plans, policies, regulations, or by the CDFW or the USFWS.

Development resulting from implementation of the proposed General Plan update may result in both direct and indirect significant adverse impacts to jurisdictional wetlands or waters. Development on or adjacent to these areas could potentially affect these resources either directly through fill or indirectly through the alteration of the hydrologic regime. Discussions of these potential impacts are provided below by bioregion.

As discussed under methods above, impacts are discussed in broad, qualitative terms of habitat and water types that could be impacted due to the buildout provided for in the Land Use Element and Land Use Map. This assessment does not satisfy the need for project-level CEQA analysis for individual projects. Whether or not individual projects would result in impacts to jurisdictional waters would depend on resources present at the time such projects are pursued. Future projects that may result in significant impacts to jurisdictional wetlands and/or waters and will require identification of project-specific mitigation measures at that time, as applicable.

The proposed General Plan Update is a policy document and does not directly propose, nor does it directly enable construction or development activity. All future development in the City would require project-specific environmental evaluation, and any potential impacts identified would be addressed through project-specific mitigation measures identified at the time a specific project is considered by the City.

Any potential environmental impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project for is considered by the City.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less Than Significant Impact.

Substantial interference with the movement of any native resident or migratory wildlife species or with resident or migratory wildlife corridors would occur if changes in land use within the proposed General Plan update would prevent or hinder wildlife movement through established native resident or migratory wildlife corridors or habitat linkages.

The City is located in an area of the Mohave Desert that contains natural desert vegetation with vacant lands interspersed with urban development. As such, the potential exists for nesting birds and other species to occur. There are no designated wildlife corridors or wildlife nursery sites within the City; however, given the proximity to open space and natural lands around the City, wildlife do migrate on occasion through the City.

Havasu National Wildlife Refuge, is located approximately 10 miles southeast of the City, and originally named Havasu Lake National Wildlife Refuge. The Refuge was established by Executive Order by President Franklin D. Roosevelt in 1941, with a primary purpose of providing migratory bird habitat on the California/Arizona border; the National Wildlife Refuge System is a series of lands and waters owned and managed by the U.S. Fish and Wildlife Service (USFWS).⁵⁸ Entrances to the refuge vary, but the park headquarters is located at 317 Mesquite Avenue in Needles.

The Refuge is comprised of 37,515 acres along the lower Colorado River in Arizona and California.⁵⁹ The Refuge protects 30 river miles and encompasses 300 miles of shoreline from Needles, California, to Lake Havasu City, Arizona. One of the last remaining natural stretches of the lower Colorado River flows through the 20-mile long Topock Gorge. Havasu National Wildlife Refuge is within the Pacific Flyway, a major north-south migratory route along the western coast of the United States.

The Havasu National Wildlife Refuge provides habitat for 318 species of birds and more than 25 types of dragonflies; desert bighorn sheep scale steep rock faces while coyotes, bobcats,

58 US Fish and Wildlife Service (USFWS), Havasu National Wildlife Refuge, [tps://www.fws.gov/refuge/havasu](https://www.fws.gov/refuge/havasu)

59 US Fish and Wildlife Service (USFWS), Havasu National Wildlife Refuge, [tps://www.fws.gov/refuge/havasu](https://www.fws.gov/refuge/havasu)

and foxes.⁶⁰ Mountain lions roam and bats emerge from historic mines in the 17,600 acre Wilderness Area of the Refuge.

The Havasu Wilderness Area, 17,801 acres in area (Arizona contains approximately 14,606 acres. California contains approximately 3,195 acres) is managed by the USFWS and lies within the Havasu National Wildlife Refuge.⁶¹ The Wilderness Area which stretches along the Colorado River for 30 miles between Needles, California and Lake Havasu City, Arizona. The Havasu Wilderness Area was established in 1990 to preserve and enhance in perpetuity wilderness values of designated lands. The Wilderness Act of 1964⁶² created the National Wilderness Preservation System "in order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas in the United States, and it's possession, leaving no lands designated for preservation and protection in their natural condition...." The Wilderness Area is rich in wildlife including quail, geese, ducks, grebes, cranes, rails, herons, egrets, falcons, eagles, bighorn sheep, coyotes, porcupines, foxes, and bobcats. Here you may see the endangered desert tortoise and the poisonous Gila monster.

No portions of the Havasu National Wildlife Refuge, or the Havasu Wilderness Area, are within the City of Needles.

The proposed Land Use Map would change land use designations in the City; however, Open Space designated lands would remain as currently designated. Future development could result in the loss of habitat or indirect impacts to wildlife. As such, the potential exists for impacts to occur from such future development of land not designated as Open Space. The proposed Land Use Element would be consistent with the City's Municipal Code;⁶³ as such lands zones as Open Space under the Municipal Code is for land in the city not designated for residential commercial, industrial, parks and recreation or institutional uses. Development may be allowed in open space areas under the PUD process.

The City of Needles current General Plan Conservation and Historic Preservation Element,⁶⁴ provides a variety of goals and implementation policies related to protecting and enhancing the existing habitat and present special-status species. The City's Conservation Element also

60 US Fish and Wildlife Service (USFWS), Havasu National Wildlife Refuge, [tps://www.fws.gov/refuge/havasu](https://www.fws.gov/refuge/havasu)

61 US Fish and Wildlife Service (USFWS), Havasu National Wildlife Refuge, [tps://www.fws.gov/refuge/havasu](https://www.fws.gov/refuge/havasu)

62 U.S. Congress, Wilderness Act of 1964 (11 U.S.C. § 1131(a)), (September 3, 1964).

63 Article III. Zones. Ord. No. 427-AC Sections 93.00 Establishment of zones.

64 Needles General Plan, Conservation and Historic Preservation Element, (1986).

notes the principal that critical habitat areas should not encourage mass public use so as to avoid polluting and degrading the habitat.

The proposed General Plan Update, including the Land Use Element, maintains the zoning designations of land fronting the river, with Commercial, Residential, and Resort uses permitted. Both the existing,⁶⁵ and proposed land use designations state that river-fronting development must be appropriate for the location on which it is sited, and all developments are subject to review by the City. The proposed Land Use Element includes policies that would avoid or minimize impacts to wildlife movement.

The proposed General Plan Update is a policy document and does not directly propose, nor does it directly enable construction or development activity. The proposed General Plan Update would maintain consistency with the remainder of the existing General Plan, including the Conservation and Historic Preservation Element. The proposed General Pan Element does not conflict with any other local or regional plans, policies, regulations, or by the CDFW or the USFWS.

Future development within the Planning Area could result in indirect impacts to adjacent wildlife movement corridors through construction and operation noise and emissions, light pollution from nighttime activities, and increased pedestrian traffic from users. Similarly, multi-use facilities would facilitate construction and operation of recreation facilities alongside existing wildlife movement corridors such as flood control facilities. Although maintenance and improvement of recreation facilities typically results in less than significant impacts to wildlife movement corridors, impacts would be significant if a facility resulted in an obstruction to wildlife movement or significant increased noise or light pollution. Future development in undeveloped areas allowed under the proposed the proposed Land Use Map could result in direct or indirect impacts to the movement of wildlife through impacts to habitat or fragmentation of open space.

All future development in the City would require project-specific environmental evaluation, and any potential impacts identified would be addressed through project-specific mitigation measures identified at the time a specific project is considered by the City.

The implementation of the Land Use or Transportation Elements would not and an effect on wildlife migration. The proposed General Plan Update is a policy document consistent with the

65 City of Needles, Zoning Map (Amended 2014).

remainder of the City’s existing General Plan and does not propose any land use or zoning changes beyond those required to match prior development approvals.

Any potential environmental impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project is considered by the City.

Impacts would be less than significant.

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

Less Than Significant Impact.

The Conservation and Historic Preservation Element of the City’s existing General Plan contains goals, policies, and measures intended to mitigate potential impacts to natural resources in the area, among which are policies to minimize water pollution and urban runoff into the Colorado River to help conserve sensitive natural habitat.⁶⁶ *Additionally, the Conservation and Historic Preservation Element⁶⁷ provides for the protection of the water resources of the area through zoning code enforcement and site plan review such that existing land uses and future development are managed to minimize the pollution of the City’s water supply or of the Colorado River.*

The Conservation and Historic Preservation Element⁶⁸ provides a variety of goals and implementation policies related to protecting and enhancing the existing habitat and present special-status species. The City’s Conservation Element also notes the principal that critical habitat areas should not encourage mass public use so as to avoid polluting and degrading the habitat.

The General Plan Update and Land Use Element will revise the land use designations on certain lands within the City that may contain habitat or vegetation that includes candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or the U.S. Fish and Wildlife Service (USFWS).

66 City of Needles General Plan, Conservation and Historic Preservation Element, (1986).

67 Needles General Plan, Conservation and Historic Preservation Element, (1986).

68 Needles General Plan, Conservation and Historic Preservation Element, (1986).

The proposed General Plan Update, including the Land Use Element, maintains the zoning designations of land fronting the river, with Commercial, Residential, and Resort uses permitted. Both the existing,⁶⁹ and proposed land use designations state that river-fronting development must be appropriate for the location on which it is sited, and all developments are subject to review by the City.

The proposed Land Use Element includes policies that would result in positive impacts to special-status species by requiring the protection and preservation of such resources, including biological resources.

The City has not adopted any tree protection ordinances or other measures protecting biological resources.

The General Plan Update would not directly enable construction or development activity. The proposed Land Use and Transportation Elements within the proposed General Plan Update would maintain consistency with the remainder of the existing General Plan, including the Conservation and Historic Preservation Element.

All future development projects within the City following the adoption of the General Plan Update would be required to comply with all City codes and regulations, and any impacts of said projects would be required to include site-specific mitigation measures for any potential impacts identified.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less Than Significant Impact.

A substantial adverse effect would occur if the proposed General Plan update was in conflict with an adopted HCP (habitat conservation plan), NCCP (natural community conservation plan), or other approved local, regional, or state HCP that the project's proponent was party

69 City of Needles, Zoning Map (Amended 2014).

to; or impacted a permittee's ability to implement an adopted HCP; NCCP; or other approved local, regional, or state HCP.

The City is within the Lower Colorado Multi-Species Conservation Program (LCRMSCP), which implements a Habitat Conservation Plan (HCP) created to balance the use of the Colorado River's water resources with the conservation of native species and their habitats.⁷⁰ The LCRMSCP covers 400 miles of the lower Colorado River from Lake Mead in the north to the US-Mexico border in the south, and includes lakes Mead, Mohave, and Havasu, as well as the 100-year floodplain along the main stem of the lower Colorado River. The LCRMSCP is intended to benefit State or federally listed endangered, threatened, or sensitive species. The LCRMSCP contains conservation measures to both minimize and mitigate the incidental take of listed species as well as contribute to the recovery of said species and reduce the likelihood of future listing of non-listed species. Among these conservation measures are provisions related to habitat acquisition and protection, presence or absence and clearance surveys, species removal and relocation, species stocking/augmentation, and monitoring and research, among others.⁷¹

The LCRMSCP contains conservation measures to both minimize and mitigate the incidental take of listed species as well as contribute to the recovery of listed species and reduce the likelihood for future listing of non-listed species. Among these conservation measures are provisions related to habitat acquisition and protection, presence or absence and clearance surveys, species removal and relocation, species stocking/augmentation, and monitoring and research, among others.

As noted previously, there is the potential for threatened and endangered species to occur within the City's planning area. Future development of undeveloped lands within the Planning Area would be subject to the conservation measures in the LCR MSCP. Depending on the species listed in LCR MSCP, these measures include provisions for habitat acquisition and protection, presence or absence and clearance surveys, species removal and relocation, species stocking/augmentation, and monitoring and research, among others.

The proposed General Plan Update, including the Land Use Element, maintains the zoning designations of land fronting the river, with Commercial, Residential, and Resort uses

70 Lower Colorado River Multi-Species Conservation Program, Final Habitat Conservation Plan, Volume III, page 1-6, December 2004.

71 Lower Colorado River Multi-Species Conservation Program, Final Habitat Conservation Plan, Volume III, page 1-6, December 2004.

permitted. Both the existing,⁷² and proposed land use designations state that river-fronting development must be appropriate for the location on which it is sited, and all developments are subject to review by the City.

The proposed Land Use Element includes policies that would result in positive impacts to special-status species by requiring the protection and preservation of such resources, including biological resources. The proposed General Plan Update is a policy document and does not directly propose physical changes in the environment.

Any development projects implemented in accordance with the proposed General Plan update would have to be in compliance with the LCRMSCP at the time of their entitlement. Future development would be subject to review, entitlement, and mitigation, and projects would comply with state and federal regulations regarding protected species of animals and vegetation through the development review, entitlement, and environmental clearance processes. Future development projects within the City following the adoption of the General Plan Update would be required to comply with all City codes and regulations, and any impacts of said projects would be required to include site-specific mitigation measures for any potential impacts identified.

Any future projects would be evaluated for their compliance with City's General Plan, including the Conservation and Historic Preservation Element, intended to mitigate potential impacts to natural resources in the area. All future individual projects would require adherence with these local and regional policies and measures related to biological resources. Incorporation of necessary and appropriate conservation measures contained in the LCRMSCP as part of any future development project would ensure compliance with the provisions of the LCRMSCP.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

72 City of Needles, Zoning Map (Amended 2014).

5.5 CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
CULTURAL RESOURCES—Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Framework

The Conservation and Historic Preservation Element⁷³ of the existing General Plan is designed to address potential impacts to historical resources. Specifically, it’s policies call for preservation of resources significant at the national, state, and local levels; avoidance and mitigation of impacts.

Among these are policies to protect the individual and collective architectural and historical heritage of Needles and to upgrade historical resources as viable.

The Conservation Element includes the following goals and policies related to historic structures:⁷⁴

- Goal 1: To conserve and enhance Needles natural and historical resources, facilitating development in a manner which reflects the characteristics, sensitivities, and constraints of these systems.
- Goal 2: To preserve the individual and collective architectural and historical heritage of Needles.
 - Policy 1: Vigorously pursue the conservation and preservation of historical and natural resources.
 - Policy 2: continue to monitor conditions of historic and architecturally significant structures.
 - Policy 3: Where appropriate, have significant historical structures, i.e., Santa Fe depot, placed on the National Register of Historic Places and State Protective lists.

⁷³ City of Needles General Plan, “Conservation and Historic Preservation Element” (February 18, 1986).

⁷⁴ City of Needles General Plan, “Conservation and Historic Preservation Element” (February 18, 1986).

Included among the policies in the proposed Land Use Element is a policy meant to encourage the adaptive reuse of historic structures in the downtown core area, with a focus on those structures that are of local historic and/or architectural value:

Policy LU-4.3 Adaptive reuse. Encourage the adaptive reuse of existing structures in the downtown core, especially those that are of local historic and/or architectural value.

Setting

Cultural resources comprise paleontological, archaeological, and historical resources. Paleontological resources are the fossilized remains of plants and animals. Archaeology is the branch of paleontology that studies human artifacts, such as places, objects, and settlements that reflect group or individual religious, cultural, or everyday activities. Historical resources include sites, structures, objects, or places that are at least 50 years old and are significant for their engineering, architecture, cultural use or association, etc. In California, historic resources cover human activities over the past 12,000 years. Cultural resources provide information on scientific progress, environmental adaptations, group ideology, or other human advancements.

Discussion

a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

Less Than Significant Impact.

CEQA Guidelines section 15064.5(a) defines a “historical resource” as a resource 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:

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

Originally, the land around Needles was occupied exclusively by the Mohave American Indians, who had lived there centuries before European expeditions arrived.⁷⁵ The first western community on the land would develop in 1859 on Camp Colorado, later known as Fort Mojave, a sanctuary for western travelers built by the U.S. Army. The city itself was founded in 1883, following railroad construction over the Colorado River from Topock in the Arizona Territory. In its earliest days, Needles was where goods traveling from California would be iced to continue their transit east.

According to the National Register of Historic Places⁷⁶ and the California Office of Historic Preservation,⁷⁷ one historic site exists within the City, El Garces. Located at 950 Front Street in Needles' downtown district.

The El Garces is a historic freight and passenger rail depot that featured hotel and restaurant amenities. It is named for Francisco Garcés, a Spanish missionary who surveyed the area in the 1770s. The Burlington Northern and Santa Fe Railway (BNSF) subsidiary Atlantic and Pacific Railroad met at Needles and opened a station there in 1883. The Southern Pacific sold its line to the BNSF the next year, and Needles became a major waypoint on the BNSF route to Los Angeles. After the original station was destroyed by fire in 1906, the BNSF built El Garces - a large neoclassical structure containing a Harvey House hotel, restaurant, and train station - in 1908. It was the "crown jewel" of the Harvey House network, and among the first train stations made of concrete.

The current El Garces structure opened in 1908 was designed by Architect Francis W. Wilson the new depot at Needles, which combined a railroad station, dining room, and hotel into a single massive structure, and exemplifies the classical revival style popular on the East Coast during the time period but unusual in the West; the distinct style was intended to give Needles a modern reputation, and fit in with the Fred Harvey Company policy of using updated styles. The hotel and restaurant closed in 1949 as passenger traffic declined. The BNSF converted the interior for office space and baggage use in the 1950s, and demolished the eastern third of the building in 1961. In 1988, the railroad abandoned El Garces entirely.

After being abandoned in 1988, the building faced demolition until a local advocacy group formed to protect the building in 1993. This group, known as the Friends of El Garces,

75 Great American Train Stations, Needles, CA, <http://www.greatamericanstations.com/stations/needles-ca-ndl/> Accessed: Oct. 15, 2022.

76 National Register of Historic Places - Database Search.
<https://www.nps.gov/subjects/nationalregister/database-research.htm>

77 California Office of Historic Preservation - California Historical Resources

successfully petitioned the City to purchase the building 1999 and reopened it as the El Garces Intermodal Transportation Facility in 2014. The National Park Service recognized the building's historic significance in 2002, listing it on the National Register.⁷⁸

Although the proposed General Plan update does provide for specific development, it is possible that future development or improvements related to changes in land use could potentially affect historic buildings and structures and cause significant adverse impacts to historical resources. The City's existing General Plan Environmental Assessment⁷⁹ states that future development and increasing urbanization may result in the loss of cultural resources within the City.

The Conservation and Historic Preservation Element⁸⁰ of the existing General Plan is designed to address potential impacts to historical resources. Specifically, it's policies call for preservation of resources significant at the national, state, and local levels; avoidance and mitigation of impacts

The proposed General Plan Update does not modify or propose to modify the City's existing Conservation and Historic Preservation Element. Included among the policies in the proposed Land Use Element is a policy. LU-4.3, meant to encourage the adaptive reuse of historic structures in the downtown core area, with a focus on those structures that are of local historic and/or architectural value:

The proposed Land Use Element is consistent with the other Elements of the City's General Plan, and itself contains policies designed to facilitate new development while minimizing any potential impacts to pre-existing development or the surrounding environment. Additionally, the proposed General Plan update does not propose or entitle any new development within the City and does not directly propose physical changes in the environment.

All future development in the City pursuant to the updated Land Use Element would be subject to federal, state, and regulatory requirements related to the discovery and handling of cultural and historic resources, and would require project-specific environmental evaluation in order to determine that any potential impacts are less than significant. Any potential environmental impacts identified from future development would be addressed through project-specific

78 National Parks Service, "El Garces - Needles, CA"

79 City of Needles General Plan Environmental Assessment, prepared by Urban Futures, Inc., January 1986.

80 City of Needles General Plan, "Conservation and Historic Preservation Element" (February 18, 1986).

mitigation measures identified at the time a specific development project is considered by the City.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less Than Significant Impact.

Archaeological sites are protected pursuant to a wide variety of State policies and regulations enumerated under the California Public Resources Code (PRC). PRC Sections 5097.9-5097.988 also require notification of discoveries of Native American human remains, descendants and provide for treatment and disposition of human remains and associated grave goods.⁸¹ The discovery of human remains is regulated per California Health and Safety Code.⁸²

Much of the prehistoric occupation of the Mohave Valley appears to be correlated with the presence of the Colorado River, with most of the earliest known sites in the valley located at or near the river. As such, these areas have the potential to contain archaeological resources or sites. Potential impacts related to archaeological resources are unique to a potential future project's location and cannot be meaningfully determined until a project site has been defined.

The City of Needles is listed as the location for archaeological resource sites listed in the National Register of Historic Places⁸³ and/or the California Register of Historical Resources.⁸⁴ These resources are listed as follows:

- Archaeological Site (Pre-historic art) No. D-4 (#N1395, listed in the National Register);
- Piute Pass Archaeological District (#N255, an area encompassing the historic Fort Piute, listed in the National Register);

81 California Public Resources Code (PRC), Sections 5097.9 et al Interference with Native American religion or damage to cemeteries or places of worship, etc., prohibited; construction and exemptions from law. Accessed September 2022

82 California Health and Safety Code, Section 7050.5. Dead Bodies, Accessed September 2022

83 U.S. National Park Service, National Register of Historic Places Database and Research, <https://www.nps.gov/subjects/nationalregister/database-research.htm>, Accessed September 2022.

84 California Office of Historic Preservation, California Historical Resources Database, Accessed September 2022.

- Topock Maze Archaeological Site (#N678, site hypothesized to be a geoglyph, listed in the National Register); and
- National Old Trails Monument (#781, Native American route later followed by Spanish explorer Garcés and his Mojave guides in 1776 and by Jedediah Smith in 1826, listed in the California Register).

The Conservation and Historic Preservation Element⁸⁵ of the existing General Plan addresses potential impacts to archaeological resources. Specifically, policies call for preservation of resources significant at the national, state, and local levels; avoidance and mitigation of impacts. These policies will guide the City’s overall approach to archaeological resources as the it implements the General Plan, and are designed to protect Needles’ cultural, architectural, and historic resources from the impacts of growth and development.

The archaeological sites listed above are located in undeveloped areas of the City designated for Open Space in the proposed Land Use Elements, and thus would not be impacted by the adoption of the proposed General Plan Update.

The proposed General Plan Update includes an update to the City’s Land Use and Transportation Elements, and does not modify or propose to modify the City’s existing Conservation and Historic Preservation Element. The proposed General Plan Update would maintain consistency with the goals and policies referenced above.

Should any future development project seek to modify the Open Space designation of these properties or to act outside of the provisions of the City’s General Plan, project-specific review would be required pursuant to the existing regulatory regime and any impacts identified would be addressed through project-specific mitigation actions.

The proposed Land Use Update does not propose or entitle any new development within the City and does not directly propose physical changes in the environment. All future development in the City pursuant would be subject to federal, state, and regulatory requirements related to the discovery and handling of cultural and historic resources, and would require project-specific environmental evaluation in order to determine that any potential impacts are less than significant. Any potential environmental impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project is considered by the City.

85 City of Needles, General Plan Conservation Element, 1986.

Impacts to archaeological resources would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less Than Significant Impact.

There are two existing cemeteries in the City: Needles-Riverview Cemetery and Fort Mojave Burial Grounds. The land use designations applied to each of these cemeteries remains consistent between the existing and proposed Land Use Elements. Needles-Riverview Cemetery is zoned for Institutional/Public Facilities uses, and the Mojave Burial Grounds lies within the Resort/Commercial zone as it is privately owned. No changes to the underlying land use designations, nor any new developments on these parcels is proposed as part of the General Plan Update.

The Mohave Valley, including the Needles environs, has contained human settlement that has been estimated to date as far back as 50,000 years or more; firm evidence of human occupation does not occur until about 15,000 years ago. Potential impacts related to the disturbance of human remains are unique to a project's location and cannot be meaningfully determined.

The proposed Land Use Element and accompanying Land Use Map does not change Open Space areas that may have potential native American burial sites, nor does it change land use for existing cemeteries. However, potential develop that could occur on other lands designated by the Land Use Map that could be developed may have the potential to unearth human remains.

While the proposed Land Use Update would not directly enable construction or development activity, based on the cultural sensitivity of the area there is the potential to find human remains during subsurface grading activities associated with future residential development in the City.

Any future development would be subject to federal, State, and local regulatory requirements related to the discovery and proper handling of human remains . In the unlikely event that earth-disturbing activities identify undiscovered human remains, the owner/developer of the site would be required to comply with Government Code Sections 27460 et seq.⁸⁶, Section

86 California Government Code, Title 3, Division 2, Ch. 10, Sections 27460-27530.

27491, and Public Resources Code (PRC) Section 5097.98.⁸⁷ These regulations would require earthmoving activities to halt until the County Coroner can determine whether the remains are subject to the provisions of Section 27491 or any other related provisions of law. The required recommendations concerning the treatment and disposition of the human remains would be subject to the person responsible for the excavation, or to his or her authorized representative.

Pursuant to California Health and Safety Code Section 7050.5,⁸⁸ the coroner shall make a determination determines that the remains are not subject to his or her authority and recognizes, or has reason to believe, that they are those of a Native American, he or she shall contact the Native American Heritage Commission within 24 hours of notification. If the remains are determined to be those of a Native American, the County coroner shall notify the California Native American Heritage Commission (NAHC), who would ensure compliance with PRC Section 5097.98.⁸⁹

Potential environmental impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project for is considered by the City.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

87 Public Resources Code, Division 5, Ch. 1.75, Section 5097.98.

88 California Health and Safety Code, Division 7, Part 1, Ch. 2, Section 7050.5.

89 California Public Resources Code (PRC), Sections 5097.9-5097.988., Accessed September 2022.

5.6 ENERGY

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Framework

State

A number of State and regional energy efficiency standards affect conservation, efficiency use, and management of energy resources and the long-term viability of limited and nonrenewable resources. Chief among these are Title 24 of the California Code of Regulations (CCR), the Building Energy Efficiency Standards.⁹⁰ Title 24 also includes Part 11, known as California’s Green Building Standards (CALGreen),⁹¹ which institute mandatory minimum environmental performance standards. The City’s Conservation and Historic Preservation Element⁹² contains principles and standards ensuring compliance with all State energy conservation requirements in future developments.

City of Needles

The City’s existing Circulation, Transportation, and Scenic Highways Element contains the following policies and measures related to transit services:⁹³

1. Transit routes should be established to provide efficient and convenient service to the entire community.
2. Transit service should be planned on a system-wide basis, taking into consideration all operating bus systems in the region.

90 CEC, 2019 Building Energy Efficiency Standards, <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency>. Accessed October 2022.

91 California Department of General Services, Building Standards Commission, CALGreen, <https://www.dgs.ca.gov/BSC/CALGreen>. Accessed October 2022.

92 City of Needles General Plan, Conservation and Historic Preservation Element, February 18, 1986.

93 City of Needles General Plan, Circulation, Transportation, and Scenic Highways Element, February 18, 1986.

3. The routes of the system should provide direct service to the origins and destination of passengers.
4. Routes should not overlap except where they converge at transfer points. Looped two-way traffic is to be encouraged.
5. In urban areas, transit stops should be spaced out at approximately half-mile intervals (quarter-mile walking distance) with stopping intervals decreasing in areas of medium to low population density.
6. Routes should have reasonable long-term flexibility and adaptability to meet changing transit needs and conditions.

The proposed General Plan Update would include policies that maintain the goals of the previous Circulation, Transportation, and Scenic Highways Element. These policies include:

Policy TR-1.4 VMT reduction. Promote new development and transportation improvements that will reduce household and employment vehicle miles traveled (VMT) relative to existing conditions.

Policy TR-2.6 Electric bikes. Support and encourage the use of electric bicycles to reduce resident and employee reliance on cars, resulting in greater mobility while lowering vehicle miles traveled and associated emissions.

Policy TR-2.7 Transit service. Maintain and enhance transit services to provide residents and workers with accessible and convenient service between residential neighborhoods, commercial centers, employment nodes, and medical facilities. Expand transit service as feasible to facilitate access to the Colorado River for residents and tourists.

Discussion

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

Less than Significant Impact.

Energy is commonly consumed in the form of electricity, natural gas, and petroleum-based fuels. According to the California Energy Commission's (CEC) California Energy Consumption Database, the State consumed 279,510 gigawatt hours (GWh) of electricity in 2020,⁹⁴ with

94 California Energy Commission (CEC), California Energy Consumption Database, Electricity Consumption by County, <http://ecdms.energy.ca.gov/elecbycounty.aspx>. Accessed October 2022.

mid-level electricity demand projected to rise to 339,160 GWh by 2030,⁹⁵ the latest year of available data. The County of San Bernardino consumed approximately 15,969 GWh of electricity in 2020.⁹⁶ The State is projected to have a demand outlook of approximately 5,000 million cubic feet (MMcf) of natural gas per day in 2035,⁹⁷ the latest year of available data.

Electric service in the City is provided by the Needles Public Utility Authority (NPUA) and natural gas service is provided by Southwest Gas Corporation (Southwest Gas).

The City's existing Circulation, Transportation, and Scenic Highways Element contains the following policies and measures related to transit services.⁹⁸ The proposed General Plan Update would include policies that maintain the goals of the previous Circulation, Transportation, and Scenic Highways Element.

The proposed General Plan Update includes a revision to the City's Land Use Element, the goals of which are to create a single-map system that bring its General Plan and Zoning maps⁹⁹ into consistency and to introduce mixed-use development into the City's downtown through the creation of a Downtown (DT) designation and corresponding changes to the Development Code. The proposed General Plan Update does not itself propose or entitle any new development in the City, nor does it propose any new uses that have not previously been studied for environmental impacts. The addition of the new DT land use designation and its associated mixed-use development component is consistent with the City's most recent Housing Element, adopted in 2019.¹⁰⁰

Although not directly related to energy, improving transit infrastructure would reduce the need for on-road vehicles and vehicle miles travelled (VMT) within the City thus reducing consumption of transportation-related fuels.

95 California Energy Commission, Demand Analysis Office, California Energy Demand 2018-2030 Revised Forecast <https://efiling.energy.ca.gov/getdocument.aspx?tn=223244>. Accessed October 2022.

96 CEC, California Energy Consumption Database, Electricity Consumption by County, <http://ecdms.energy.ca.gov/elecbycounty.aspx>. Accessed October 2022.

97 California Public Utilities Commission, 2020 California Gas Report, pg. 7, https://www.socalgas.com/sites/default/files/Joint_Utility_Biennial_Comprehensive_California_Gas_Report_2022.pdf. Accessed October 2022.

98 City of Needles General Plan, Circulation, Transportation, and Scenic Highways Element, February 18, 1986.

99 City of Needles, Zoning Map, <https://cityofneedles.com/services/planning-department/>. Accessed October 2022.

100 City of Needles General Plan, 201 -2021 Housing Element, https://zachnews.net/wp-content/uploads/2019/09/Needles-Adoption-Draft-HE_Combined.pdf. Accessed October 2022.

To be conservative, operational energy resource demands for the proposed land use changes were calculated using CalEEMod and data from EMFAC2021. During operation of the proposed land uses, energy would be consumed for multiple purposes associated with the proposed uses, including, but not limited to, heating/ventilating/air conditioning (HVAC); refrigeration; lighting; and the use of electronics, equipment, and machinery. Energy would also be consumed in the form of water usage, solid waste disposal, and vehicle trips, among others. Mobile source emissions were calculated using the latest emissions rates from EMFAC2021 and data from the Project’s transportation analysis.¹⁰¹ The transportation analysis shows that daily vehicle miles traveled (VMT) within the City would increase from 263,835 during existing (2021) conditions, to 397,870 during future (2040) conditions. As shown in **Table 5.6-1: Summary of Annual Energy Use During Operation**, energy demand would be approximately 21,299,784 kWh of electricity per year, 38,123,480 kBTU of natural gas per year, and 1,024,663 gallons of transportation fuel per year.

**TABLE 5.6-1
SUMMARY OF ANNUAL ENERGY USE DURING OPERATION**

Source	Quantity	Units
Electricity	21,299,784	kWh/yr
Natural Gas	38,123,480	kBTU/yr
Transportation Energy	1,024,663	Gallons/yr

Source: Refer to Appendix C for detailed calculations.

Notes: kWh/yr = kilowatt-hours per year; kBtu/yr = thousand British Thermal Units per year.

As discussed previously, the State’s mid-level electricity demand is projected to rise to 339,160 GWh by 2030,¹⁰² the latest year of available data. The electricity demand from the proposed land uses changes would be less than 0.01 percent of the State’s projected electricity demand. Similarly, the State is projected to have a demand outlook of approximately 5,000 million cubic feet (MMcf) of natural gas per day in 2035,¹⁰³ the latest year of available data. The natural gas demand from the proposed land uses changes would be less than 0.01 percent of the State’s projected natural gas demand. The Energy Information Administration (EIA)

101 KOA, City of Needles, Transportation Element Update, Level of Service and Vehicle Miles Traveled Analysis, October 2022. See Appendix F.

102 California Energy Commission, Demand Analysis Office, California Energy Demand 2018-2030 Revised Forecast <https://efiling.energy.ca.gov/getdocument.aspx?tn=223244>. Accessed October 2022.

103 California Public Utilities Commission, 2020 California Gas Report, pg. 7, https://www.socalgas.com/sites/default/files/Joint_Utility_Biennial_Comprehensive_California_Gas_Report_2022.pdf. Accessed October 2022.

forecasts a national oil supply of 273,794 million gallons (mg) per year in 2040, which is the horizon year for the General Plan Update.¹⁰⁴ As such, there is sufficient transportation fuel supplies for the proposed land use changes under the General Plan Update.

All future development in the City would require project-specific environmental evaluation in order to determine that any potential impacts are less than significant. Potential impacts related to energy resources are unique to a project and cannot be meaningfully determined until a project has been defined.

The City's Conservation and Historic Preservation Element¹⁰⁵ contains principles and standards intended to conserve energy resources through ensuring compliance with all State energy conservation requirements in future developments. This includes Principal 4: "Ensure compliance of all State required energy conservation laws in future developments."

Additionally, future development would be subject to federal, State, and local regulatory requirements related to energy efficiency. Further, future development projects would be anticipated to incorporate site-specific infrastructure improvements, as necessary, and be reviewed by relevant energy providers to identify necessary energy facility and service connections.

Finally, future projects would be evaluated by the City for their compliance with goals, policies, and measures contained in the City's General Plan intended to mitigate potential impacts to energy resources. Any potential environmental impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project is considered by the City.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

104 U.S. Energy Information Administration, Annual Energy Outlook 2020: Table 11. Petroleum and Other Liquids Supply and Disposition, <https://www.eia.gov/outlooks/aeo/data/browser/#/?id=11-AEO2020&cases=ref2020&sourcekey=0>. Accessed October 2022.

105 City of Needles General Plan, "Conservation and Historic Preservation Element" (February 18, 1986).

b. Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

Less than Significant Impact.

As noted, the City's General Plan would be consistent with applicable State plans regarding energy efficiency.

Future development in the City would be subject to federal, State, and local regulatory requirements related to energy efficiency. Goals, policies, and programs related to reducing greenhouse gas (GHG) emissions (see **Section 5.8: Greenhouse Gas Emissions**) are closely related to reducing energy consumption, through the use of alternative forms of energy or sustainable design features. Moreover, any future development would be required to comply with applicable energy, water, and waste efficiency measures specified in the Title 24 Building Energy Efficiency Standards and CALGreen standards.

Future development projects would be anticipated to incorporate site-specific infrastructure improvements, as necessary, and be reviewed by relevant energy providers to identify necessary energy facility and service connections. Additionally, future projects would be evaluated by the City for their compliance with goals, policies, and measures contained in the City's General Plan intended to mitigate potential impacts to energy resources. Any potential environmental impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project is considered by the City.

Impacts would be less than significant.

Mitigation Measures: No mitigation measures required.

5.7 GEOLOGY AND SOILS

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

Regulatory Framework

State

Title 24 of the CCR, the California Building Standards Code,¹⁰⁶ establishes Statewide standards for development, including constructing with seismic concerns. The 2022 California Building Standards Code¹⁰⁷ will be in effect as of January 1, 2023.

City of Needles

The following goals, policies and implementation programs, principles and standards from the City's General Plan Safety Element¹⁰⁸ have been established to address the safety issues and needs of the community. These include:

Goal 1: To protect to the maximum extent possible, persons and property from natural and people-made hazards and dangers.

Policy 1: Pursue the protection of the existing population and future development from the hazards of flooding, seismic, and fire.

The Safety Element includes the following implementation measures and principals to address safety:

- Bring structures within the City up to the highest possible level of safety as determined in State and local codes.
- Development should be discouraged in areas known to possess a significant safety hazard unless appropriate mitigation measures are applied.
- Existing safety hazards should be mitigated whenever possible.
- In safety matters, the concept of an acceptable level of risk should be employed. The level of risk is based upon the number of people and critical facilities threatened.

The proposed Land Use Element includes the following policy to address development in environmentally sensitive areas:

Policy LU-1.7 Environmentally sensitive development. Require new development to maximize its compatibility with the natural environment and avoid expansions or encroachments into environmentally sensitive areas.

106 California Code of Regulations, Title 24.

107 California Code of Regulations (CCR), Title 24), 2022 California Building Standards Code. Link: Codes (ca.gov)

108 City of Needles General Plan, "Safety Element" (February 18, 1986).

Setting

The City is located within the Mohave Valley region, an area defined by gently sloping terrain. The Mohave Valley is bisected by the Colorado River and surrounded by mountain ranges characterized by desiccated alluvial fans and washes with gradients of 2-5 percent.¹⁰⁹

The City generally ranges in elevation from approximately 700 feet above mean sea level to approximately 470 feet above mean sea level near the Colorado River. There are no known active or potentially active earthquake faults in the Needles area.

Surface fault rupture occurs when movement along a fault breaks through to the surface. It may occur suddenly during an earthquake or gradually over a long period of time in the form of fault creep. It commonly occurs with shallow earthquakes, those with hypocenters less than 12 miles deep. Primary ground rupture usually results in a relatively small portion of the damages caused by a quake. Primary fault rupture is rarely confined to one fault; it often spreads out into complex patterns of secondary faulting (faults other than the main traces of active faults) and ground deformation. Movement along secondary faults generally occurs in response to a triggering event—such as movement on a nearby larger regional fault.

Areas of secondary fault rupture can also be a concern. Secondary faulting involves a web of interconnected faults that rupture in response to a primary rupture. Secondary ground deformation can include fracturing, shattering, warping, tilting, uplift, and/or subsidence. Such deformation may be relatively confined along the rupturing fault or spread over a large region. Deformation and secondary faulting can also occur without primary ground rupture, as in the case of ground deformation above a blind (buried) thrust fault.

Ground shaking, that is, ground displacement due to seismic waves from an earthquake, is responsible for the vast majority of earthquake damage. In general, the degree of shaking depends on: 1) the earthquake's size, location, and distance; 2) direction of seismic waves; and 3) site effects. Although identifying the exact area where the ground will shake is not possible, the California Geological Survey produced shake maps that illustrate where the intensity of ground shaking from earthquakes is expected to be most pronounced.

The energy released by an earthquake is measured as moment magnitude. The moment magnitude scale is logarithmic; therefore, each one-point increase in magnitude represents a tenfold increase in amplitude of the waves, as measured at a specific location, and a 32-fold

¹⁰⁹ City of Needles General Plan, "Technical Background Reports, Natural Cultural, and Aesthetic Resources" (February 18, 1986).

increase in energy. Therefore, a magnitude 7 earthquake produces 100 times the ground motion amplitude of a magnitude 5 earthquake and 900 times as much energy release, while a magnitude 8 earthquake (expected from a rupture along the San Andreas Fault) produces 1000 times the ground motion amplitude of a magnitude 5 earthquake and about 2,700 times as much energy release.

Notable earthquakes in the southern California area include the 1812 Wrightwood Earthquake on the San Andreas Fault, with an estimated magnitude of 7.5 and the 1857 Fort Tejon Earthquake, also along the San Andreas Fault, with an estimated earthquake of magnitude 7.9. The chapel at Mission San Juan Capistrano in Orange County collapsed during the 1812 earthquake, killing 40. The Fort Tejon earthquake caused the collapse of an adobe house killing one person. Other earthquakes originating in the County include the 1858 San Bernardino earthquake, the 1894 Lytle Creek earthquake, the 1899 Lytle Creek-Cajon Pass earthquake, the 1907 San Bernardino earthquake, the 1970 Lytle Creek-Cajon Pass earthquake, the 1979 Homestead Valley earthquake, the 1988 Upland earthquake, the 1990 Upland earthquake, and the 2008 Chino Hills earthquake.

The principal threat in an earthquake is the damage it causes to buildings that house people or an essential function. Over the past decade, advances in engineering design and building code standards have greatly reduced the potential for most new buildings to collapse during an earthquake. However, several specific types of older building are particularly subject to collapse.

Liquefaction refers to loose, saturated sand or silt deposits that behave as a liquid and lose their load-supporting capability when strongly shaken. The potential for liquefaction exists in areas with relatively loose, sandy soils and high groundwater levels (less than 50 feet in depth) during long-duration strong ground shaking. Several areas in the County have subsurface soil and groundwater conditions conducive to seismic-induced liquefaction. Secondary effects of liquefaction can include the loss of load bearing capacity below foundations, settlement in ground level, and instability in sloped grounds. Areas most susceptible to liquefaction include soils along water bodies, areas in and surrounding dry lakes, and areas where the groundwater is near the ground surface.

Liquefaction is most likely to occur in areas of alluvial deposits with relatively shallow groundwater or around dry lakebeds. Although dry lakes hold water for only a few weeks of the year, groundwater can be near the surface in the lakebed and surrounding alluvium. Also

of concern are areas adjacent to faults that form groundwater barriers. Areas along the Colorado River pose a high liquefaction potential.

Landslides typically occur on hillsides or in steep terrain. They are influenced by the nature of the rock or soil type, slope angle, groundwater levels, rainfall, and large earthquakes. Landslides can also be affected by construction activity, unusual natural or artificial wetting, and erosion. Because of the mass of soil, rocks, and debris involved, however, a landslide can produce catastrophic damages to residences, structures, and infrastructure in its path.

Expansive and collapsible soils are some of the most common and costly geologic hazards if not mitigated. These soils are subject to changes in volume and settlement in response to wetting and drying. The change in soil volume can exert enough force on a building, structure, pipeline, or even roads to cause damage. Expansive soils are typically characterized by clayey material that shrinks as it dries and swells as it becomes wet. Collapsible soils consist of loose, dry, low-density materials that are weakly cemented and that thus can collapse or be compressed with the addition of water or weight. Collapsible soils include young fine-grained alluvial materials, wind-deposited soils, and soils with salts.

Subsidence effects include the formation of ground fissures, ground cracking, and uneven settlement that could damage building foundations, pipelines, and other infrastructure. Subsidence is primarily the result of groundwater extraction, prolonged drought, and geologic conditions.

Corrosive soils contain chemicals that can react with construction materials (e.g., concrete, steel, and iron) and may damage foundations and buried pipelines. Corrosive desert soils have high contents of chloride, sodium, or sulfate minerals. Soils with high amounts of sulfate minerals, such as gypsum, are harmful to concrete, particularly in acidic (low pH) soil. High chloride concentrations from saline minerals can corrode metals (carbon steel, zinc, aluminum, and copper). Low pH and/or low resistivity soils could corrode buried or partially buried metal structures.

Discussion

- a. **Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**
 - i. **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

Less Than Significant Impact.

Faults are considered active if they contain evidence of movement in the last 10,000 years. Like most of Southern California, the broader area is a seismically active area and is subject to some level of ground shaking as a result of movement along the major active (and potentially active) fault zones that characterize this region.

The Needles Graben is located in the Basin and Range province of west-central Arizona. It is west of the Black Mountains, on the east side of the Mohave Valley along the Colorado River. The graben faults displace Quaternary alluvium that probably ranges in age from early Pleistocene to middle to late Pleistocene.

The general area consists of a valley that is amongst the Sacramento Mountains towards the southwest, the Dead Mountains towards the northwest, the Chemehuevi Mountains towards the southeast, and the Black Mountains towards the east in Arizona. The formation of these landforms is the result of regional faulting, such as strike-slip faults, normal faults, and reverse faults along the mountains.¹¹⁰

The Needles graben faults are located along the west side of the Black Mountains, which are on the east side of the Mohave Valley along the Colorado River in the Basin and Range province of west-central Arizona.¹¹¹ The small, shallow, short, asymmetric graben is formed on Quaternary alluvium. Maximum surface displacement of lower to middle Pleistocene alluvium across the main eastern fault is about 12 feet. Middle to upper Pleistocene alluvium is

110 GeoForward, Geology of Needles, California & Hydrogeology, Link: Geology of Needles, California & Hydrogeology » Geo Forward

111 US Geological Survey (USGS), Quaternary Fault and Fold Database of the United States, Needles graben faults (Class A) No. 1011, Last Review Date: 1998-02-03. Quaternary Fault and Fold Database of the United States (usgs.gov)

displaced less than 6 feet, and upper Pleistocene alluvium is not faulted. Analysis of fault scarp morphology suggests a late Pleistocene age for the youngest faulting event.

There are numerous active faults in the eastern San Bernardino area along the Arizona border. Some future development projects may be proposed within Alquist-Priolo Earthquake Fault Zones. Such projects would be required to have fault studies done to determine whether traces of active faults pass through or near those project sites; where such traces were found, buildings for human occupancy must generally be set back at least 50 feet from such traces.

There are no known active or potentially active earthquake faults in the Needles vicinity. Active faults are characterized as having evidence of movement in the last 10,000 years. The San Andreas fault system, located approximately 200 miles to the west, could cause ground shaking in Needles if the magnitude were severe.

No portion of the City's planning area is near an active fault or within an Alquist-Priolo Earthquake Fault Zone mapped by the State Geologist and the California Geological Survey,¹¹² nor is it within an earthquake fault zone boundary or County-designated fault zone.¹¹³

The San Andreas fault system, located approximately 200 miles to the west, could cause severe ground shaking in the City if the magnitude were severe. Also present in the region are The Lavic Lake Fault, located approximately 100 miles to the west, and the Emerson Fault and Homestead Valley Faults, located approximately 120 miles to the west. These faults most recently experienced seismic activity during the 1992 Landers Earthquake and the 1999 Hector Mine Earthquake, magnitudes 7.3 and 7.1, respectively.

Future projects would be evaluated by the City for their compliance with goals, policies, and measures contained in the City's General Plan Safety Element¹¹⁴ intended to protect lives and property. The City's General Plan Safety Element has goals, policies and implementation programs, principles and standards that have been established to address the safety issues and needs of the community.

Chief among these are measures to ensure structures are brought up to the highest possible level of safety as determined in State and local building codes. Title 24 of the CCR, the

112 California Department of Conservation, Geological Survey, "CGS Information Warehouse: Regulatory Maps."

113 County of San Bernardino Land Use Services, Hazard Overlay Maps: Needles (EK03B and EK12B).

114 City of Needles General Plan, "Safety Element" (February 18, 1986).

California Building Standards Code,¹¹⁵ establishes Statewide standards for development, including constructing with seismic concerns.

The proposed Land Use Element includes the policies to address development in environmentally sensitive areas.

All future development in the City would require project-specific environmental evaluation to determine that any potential impacts are less than significant. Any future development would be subject to federal, state, and local regulatory requirements related to building design and construction.

Geotechnical investigations would be required for each development or redevelopment project pursuant to the 2022 California Building Standards Code and aforementioned California Health and Safety Code sections. Geotechnical investigations would calculate seismic design parameters, pursuant to 2022 California Building Standards Code requirements, which must be used in the design of proposed buildings. Seismic hazard impacts of General Plan buildout would be less than significant after compliance with regulatory requirements for geotechnical investigations and seismic safety.

Any potential impacts identified would be addressed through mitigation measures specific to the impact.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

ii. Strong seismic ground shaking?

Less Than Significant Impact.

No portion of the City’s planning area is near an active fault or within an Alquist-Priolo Earthquake Fault Zone mapped by the State Geologist and the California Geological Survey,¹¹⁶ nor is it within an earthquake fault zone boundary.¹¹⁷

The San Andreas fault system, located approximately 200 miles to the west, however, could cause severe ground shaking in the City if the magnitude were severe. Also present in the

115 California Code of Regulations, Title 24.

116 California Department of Conservation, Geological Survey, “CGS Information Warehouse: Regulatory Maps.”

117 County of San Bernardino Land Use Services, Hazard Overlay Maps: Needles (EK03B and EK12B).

region are The Lavic Lake Fault, located approximately 100 miles to the west, and the Emerson Fault and Homestead Valley Faults, located approximately 120 miles to the west. These faults most recently experienced seismic activity during the 1992 Landers Earthquake and the 1999 Hector Mine Earthquake, magnitudes 7.3 and 7.1, respectively, and could potentially cause seismic ground shaking should they experience another earthquake of similar magnitude.

Future projects would be evaluated by the City for their compliance with goals, policies, and measures contained in the City’s General Plan Safety Element¹¹⁸ intended to protect lives and property. The goals, policies and implementation programs, principles and standards have been established to address the safety issues and needs of the community.

The proposed Land Use Element includes polices to address development in environmentally sensitive areas.

Future development would be required to comply with the requirements of the 2022 California Building Standards Code¹¹⁹ will be in effect as of January 1, 2023. All future projects could subject people and structures to hazards from ground shaking. Geotechnical investigations would be required for each development or redevelopment project pursuant to the 2022 California Building Standards Code and aforementioned California Health and Safety Code sections. Geotechnical investigations would calculate seismic design parameters, pursuant to 2022 California Building Standards Code requirements, which must be used in the design of proposed buildings. Seismic hazard impacts of General Plan buildout would be less than significant after compliance with regulatory requirements for geotechnical investigations and seismic safety.

All future development in the City would require project-specific environmental evaluation to determine that any potential impacts are less than significant. Any future development would be subject to federal, state, and local regulatory requirements related to building design and construction. Any potential impacts identified would be addressed through mitigation measures specific to the impact.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

118 City of Needles General Plan, “Safety Element” (February 18, 1986).

119 California Code of Regulations (CCR), Title 24), 2022 California Building Standards Code. Link: Codes (ca.gov)

iii. Seismic-related ground failure, including liquefaction?

Less Than Significant Impact.

No portion of the City’s Planning Area is located within or near an active fault or within an Alquist-Priolo Earthquake Fault Zone mapped by the State Geologist and the California Geological Survey,¹²⁰ nor is it within an earthquake fault zone boundary.¹²¹

General Plan buildout as proposed under the Land Use Element and Land Use Map would involve development of some projects in areas of liquefaction susceptibility. Geotechnical investigations would be required for each project developed under the General Plan. Such investigations would determine whether known active faults passed through or near those project sites, and thus whether fault studies were required under the Alquist-Priolo Earthquake Fault Zoning Act. Such investigations would also assess liquefaction potential on each site and recommend any measures required to minimize liquefaction hazards to people or structures in accordance with the Seismic Hazards Mapping Act. Impacts would be less than significant.

Future development would be required to comply with the requirements of the 2022 California Building Standards Code¹²² will be in effect as of January 1, 2023. All future projects could subject people and structures to hazards from ground shaking. Geotechnical investigations would be required for each development or redevelopment project pursuant to the 2022 California Building Standards Code and aforementioned California Health and Safety Code sections. Geotechnical investigations would calculate seismic design parameters, pursuant to 2022 California Building Standards Code requirements, which must be used in the design of proposed buildings. Seismic hazard impacts of General Plan buildout would be less than significant after compliance with regulatory requirements for geotechnical investigations and seismic safety.

120 California Department of Conservation, Geological Survey, “CGS Information Warehouse: Regulatory Maps.”

121 County of San Bernardino Land Use Services, Hazard Overlay Maps: Needles (EK03B and EK12B).

122 California Code of Regulations (CCR), Title 24), 2022 California Building Standards Code. Link: Codes (ca.gov)

Future projects would be evaluated by the City for their compliance with goals, policies, and measures contained in the City’s General Plan Safety Element¹²³ intended to protect lives and property. The goals, policies and implementation programs, principles and standards have been established to address the safety issues and needs of the community. The proposed Land Use Element includes policies to address development in environmentally sensitive areas.

Future development in the City would require project-specific environmental evaluation to determine that any potential impacts are less than significant. Any future development would be subject to federal, state, and local regulatory requirements related to building design and construction. Any potential impacts identified would be addressed through mitigation measures specific to the impact.

No structures are proposed and therefore no seismic-related ground failure would occur.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

iv. Landslides?

Less Than Significant Impact.

There is no existing evidence available to suggest the potential of mudslides, landslides or liquefaction exists in Needles. No portion of the City’s planning area is near an active fault or within an Alquist-Priolo Earthquake Fault Zone mapped by the State Geologist and the California Geological Survey,¹²⁴ nor is it within an earthquake fault zone boundary.¹²⁵

Future development would be required to comply with the requirements of the 2022 California Building Standards Code.¹²⁶ All future projects could subject people and structures to hazards from ground shaking. Geotechnical investigations would be required for each development or redevelopment project pursuant to the 2022 California Building Standards Code and aforementioned California Health and Safety Code sections. Geotechnical investigations would calculate seismic design parameters, pursuant to 2022 California Building Standards Code requirements, which must be used in the design of proposed buildings. Seismic hazard impacts

123 City of Needles General Plan, “Safety Element” (February 18, 1986).

124 California Department of Conservation, Geological Survey, “CGS Information Warehouse: Regulatory Maps.”

125 County of San Bernardino Land Use Services, Hazard Overlay Maps: Needles (EK03B and EK12B).

126 California Code of Regulations (CCR), Title 24), 2022 California Building Standards Code. Link: Codes (ca.gov)

of General Plan buildout would be less than significant after compliance with regulatory requirements for geotechnical investigations and seismic safety.

Future development in the City would require project-specific environmental evaluation to determine that any potential impacts are less than significant. Any future development would be subject to federal, state, and local regulatory requirements related to building design and construction. Any potential impacts identified would be addressed through mitigation measures specific to the impact.

Direct or indirect Impacts could occur that would result in potential substantial adverse effects, including the risk of loss, injury, or death, involving landslides. These impacts would be Less Than Significant.

Mitigation Measures: No mitigation is required.

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

Less Than Significant Impact.

Erosion is the movement of rock fragments and soil from one place to another. Precipitation, running water, waves, and wind are all agents of erosion. Erosion typically occurs on steep slopes where storm water and high winds can carry topsoil down hillsides.

Construction activities related to the buildout of the proposed General Plan update could potentially result in soil erosion. Clearing, grading, excavation, and other construction activities may impact water quality due to sheet erosion of exposed soils and subsequent depositing of sediment in local drainages. Grading activities in particular lead to exposed areas of loose soil and sediment stockpiles that are susceptible to uncontrolled sheet flow. Although erosion occurs naturally in the environment, primarily from weathering by water and wind, improperly managed construction activities can substantially accelerate erosion, which is detrimental to the environment.

Future projects would be evaluated by the City for their compliance with goals, policies, and measures contained in the City's General Plan Safety Element¹²⁷ intended to protect lives and property. The goals, policies and implementation programs, principles and standards have been established to address the safety issues and needs of the community.

¹²⁷ City of Needles General Plan, "Safety Element" (February 18, 1986).

The proposed Land Use Element includes the following policy to address development in environmentally sensitive areas. The General Plan Land Use and Transportation Elements are planning documents that set forth goals and policies for future development and growth, and would not directly enable construction or development activities.

Future development would be required to comply with the requirements of the 2022 California Building Standards Code¹²⁸ will be in effect as of January 1, 2023.

Construction projects under the General Plan update must provide evidence that the development of projects disturbing one acre or more of soil comply with the most current Statewide Construction General Permit and associated local NPDES regulations to ensure that the potential for soil erosion is minimized.

In accordance with the existing and updated Construction General Permit, a construction stormwater pollution prevention plan (SWPPP) must be prepared and implemented at all construction projects with one acre or greater of soil disturbance, and revised as necessary as administrative or physical conditions change. The SWPPP must be made available for review upon request. It must describe construction Best Management Practices (BMPs) that address pollutant source reduction and provide measures/controls necessary to mitigate potential pollutant sources. These measures/controls include, but are not limited to, erosion controls, sediment controls, tracking controls, non-stormwater management, materials and waste management, and good housekeeping practices.

Prior to commencement of construction activities, the project specific SWPPP(s) would be prepared in accordance with the site-specific sediment risk analyses based on the grading plans, with erosion and sediment controls proposed for each phase of construction for the individual project. The phases of construction would define the maximum amount of soil disturbed, the appropriate size for sediment basins, and other control measures to accommodate all active soil disturbance areas and the appropriate monitoring and sampling plans.

SWPPPs would require projects to plan BMPs for four general phases of construction:

1. grading and land development (e.g., mass grade and rough grade),
2. utility and road installation,

128 California Code of Regulations (CCR), Title 24), 2022 California Building Standards Code. Link: Codes (ca.gov)

3. vertical construction, and
4. final stabilization and landscaping.

Therefore, BMP implementation for new construction can be evaluated in this general context. Site-specific details on individual BMPs would be dependent on the scope and breadth of each future project, which are not known at this time.

Both state and local regulations would effectively mitigate construction stormwater runoff impacts from proposed General Plan update buildout. Additionally, construction sites are required to prepare and implement a SWPPP in accordance with the requirements of the statewide Construction General Permit and are subject to the oversight of the relevant Regional Water Quality Control Board. The SWPPP must include BMPs to reduce or eliminate erosion and sedimentation from soil-disturbing activities. Implementation of these state and local requirements would effectively protect projects from violating any water quality standards or waste discharge requirements from construction activities.

Any potential environmental impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project for is considered by the City.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less Than Significant Impact.

The soils in the Needles area are the result of the alluvium deposits of the Colorado River. The flood plain, lying east of the city is composed of younger alluvium which is composed of sand, gravel and silt. This soil type is found on land bordering the river. Younger alluvium soil is considered a clean sand. This soil class (SW/SP) offers excellent stability and drainage.

The majority of the City of Needles has older alluvium soil. The older alluvium is composed of sand, gravel, silt, clay and piedmont gravels. The older alluvium is considered silty and clayey

sand. This soil class (SM/SC) offers fair to good stability when loaded and fair to poor drainage (Lynch, 1981). As described above, the soils in the City offer fair to excellent stability.

Future projects would be evaluated by the City for their compliance with goals, policies, and measures contained in the City's General Plan Safety Element¹²⁹ intended to protect lives and property. The goals, policies and implementation programs, principles and standards have been established to address the safety issues and needs of the community.

The proposed Land Use Element includes policies to address development in environmentally sensitive areas.

Some projects that would be developed under the proposed General Plan update may be in areas susceptible to landslides. Each project within hillside areas that have substantial slope gradients would be required to conduct a geotechnical investigation of its site that would assess existing landslide susceptibility and impacts of proposed grading and construction on landslide hazard and provide any needed recommendations to minimize landslide hazards. Proposed development on larger landslides or within hillside areas may not prove feasible, based on the results of required geological and geotechnical investigations, and would not be allowed to proceed. Impacts would be less than significant after compliance with the 2022 California Building Standards Code¹³⁰ and other requirements for geotechnical investigations.

Future development would be evaluated on a site-specific basis and subject to federal, State, and local regulatory requirements related to building design and construction. Any potential environmental impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project is considered by the City.

Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

129 City of Needles General Plan, "Safety Element" (February 18, 1986).

130 California Code of Regulations (CCR), Title 24), 2022 California Building Standards Code. Link: Codes (ca.gov)

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

Less Than Significant Impact.

Expansive soils contain clay particles that have the ability to give up water (shrink) or take on water (swell). When these soils swell, the change in volume can exert pressures that are placed on them, and structural distress and damage to buildings can occur.

Expansive soils are characterized as fine-grained, such as silts and clays, or soils with variable amounts of expansive clay minerals that can change in volume due to changes in water content. Collapsible soils typically occur in recently deposited soils that tend to be drier and more granular. Some of these soils may be present in the vicinity of the Colorado River.

Implementation of the General Plan update could subject people or structures to hazards from expansive soils and/or collapsible soils. Expansive soils are typically characterized by clayey material that shrinks and swells as it dries or becomes wet, respectively. Collapsible soils consist of loose, dry, low-density materials that are weakly cemented and that thus can be collapse or be compressed with the addition of water or weight. Collapsible soils include young fine-grained alluvial materials and wind-deposited soils, and soils with salts. Although the majority of the soils in the Planning Area are not considered expansive, the potential; exists for expansive soils to be encountered.

The soils in the Needles area are the result of alluvium deposit of the Colorado River. Younger alluvium soils near the eastern side of the City consist of sand, gravel, and silt and offer excellent stability and drainage. Older alluvium soils underlie the majority of the City and are composed of sand, gravel, silt, clay, and piedmont gravels; these soils offer fair to good stability when loaded and fair to poor drainage.

Future projects would be evaluated by the City for their compliance with goals, policies, and measures contained in the City's General Plan Safety Element¹³¹ intended to protect lives and property. The goals, policies and implementation programs, principles and standards have been established to address the safety issues and needs of the community.

Chief among these are measures to ensure structures are brought up to the highest possible level of safety as determined in State and local building codes. Title 24 of the CCR, the

131 City of Needles General Plan, "Safety Element" (February 18, 1986).

California Building Standards Code,¹³² establishes Statewide standards for development, including constructing with seismic concerns. The 2022 California Building Standards Code¹³³ will be in effect as of January 1, 2023.

The proposed Land Use Element includes policies to address development in environmentally sensitive areas.

Future development projects would be required to conduct geotechnical investigations that would assess the suitability of site soils for supporting the proposed structures. Such assessments would address expansion potential and collapsibility; and would provide any needed recommendations to minimize hazards arising from expansive and/or collapsible soils, including removal of soils unsuitable for supporting proposed structures and placement of engineered fill soils. Impacts would be less than significant after compliance with recommendations of geotechnical investigation reports.

Any future development would be evaluated on a site-specific basis and subject to federal, State, and local regulatory requirements related to building design and construction. Any potential environmental impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project is considered by the City.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less Than Significant Impact.

There are more than 3,900 acres of land which are presently zoned for residential uses that have access to existing municipal services or could install septic systems. The City provides sewer systems throughout the City.

132 California Code of Regulations, Title 24.

133 California Code of Regulations (CCR), Title 24), 2022 California Building Standards Code. Link: Codes (ca.gov)

The City has proposed expanding their sanitary sewer service into the North Needles Area. This new service area will be primarily on the east side of River Road approximately from Balboa Place to Budweiser Road.¹³⁴ The addition of North Needles Area will significantly impact the capacity of the collection system along the flow path to the wastewater treatment plant.

More than 95 percent of the City's sanitary sewer pipes are adequately sized to handle wastewater flows at buildout.¹³⁵ There are some sewer mains that will require upsizing in order to accommodate the development that is expected in North Needles. The sewer mains that are expected to exceed capacity at buildout are in the northern part of the current service area of the City.

Many residences in North Needles are required to use septic systems due to the lack of nearby sewer connections and actively utilize septic systems. If homes or businesses are able to connect to public services and do not, however, residents and businesses are not permitted to occupy the home.

Buildout of the General Plan update may involve some development using septic tanks. Soils in some areas may not be suitable for supporting septic tanks. A soil percolation test would be required before construction of each septic tank. Impacts would be less than significant after performance of percolation tests, adherence to the recommendations of the professionals conducting the tests, and the approval of the City Planning Department, where required.

The proposed General Plan Update is a policy document and does not propose or entitle any new development in the City, nor does it directly propose physical changes to the environment. Further, the proposed Land Element includes policies that with address public facilities for new development.

Future development would be evaluated on a site-specific basis and subject to federal, State, and local regulatory requirements related to building design and construction. Any potential environmental impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project for is considered by the City.

134 Epic Engineering, Culinary Water & Sanitary Sewer Capital Facilities Master Plan, December 17, 2019.

135 Epic Engineering, Culinary Water & Sanitary Sewer Capital Facilities Master Plan, December 17, 2019.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less Than Significant Impacts.

Paleontological resources are protected pursuant to a wide variety of State policies and regulations enumerated under the PRC, including PRC Section 5097.5.

The Society for Vertebrate Paleontology (SVP) defines the following four categories of paleontological sensitivity for rock units:

- **High Potential.** “Rock units from which vertebrate or significant invertebrate, plant, or trace fossils have been recovered are considered to have a high potential for containing additional significant paleontological resources. Rock units classified as having high potential for producing paleontological resources include, but are not limited to, sedimentary formations, including formations composed of particles of volcanic origin; and some slightly metamorphosed rocks which contain significant paleontological resources anywhere within their geographical extent. Paleontological potential consists of both a) the potential for yielding abundant or significant vertebrate fossils or for yielding a few significant fossils, large or small, vertebrate, invertebrate, plant, or trace fossils and b) the importance of recovered evidence for new and significant scientific data.
- **Low Potential.** Rock units identified in paleontological literature and/or field surveys as having low potential for yielding significant fossils. Such rock units will be poorly represented by fossil specimens in institutional collections, or based on general scientific consensus, only preserve fossils in rare circumstances and the presence of fossils is the exception not the rule, e.g. basalt flows or Recent colluvium. Rock units with low potential typically will not require impact mitigation measures to protect fossils.”
- **Undetermined Potential.** Rock units for which little information is available concerning their paleontological content, geologic age, and conditions in which the rocks formed are considered to have undetermined potential. Further study is necessary to determine if these rock units have high or low potential to contain significant paleontological resources and before a paleontological resource impact mitigation program can be developed.
- **No Potential.** Some rock units have no potential to contain significant paleontological resources, for instance highly metamorphosed rocks (such as gneisses and schists) and plutonic igneous rocks (such as granites and diorites).² Rock units with no potential require no protection or impact mitigation measures relative to paleontological resources.

Per the San Bernardino County General Plan EIR,¹³⁶ Needles lies outside of known areas of paleontological interest, and as such, no portion of the Planning Area contains such resources that would be impacted by the adoption of the proposed General Plan Update. In the event that paleontological resources are discovered during future development projects, applicants will be required to comply with regulatory standards enumerated under in PRC Section 5097.574 which sets the protocol for proper handling.

The eastern portion of San Bernardino County around Needles consists of the eastern margin and foothills of the surrounding mountains flattening out westward in broad alluvial plains and scattered mountain ranges. This area consists of primarily non-fossil-bearing granite and scattered outcrops of highly sensitive Older Alluvium (Qoa). As the topography flattens out, with alluvial plains of low- to highly sensitive Younger Alluvium (Q) overlying high-sensitivity Older Alluvium (Qoa).

Most of the City of Needles is underlain by old river terrace deposits adjacent to the modern flood plain of the Colorado River.

These terraces occur elsewhere at elevations of 40, 70, and 140 feet above the modern grade or level of the Colorado River and represent stages during the Ice Ages or Pleistocene Epoch when the river was higher in its drainage. These terraces reflect changes in the world sea level caused by the advance and retreat (melting) of global ice sheets and/or earthquakes and regional uplift. These deposits accumulated under a variety of fluvial (flood plain) and lacustrine (lake) environments and consist of sediments that range in grain size from fine clays to sands to coarser gravels and cobbles. The terraces date at greater than 250,000 years using amino acid dating and less than 750,000 years using paleomagnetic studies. This places these river terrace sediments in the older portion of the Rancholabrean fossil land mammal age. Fossils from this age are rare in southern California and any fossils recovered in these aged rocks from the Needles area would be considered significant.

Records show there are several unsubstantiated reports of Pleistocene horse, camel, and mammoth bones. Reynolds also mentioned that there is potential for significant finds especially in the fine-grained lacustrine sediments (clays, silts, and fine sands) that occur within the city limits. In addition to the large Ice Age mammals, smaller mammals such as rodents, rabbits, shrews; reptiles such as lizards, snakes, and tortoises; birds, and fish could

136 San Bernardino County, Countywide Plan Draft EIR, Geology and Soils, 2020. Accessed October 2022.

be recovered by water screening quantities of these fine-grained sediments with fine mesh screens.

Previous literature searches revealed at numerous paleontological assessments have been conducted in Needles and the surrounding area. Although these prior reports do not specifically identify paleontological resources, they indicated the potential for finding fossils especially in areas where earthmoving would expose large areas of the underlying geology. As such, there is potential for the presence of substantial paleontological resources within the City, especially in fine-grained lacustrine sediments (clays, silts, and fine sands) that occur in aged river terrace deposits adjacent to the flood plain of the Colorado River.

The General Plan Land Use Element is a planning documents that set forth goals and polices for future development and growth, and would not directly enable construction or development activities. Adoption of the proposed General Plan update itself would not result in impacts to paleontological resources, as no change to the physical environment is being proposed.

The proposed Land Use Element includes policies to assist in addressing impacts to sensitive resources.

Future development initiated pursuant to the policies established in the General Plan Update would require project-specific environmental evaluation to determine that any potential impacts are less than significant.

Any future development would be subject to federal, state, and local regulatory requirements related to building design and construction. Any potential impacts identified would be addressed through mitigation measures specific to the impact.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

5.8 GREENHOUSE GAS EMISSIONS

	Potential y Significan t Impact	Less Than Significant with Project Mitigation	Less Than Significa nt Impact	No Impact
GREENHOUSE GAS EMISSIONS - Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Framework

State

A number of State and local legislative initiatives, plans, and strategies have been adopted with the intent of curbing GHG emissions. In 2006, the State enacted Assembly Bill (AB) 32, the Global Warming Solutions Act of 2006, which required the State to establish a GHG emissions cap for 2020 based on 1990 emissions.¹³⁷ Senate Bill (SB) 375 was signed into law in 2008, which links transportation and land use planning with the CEQA process to help achieve the GHG emission reduction targets set by AB 32.¹³⁸ As part of SB 375, regional transportation planning agencies are required to include a sustainable community strategy (SCS) in regional transportation plans. The SCS must contain a planned growth scenario that is integrated with the transportation network and policies in such a way that it is feasible to achieve AB 32 goals on a regional level.

As required by AB 32, CARB approved a Climate Change Scoping Plan (Scoping Plan) on December 11, 2008.¹³⁹ The Scoping Plan proposed a “comprehensive set of actions designed to reduce overall carbon GHG emissions in California, improve our environment, reduce our dependence on oil, diversify our energy sources, save energy, create new jobs, and enhance public health.” The Scoping Plan has a range of GHG reduction actions, including direct

¹³⁷ California Air Resources Board, AB 32 Global Warming Solutions Act of 2006, <https://ww2.arb.ca.gov/resources/fact-sheets/ab-32-global-warming-solutions-act-2006>. Accessed October 2022.

¹³⁸ California Legislative Information, Senate Bill 375, https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=200720080SB375. Accessed October 2022.

¹³⁹ CARB, AB 32 Climate Change Scoping Plan, <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan>. Accessed October 2022.

regulations; alternative compliance mechanisms; monetary and nonmonetary incentives; voluntary actions; market-based mechanisms, such as a cap-and-trade system; and an AB 32 implementation regulation to fund the program.

SB 100, amended California’s Renewables Portfolio Standard to achieve a 50 percent renewable energy portfolio across the State by the end of 2026, a 60 percent target by 2030, and a 100 percent target by 2045.¹⁴⁰

The California Energy Commission (CEC) first adopted the Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the State.¹⁴¹ Although not originally intended to reduce GHG emissions, increased energy efficiency, and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods.

Part 11 of the Title 24 Building Energy Efficiency Standards is referred to as the California Green Building Standards (CALGreen) Code.¹⁴² The purpose of the CALGreen Code is to “improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality.” The California Green Code is mandatory for all new buildings constructed in the State and establishes mandatory measures for new residential and non-residential buildings. Such mandatory measures include energy efficiency, water conservation, material conservation, planning and design and overall environmental quality.

¹⁴⁰ California Energy Commission (CEC), SB 100 Joint Agency Report, [https://www.energy.ca.gov/sb100#:~:text=Senate%20Bill%20\(SB\)%20100%20established,end%2Duse%20customers%20by%202045](https://www.energy.ca.gov/sb100#:~:text=Senate%20Bill%20(SB)%20100%20established,end%2Duse%20customers%20by%202045). Accessed October 2022.

¹⁴¹ CEC, 2019 Building Energy Efficiency Standards, <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency>. Accessed October 2022.

¹⁴² California Department of General Services, Building Standards Commission, CALGreen, <https://www.dgs.ca.gov/BSC/CALGreen>. Accessed October 2022.

Regional

Southern California Association of Governments (SCAG) is the metropolitan planning agency for the Southern California region. With regard to GHG emissions, SCAG has prepared and adopted the 2020-2045 RTP/SCS,¹⁴³ which includes a Sustainable Communities Strategy that addresses regional development and growth forecasts. The SCAG 2020-2045 RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals, with a specific goal of achieving an 8 percent reduction in passenger vehicle GHG emissions on a per capita basis by 2020, 19 percent reduction by 2035, and 21 percent reduction by 2040 compared to the 2005 level.

City of Needles

The Safety Element of the existing General Plan includes the following goals and policies:¹⁴⁴

- Goal 1: To protect to the maximum extent possible, persons and property from natural and people-made hazards and dangers.
- Policy 1: Pursue the protection of the existing population and future development from the hazards of flooding, seismic, and fire.
- Policy 2: Insure that safety services are adequate to handle future development within the community.

The Safety Element identifies the following principles to reduce hazards from potential fire threats:

- Development should be discouraged in areas known to possess a significant safety hazard unless appropriate mitigation measures are applied.
- Existing safety hazards should be mitigated whenever possible.
- In safety matters, the concept of an acceptable level of risk should be employed. The level of risk is based upon the number of people and critical facilities threatened.

The proposed Land Use Element provides policies that will reduce the risk of fire threats related to future development.

Policy LU-1.1 Growth management. Encourage new development to take place in areas that are already served by existing utilities, expanding and improving systems and capacity as appropriate and fiscally sustainable.

143 Southern California Association of Governments (SCAG), Connect SoCal: 2020-2045 Regional Transportation Plan/Sustainable Communities Strategies Draft, <https://www.connectsocial.org/Pages/Connect-SoCal-Draft-Plan.aspx>, Accessed October 2022.

144 City of Needles General Plan, “Safety Element” (February 18, 1986).

Discourage development and extension of services outside of the City's incorporated boundaries.

Policy LU-1.4 Compatibility with planned uses. Require that new development and proposed general plan amendments are located, scaled, buffered, and designed to minimize negative impacts both on and from adjacent areas as designated on the Land Use Map.

Policy LU-1.5 Land use buffers. Require appropriate buffering between commercial, manufacturing, and other land use/zoning designations, considering noise, odors, vibration, emissions, and vehicular traffic.

Policy LU-1.8 Public facilities. Plan and coordinate to locate land and size facilities dedicated to open space, parks, education, and other public uses as appropriate to serve existing and future residents.

Setting:

Greenhouse gases (GHG) are global pollutants that have long atmospheric lifetimes (1 year to several thousand years) and persist in the atmosphere for a long enough time to be dispersed around the globe. GHGs are the result of both natural and anthropogenic activities. The quantity of GHGs that it takes to ultimately result in climate change is not precisely known, but that quantity is enormous. No single project would be expected to measurably contribute to a noticeable incremental change in the global average temperature, or to global, local, or microclimates. However, it is the combined GHG contributions per project that create an impact. With respect to anthropogenic activities, motor vehicle travel, air travel, consumption of fossil fuels for power generation, industrial processes, heating and cooling, landfills, agriculture, and wildfire are the primary sources of GHG emissions. GHGs are a group of emissions that include CO₂, CH₄, N₂O, HFCs, PFCs, SF₆, and nitrogen trifluoride (NF₃). The effects of GHGs are borne globally (sea-level rise, hurricanes, droughts, etc.), as opposed to the localized air quality effects of criteria air pollutants and toxic air contaminants (TACs).

As discussed under **Section 5.3: Air Quality**, MDAQMD released the CEQA And Federal Conformity Guidelines (MDAQMD Guidelines) in February 2020.¹⁴⁵ These guidelines provide background information and guidance on the preferred analysis approach to be used in the environmental review process, including GHG regarding thresholds at which potential project impacts become significant. The guidelines identified annual and daily thresholds to determine

¹⁴⁵ MDAQMD California Environmental Quality Act (CEQA) And Federal Conformity Guidelines, <https://www.mdaqmd.ca.gov/home/showpublisheddocument/8510/637406182097070000>. Accessed October 2022.

the significance of emissions as previously shown in **Table 5.3-1**. In terms of GHG emissions, the MDAQMD Guidelines establish a daily threshold of 548,000 pounds of CO₂e and an annual threshold of 100,00 short tons of CO₂e.

Although not GHG specific, the Land Use and Transportation Elements' existing and proposed policies described in **Section 5.3: Air Quality** would also serve to reduce GHG emissions.

Discussion

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

Less than Significant Impact.

The proposed General Plan Update would not directly result in construction or development activity, nor would it entitle any new development projects. At such time that a development proposal is considered that project will be subject to the existing regulatory environment, including adopted GHG reduction standards, and any impacts identified through site-specific review will be addressed through mitigation measures specific to the impact.

Operational emissions were evaluated for the land use changes under the proposed General Plan Update using CalEEMod. CalEEMod utilizes widely accepted models for emissions estimates combined with appropriate data that can be used if site-specific information is not available. For example, CalEEMod incorporates USEPA-developed emission factors; CARB's on-road and off-road equipment emission models, such as EMFAC and OFFROAD;¹⁴⁶ and studies commissioned by other California agencies, such as the California Energy Commission and California Department of Resources Recycling and Recovery (CalRecycle).

Operation of the proposed land use changes under the General Plan Update have the potential to generate GHG emissions through vehicle trips traveling within the City. Mobile source emissions were calculated using the latest emissions rates from EMFAC2021 and data from the Project's transportation analysis.¹⁴⁷ The transportation analysis shows that daily vehicle miles traveled (VMT) within the City would increase from 263,835 during existing (2021) conditions,

¹⁴⁶ EMFAC is an emissions factor model used to calculate emissions rates from on-road vehicles (e.g., passenger vehicles). OFFROAD is an emissions factor model used to calculate emission rates from off-road mobile sources (e.g., construction equipment).

¹⁴⁷ KOA, City of Needles, Transportation Element Update, Level of Service and Vehicle Miles Traveled Analysis, October 2022. See Appendix F.

to 397,870 during future (2040) conditions. In addition, emissions would result from area sources such as natural gas combustion, landscaping equipment, and use of consumer products. Emissions from mobile and area sources and indirect emissions from energy and water use, wastewater, as well as waste management would occur every year after full development of the proposed land uses allowed under the General Plan Update.

Operational emissions from area sources, energy sources, mobile sources, solid waste, and water and wastewater conveyance are shown in **Table 5.8-1: Operational GHG Emissions** below. As shown in **Table 5.8-1**, operational GHG emissions from the proposed land use changes would be 78,225 pounds of CO₂e per day, and 14,021 tons of CO₂e per year. As such, emissions would be below MDAQMD daily and annual thresholds for CO₂e.

TABLE 5.8-1 OPERATIONAL GHG EMISSIONS		
Source	CO ₂ e emissions	
	pounds/day	tons/year
Area	2,921	533
Energy	34,362	6,271
Mobile	28,366	4,922
Waste	6,192	1,130
Water	6,384	1,165
Total	78,225	14,021
MDAQMD threshold	548,000	100,000
Threshold exceeded?	No	No

Source: Refer to Appendix A for air quality and greenhouse gas calculations.

As illustrated, implementation of the proposed General Plan Update would not contribute significant quantities of GHG emissions and would not be capable of exceeding MDAQMD thresholds.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less than Significant Impact.

As shown in Table 5.8-1 above, the proposed land use changes under the General Plan Update would not exceed MDAQMD daily and annual thresholds for CO₂e. Moreover, any future development would be required to comply with applicable energy, water, and waste efficiency measures specified in the Title 24 Building Energy Efficiency Standards and CALGreen standards.

The General Plan Update would not directly result in construction or development activity, nor would it entitle any new development projects. At such time that a development proposal is considered that project will be subject to the existing regulatory environment, including adopted GHG reduction standards, and any impacts identified through site-specific review will be addressed through mitigation measures specific to the impact.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

5.9 HAZARDS AND HAZARDOUS MATERIALS

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

Regulatory Framework

State and Federal

Hazardous Waste Sites and Materials

Section 65962.5(a)(2) requires that DTSC “shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all the

following: ... (2) [a]ll land designated as hazardous waste property or border zone property.¹⁴⁸ Section 65962.5(a)(2) requires that California department of Toxic Substances Control (DTSC) “shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all the following: ... (2) [a]ll land designated as hazardous waste property or border zone property pursuant to Article 11 (commencing with Section 25220) of Chapter 6.5 of Division 20 of the Health and Safety Code.”

Government Code section 65962.5 requires the California Environmental Protection Agency (CalEPA) to develop at least annually an updated Cortese List. DTSC is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List. The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites.

At the federal level, the principal agency regulating the generation, transport, and disposal of hazardous substances is the United States Environmental Protection Agency (USEPA), under the authority of the Resource Conservation and Recovery Act (RCRA). RCRA established an all-encompassing federal regulatory program for hazardous substances that is administered by USEPA. Under RCRA, USEPA regulates the generation, transportation, treatment, storage and disposal of hazardous substances. The United States Department of Transportation (USDOT) regulates transportation of hazardous materials between states.

The California Department of Toxic Substances Control (DTSC) regulates hazardous waste in California primarily under the authority of the federal RCRA of 1976,¹⁴⁹ and the California Hazardous Waste Control Law (HWCL).¹⁵⁰ The HWCL is the primary hazardous waste statute in the State of California and implements RCRA as a “cradle-to-grave” waste management system. The HWCL specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure their proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reused as raw materials. The HWCL exceeds federal requirements by mandating source reduction planning, and a much broader requirement for permitting facilities that treat hazardous waste. It also regulates a

148 Government Code, Title 7. Planning and Land Use, Div. 1, Planning and Zoning, Chapter 4.5, Review and Approval of Development Project, Article 6, Development Permits for Classes of Projects, Section 65962.5.

149 U.S. Congress, Resource Conservation and Recovery Act, 42 U.S.C. §6901 et seq., 1976.

150 California Code of Regulations (CCR) at Title 22 Social Security, Division 4.5, Environmental Health Standards for the Management of Hazardous Waste.

number of types of waste and waste management activities that are not covered by federal law with RCRA.

The Hazardous Waste and Substance Sites (Cortese) List is a planning document used by the State, local agencies, and developers to comply with the CEQA requirements in providing information about the location of hazardous materials release sites. Government Code Section 65962.5 requires the California Environmental Protection Agency (CalEPA) to develop at least annually an updated Cortese List.

Schools

The California Department of Education (CDE), maintains siting requirements for schools regarding proximity to known hazardous waste sites. projects involving primary and secondary public schools as a set forth in the California Education Code (Cal. Ed. Code), California Code of Regulations (CCR), and the Public Resources Code (PRC). As such, NUSD has a responsibility for conducting review of school site to assure compliance.

Airports

Airport authorities and other agencies regulate aircraft activity. The State Aeronautics Act of the California Public Utilities Code¹⁵¹ establishes statewide requirements for the airport land use compatibility planning and requires nearly every county to create an Airport Land Use Commission or other alternative. The main goal of the Airport Land Use Commission (ALUC) is to protect the public health, safety and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to extensive noise and safety hazards within areas around airports. Requirements for the creation of ALUCs are established under the California State Aeronautics Act. ALUC reviews land use compatibility issues for development surrounding airports including safety, noise, overflight and airspace protection. These compatibility issues are identified and analyzed in the Airport Land Use Compatibility Plans for each airport, and implementation of these Plans promotes compatible development around the airports.

In 1993, Senate Bill 443 modified the law making the establishment of an ALUC permissive rather than mandatory. As a result, San Bernardino County, after consultation with all cities affected by airports, disbanded the ALUC per Resolution 93-295, effective as of November 18, 1993. In 1994, Assembly Bill 2831 was enacted which reinstated the requirement to address the potential for land use conflicts requiring each County in which there is an airport operated

151 California State Aeronautics Act, Public Utility Code Section 21670.

for the benefit of the general public establish either an ALUC or an alternative process with a designated responsible agency or agencies. San Bernardino County jurisdictions opted to establish an alternative process where each local agency affected by the airport will serve as the responsible agency for the projects within its jurisdiction. To review airport land use compatibility in unincorporated areas of the County, the County Planning Commission is augmented by two County Airport Commissioners whenever airport safety or airport land use compatibility review is required.

Six airport safety zones are described in the Caltrans California Airport Land Use Planning Handbook¹⁵². Five of the zones (Zones 1-5) are along or near the alignment of the runway; Zone 6 extends in an oval shape several thousand feet from the runway in all directions. No structures are permitted in Zone 1 (Runway Protection Zone). Permitted land uses and land use intensities increase incrementally between Zone 2 and Zone 6. In Zone 6, Traffic Pattern Zone, land uses accommodating very large assemblies of people—such as stadiums—should be avoided; and schools, hospitals, and nursing homes are limited. Airport land use compatibility plans for some airports—for example, smaller airports in rural areas—may establish fewer than six safety zones.

Development near the airport would be required to be designed and constructed in accordance with Part 77 of the Federal Aviation Regulations (FAR),¹⁵³ which requires the City to notify the Federal Aviation Administration (FAA) of proposed construction or alteration within 5,000 feet of a heliport where the structure would extend into a slope of a 25:1 from the nearest landing and take-off area of a heliport. Any helistop(s) would be designed in accordance with FAA requirements that provides imaginary surface criteria for heliports for safe operation of helicopters. The approach imaginary surface for a heliport will extend at a 8:1 slope upward from the heliport's primary surface (i.e., the designated take-off and landing area) for a distance of 4,000 feet, and the heliport's transitional surface will extend from the lateral boundary of both the primary surface and approach surface at a 2:1 slope for a distance of 250 feet.

152 Caltrans Division of Aeronautics, California Airport Land Use Planning Handbook, 2011.

153 U.S. Code, 14 CFR Part 77, "Safe, Efficient Use, and Preservation of the Navigable Airspace", July 21, 2010. Accessed October 2022.

Emergency Response and Hazard Mitigation

The Disaster Mitigation Act of 2000¹⁵⁴ requires that local governments, as a condition of receiving federal disaster mitigation funds, have a mitigation plan that describes the process for identifying hazards, risks and vulnerabilities, identify and prioritize mitigation actions, encourage the development of local mitigation and provide technical support for those efforts.¹⁵⁵

City of Needles

The Safety Element of the existing General Plan includes the goals and policies that assist in avoiding hazards from the release of hazardous materials.¹⁵⁶

- Goal 1: To protect to the maximum extent possible, persons and property from natural and people-made hazards and dangers.
- Policy 1: Pursue the protection of the existing population and future development from the hazards of flooding, seismic, and fire.
- Policy 2: Insure that safety services are adequate to handle future development within the community.
- Policy 3: Provide and maintain an emergency response system for the City of Needles.
- Policy 4: Insure the protection of people or wildlife from hazardous materials in the community.

The Safety Element identifies the following principals to reduce hazards from potential fire threats:

- Development should be discouraged in areas known to possess a significant safety hazard unless appropriate mitigation measures are applied.
- Open-space uses should be encouraged in identified safety hazard areas.
- Existing safety hazards should be mitigated whenever possible.
- In safety matters, the concept of an acceptable level of risk should be employed. The level of risk is based upon the number of people and critical facilities threatened.
- Major access corridors should be available and unobstructed in case of major emergency or disaster.

154 Federal Emergency Management Agency (FEMA), “The Disaster Mitigation Act of 2000: 20 Years of Mitigation Planning”, 2020. Accessed October 2022.

155 Federal Emergency Management Agency, Regulations and Guidance, <https://www.fema.gov/emergency-managers/risk-management/hazard-mitigation-planning/regulations-guidance>. Accessed October 2022.

156 City of Needles General Plan, “Safety Element” (February 18, 1986).

- Adherence to recognized principles and standards concerning fire facilities and procedures should be maintained.

Policies, principles, and standards included in the Noise Element¹⁵⁷ address the issues of compatibility of land uses coordination of future developments with other agencies (where applicable) and subjecting new developments to the environmental review process. These include:

Goal 1: To protect people from exposure to excessive noise levels and seek a livable environment which is conducive to human health, safety and welfare and which does not interfere with basic, necessary and desirable activities.

Policy 1: Protect residential and other sensitive land uses from major incompatible noise sources such as major transportation routes and facilities, as well as industrial and commercial areas.

Policy 2: Insure that new development occurring within noise impact areas is compatible with existing noise levels.

The Noise Element also establishes the following principals and standards:

- Residential neighborhoods should be free from high noise levels (over 65 dBA), particularly during the night.
- Sensitive land uses (schools, hospitals, rest homes and special recreational areas) should be protected from high noise levels (over 60 dBA).
- Lands near airports and other high noise producing activities should not be used for intensive population gatherings. These areas should contain compatible uses.
- People in all parts of the City should not be involuntarily exposed to noise levels which are high enough to cause hearing damage.
- Existing noise conflicts should be mitigated as much as possible or eliminated at the source. Mitigation measures should be based upon a determination of the relative costs and benefits incurred by such measures.
- No new housing, schools, libraries, religious institutions, health facilities or other gathering places shall be encouraged to locate on land presently or expected to be subjected to high noise levels (over 65 dBA).

157 City of Needles General Plan, “Noise Element” (February 18, 1986).

The proposed Land Use Element provides the following polices that will reduce the risk of fire threats related to future development:

Policy LU-1.1 Growth management. Encourage new development to take place in areas that are already served by existing utilities, expanding, and improving systems and capacity as appropriate and fiscally sustainable. Discourage development and extension of services outside of the City's incorporated boundaries.

Policy LU-1.5 Land use buffers. Require appropriate buffering between commercial, manufacturing, and other land use/zoning designations, considering noise, odors, vibration, emissions, and vehicular traffic.

Policy LU-1.8 Public facilities. Plan and coordinate to locate land and size facilities dedicated to open space, parks, education, and other public uses as appropriate to serve existing and future residents.

Policy TR-1.12 Vehicular crossings at railroads. Encourage the installation, modernization, and improvement of grade separations at rail crossings to facilitate more convenient access for cars, trucks, and emergency vehicles.

Setting

Information on hazardous waste in the City and surrounding area was obtained through the review of available environmental records by Environmental Data Resources, Inc. (EDR) for the City of Needles (see Appendix D). The following databases of hazardous materials sites were searched as part of the EDR for the following categories of hazardous materials and hazardous waste sites:

- GeoTracker (State Water Resources Control Board):
 - Leaking Underground Storage Tank (LUST) sites for which SWRCB has open cases
 - Cleanup Program Sites (open cases)
 - Military Cleanup Sites (open cases)
- Land Disposal Sites with status Active
- EnviroStor (Department of Toxic Substances Control)
 - Cleanup Sites (open cases)
- Hazardous Waste sites (Status Operating Permit or Undergoing Closure)

The types of sites identified above were chosen because they may present greater hazard than listings for some other types of sites which document facilities and/or permits but not known or suspect hazardous materials releases. Case status was limited to open or active to exclude

sites which have been remediated to relevant action levels, and for which regulatory agencies have therefore closed cases.

Discussion

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact.

The proposed General Plan Update is a policy document and would not directly enable construction or development activity. As part of the General Plan Update, the City will create a single-map system that brings its General Plan and Zoning Maps into consistency, as the current Land Use Element and Zoning Map are not presently aligned. The City will also introduce land use designations for mixed-use development into Needles' downtown through the creation of a Downtown (DT) designation and corresponding changes to the Development Code. The City's transportation systems will be updated to enhance mobility in and around Needles for more efficient and safer motorized and non-motorized circulation, with a focus on aligning future growth projections and necessary roadway improvements.

The proposed General Plan Update does not initiate or entitle any new development projects, nor does it change the zoning of any parcels with existing uses. By focusing growth into existing urbanized areas within the City and having numerous policies that address provision of fire protection and emergency services, the proposed General Plan update would limit growth in areas that have hazardous materials.

The Safety Element of the existing General Plan includes the following goals and policies.¹⁵⁸

The proposed Land Use Element provides policies that will reduce the risk of fire threats related to future development.

Current existing land uses are subject to relevant federal, State, and local regulatory requirements regarding the routine transport, use, or disposal of hazardous materials, and the proposed Land Use Element would have no impact on this regulatory regime.

The proposed Plan includes changes to land use designations, among which is the re-designation of land adjacent to the school facilities located on Washington Street, west of the

¹⁵⁸ City of Needles General Plan, "Safety Element" (February 18, 1986).

I-40 Freeway (Needles Freeway). At present, the area immediately to the north of the school facilities and south of the railroad tracks that roughly follow I-40 primarily consists of undeveloped land, except for a single parcel containing Active Towing, a towing and impound lot located at 1705 Eagle Pass Road. The parcel containing Active Towing is currently designated for industrial use. In the proposed Land Use Map, the area in question, north of the school facilities and adjacent to Active Towing, has been re-designated from no designation to the Light Manufacturing/Industrial designation. Given this area's proximity to Needles' three schools (Vista Colorado ES, Needles MS, and Needles HS), future industrial development initiated following the adoption of the proposed General Plan Update could potentially result in impacts related to the transport, use, or disposal of hazardous materials involved in the construction or operation of future industrial uses.

Beyond the area discussed above, construction activities associated with future individual development projects throughout the Planning Area would likely involve the temporary transportation, management, and use of oils, fuels and other potentially flammable substances, such as paints, solvents and cleaners. Further, hazardous materials may be present during the operation of future individual projects, usually associated with landscaping and building maintenance.

Any future development in the City would be subject to all applicable regulatory requirements concerning the proper handling, treatment, and disposal of hazardous materials. Any potential environmental impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project is considered by the City.

While there exists the potential for impacts to occur, any such future development in the City would be subject to federal, State, and local regulatory requirements related to the transport, use, or disposal of hazardous materials, including those that may be required for construction activities. As the proposed General Plan Update does not directly propose or entitle any individual development projects, any potential environmental impacts identified from future development projects initiated following its adoption would be addressed through project-specific mitigation measures identified at the time a specific development project is considered by the City.

Therefore, impacts resulting from the adoption of the proposed General Plan Update would be less than significant.

Mitigation Measures: No mitigation is required.

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impacts.

The City contains a number of both closed and ongoing hazardous site cleanup cases,^{159,160} typically associated with former industrial or commercial uses.

The proposed General Plan Update does not initiate or entitle any new development projects, nor does it change the zoning of any parcels with existing uses. By focusing growth into existing urbanized areas within the City and having numerous policies that address provision of fire protection and emergency services, the proposed General Plan update would limit growth in areas that have hazardous materials.

The Safety Element of the existing General Plan includes the goals and policies that assist in avoiding hazards from the release of hazardous materials.¹⁶¹

The proposed Land Use Element provides policies that will reduce the risk of fire threats related to future development.

Any future development in the City would be subject to all applicable regulatory requirements concerning the proper handling, treatment, and disposal of hazardous materials. Any potential environmental impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project is considered by the City.

Further, compliance with the existing laws, regulations, and mitigation measures would be ensured through the County's development review and building plan check process.

The proposed General Plan Update would not directly propose any new development nor result in any direct impact on the physical environment.

159 California Department of Toxic Substances Control, Envirostor

160 California State Water Resources Control Board, GeoTracker

161 City of Needles General Plan, "Safety Element" (February 18, 1986).

The proposed Plan includes changes to land use designations, among which is the re-designation of land adjacent to the school facilities located on Washington Street, west of the I-40 Freeway (Needles Freeway). At present, the area immediately to the north of the school facilities and south of the railroad tracks that roughly follow I-40 primarily consists of undeveloped land, except for a single parcel containing Active Towing, a towing and impound lot located at 1705 Eagle Pass Road. The parcel containing Active Towing is currently designated for industrial use. In the proposed Land Use Map, the area in question, north of the school facilities and adjacent to Active Towing, has been re-designated from no designation to the Light Manufacturing/Industrial designation. Given this area's proximity to Needles' three schools (Vista Colorado ES, Needles MS, and Needles HS), future industrial development initiated following the adoption of the proposed General Plan Update could potentially result in impacts related to the release of hazardous materials into the environment, dependent upon what type of industrial use is ultimately constructed on these sites.

Beyond the area discussed above, construction activities associated with future individual development projects throughout the Planning Area would likely involve the temporary transportation, management, and use of oils, fuels and other potentially flammable substances, such as paints, solvents and cleaners. Further, hazardous materials may be present during the operation of future individual projects, usually associated with landscaping and building maintenance.

Future development initiated pursuant to the proposed Land Use Update, including light and heavy manufacturing facilities, would be subject to all federal, State, and local regulatory requirements regarding the proper handling, treatment, and disposal of hazardous materials. In addition, any future developments would also be subject to project-specific environmental review, and any potential impacts of individual projects would be addressed through project-specific mitigation measures identified at the time that the project is proposed.

The proposed General Plan update would not result in the creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact.

The City’s Planning Area contains a number of school facilities; Needles Unified School District (NUSD) operates seven schools in the District as shown in **Table 5.9-1: Needles Unified School District Schools.**

TABLE 5.9-1 NEEDLES UNIFIED SCHOOL DISTRICT SCHOOLS		
Name	Address	Grades
Vista Colorado Elementary School	700 Bailey Avenue, Needles	K-5
Chemehuevi Valley Elementary School	81 Road, Needles	K-5
Monument Peak School	149123 New North Road, Big River	TK-8
Needles Middle School	1900 Erin Drive, Needles	6-8
Needles High School	1600 Washington Street, Needles	9-12
Needles Community Day School	855 Front Street, Needles	7-12
ETC Continuation School	1900 Eric Drive, Needles	Adult Education

Source: Needles Unified School District (2021) School Accountability Report Cards, https://www.needlesusd.org/apps/pages/index.jsp?uREC_ID=232294&type=d&pREC_ID=531946. Accessed October 2022.

As noted in the EDR report (see Appendix D), there are no n=known hazardous waste site near the existing school sites.

Potential hazardous material related impacts are location-specific and cannot be assessed in a meaningful way until the location of a project site is known.

The proposed General Plan Update does not initiate or entitle any new development projects, nor does it change the zoning of any parcels with existing uses. By focusing growth into existing urbanized areas within the City and having numerous policies that address provision of fire protection and emergency services, the proposed General Plan update would limit growth in areas that have hazardous materials.

The Safety Element of the existing General Plan includes goals and policies that would address fire hazards near schools.¹⁶²

The proposed Land Use Element provides ng policies that will reduce the risk of fire threats related to future development that would reduce hazards near schools.

Any future development in the City would be subject to all applicable regulatory requirements concerning the proper handling, treatment, and disposal of hazardous materials. Any potential environmental impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project is considered by the City.

At such time that a development proposal is considered that project will be subject to the development review process and any potential impacts identified would be addressed through mitigation measures specific to the impact. Any potential environmental impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project for is considered by the City.

The Project would result in the emission of hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less Than Significant Impacts.

At the federal level, the principal agency regulating the generation, transport, and disposal of hazardous substances is the United States Environmental Protection Agency (USEPA), under the authority of the Resource Conservation and Recovery Act (RCRA). RCRA established an all-encompassing federal regulatory program for hazardous substances that is administered by

¹⁶² City of Needles General Plan, “Safety Element” (February 18, 1986).

USEPA. Under RCRA, USEPA regulates the generation, transportation, treatment, storage and disposal of hazardous substances. The United States Department of Transportation (USDOT) regulates transportation of hazardous materials between states. The California Department of Toxic Substances Control (DTSC) regulates hazardous waste in California primarily under the authority of the federal RCRA of 1976¹⁶³, and the California Hazardous Waste Control Law (HWCL).¹⁶⁴ The HWCL is the primary hazardous waste statute in the State of California and implements RCRA as a “cradle-to-grave” waste management system. The HWCL specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure their proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reused as raw materials. The HWCL exceeds federal requirements by mandating source reduction planning, and a much broader requirement for permitting facilities that treat hazardous waste. It also regulates a number of types of waste and waste management activities that are not covered by federal law with RCRA.

The Hazardous Waste and Substance Sites (Cortese) List is a planning document used by the State, local agencies, and developers to comply with the CEQA requirements in providing information about the location of hazardous materials release sites. Government Code Section 65962.5 requires the California Environmental Protection Agency (CalEPA) to develop at least annually an updated Cortese List.

The City has one site on the Cortese list.¹⁶⁵ This site, located at 799 North L Street, is the result of illegal dumping and land disposal and remains active.

The DTSC’s online EnviroStor database and the State Water Resources Control Board’s online GeoTracker database are the primary information resources related to hazardous materials release sites in the State. The City contains a number of both closed and ongoing hazardous site cleanup cases,^{166,167} typically associated with former industrial or commercial uses.

Additionally, an EDR Report (Needles EDR)¹⁶⁸ was produced for the City of Needles (see **Appendix D**). This report is the result of a search of all available environmental records by

163 U.S. Congress, Resource Conservation and Recovery Act, 42 U.S.C. §6901 et seq., 1976.

164 California Code of Regulations (CCR) at Title 22 Social Security, Division 4.5, Environmental Health Standards for the Management of Hazardous Waste.

165 California Department of Toxic Substances Control, EnviroStor, Cortese List.

166 California Department of Toxic Substances Control, Envirostor

167 California State Water Resources Control Board, GeoTracker

168 Needles EDR Report - Appendix D

Environmental Data Resources, Inc. (EDR) for the purpose of evaluating the environmental risk associated with a given parcel (or parcels) of real estate. The Needles EDR identified the Cortese Site referenced above, as well as a number of state and federally identified sites that have been designated as closed, inactive, and/or remediated. All sites identified in the Needles EDR can be found within the full report, included in **Appendix D**.

The City's Planning Area contains a number of both closed and ongoing hazardous site cases associated with former industrial or commercial uses. The City has one site on the Cortese list.¹⁶⁹ This site, located at 799 North L Street, is the result of illegal dumping and land disposal and remains active. (See the EDR, **Appendix D**).

The proposed General Plan Update does not initiate or entitle any new development projects , nor does it change the zoning of any parcels with existing uses.

By focusing growth into existing urbanized areas within the City and having numerous policies that address provision of fire protection and emergency services, the proposed General Plan update would limit growth in areas that have hazardous materials.

The Safety Element of the existing General Plan includes goals and policies that would avoid siting a new project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment.¹⁷⁰

The proposed Land Use Element provides policies that will reduce the risk of fire threats related to future development.

Any future development in the City would be subject to all applicable regulatory requirements concerning the proper handling, treatment, and disposal of hazardous materials. Any potential environmental impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project is considered by the City.

The proposed General Plan update would not place future development on or near a hazardous waste site listed under Government Code § 65962.5.

169 California Department of Toxic Substances Control, EnviroStor, Cortese List.

170 City of Needles General Plan, "Safety Element" (February 18, 1986).

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less than Significant Impact.

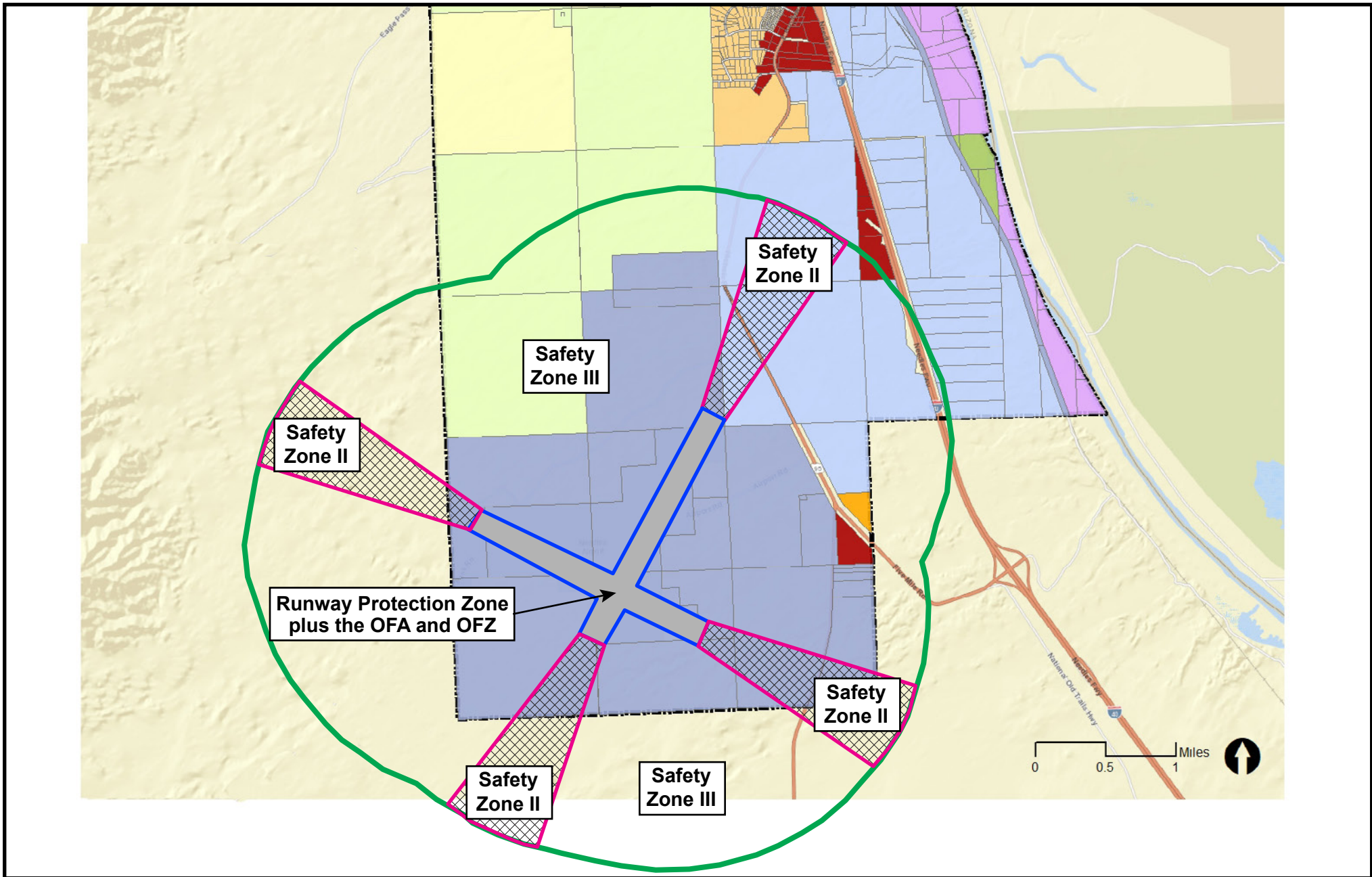
Needles Municipal Airport is a San Bernardino County-owned public airport. The Airport's Comprehensive Land Use Plan¹⁷¹ for Needles Municipal Airport identifies Runway Protection Zones, Safety Zones, and conservative 20-year projections of the noise impact areas near the airport, including 65 Community Noise Equivalent Level (CNEL) and 60 CNEL contours as shown on **Figure 5.9-1: Airport Land Use Zones**. The maximum recommended CNEL for residential development is 60 decibels (dB). The Comprehensive Land Use Plan contains land use recommendations for development activities in the Runway Protection Zones and Safety Zones, including limiting densities and prohibiting uses which may present hazards to aircraft.

Areas surrounding the Needles Airport are designated for industrial use or open space, and the nearest residential community or area zoned for residential use is over two miles to the north.¹⁷²

Buildout that could occur under the proposed General Plan update could involve development of some projects within airport safety zones for public use such as Needles Airport. Most development under the proposed Land Use Element and Land Use Map would occur in areas outside of safety compatibility zones. The area around the Needles Airport is designated as General Manufacturing on the proposed Land Use and Zoning map. This would limit the type of development that could occur near the airport.

171 San Bernardino County Airport Land Use Commission, Needles Municipal Airport Comprehensive Land Use Plan, (1991).

172 City of Needles Zoning Map



SOURCE: City of Needles and PlaceWorks - 2022; San Bernardino County Airport Land Use Commission, Needles Municipal Airport Comprehensive Land Use Plan, (1991).

FIGURE 5.9-1

The City Community Development Department would review projects within safety compatibility zones for the airport where the City has airport land use compatibility planning authority would include consideration of consistency with the City’s Airport Land Use Compatibility Plan.

The proposed General Plan Update would include policies that maintain the goals of the previous Land Use Element.

Policies, principles, and standards included in the Noise Element¹⁷³ address the issues of compatibility of land uses coordination of future developments with other agencies (where applicable) and subjecting new developments to the environmental review process. Additionally, future development would be required to comply with Section 99.10.01 of the City’s Municipal Zoning Code.¹⁷⁴

With one exception, the proposed General Plan Update would maintain the current land use and zoning designations as shown in **Figure 5.9-2: Proposed Airport-Adjacent Land Uses**. The exemption would occur to a single parcel zoned for “Multiple Family Residential” located at the junction of U.S. Route 95 and 5 Mile Road, immediately east of the airport. This parcel, located at 1902 5 Mile Road, is currently the site of the Calizona RV Park,¹⁷⁵ and this change to the proposed Land Use Element would be made so that it is consistent with existing uses. this parcel lies outside of the 60 CNEL, 65 CNEL, and Runway Protection Zones. The existing use is compatible with the aforementioned land use designations and does not pose a safety risk to anyone living or working on the site. As this use already exists, the proposed Land Use and Transportation Elements would have no effect on the physical environment or facilitate any new development on the site.

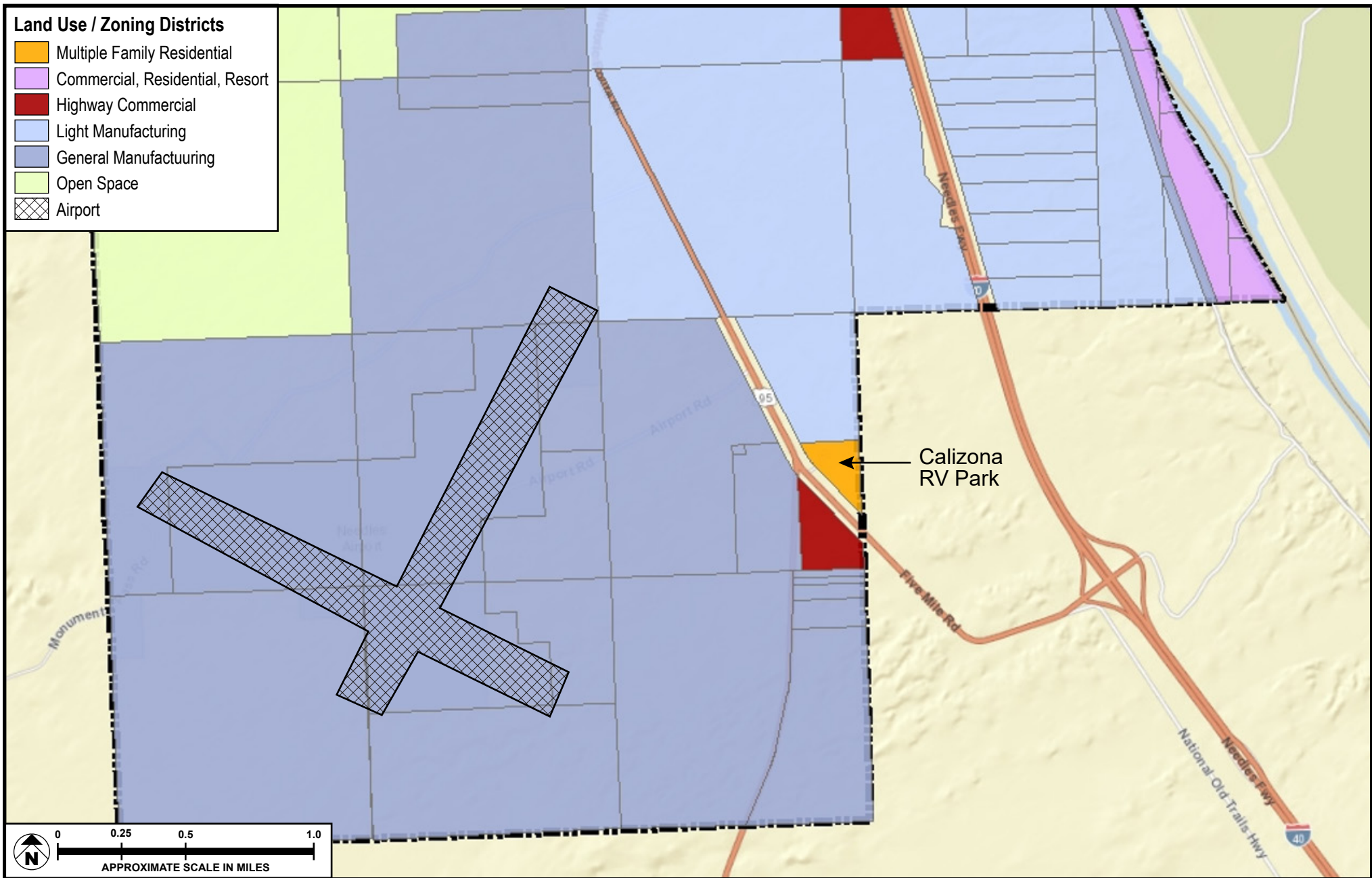
The proposed General Plan would not result in development near the Needles Airport that does conform to federal or State regulations for land uses near airports. Further, the proposed General Land update as well as the existing Noise Element include polices to avoid any safety hazards or excessive noise for people residing or working within an airport land use plan.

Impacts would be less than significant.

173 City of Needles General Plan, “Noise Element” (February 18, 1986).

174 City of Needles, Municipal Code, Section 99.10.01.

175 Calizona RV Park , “Home,” 2020. Accessed October 2022.



SOURCE: Proposed General Plan and Zoning Map (Draft) - Needles General Plan Update 10-7-22

FIGURE 5.9-2

Mitigation Measures: No mitigation is required.

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impacts.

The City of Needles Hazard Mitigation Plan¹⁷⁶ serves as the City's emergency response and emergency evacuation plan. In addition, the City is subject to the County of San Bernardino Emergency Operations Plan (EOP).¹⁷⁷ The City is one of seventy (70) partners in San Bernardino County's Multi-Hazard Functional Plan. The City's Emergency Operations Plan (Multi-Hazard Functional Plan) ("EOP") has been approved by the Governor's Office of Emergency Services, and the County of San Bernardino.¹⁷⁸

The City's Hazard Mitigation Plan describes the process for identifying hazards, risks and vulnerabilities, identifies and prioritizes mitigation actions, encourages the development of local mitigation and provides technical support for those efforts. The County EOP describes the methods for conducting emergency operations, the process for rendering mutual aid, the emergency services of governmental agencies, how resources are mobilized, how the public will be informed, and the process to ensure continuity of government during an emergency or disaster.

The proposed General Plan Update includes updates to the City's Land Use and Transportation Elements and does not include changes to the existing Safety Element or the existing Hazard Mitigation Plan. The proposed Land Use and Transportation Elements, upon adoption, would remain consistent with the existing Safety Element and Hazard Mitigation Plan, and would not interfere with the provisions established therein. The proposed General Plan Update is a policy and regulatory document, does not propose or entitle any new development projects in the City, and would not result in any changes to the physical environment.

176 City of Needles, Hazard Mitigation Plan, 2005.

177 San Bernardino County Office of Emergency Services, Emergency Operations Plan

178 San Bernardino County Office of Emergency Services, Emergency Operations Plan

The City of Needles maintains a Hazard Mitigation Plan¹⁷⁹ that serves to meet the requirements of the Disaster Mitigation Act. The Plan sets forth responsibilities and duties of various City personnel in the event of an event requiring an emergency response. These include:

- Collect, evaluate and disseminate information
- Develop the City's Emergency Operations Center (EOC) Action Plan in cooperation with other City departments
- Installing and preparing the City's After-Action Report and maintaining documentation

As stated in the Hazard Mitigation Plan, the following are roles and responsibilities of City departments:

- The Needles Station of the San Bernardino County Fire Department will provide initial response for fire response, hazardous materials events, and medical/rescue operations. It will be the lead agency as necessary to law enforcement personnel for Crisis Management activities. Existing procedures, such as the County Fire Department's Hazardous Materials Response procedures and Chemical, Biological, Radiological, Nuclear and Explosives (CBRNE) Response Protocols will be used, as necessary.
- The Colorado River Station of the San Bernardino County Sheriff will be the lead for crisis management, perimeter security, access control, traffic/crowd control, evacuations, notifications, and safeguarding evidence. Act as Incident Commander (IC) or part of Unified Command.
- The City of Needles Utilities Department, under the direction of the Utilities General Manager, will serve as lead for damage assessment and will be the representative for utilities concerns.

The plan identifies the following regarding Risk management, The goal of mitigation is to reduce the future impacts of a hazard including property damage, disruption to local and regional economies, and the amount of public and private funds spent to assist with recovery. However, mitigation should be based on risk assessment.

A risk assessment is measuring the potential loss from a hazard event by assessing the vulnerability of buildings, infrastructure and people. It identifies the characteristics and potential consequences of hazards, how much of the community could be affected by a hazard, and the impact on community assets. A risk assessment consists of three components: hazard identification, vulnerability analysis and risk analysis. Technically, these are three different items, but the terms are sometimes used interchangeably.

¹⁷⁹ City of Needles, Hazard Mitigation Plan, 2005.

The City, in concert with The San Bernardino County Sheriff, the San Bernardino County Fire Department, the Colorado River Medical Center, and the Needles Unified School District collaborate on the implementation of responses to hazards and emergency response.

The proposed General Plan Update includes updates to the City's Land Use and Transportation Elements and does not include changes to the existing Safety Element or the existing Hazard Mitigation Plan. The proposed General Plan Update is a policy and regulatory document, does not propose or entitle any new development projects in the City, and would not result in any changes to the physical environment.

The Safety Element of the existing General Plan includes goals and policies that would avoid a project that would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.¹⁸⁰

The proposed Land Use Element provides policies that will reduce public safety threats related to future development. The proposed General Plan update would not result in a need for new law enforcement facilities. Further, the policies of the existing General Plan and those in the proposed update address the need for public safety to be maintained as new development occurs. As such, the proposed General Plan update will not conflict with the City's Hazard Mitigation Plan.

Future development projects in the City would be required to comply with the provisions of the San Bernardino EOP, the City's Safety Element, and the City's Hazard Mitigation Plan during construction and operation, including regulations around emergency management, building ingress and egress, and any individual requirements imposed by public officials empowered under the County EOP. Any potential environmental impacts identified from future development would be addressed through project-specific mitigation measures at the time a specific development project is considered by the City.

The proposed General Plan Update would not impair implementation of, or physically interfere with, an adopted emergency response plan or evacuation plan.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

180 City of Needles General Plan, "Safety Element" (February 18, 1986).

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less Than Significant impact.

The City is not located within a moderate, high, or very high fire hazard severity zone known by CAL FIRE.¹⁸¹ (See discussion under Section 5.20, Wildfire).

The CAL FIRE San Bernardino Unit is comprised of San Bernardino, Inyo and Mono counties where we carry out CAL FIRE’s mission to serve and safeguard the people, and protect the property and resources of California.¹⁸² This is accomplished through the protection of State Responsibility Areas (SRA), cities under contract, and by protection of the public and the watersheds in its geographical area.

San Bernardino Unit is spread through four counties spanning the state from central California in the eastern Sierras to the counties of Los Angeles and San Bernardino bordering the Pacific Ocean. The total Unit acreage is 1,408,000 of SRA plus 22,756 acres of wildland contracts, these are located within San Bernardino, Los Angeles, Inyo, and Mono counties. All the counties have multiple public lands within their response area, which include the Bureau of Land Management, National Forest, National Park Service, US Fish and Wildlife, California State Parks, and local county parks. The pre-dominate fuel type is grass and sage, however, there are large areas within SRA that have timber and 6’-10’ coastal chaparral. The fuel conditions in San Bernardino can change rapidly due to drought or Santa Ana winds which can change fuel conditions from low burning indices to extreme indices within a few of hours. There is no one type of general topography in the Unit, but a general description would be that the Unit has the lowest and the highest elevation in North America. The terrain varies from flat and rolling hills to the slopes of the Sierra Mountain Range.

By focusing growth into existing urbanized areas within the City and having numerous policies that address provision of fire protection and emergency services, the proposed General Plan

181 California Department of Forestry and Fire Protection, Fire Hazard Severity Zones in SRA, SE San Bernardino County

182 CALFIRE and Sate of California Board of Forestry , 2022/2023 Strategic Fire Plan for the San Bernardino Unit, T

update would limit growth in fire-prone areas. The Safety Element of the existing General Plan includes goals and policies related to fire risk.¹⁸³

The proposed Land Use Element provides policies that will reduce the risk of fire threats related to future development.

The proposed General Plan Update is a policy-level planning document and would not construct any buildings at this time. Because of this, there would be no installation or maintenance of associated infrastructure.

Future developments would require infrastructure and maintenance specific to the project. The developments and associated infrastructure would be required to comply with the requirements of CEQA and CEQA guidelines. This would ensure that future projects do not exacerbate fire risk or result in temporary or ongoing impacts to the environment.

Therefore, the proposed General Plan Update would not increase expose people or structures to wildland fires.

Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

183 City of Needles General Plan, “Safety Element” (February 18, 1986).

5.10 HYDROLOGY AND WATER QUALITY

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

Regulatory Framework

The Safety Element includes policies and implementation measures designed to prevent and mitigate any potential threats to residents or property in the City, and the proposed General Plan Update would maintain these provisions. These include:

- Goal 1: To protect to the maximum extent possible, persons and property from natural and people-made hazards and dangers.

Policy 1: Pursue the protection of the existing population and future development from the hazards of flooding, seismic, and fire.

The Safety Element includes the following implementation measures and principals to address safety:

- Bring structures within the City up to the highest possible level of safety as determined in State and local codes.
- Development should be discouraged in areas known to possess a significant safety hazard unless appropriate mitigation measures are applied.
- Existing safety hazards should be mitigated whenever possible.
- In safety matters, the concept of an acceptable level of risk should be employed. The level of risk is based upon the number of people and critical facilities threatened.

The proposed Land Use Element includes the following policy to address development in environmentally sensitive areas:

Policy LU-1.7 Environmentally sensitive development. Require new development to maximize its compatibility with the natural environment and avoid expansions or encroachments into environmentally sensitive areas.

Setting

The City of Needles is located in the arid Mohave Valley subregion of the Mojave Desert, and experiences a desert climate, receiving less than an inch of rainfall per month, on average.¹⁸⁴ The Mohave Valley is bounded by the Sacramento and Dead Mountains to the west and the Black Mountains to the east, resulting in multiple drainage patterns that run close to and in between urban development in built-up areas of the region. Most of the washes, drainage courses, and most of the surrounding floodplain in the area remain undeveloped, are utilized as water collection channels in the case of serious storm events, and can be considered existing open space. The general course of drainage in Needles and the surrounding area runs from west to east, ultimately draining into the Colorado River. Other major drainages include the Piute Wash is the primary watershed in the region, draining from the Sacramento and Piute Mountains west of the City into the Colorado River.

The City is located in the Lower Colorado Watershed, which flows to the Colorado River and to the Gulf of California in Mexico. The Lower Colorado watersheds are under the jurisdiction

184 NOAA, https://www.cnrfc.noaa.gov/monthly_precip.php, Accessed September 2022.

of the Colorado River Basin RWQCB. No dam inundation areas are mapped in the Lower Colorado Watershed.

The Colorado River flows for approximately 10 miles along the City's eastern edge and contains a wide floodplain, with the widest section occurring in the southern portion of the City.¹⁸⁵ Between the floodplain and surrounding mountain ranges are dissected pediment, or alluvial slopes. Due to the lack of vegetation on these pediment slopes, runoff from storm events is great and causes erosion of the bedrock, resulting in deposits of alluvium forming the characteristic fan shape at the bases of mountains and slopes.

The City and Planning Area lie within the Needles Valley Groundwater Basin, also known as Groundwater Basin Number 7-44. This basin, part of the larger Colorado River Basin, underlies the portion of Mohave Valley that lies in eastern San Bernardino County. It is bounded by the Colorado River on the east and by nonwater-bearing rocks of the Dead Mountains on the northwest, of the Sacramento Mountains on the southwest, of the Chemehuevi and Whale Mountains on the south.¹⁸⁶ The applicable Basin Plan for the City of Needles is the Water Quality Control Plan for the Colorado River Basin, which came into force in January 2013.¹⁸⁷

Water and wastewater services in the City are provided by the Needles Public Utility Authority (NPUA). The San Bernardino County Department of Public Works, Flood Control District maintains an extensive regional system of facilities in the Needles area, including dams, conservation basins, channels, storm drains, and is responsible for flood protection, water conservation efforts, and storm drain construction and maintenance.

A seiche is a surface wave created when an inland water body is shaken, usually by an earthquake. Most of the largest inland water bodies in the County that could generate local flooding due to a seiche are reservoirs and flood control basins impounded by dams. here is no tsunami hazard since the City is over 300 miles inland from the Pacific Ocean.

185 City of Needles General Plan, Conservation and Historic Preservation Element

186 California Department of Water Resources, California's Groundwater Bulletin 118, 2004.

187 California State Water Resources Control Board, Water Quality Control Plan Colorado River Basin - Region 7, amended 2017.

Discussion

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Less Than Significant Impact.

Water Quality Standards

The City of Needles lies within the jurisdictional boundaries of the Colorado River Basin Regional Water Quality Control Board (CRRWQCB), one of the nine Regional Water Quality Control Boards established by the California State Water Resources Control Board. (SWRCB). The Regional Boards serve to develop and enforce State water quality objectives and implementation plans to best protect the beneficial uses of the State's waters while recognizing the local differences present in climate, topography, geology, and hydrology. California's water quality standards are embodied in Basin Plans administered by the Regional Boards, as well as in multiple statewide plans and policies administered by the State Water Control Board.¹⁸⁸ The applicable Basin Plan for the City of Needles is the Water Quality Control Plan for the Colorado River Basin, which came into force in January 2013.¹⁸⁹

San Bernardino County is a permittee on the Statewide Small MS4 Permit, Order No. 2013-0001-DWQ, issued by the State Water Resources Control Board in 2013. Regulated projects under the Small MS4 Permit are those creating and/or replacing 2,000 square feet or more of impervious surfaces. Regulated projects must implement BMPs, including LID BMPs and site design BMPs. After implementation of BMPs under the Small MS4 Permit, developments under the Countywide Plan would not substantially increase surface water flows into drainage systems in the Desert Region.

Construction water quality impacts are addressed in a single analysis for the entire County, as construction projects one acre or larger are regulated under the Statewide General Construction Permit.

Operational water quality impacts are analyzed separately by the CRRWQCB.

¹⁸⁸ US EPA, Water Quality Standards Regulations: California

¹⁸⁹ California State Water Resources Control Board, Water Quality Control Plan Colorado River Basin - Region 7, amended 2017.

Construction activities related to the buildout of the proposed General Plan would potentially result in soil erosion and temporary adverse impacts to surface water quality from construction materials and wastes. Construction would produce typical pollutants such as metals, nutrients, pesticides, organic compounds, sediments, trash and debris, oxygen-demanding substances, and oil and grease. Clearing, grading, excavation, and other construction activities may impact water quality due to sheet erosion of exposed soils and subsequent depositing of sediment in local drainages. Grading activities in particular lead to exposed areas of loose soil and sediment stockpiles that are susceptible to uncontrolled sheet flow. Although erosion occurs naturally in the environment, primarily from weathering by water and wind, improperly managed construction activities can substantially accelerate erosion, which is detrimental to the environment.

Construction projects under the proposed General Plan update must provide evidence that the development of projects disturbing one acre or more of soil comply with the most current Statewide General Construction Permit and associated local NPDES regulations to ensure that the potential for soil erosion is minimized. In accordance with the updated General Construction Permit (Order No. 2012-0006-DWQ). Areas in the Colorado River Basin RWQCB area are not subject to the Small MS4 Permit but do need to abide by the requirements of the General Industrial Permit. Note, however, that minimal if any development would occur under the proposed General Plan update in the Colorado River Basin RWQCB Area. Impacts would be less than significant after implementation of BMPs under the Small MS4 Permit and the General Industrial Permit.

In accordance with the existing and updated Construction General Permit, a construction SWPPP must be prepared and implemented at all construction projects with one acre or greater of soil disturbance, and revised as necessary as administrative or physical conditions change. The SWPPP must be made available for review upon request. It must describe construction BMPs that address pollutant source reduction and provide measures/controls necessary to mitigate potential pollutant sources. These measures/controls include, but are not limited to erosion controls, sediment controls, tracking controls, non-stormwater management, materials and waste management, and good housekeeping practices.

SWPPPs would require projects to plan BMPs for four general phases of construction: (1) grading and land development (e.g., mass grade & rough grade), (2) utility and road installation, (3) vertical construction, and (4) final stabilization and landscaping. Therefore, BMP implementation for new construction can be evaluated in this general context. Site-

specific details on individual BMPs would be dependent on the scope and breadth of each future project, which are not known at this time.

Both state and local regulations would effectively mitigate construction stormwater runoff impacts from the buildout of the proposed General Plan update. Additionally, construction sites are required to prepare and implement a SWPPP in accordance with the requirements of the statewide Construction General Permit and are subject to the oversight of the CRRWQCB. The SWPPP must include BMPs to reduce or eliminate erosion and sedimentation from soil-disturbing activities, as well as proper materials and waste management.

The proposed General Plan buildout may create new sources for runoff contamination through changing land uses. As a consequence, the implementation of the proposed General Plan may have the potential to increase the post-construction pollutant loadings of certain constituent pollutants associated with the proposed land uses and their associated features. Some common pollutants associated with office, commercial, and residential developments include bacteria/pathogens, metals, nutrients, oil/grease, sediment, organic compounds, trash/debris, oxygen-demanding substances, and pesticides.

Implementation of project-specific water quality management plans for projects developed or redeveloped under the proposed General Plan would not result in operational water quality impacts. Individual projects would be required to effectively retain or treat the 85th percentile 24-hour stormwater runoff for pollutants prior to discharge off their properties.

Degrade Groundwater Recharge

Ground water recharge in the Needles area comes primarily from the Colorado River. Groundwater levels in the Needles area generally fluctuate within an annual range of 2 feet, except near pumping wells, irrigation land and the River. Most of the yields from wells come from highly permeable beds of sand and gravel. Groundwater levels generally are between 9 and 12 feet below the land surface in the flood plain. On the slopes that border the flood plain the depth of water is determined by the height of the land surface above the water level in the flood plain opposite a given site.

The City of Needles receives potable water from its own wells.¹⁹⁰ The City has drilled a number of deep wells located along the Colorado River. Over the years many of the wells have been abandoned due to collapsing and other conditions. The City currently has two functioning wells located in an area known as the Well Field and one at the water treatment plant site. The Well Field is located on the southeast corner of Bush Street and K Street. There are currently two functioning wells (Well 8 and Well 15) in the Well Field and several that have been abandoned in the past. The Treatment Plant Well (Well 11) is located southwest of the intersection of River Road and Marina Drive.

According to the City 2019 Water Master Plan¹⁹¹, the City is interested in expanding their water service into the North Needles Area. Based on the current land use designation provided by the City under the existing General Plan, the City anticipated that the majority of development within this service area will occur east of River Road approximately from Balboa Place at the south end to Budweiser Road at the north end. The proposed Land Use Element would maintain this distribution of land uses, and thus would not introduce substantial new development outside of the service area.

The proposed General Plan Update is a policy-level planning document and does not directly propose physical changes to the environment, nor does it directly propose or entitle any new development projects. Any future development in the City following the adoption of the proposed General Plan Update would be required to follow State, regional, and local regulations regarding on-site stormwater retention such that surface waters and sub-surface groundwater aquifers are not contaminated with project-related pollutants. Any future development in the City must also be compliant with the Water Quality Control Plan for the Colorado River Basin,¹⁹² which is the applicable Basin Plan as discussed above.

Any potential environmental impacts resulting from future development projects would be addressed through project-specific mitigation measures identified at the time the specific development project is considered for approval by the City.

190 City of Needles, Culinary Water & Sanitary Sewer Capital Facilities Master Plan, Adopted December 17, 2019.

191 City of Needles, Culinary Water & Sanitary Sewer Capital Facilities Master Plan, Adopted December 17, 2019.

192 California State Water Resources Control Board, Water Quality Control Plan Colorado River Basin - Region 7, amended 2017.

The General Plan Update would have a less than significant impact related to the violation of any water quality standards or waste discharge requirements, nor would it otherwise substantially degrade surface or groundwater quality.

Mitigation Measures: No mitigation is required.

b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede substantial groundwater management of the basin?

Less than Significant Impact.

Hydrologically, the Needles area includes Mohave and Chemehuevi Valleys, and extends from Davis Dam (57 miles south of Hoover Dam) southward to Parker Dam. It is in Mohave County, Arizona, San Bernardino County, California, and Clark County, Nevada. Groundwater in the vicinity of Needles, California is found within the Needles Hydrologic Area of the Homer Hydrologic Unit of the Colorado River Hydrologic Basin - Region 7. And as of the year 2021, reports indicate that groundwater from this unit applies for municipal and domestic water supply, as well as agricultural and industrial uses.¹⁹³

The alluviums of the Colorado River and its tributaries are the result of several periods of extensive degradation and ag gradation by the Colorado River.¹⁹⁴ The alluviums are divided into older alluviums, which are the deposits of several degradations and aggradations by the Colorado River, and younger alluvium, which is the deposit of the youngest aggradation. The alluviums are heterogeneous mixtures of gravel, sand, silt, and clay.

The alluviums are treated as a composite aquifer because of the obvious hydraulic continuity between the several alluviums and because of the difficulty of separating them on the basis of subsurface data.¹⁹⁵ Most of the yield from wells that are perforated in these deposits comes from highly permeable beds of sand and gravel. Wells that tap a sufficient thickness of Colorado River gravels have specific capacities as high as 400 gallons per minute per foot of

193 GeoForward, Geology of Needles, California & Hydrogeology, Link: Geology of Needles, California & Hydrogeology » Geo Forward

194 US Dept. of the Interior, USGS, D. G. Metzger and D.J. Loetz, Geohydrology of the Needles Area, Arizona, California, and Nevada, Water Resources of the Lower Colorado Area, Arizona, California and Nevada, Geological Survey Professional Paper 486-J, 1973.

195 US Dept. of the Interior, USGS, D. G. Metzger and D.J. Loetz, Geohydrology of the Needles Area, Arizona, California, and Nevada, Water Resources of the Lower Colorado Area, Arizona, California and Nevada, Geological Survey Professional Paper 486-J, 1973.

drawdown. Ground water in the Colorado River alluviums in the Needles area occurs under water-table conditions. Ground water may occur under artesian conditions in or below the Bouse Formation.

Under natural conditions, ground-water discharge in Mohave Valley averaged about 170,000 acre-feet per year.¹⁹⁶ Ground-water recharge was a similar amount. Owing to the much more limited area of flood plain and water-loving vegetation in Obemehuevi Valley, both ground-water recharge and discharge were much less in that valley than in Mohave Valley. Under present conditions in Mohave Valley about 150,000 acre-feet of water infiltrates directly from the river to the ground-water reservoir. Most of this infiltration occurs in a 37-mile reach of the river downstream from Bullhead City, Ariz. An infiltration rate of about 8,000 acre-feet per year per mile length of channel is indicated for a reach 2 miles upstream from Needles. This is twice the average rate of infiltration for the 37-mile reach.

Sources of recharge to the ground-water reservoir are the Colorado River, unused irrigation water, runoff from precipitation, and underflow from bordering areas.¹⁹⁷ Of these, the Colorado River is by far the principal source. Recharge from unused irrigation water is, in a sense, a negative discharge inasmuch as practically all irrigation supplies are obtained from wells. Recharge by runoff from precipitation occurs in the sandy washes of the area. Recharge by underflow from bordering areas occurs where the major ephemeral streams such as the Sacramento, Piute, and Chemehuevi Washes enter the Needles area.

Ground water is discharged from the aquifers by wells and evapotranspiration.¹⁹⁸ Discharge to the Colorado River, if it occurs at all, is negligible. Pumped ground water is used for municipal and domestic supplies and for irrigation. Ground water is discharged by evapotranspiration throughout the flood-plain area.

196 US Dept. of the Interior, USGS, D. G. Metzger and D.J. Loetz, *Geohydrology of the Needles Area, Arizona, California, and Nevada, Water Resources of the Lower Colorado Area, Arizona, California and Nevada, Geological Survey Professional Paper 486-J, 1973.*

197 US Dept. of the Interior, USGS, D. G. Metzger and D.J. Loetz, *Geohydrology of the Needles Area, Arizona, California, and Nevada, Water Resources of the Lower Colorado Area, Arizona, California and Nevada, Geological Survey Professional Paper 486-J, 1973.*

198 US Dept. of the Interior, USGS, D. G. Metzger and D.J. Loetz, *Geohydrology of the Needles Area, Arizona, California, and Nevada, Water Resources of the Lower Colorado Area, Arizona, California and Nevada, Geological Survey Professional Paper 486-J, 1973.*

Ground-water levels in the Needles area generally fluctuate within an annual range of 2 feet except near pumping wells, irrigated land, and the river.¹⁹⁹ Water levels generally are between 9 and 12 feet below the land surface in the flood plain. On the alluvial slopes that border the flood plain, the depth to water is governed largely by the height of the land surface above the water level in the flood plain opposite a given site. In many areas the depth to water increases between 100 and 200 feet per mile with increasing distance from the flood plain.

According to various environmental data reports via the California State Water Resources Control Board (SWRCB) Geotracker Database,²⁰⁰ depths to first-encountered groundwater in the Needles, California region can range from 40 to 60 feet below ground surface. And groundwater flow directions appear to be variable from location to location. However, hydrogeological properties of water-bearing formations suggest groundwater generally flows west-southwest. Furthermore, static groundwater levels can be shallower than first encountered depths. In fact, static groundwater levels are generally shallowest near the Colorado River.

The City of Needles lies within the jurisdictional boundaries of the Colorado River Basin Regional Water Quality Control Board (CRRWQCB), one of the nine Regional Water Quality Control Boards established by the California State Water Resources Control Board. (SWRCB). California's water quality standards are embodied in Basin Plans administered by the Regional Boards, as well as in multiple statewide plans and policies administered by the State Water Control Board.²⁰¹ The applicable Basin Plan for the City of Needles is the Water Quality Control Plan for the Colorado River Basin, which came into force in January 2013.²⁰²

The City of Needles currently relies on its own sources, distribution lines, and storage to provide culinary water to the City. The source of Needles' water is two wells: One primary well, Well 15, and one that is designated as an emergency backup and is planned to be abandoned in the future, Well 8. Well 15 has a capacity of 1,208.88 million gallons per year,

199 US Dept. of the Interior, USGS, D. G. Metzger and D.J. Loetz, *Geohydrology of the Needles Area, Arizona, California, and Nevada*, Water Resources of the Lower Colorado Area, Arizona, California and Nevada, Geological Survey Professional Paper 486-J, 1973.

200 SWRCB, GeoTracker database. Link: [GeoTracker \(ca.gov\)](http://GeoTracker.ca.gov)

201 US EPA, *Water Quality Standards Regulations: California*

202 California State Water Resources Control Board, *Water Quality Control Plan Colorado River Basin - Region 7*, amended 2017.

and the combined capacity of these two wells is 1,497 million gallons per year.²⁰³ The average annual culinary water usage from the years of 2010 to 2015 was 594.953 million gallons per year. The Buildout Methodology associated with the Needles General Plan Update anticipates an increase in housing units by 1,078 by 2040 leading to an additional demand of 254.967 million gallons per year. Additionally, the City has determined 460 acres of future commercial area that could be developed by 2050. These 460 acres lead to an increase of 306.965 million gallons year in demand for culinary water. The City of Needles approved Culinary Water & Sanitary Sewer Capital Facilities Master Plan has already identified that the supply of Well 15 will be able to provide enough culinary water to reach demands through 2040.

Buildout projections for the City's population are lower than those included within the City's Water Master Plan²⁰⁴ as referenced above, indicating that the City is prepared for a larger population increase than would be facilitated by the approval of the proposed General Plan Update, and will not require additional investment in water availability than has already been planned.

The proposed General Plan Update is a policy-level planning document and does not propose or entitle any new development projects at this time, nor would it directly result in any changes to the physical environment. All future development in the City would require project-specific environmental evaluation to determine that any potential impacts are less than significant, and would be subject to all applicable State, regional, and local regulatory requirements concerning the efficient use and conservation of water resources. Any potential impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project is considered by the City.

The proposed General Plan Update would result in less than significant impacts related water supplies or substantial interference with groundwater recharge.

Mitigation Measures: No mitigation is required.

203 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

204 City of Needles Culinary Water and Sanitary Sewer Capital Facilities Master Plan, Adopted December 17, 2019.

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

i. result in substantial erosion or siltation on or off site;

Less than Significant Impact.

The City of Needles is located in the arid Mohave Valley subregion of the Mojave Desert, receiving less than an inch of rainfall per month, on average.²⁰⁵ The Mohave Valley is bounded by the Sacramento and Dead Mountains to the west and the Black Mountains to the east, resulting in multiple drainage patterns that run close to and in between urban development in built-up areas of the region. Most of the washes, drainage courses, and most of the surrounding floodplain in the area remain undeveloped, are utilized as water collection channels in the case of serious storm events, and can be considered existing open space. The general course of drainage in Needles and the surrounding area runs from west to east, ultimately draining into the Colorado River.

The Colorado River flows for approximately 10 miles along the City's eastern edge and contains a wide floodplain, with the widest section occurring in the southern portion of the City.²⁰⁶ Between the floodplain and surrounding mountain ranges are dissected pediment, or alluvial slopes. Due to the lack of vegetation on these pediment slopes, runoff from storm events is great and causes erosion of the bedrock, resulting in deposits of alluvium forming the characteristic fan shape at the bases of mountains and slopes.

205 U.S. National Oceanic and Atmospheric Administration, Monthly Precipitation Data 2020-2021 - California, Accessed October 2022.

206 City of Needles General Plan, Conservation and Historic Preservation Element, 1986.

The City’s existing General Plan Land Use Element²⁰⁷ contains policies intended to minimize risks posed to developed areas from flooding or erosion. Policy 10 of the existing Land Use Element states: “Ensure that land uses are protected against potential erosion,” through “grading and landscaping standards designed to prevent erosion and protect uses against potential erosion.” The Land Use Element of the proposed General Plan Update also includes policies intended to minimize the risks posed by flooding or erosion. Policy LU-1.7, Environmentally Sensitive Development, states: “Require new development to maximize its compatibility with the natural environment and avoid expansions or encroachments into environmentally sensitive areas.”

The proposed General Plan Update does not propose or entitle any new development in the City at this time, and would not directly result in any changes to the physical environment. All future development in the City would require project-specific environmental evaluation in order to determine consistency with State, regional, and local requirements, including the City’s General Plan and the Water Quality Control Plan for the Colorado River Basin.²⁰⁸

The Flood Control District of the San Bernardino Department of Public Works²⁰⁹ is responsible for oversight of flood and drainage controls. Needles lies within the county’s flood control Zone 6, which includes all portions of San Bernardino County not embraced by other zones including portions of the San Bernardino Mountains and the semi-desert portion of the County. This includes the cities of Big Bear, Yucca Valley, and Twenty-nine Palms along with the City of Needles. As such the Flood Control District coordinates departmental review and issue permits for any future development activity, land use permits, and general encroachment within the District’s right-of-way.

As any future development would be subject to compliance with the above-referenced plans and policies, and would be subject to oversight by the City, County, and their constituent agencies, adoption of the proposed General Plan Update would not impact the ongoing management of flood and erosion risks in the City.

207 City of Needles General Plan, Land Use Element, 1986.

208 California State Water Resources Control Board, Water Quality Control Plan Colorado River Basin - Region 7, amended 2017.

209 San Bernardino County Department of Public Works, Flood Control District, “Planning”

Impacts would be less than significant.

Mitigation Measures: No mitigation measures required.

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

Less Than Significant Impact.

The Federal Emergency Management Agency (FEMA) is responsible for determining flood zones. Flood zones are geographic areas that FEMA has defined according to varying levels of flood risk. These zones are depicted on a community's Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map. Each zone reflects the severity or type of flooding in the area.

Flood hazard areas identified on the Flood Insurance Rate Map are identified as a Special Flood Hazard Area (SFHA).²¹⁰ SFHA are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled according to the categories listed in **Table 5.10-1: FEMA Flood Zone Designations.**

Within the City of Needles, there are flood zones designated as X, X-0.2-percent A, AE, AH, and AO, as shown on **Figure 5.10-1: Flood Hazard Areas.** These are defined as follows:

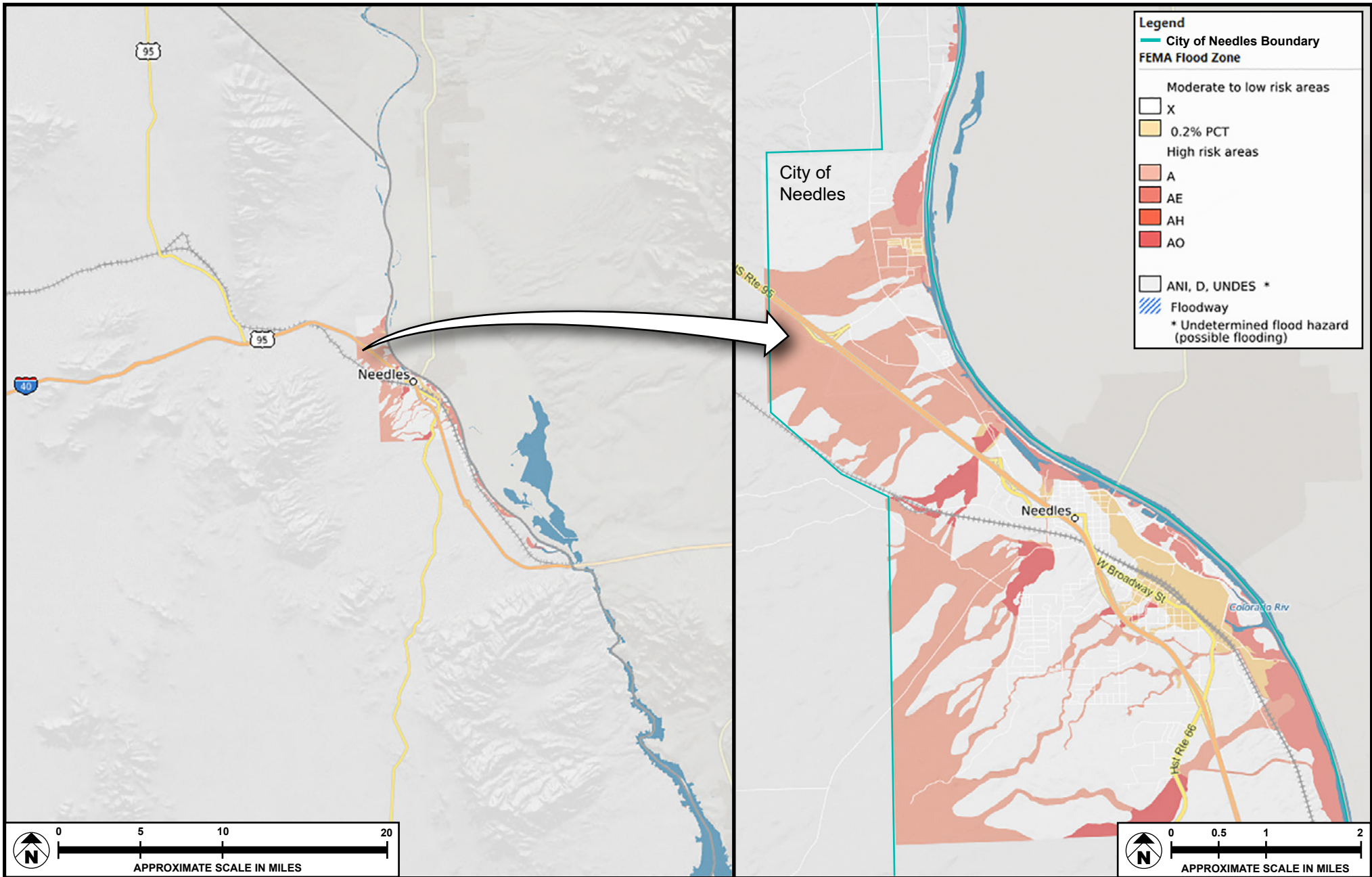
- Zone X (shaded) - Area of moderate flood hazard, usually the area between the limits of the 100-year and 500-year floods. B Zones are also used to designate base floodplains of lesser hazards, such as areas protected by levees from 100-year flood, or shallow flooding areas with average depths of less than one foot or drainage areas less than 1 square mile.
- Zone X (0.2%) This zone designation is for multiple risks including areas of the 0.2% annual chance flood; areas of the 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from the 1% annual chance flood.
- Zone A: This zone designation is for areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage. Because detailed analyses are not performed for such areas; no depths or base flood elevations are shown within these zones.
- Zone AE: This zone designation is for areas at base floodplain level, the level at which all base flood elevations are provided.

210 Federal Emergency Management Agency (FEMA), Flood Zones. Link: Flood Zones | FEMA.gov

**TABLE 5.10-1
FEMA FLOOD ZONE DESIGNATIONS**

Zone	Description
A	Areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage. Because detailed analyses are not performed for such areas; no depths or base flood elevations are shown within these zones.
AE	The base floodplain where base flood elevations are provided. AE Zones are now used on new format FIRMs instead of A1-A30 Zones
A1-30	These are known as numbered A Zones (e.g., A7 or A14). This is the base floodplain where the FIRM shows a BFE (old format)
AH	Areas with a 1% annual chance of shallow flooding, usually in the form of a pond, with an average depth ranging from 1 to 3 feet. These areas have a 26% chance of flooding over the life of a 30-year mortgage. Base flood elevations derived from detailed analyses are shown at selected intervals within these zones.
AO	River or stream flood hazard areas, and areas with a 1% or greater chance of shallow flooding each year, usually in the form of sheet flow, with an average depth ranging from 1 to 3 feet. These areas have a 26% chance of flooding over the life of a 30-year mortgage. Average flood depths derived from detailed analyses are shown within these zones.
AR	Areas with a temporarily increased flood risk due to the building or restoration of a flood control system (such as a levee or a dam). Mandatory flood insurance purchase requirements will apply, but rates will not exceed the rates for unnumbered A zones if the structure is built or restored in compliance with Zone AR floodplain management regulations.
A99	Areas with a 1% annual chance of flooding that will be protected by a Federal flood control system where construction has reached specified legal requirements. No depths or base flood elevations are shown within these zones.
B, X	Area of moderate flood hazard, usually the area between the limits of the 100- year and 500-year floods. B Zones are also used to designate base floodplains of lesser hazards, such as areas protected by levees from 100-year flood, or shallow flooding areas with average depths of less than one foot or drainage areas less than 1 square mile.
C, X	Area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level. Zone C may have ponding and local drainage problems that don't warrant a detailed study or designation as base floodplain. Zone X is the area determined to be outside the 500-year flood and protected by levee from 100- year flood.

Source: Federal Emergency Management Agency, [Definitions of FEMA Flood Zone Designations](#), Accessed October 2022.



SOURCE: <https://www.propertyshark.com/mason/ca/San-Bernardino-County/Maps/Fema-Flood-Hazard-Areas>

FIGURE 5.10-1

- Zone AH: This zone designation is for areas with a 1% annual chance of shallow flooding, usually in the form of a pond, with an average depth ranging from 1 to 3 feet. These areas have a 26% chance of flooding over the life of a 30-year mortgage. Base flood elevations derived from detailed analyses are shown at selected intervals within these zones.
- Zone AO River or stream flood hazard areas, and areas with a 1 percent or greater chance of shallow flooding each year, usually in the form of sheet flow, with an average depth ranging from 1 to 3 feet. These areas have a 26 percent chance of flooding over the life of a 30-year mortgage. Average flood depths derived from detailed analyses are shown within these zones.

The City’s existing General Plan Land Use Element²¹¹ contains policies and implementation measures addressing the City’s hydrological conditions such as discouraging residential development in officially recognized areas subject to flooding unless appropriate mitigation actions are implemented and ensuring that land uses are protected against potential erosion. Policy 10 of the existing Land Use Element states: “Ensure that land uses are protected against potential erosion,” through “grading and landscaping standards designed to prevent erosion and protect uses against potential erosion.”

The proposed updates to the Land Use Element as part of the General Plan Update would remain consistent with the safety provisions present in the existing Land Use Element. The Land Use Element of the proposed General Plan Update also includes policies intended to minimize the risks posed by flooding or erosion. Policy LU-1.7, Environmentally Sensitive Development, states: “Require new development to maximize its compatibility with the natural environment and avoid expansions or encroachments into environmentally sensitive areas.”

The proposed General Plan Update does not propose or entitle any new development in the City at this time, and would not directly result in any changes to the physical environment. All future development in the City would require project-specific evaluation in order to determine consistency with State, regional, and local requirements, including the City’s General Plan and the Water Quality Control Plan for the Colorado River Basin²¹². In addition, future development would be subject to the oversight and regulations of the County Flood Control District.²¹³

211 City of Needles General Plan, Land Use Element, 1986.

212 California State Water Resources Control Board, Water Quality Control Plan Colorado River Basin - Region 7, amended 2017.

213 San Bernardino County Department of Public Works, Flood Control District, “Planning”

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

- iii. ***Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;***

Less Than Significant Impact.

The City's General Plan Safety Element and its existing Land Use Element contain principles and standards intended to minimize risk posed to residential development from flooding or erosion. The proposed General Plan Update does not propose changes to the existing Safety Element, and all proposed changes to the Land Use Element would remain consistent with the safety provisions present in the existing Land Use Element. The proposed General Plan Update does not propose or entitle any new development in the City at this time, and would not directly result in any changes to the physical environment.

As discussed in the Setting section above, the City's existing General Plan Land Use Element contains policies and implementation measures addressing the City's hydrological conditions such as discouraging residential development in officially recognized areas subject to flooding unless appropriate mitigation actions are implemented and ensuring that land uses are protected against potential erosion. The proposed General Plan Update would maintain these policies and implementation measures.

All future development in the City would require project-specific environmental evaluation to determine consistency with State, regional, and local requirements, including the City's General Plan and the Water Quality Control Plan for the Colorado River Basin (discussed in the Setting section above). The Flood Control District of the San Bernardino Department of Public Works²¹⁴ would also coordinate departmental review and issue permits for any future development activity, land use permits, and general encroachment within the District's right-of-way.

Impacts would be Less Than Significant.

Mitigation Measures: No mitigation is required.

214 San Bernardino County Department of Public Works, Flood Control District, "Planning"

iv. Impede or redirect flood flows?

Less Than Significant Impact.

No new uses are being proposed for land lying within a flood flow channel or other drainage pattern that has not already been approved.

The proposed General Plan Update is a policy level planning document and does not directly propose or entitle any new development in the City and would not have any direct impact on the physical environment. Future developments initiated following the adoption of the proposed General Plan Update must comply with all provisions of the revised Land Use and Transportation Elements, including Policy LU-1.7: Environmentally Sensitive Development, which requires new development to maximize its compatibility with the natural environment and avoid expansions or encroachments into environmentally sensitive areas. Future developments must also comply with Policy 1 of the General Plan Safety Element²¹⁵, which pursues the protection of the existing population and future development from the hazards of flooding, seismic, and fire threats. Further, upon application for permits to initiate development beyond by-right uses, applicants for special accommodations must supply information regarding whether the proposed site is in a FEMA flood plain.²¹⁶

The updates to the City's Land Use Element proposed as part of the General Plan Update have been proposed to align the General Plan with the City's current Zoning Map,²¹⁷ and conditions as they currently exist within the City. Therefore, any re-designations of permissible land uses would not result in any new impacts related to flood risk.

Impacts would be less than significant relative to flooding and flood flows.

Mitigation Measures: No mitigation is required.

215 City of Needles, General Plan Safety Element, 1986.

216 City of Needles, Municipal Code Article IV. Permits, Ord. No. 427-AC, 621-AC., Accessed October 2022.

217 City of Needles, Zoning Map, 2012.

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

Less Than Significant Impact.

The flood plain is that part of the Colorado River valley that has been covered by floods of the modern Colorado River prior to the construction of Hoover Dam.²¹⁸ The flood plain is wider than the meandering course of the Colorado River, and it is bounded generally by a terrace. The maximum width of the flood plain in Mohave Valley is about 5 miles. From Davis Dam southward for about 10 miles, the Colorado River is confined to a narrow flood plain cut in alluvial deposits. Then the flood plain widens and reaches its maximum width near Needles.

The environmental assessment of the City's existing General Plan²¹⁹ identifies flood hazards associated with the floodplain bordering the Colorado River and notes that relevant mitigation is contained within the Safety Element. The Safety Element of the City's existing General Plan addresses the protection of existing and future residents of Needles from both natural and people-made hazards, including flooding, through a number of goals, policies, implementation programs, principles and standards.²²⁰

The Safety Element includes policies and implementation measures designed to prevent and mitigate any potential threats to residents or property in the City, and the proposed General Plan Update would maintain these provisions.

The proposed Land Use Element includes policies to address development in environmentally sensitive areas.

There is no tsunami hazard in the City as it is about 300 miles inland from the Pacific Ocean. The City of Needles does not lie within a seiche zone,²²¹ and thus is not subject to any risks associated with these events.

The proposed General Plan Update is a policy-level planning document, and does not propose or entitle any new development projects in the City. All future development projects would be subject to review for compliance with all relevant State, regional, and local rules,

218 US Dept. of the Interior, USGS, D. G. Metzger and D.J. Loetz, *Geohydrology of the Needles Area, Arizona, California, and Nevada*, Water Resources of the Lower Colorado Area, Arizona, California and Nevada, Geological Survey Professional Paper 486-J, 1973.

219 City of Needles General Plan Environmental Assessment, prepared by Urban Futures, Inc., Jan. 1986.

220 City of Needles General Plan, Safety Element

221 California Department of Conservation, *California Tsunami Maps and Data*

regulations, and policies, as well as for potential environmental impacts. Any potential impacts identified as resulting from a proposed development project would be addressed through project-specific mitigation measures to be determined at the time a specific project is considered by the City.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less than Significant Impact.

The Project Site is located within the Colorado River Basin Regional Water Quality Control Board (CRBRWQCB) region.

The CRBRWQCB implements the Water Quality Control Plan²²² for the Colorado River Basin (Basin Plan). The Basin Plan is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the Basin Plan designates beneficial uses for surface and ground waters, sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the State's antidegradation policy, and describes implementation programs to protect all waters in the Region.²²³ In addition, the Basin Plan incorporates all applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations.

The Water Quality Control Plan identifies drainage flow locations, perennial flow locations, and ground water hydrology conditions. In Needles, the Water Quality Control Plan identifies Piute Creek, a small stream northwest of Needles referred to in City and County documentation as Piute Wash, as the sole perennial flow channel in the area. The proposed General Plan Update does not propose any development, designate any land for development, or otherwise interfere with Piute Creek, as the channel exists outside of the Planning Area.

The City would comply with applicable federal, State, and local regulations, and obtain required permits from the Colorado River Basin RWQCB.

222 California State Water Resources Control Board, Water Quality Control Plan Colorado River Basin - Region 7, amended 2017.

223 State of California CRBRWQCB, Water Quality Control Plan for the Colorado River Basin Region, https://www.waterboards.ca.gov/coloradoriver/water_issues/programs/basin_planning/. Accessed February 2022.

The amount of development permitted under the proposed Land Use Element within the General Plan Update is the same or less than is allowed under previously adopted plans, including the Water Master Plan²²⁴ referenced in Section 5.10.b above. Projections of future development and associated population increases in Needles, as well as the proposed General Plan Update’s conformity with population and investment projections in other governmental planning documents are detailed in **Section 5.14: Population and Housing**.

The proposed General Plan Update would adhere to the Basin Plan and would not conflict with or obstruct the implementation of the plan.

Impacts would be less than significant impacts.

Mitigation Measures: No mitigation is required.

224 City of Needles Culinary Water and Sanitary Sewer Capital Facilities Master Plan, Adopted December 17, 2019.

5.11 LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
LAND USE AND PLANNING - Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Regulatory Framework

Regional

SCAG Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)

The Southern California Association of Governments (SCAG) is the metropolitan planning organization for the Southern California region, and the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) is its long-range visioning plan intended to help the region’s planners and policymakers balance future mobility and housing needs with economic, environmental, and public health goals. Most recently adopted in 2020, the RTP/SCS²²⁵ includes provisions to help shape the region’s growth towards goals established as part of the visioning process. These goals include the following:

1. Encourage regional economic prosperity and global competitiveness
2. Improve mobility, accessibility, reliability, and travel safety for people and goods
3. Enhance the preservation, security, and resilience of the regional transportation system
4. Increase person and goods movement and travel choices within the transportation system
5. Reduce greenhouse gas emissions and improve air quality
6. Support healthy and equitable communities

²²⁵ Southern California Association of Governments (SCAG), Final 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, Adopted September 2020. Accessed October 2022.

7. Adapt to a changing climate and support an integrated regional development pattern and transportation network
8. Leverage new transportation technologies and data-driven solutions that result in more efficient travel
9. Encourage development of diverse housing types in areas that are supported by multiple transportation options
10. Promote conservation of natural and agricultural lands and restoration of habitats

The RTP/SCS emphasizes the importance of accommodating new population and household growth through sustainable development practices, such as infill development and redevelopment, expansion of transit networks, and planning for reduced vehicle miles traveled (VMT) and greenhouse gas emissions (GHG). Plans and development practices within SCAG's jurisdiction are expected to be in compliance with the goals and policies of the RTP/SCS.

City of Needles

The proposed General Plan Update includes updates to the City's Land Use and Transportation Elements to guide the City's growth and development over a twenty-year planning horizon, through 2040. The City intends to limit growth and development to its incorporated boundaries and does not plan on promoting growth or changing land use or circulation in its unincorporated sphere of influence.

As part of the General Plan Update, the City will create a single-map system that brings its General Plan and Zoning Maps into consistency, as the current Land Use Element and Zoning Map are not presently aligned. The City will also introduce land use designations for mixed-use development into Needles' downtown through the creation of a Downtown (DT) designation and corresponding changes to the Development Code. The City's transportation systems will be updated to enhance mobility in and around Needles for more efficient and safer motorized and non-motorized circulation, with a focus on aligning future growth projections and necessary roadway improvements.

The primary changes in land use designations introduced by the proposed General Plan Update are the introduction of the Downtown (DT) use category and the re-designation of properties abutting the Colorado River to the Commercial, Residential, Resort (CRR) category. In addition, the proposed General Plan update will change the existing Land Use Map to include redesignation of Commercial Recreation areas to Park/Recreation space. This change will create a larger area of Park/Recreation space, however there will be no addition or expansion of park facilities.

Figure 2.0-3: Existing Land Use Plan, depicts the City’s general location and pattern of existing land uses and roadways as depicted on the current Land Use Plan Map for the General Plan.

Figure 2.0-4: Proposed Land Use Plan, displays the proposed Land Use Plan Map, using a single-map system to depict General Plan land use designations and Zoning districts.

The proposed Land Use Map will include the following land use designations:

- Single Family Residential
- Two Family Residential
- Multiple Family Residential
- Planned Unit Development
- Commercial Residential Resort
- Neighborhood Commercial
- General Commercial
- Highway Commercial
- Light Manufacturing
- General Manufacturing
- Public Facilities
- Open Space
- Parks/Recreation

The proposed land Use Map combines or eliminates the following designations provided on the existing Land Use Map into other designations:

- Mobil Home
- Mixed Use
- Agriculture
- Airport
- Auto Service
- General Office
- Hotel/Motel
- Industrial
- Public/Quasi-Public
- Transportation
- Vacant

The proposed General Plan Update Land Use Element also includes a new set of goals and policies intended to guide the City’s growth and development over the planning horizon, listed below:

Land Use Goals & Policies

GOAL LU-1 A Compatible and Balanced Mix of Land Uses that Enable People to Live and Work in Needles

Policy LU-1.1 Growth management. Encourage new development to take place in areas that are already served by existing utilities, expanding and improving systems and capacity as appropriate and fiscally sustainable. Discourage development and extension of services outside of the City’s incorporated boundaries.

Policy LU-1.2 New housing construction. Promote and facilitate residential development to provide housing opportunities

for those working in Needles and to help attract and retain key commercial services within Needles. Expand opportunities for multifamily and mixed-use residential development into General Commercial areas.

Policy LU-1.3 **Compatibility with existing uses.** Require that new development be located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. Require new residential development to be located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

Policy LU-1.4 **Compatibility with planned uses.** Require that new development and proposed general plan amendments are located, scaled, buffered, and designed to minimize negative impacts both on and from adjacent areas as designated on the Land Use Map.

Policy LU-1.5 **Land use buffers.** Require appropriate buffering between commercial, manufacturing, and other land use/zoning designations, considering noise, odors, vibration, emissions, and vehicular traffic.

Policy LU-1.6 **Cannabis dispensaries.** Limit retail cannabis dispensaries to General Commercial areas that are outside of the downtown core and adjacent to residential neighborhoods.

Policy LU-1.7 **Environmentally sensitive development.** Require new development to maximize its compatibility with the natural environment and avoid expansions or encroachments into environmentally sensitive areas.

Policy LU-1.8 **Public facilities.** Plan and coordinate to locate land and size facilities dedicated to open space, parks, education, and other public uses as appropriate to serve existing and future residents.

GOAL LU-2 A Diversified Local Economy that Creates Jobs and a Sustainable Revenue Stream

Policy LU-2.1 **Business attraction and investment.** Expand economic investment and high quality job opportunities through reinvestment by existing businesses and new investment from new businesses, particularly those that will provide jobs for Needles residents.

Policy LU-2.2 **Workforce development.** Facilitate engagement between local businesses and the Workforce Development Board, the community college, and school district to support hiring, training, and retention of workers.

Policy LU-2.3 **Energy and water advantages.** Conduct marketing and economic development activities to attract new businesses that can leverage Needles' energy and water advantages.

	Policy LU-2.4	Rivers Edge. Promote management of the Rivers Edge Golf Course to a fiscally sustainable format.
GOAL LU-3	Expanded and Improved Public Access and Use of the Colorado River	
	Policy LU-3.1	River improvements. Promote the public and seasonal use of the River through public improvements.
	Policy LU-3.2	New development. Leverage public property to facilitate hotel and resort development and expand public access to and use of the Colorado River.
	Policy LU-3.3	Open space and recreation. Seek to expand or create large public open space and recreation space along the Colorado River.
GOAL LU-4	A Pedestrian and Experience-Oriented Downtown Core the Serves as a Local Gathering Plance and Regional Destination	
	Policy LU-4.1	Downtown core. Promote the development of higher intensity residential, commercial, and mixed-use development in the downtown core, with building and site designs that facilitate a walkable, experience-oriented atmosphere.
	Policy LU-4.2	Downtown spaces and programming. Establish, design, maintain, and program public spaces in the downtown core for public gathering, community activities, and tourism-generating events, particularly along or connecting to Broadway and Santa Fe Park.
	Policy LU-4.3	Adaptive reuse. Encourage the adaptive reuse of existing structures in the downtown core, especially those that are of local historic and/or architectural value.

Proposed Changes to the Existing General Plan

The City’s Land Use and Transportation elements form the backbone of the General Plan and guide the long-term growth and improvement of the Needles community. The proposed project updates the Land Use and Transportation elements of the general plan to guide the City’s growth and development for the next 20 years through 2040. The City intends to limit growth and development to its incorporated boundaries and does not plan to promote growth or changing land use or circulation in its unincorporated sphere of influence (SOI).²²⁶

As part the General Plan update, the City will also create a single-map system that bring its General Plan and Zoning maps into consistency, and introduce mixed-use development into the

226 The majority of unincorporated SOI is north, south, and west of the incorporated boundaries; the exception is an 18-acre area that is owned by the Fort Mojave Indian Tribe and entirely surrounded by incorporated lands. The City assumes County land use designations for all unincorporated SOI areas, most of which are not associated with residential or nonresidential building activities (either Open Space or Resource/Land Management). The unincorporated land owned by the Fort Mojave Indian Tribe is designed for Rural Living by the County.

City’s General Commercial (GC) designation (including corresponding changes to the City’s Development Code). **Table 5.11-1: Buildout Statistical Summary**, provides a statistical summary of the buildout potential associated with the Proposed Land Use Element compared to existing conditions.

TABLE 5.11-1 BUILDOUT STATISTICAL SUMMARY					
Scenario	Acres	Units	Population	Non-res Sq. Feet	Employment
Existing Conditions (2021)	19,124	2,829	5,225	1,876,869	1,403
Proposed GP (2040)	19,124	3,907	7,750	2,743,154	2,395
Potential Growth	--	1,078	2,525	866,285	992

Figure 2.0-3: Existing Land Use Plan, depicts the City’s general location and pattern of existing land uses and roadways as depicted on the current Land Use Plan Map for the General Plan. **Figure 2.0-4, Proposed Land Use Plan**, displays the proposed Land Use Plan Map, using a single-map system to depict General Plan land use designations and Zoning districts.

Following the adoption of the proposed General Plan Update, the City’s Zoning Code will be updated to correspond with the newly implemented land use designations described above.

Proposed Downtown Core

As part of the revised Land Use Element and Land Use Map, the City will implement a Downtown Core area along West Broadway Street between E Street and H Street between 3rd Street and the BNSF Railroad tracks. As noted in the proposed Land use policies, this area will provide for pedestrian and experience-oriented downtown that serves as a local gathering place and a regional destination. The area is shown in **Figure 2.0-5: Proposed Downtown Core**.

Proposed Broadway Avenue Reconfiguration

As part of the General Plan, the City is exploring the potential of a “Main Street” concept within Downtown Needles along Broadway Avenue. For this concept, potential lane reductions are being considered to create a more vibrant commercial district. The existing four-lane facility between L Street and A Street would be reduced to provide one travel lane in each direction with on-street angled parking. The lane reduction would only affect the lane geometries at one study intersection: J Street and Broadway Avenue. In addition, the lane reduction would only

affect the number of travel lanes for the segment of Broadway Avenue between J Street and G Street.

Revisions to the Commercial Recreation Designation

The current General Plan designates land adjacent to the Colorado River as Commercial Recreation (CRR). These areas are currently considered as part of CRR Commercial, Residential, Resort Zone in the City Municipal Code.²²⁷ Proposed Land Use Policy LU-1.8 Public Facilities would reclassify some land within the CRR Zone as the Public Facilities Zone (PF). The PF Zone allows for parks, as well as open space and other public uses. The General Plan Update proposes to create consistency across land use and zoning maps. as such, Commercial Recreation areas would be redesignated as Park/Recreation space under the proposed General Plan update.

Discussion

a. Physically divide an established community?

Less Than Significant Impact.

The planning area for the proposed General Plan Update consists of the entire City of Needles, and contains a range of housing types, commercial/retail, office, industrial, institutional, and open space uses. The proposed Plan seeks to facilitate a more flexible and innovative mix of land uses that will revitalize the downtown and provide new housing opportunities throughout the city, support economic growth while ensuring land use compatibility and preserving City identity and history, improve public access to the Colorado River, provide better alternatives to driving with expanded access for people walking, bicycling, and taking transit, and manage growth to ensure safe and fiscally sustainable infrastructure systems.

No physical development projects are proposed as part of the proposed General Plan Update, as the Plan involves changes to land use designations meant to guide future development according to the City's goals. Future development projects initiated following the adoption of the proposed Plan would be subject to the existing regulatory regime, including the City's General Plan, Zoning Code, and any specific design criteria imposed by the City or its departments.

As such, adoption of the proposed General Plan Update would not divide an established community.

227 Article III. Zones. Ord. No. 427-AC Sections 93.00 Establishment of zones.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

b. Conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact with Mitigation.

City of Needles General Plan and Zoning Code Consistency

The proposed General Plan Update involves revision of the City’s existing General Plan Land Use and Transportation Elements, as well as concurrent amendments to the Zoning Code intended to facilitate the implementation of the new land use designations included within the proposed Land Use Element.

Proposed Changes to the General Plan

As the City’s General Plan is the central document guiding the growth and development of the community, the proposed Plan, upon its adoption, would supersede prior versions of the General Plan Land Use Element. Upon adoption of the proposed Plan, the City would concurrently revise its Zoning Ordinance and Development Codes to match the provisions of the Land Use Element, including the addition of provisions to reflect development standards, goals, and policies, in order to maintain consistency between the General Plan and Zoning Code. Through the adoption of the proposed General Plan Elements and concurrent Zoning Code amendments, the adopted Plan would become part of the formal development review process.

The proposed Land Use Map will include the following land use designations:

- Single Family Residential
- Two Family Residential
- Multiple Family Residential
- Planned Unit Development
- Commercial Residential Resort
- Neighborhood Commercial
- General Commercial
- Highway Commercial
- Light Manufacturing
- General Manufacturing
- Public Facilities
- Open Space
- Parks/Recreation

The proposed land Use Map (Figure 2.0-4) combines or eliminates the following designations provided on the existing Land Use Map into other designations:

- Mobile Home
- Mixed Use
- Agriculture
- Airport
- Auto Service
- General Office
- Hotel/Motel
- Industrial
- Public/Quasi-Public
- Transportation
- Vacant

Proposed Changes to the Zoning Code

As part of the General Plan update process, the City is proposing to amend the currently adopted Zoning Code to facilitate greater production of residential development, consistent with the City's concurrent update to its Land Use and Transportation Element.

Currently, the City's Zoning Code does not contain the provisions or development standards necessary to facilitate the implementation of the proposed Downtown Core concept; the C-2 (General Commercial) zone, which would make up the majority of the Downtown Core, does not currently permit by-right duplexes or multifamily dwellings, nor does the Zoning Code contain legal definitions or development standards for the newly proposed downtown land use category.

In order to address the inconsistencies between the proposed Land Use Element and the City's existing Zoning Code, the City is proposing to expand and/or streamline residential development in the General Commercial (C-2) zone, whether developed in stand-alone or mixed-use residential projects. The City is also proposing to amend the Zoning Code to define "mixed-use residential" and the boundaries of a Downtown Core, and to add customized development standards that would encourage residential (stand-alone and mixed-use formats) within the area commonly referred to as the downtown. Finally, the City is proposing to amend the Zoning Code to add the Downtown Core as an area where cannabis businesses (retail, cultivation facilities, manufacturing sites, testing laboratories, and distribution/transportation facilities) are prohibited.

The proposed revisions to Zoning Code **Section 96.01 "Table of Permissible Uses"** are shown on **Table 5.11-2: Proposed Changes to the Table of Permissible Uses**. As shown, the only uses that are proposed to go from Special Use Permit (S) to Permitted by Right (Z) are duplexes and multifamily apartments in the C-2 zone. Under the proposed Zoning Code amendments, other

types of multifamily will be allowed by right in C-2 where they were previously omitted. Under the City’s existing Zoning Code, mixed-use development was allowed through a planned-unit development process, but the City is adding a “mixed-use residential” use to be allowed in C-2 as a Conditional Use. The C-2 zone is generally intended to accommodate a wide range of commercial uses that are compatible with and integrated alongside residential uses, and as such will be the primary zoning designation applied to the proposed Downtown Core area.

**TABLE 5.11-2
PROPOSED CHANGES TO THE TABLE OF PERMISSIBLE USES**

Zones:	R1	R2	R3	CRR	C1	C2	C3	M1	M2	P
1.00 Residential										
1.20.1 Single Family, 1 du / lot	Z	Z	Z	Z	Z					
1.20.2 Single Family, 2 du / lot	Z	Z	Z	Z	-					
1.30.1 Accessory Dwelling Units	Z	Z	Z	Z	Z	Z				
1.30.2 Junior Accessory Dwelling Units	Z	Z	Z	Z	Z	Z				
1.30.3 Manufactured & Tiny Homes	Z	Z	Z	Z	Z	S				
1.40 Primary with accessory apartment	Z	Z	Z	Z	Z	S				
1.50 Duplex		Z	Z	S		Z				
1.60 Multifamily apartments			Z	C		Z				
1.70 Multifamily townhomes			S	C		Z				
1.75 Multifamily condos			S	C		Z				
1.80 Mobile home parks		C	C	S						
1.85 R.V. parks		C	C	S			C			
1.90 Planned residential development		C	C	C		C				
1.95 Mixed-use residential						C				

In addition, associated changes relative specific site requirements, such as setbacks, parking, etc., would be including in the zoning code.

As part of the revised Land Use Element and Land Use Map, the City will implement a Downtown Core area designed to facilitate the creation of a downtown that serves as a local gathering place and regional destination. The Downtown Core area is intended to foster a pedestrian- and experience-oriented environment through a blend of commercial, high density residential, and mixed-use residential development, with a permitted residential density of eight (8) to thirty (30) units per net acre. The Downtown Core is defined by the following boundaries: from the west side of H Street to the east side of E Street and extending to the north side of Front Street (including El Garces) and to the south side of 3rd Street, as depicted in the General Plan. The area is shown in **Figure 2.0-5: Proposed Downtown Core**.

As part of the amendment of the City’s Zoning Code to occur concurrently with the adoption of the proposed Land Use Element, the following definitions of “Downtown Core” and “Mixed-use residential” would be added to Section 92.00 (“Definitions”):

“Downtown Core. The “Downtown Core” is defined by the following boundaries: from the west side of H Street to the east side of E Street and extending to the north side of Front Street (including El Garces) and to the south side of 3rd Street, as depicted in the General Plan. This area is intended for a pedestrian- and experience-oriented downtown that serves as a local gathering place and regional destination.

Mixed-use residential. A “mixed-use residential” development contains a mix of residential and nonresidential uses that are vertically and/or horizontally integrated into a single building or on a single project site. If there is more than one building proposed, all buildings are designed to be internally accessible by pedestrians.

Additionally, restrictions related to cannabis operation within the Downtown Core would be implemented as part of Section 12A-6 of the City Code (“Regulations Applicable to Retail Cannabis Businesses”). The would include restrictions on operation within: a residence; the Downtown Core; within a six hundred (600) foot radius of a school, recreation center or youth center; or within two hundred (200) feet of a public playground, park (meaning a children’s park where there is playground equipment or other youth athletic or sports facilities, but not including a “way-side” park or rest stop), child care or day care facility, or church.

The proposed Zoning Code amendments to occur concurrently with the adoption of the proposed Land Use Element are required to maintain consistency between the City’s Zoning Code and General Plan. Without the adoption of the proposed zoning code amendments,

impacts associated with revisions and changes to the Land Use Map would thus be potentially significant.

Consistency with Other Land Use Plans, Policies, or Regulations

The proposed Plan contains a number of goals and policies designed to avoid or mitigate the effects of development on the natural and built environments. Specifically, Goal LU-1 of the proposed Land Use Element, along with its attendant policies, is meant to address these impacts. Listed in the Setting section above in its entirety, Goal LU-1 addresses growth management, new housing construction, compatibility with existing uses, compatibility with planned uses, land use buffers, cannabis dispensaries, environmentally sensitive development, and public facilities. Further, the proposed Plan only includes updates to the Land Use Element and does not modify or otherwise change any of the goals and policies of the remainder of the General Plan, including the Conservation and Historic Preservation Element. The proposed Plan would maintain consistency with the remainder of the General Plan and would not conflict with any other existing regulations meant to reduce or mitigate the effects of development on the environment.

Consistency with the SCAG RTP/SCS

Discussed in the Regulatory Framework section above, SCAG’s RTP/SCS is the Southern California region’s long-range visioning plan for land use, transportation, housing, environmental, and public health goals. The policies contained in the proposed General Plan Update do not conflict with the goals, policies, or strategies established in the RTP/SCS, as they advance the plan’s goals of promoting a more centralized, walkable downtown area through infill development and reducing the City’s greenhouse gas (GHG) emissions.

Consistency with the goals noted in the RTP/SCS are provided in **Table 5.11-2: Proposed Land Use Element - SCAG RTP/SCS Consistency Analysis**.

The proposed General Plan Update provides a vision for future development in Needles that is ultimately oriented around increasing the walkability, multimodal accessibility, and safety of the city, particularly in and around the proposed Downtown Core area. This vision is compatible with that of the RTP/SCS, and if implemented, would ultimately support the region’s land use and transportation goals as determined by SCAG.

Mitigation Measures:

The following mitigation measures (MM) have been identified to reduce potentially significant impacts:

MM LU-1: The City shall revise the Zoning Code, specifically section General Commercial C2, to reflect the addition of the Downtown Core and changes that would result to permissible uses.

MM LU-2: The City shall revise the Zoning Code Section 12A-6 Regulations Applicable to Retail Cannabis Businesses restrictions related to cannabis operation within the Downtown Core.

Level of Significance After Mitigation

Implementation of the identified mitigation measures, including amendment of the City's Zoning Code regarding permitted uses in the C-2 (General Commercial District) and regulations applicable to retail cannabis businesses, would reduce potential significant impacts as the revised Zoning Code would be consistent with the proposed General Plan update.

Impacts would be less than significant.

**TABLE 5.11-3
PROPOSED LAND USE ELEMENT - SCAG RTP/SCS CONSISTENCY ANALYSIS**

2020-2045 RTP/SCS Goals	Consistency Assessment	Relevant LU Element Goals & Policies
<p>Goal 1: Encourage regional economic prosperity and global competitiveness</p>	<p>Consistent. The proposed Land Use Element contains provisions designed to strengthen the local economy through fostering job creation through investment in existing businesses, support for new business creation, and workforce development to support the hiring, training, and retention of workers. The proposed Land Use Element also contains provisions regarding housing development specifically oriented towards providing housing opportunities that support the attraction and retention of the workers and investment necessary to support sustainable growth of the local economy. While Needles’ impact on the regional economy is limited due to its small size, investment in achieving and maintaining sustainable economic growth and jobs-housing balance would allow the City to contribute to an overall vision of regional economic prosperity and global competitiveness.</p>	<p>Goal LU-2: A Diversified Economy that Creates Jobs and a Sustainable Revenue Stream Policy LU-2.1: Business attraction and investment. Expand economic investment and high quality job opportunities through reinvestment by existing businesses and new investment from new businesses, particularly those that will provide jobs for Needles residents. Policy LU-2.2: Workforce development. Facilitate engagement between local businesses and the Workforce Development Board, the community college, and school district to support hiring, training, and retention of workers. Policy LU-2.3: Energy and water advantages. Conduct marketing and economic development activities to attract new businesses that can leverage Needles’ energy and water advantages.</p>
<p>Goal 2: Improve mobility, accessibility, reliability, and travel safety for people and goods</p>	<p>Consistent. While the safety, reliability, mobility, and accessibility of the circulation system are primarily addressed in the Transportation Element of the proposed General Plan Update, the goals and policies of the Land Use Element support these goals through a focus on development that fosters a safer and more accessible public realm. The Land Use Element includes provisions designed to support the creation of a pedestrian-oriented Downtown Core, as well as development that protects pedestrians and residential, commercial, and institutional uses from dangerous vehicular traffic. Through increasing the safety of the circulation system for non-automobile users, overall mobility, accessibility, reliability, and safety will be improved for people and goods.</p>	<p>Goal LU-1: A Compatible and Balanced Mix of Land Uses that Enable People to Live and Work in Needles Policy LU-1.5: Land use buffers. Require appropriate buffering between commercial, manufacturing, and other land use/zoning designations, considering noise, odors, vibration, emissions, and vehicular traffic. Goal LU-4: A Pedestrian and Experience-Oriented Downtown Core that Serves as a Local Gathering Place and Regional Destination Policy LU-4.1: Downtown core. Promote the development of higher intensity residential, commercial, and mixed-use development in the downtown core, with building and site designs that facilitate a walkable, experience-oriented atmosphere. Policy LU-4.2: Downtown spaces and programming. Establish, design, maintain, and program public spaces in the downtown core for public gathering, community activities, and tourism-generating events, particularly along or connecting to Broadway and Santa Fe Park. Policy LU-4.3: Adaptive reuse. Encourage the adaptive reuse of existing structures in the downtown core, especially those that are of local historic and/or architectural value.</p>
<p>Goal 3: Enhance the preservation, security, and resilience of the regional transportation system</p>	<p>Not Applicable. Goal 3 of the 2020-2024 RTP/SCS provides guidance to SCAG and County staff and decisionmakers with respect to the planning, programming, investment, and maintenance of mobility infrastructure projects. The Land Use Element does not address capital expenditures regarding transportation projects that impact the preservation, security, or resilience of the regional transportation system.</p>	

**TABLE 5.11-3
PROPOSED LAND USE ELEMENT - SCAG RTP/SCS CONSISTENCY ANALYSIS**

2020-2045 RTP/SCS Goals	Consistency Assessment	Relevant LU Element Goals & Policies
<p>Goal 4: Increase person and goods movement and travel choices within the transportation system</p>	<p>Consistent. As discussed regarding Goal 2 above, the Land Use Element supports further supports Goal 4 through a focus on development that fosters a safer and more accessible public realm. The Land Use Element includes provisions designed to support the creation of a pedestrian-oriented Downtown Core, as well as development that protects pedestrians and residential, commercial, and institutional uses from dangerous vehicular traffic. Should Needles' Downtown Core develop according to the vision established in the Land Use Element, resulting in a pedestrian and experience-oriented downtown that serves as a gathering place and regional destination, it would be safer and more convenient for residents and visitors alike to walk, bicycle, or use public transportation to access these amenities. Land use decision-making that results in greater access to alternative modes of transportation would result in an increase in movement and travel choices within the transportation system.</p>	<p>Goal LU-1: A Compatible and Balanced Mix of Land Uses that Enable People to Live and Work in Needles Policy LU-1.5: Land use buffers. Require appropriate buffering between commercial, manufacturing, and other land use/zoning designations, considering noise, odors, vibration, emissions, and vehicular traffic. Goal LU-4: A Pedestrian and Experience-Oriented Downtown Core the Serves as a Local Gathering Place and Regional Destination Policy LU-4.1: Downtown core. Promote the development of higher intensity residential, commercial, and mixed-use development in the downtown core, with building and site designs that facilitate a walkable, experience-oriented atmosphere. Policy LU-4.2: Downtown spaces and programming. Establish, design, maintain, and program public spaces in the downtown core for public gathering, community activities, and tourism-generating events, particularly along or connecting to Broadway and Santa Fe Park. Policy LU-4.3: Adaptive reuse. Encourage the adaptive reuse of existing structures in the downtown core, especially those that are of local historic and/or architectural value.</p>
<p>Goal 5: Reduce greenhouse gas emissions and improve air quality</p>	<p>Consistent. The Land Use Element is designed to result in the creation of a pedestrian-oriented downtown, greater accessibility of daily needs using alternative transportation, and greater safety and comfort for non-automobile users of the transportation system in Needles. These goals are to be achieved through infill development and redevelopment, including adaptive reuse of historically significant structures, as well as through proper siting and screening of land uses so as to protect residents, businesses, and pedestrians from incompatible uses and vehicular traffic. As a result, the development trajectory of Needles following the adoption of the Land Use Element would be oriented towards greater walkability and accessibility, thus reducing residents' and visitors' dependency on private automobiles to reach their needs. As private vehicles are the largest source of GHG emissions in California, reductions in private vehicle use are one of the most efficient ways to reduce a community's emissions of GHGs and other air pollutants.</p>	<p>Goal LU-4: A Pedestrian and Experience-Oriented Downtown Core the Serves as a Local Gathering Place and Regional Destination Policy LU-4.1: Downtown core. Promote the development of higher intensity residential, commercial, and mixed-use development in the downtown core, with building and site designs that facilitate a walkable, experience-oriented atmosphere. Policy LU-4.2: Downtown spaces and programming. Establish, design, maintain, and program public spaces in the downtown core for public gathering, community activities, and tourism-generating events, particularly along or connecting to Broadway and Santa Fe Park.</p>
<p>Goal 6: Support healthy and equitable communities</p>	<p>Consistent. The Land Use Element, as discussed above, contains provisions supporting the development of a more pedestrian-oriented downtown, greater accessibility for non-automobile users of the circulation system, and economic development investments targeted at job creation for residents of the city. The Land Use Element's targeted economic development policies would result in greater employment and incomes for Needles' residents, facilitating upward mobility for low-income households. The Land Use Element also supports infill development and redevelopment in previously developed areas, including through specifically supporting expanded opportunities for multifamily and mixed-use residential development in General Commercial areas. As housing and transportation are two of the largest expenditures regularly facing households, an increase in the range of housing types available, along with greater employment opportunities and mobility choices that effectively reduce auto-dependency, would facilitate the attainment of healthier, more affordable lifestyles for residents at all income levels.</p>	<p>Goal LU-1: A Compatible and Balanced Mix of Land Uses that Enable People to Live and Work in Needles Policy LU-1.2: New housing construction. Promote and facilitate residential development to provide housing opportunities for those working in Needles and to help attract and retain key commercial services within Needles. Expand opportunities for multifamily and mixed-use residential development into General Commercial areas. Goal LU-2: A Diversified Economy that Creates Jobs and a Sustainable Revenue Stream Policy LU-2.1: Business attraction and investment. Expand economic investment and high quality job opportunities through reinvestment by existing businesses and new investment from new businesses, particularly those that will provide jobs for Needles residents. Policy LU-2.2: Workforce development. Facilitate engagement between local businesses and the Workforce Development Board, the community college, and school district to support hiring, training, and retention of workers. Goal LU-4: A Pedestrian and Experience-Oriented Downtown Core the Serves as a Local Gathering Place and Regional Destination</p>

**TABLE 5.11-3
PROPOSED LAND USE ELEMENT - SCAG RTP/SCS CONSISTENCY ANALYSIS**

2020-2045 RTP/SCS Goals	Consistency Assessment	Relevant LU Element Goals & Policies
		Policy LU-4.1: Downtown core. Promote the development of higher intensity residential, commercial, and mixed-use development in the downtown core, with building and site designs that facilitate a walkable, experience-oriented atmosphere.
Goal 7: Adapt to a changing climate and support an integrated regional development pattern and transportation network	Consistent. Though Needles’ small size, along with its distance from other population centers in the region, limit the city’s impact on the greater Southern California region, the Land Use Element’s provisions regarding the creation of a pedestrian-oriented Downtown Core that serves as a regional destination would support this goal. In addition to improving pedestrian access and safety at the local level, the implementation of such a development pattern in Needles would result in the conditions necessary to support a connection with a broader regional transportation network, such as passenger- or commuter-rail, should State, regional, or County decision-makers choose to invest in such an infrastructure project. Short of an investment in regional rail, the Downtown Core concept and associated mobility improvements would also facilitate easier connections with existing transportation options, such as regional and long-distance bus service.	Goal LU-4: A Pedestrian and Experience-Oriented Downtown Core the Serves as a Local Gathering Place and Regional Destination Policy LU-4.1: Downtown core. Promote the development of higher intensity residential, commercial, and mixed-use development in the downtown core, with building and site designs that facilitate a walkable, experience-oriented atmosphere. Policy LU-4.2: Downtown spaces and programming. Establish, design, maintain, and program public spaces in the downtown core for public gathering, community activities, and tourism-generating events, particularly along or connecting to Broadway and Santa Fe Park.
Goal 8: Leverage new transportation technologies and data-driven solutions that result in more efficient travel	Not Applicable. Goal 8 of the 2020-2024 RTP/SCS provides guidance to SCAG and County staff and decisionmakers with respect to the planning, programming, investment, and maintenance of mobility infrastructure projects. The Land Use Element addresses the type, intensity, and location of land uses in the City and does not address capital expenditures regarding transportation projects that would leverage new transportation technologies and data-driven solutions that result in more efficient travel.	
Goal 9: Encourage development of diverse housing types in areas that are supported by multiple transportation options	Consistent. The Housing Element’s inclusion of the Downtown Core concept explicitly supports this goal through encouraging the development of higher intensity residential, commercial, and mixed-use development in the designated downtown area with an emphasis on walkable design. The downtown area would serve as a regional activity center, including serving as a center for regional transit and active modes of transportation. The promotion of development and redevelopment including multifamily, mixed-use, and adaptive reuse would result in the creation of a wide range of housing types within the vicinity of the regional activity center.	Goal LU-1: A Compatible and Balanced Mix of Land Uses that Enable People to Live and Work in Needles Policy LU-1.2: New housing construction. Promote and facilitate residential development to provide housing opportunities for those working in Needles and to help attract and retain key commercial services within Needles. Expand opportunities for multifamily and mixed-use residential development into General Commercial areas. Goal LU-4: A Pedestrian and Experience-Oriented Downtown Core the Serves as a Local Gathering Place and Regional Destination Policy LU-4.1: Downtown core. Promote the development of higher intensity residential, commercial, and mixed-use development in the downtown core, with building and site designs that facilitate a walkable, experience-oriented atmosphere.

**TABLE 5.11-3
PROPOSED LAND USE ELEMENT - SCAG RTP/SCS CONSISTENCY ANALYSIS**

2020-2045 RTP/SCS Goals	Consistency Assessment	Relevant LU Element Goals & Policies
<p>Goal 10: Promote conservation of natural and agricultural lands and restoration of habitats</p>	<p>Consistent. While Needles does not have any lands dedicated to active agricultural uses, the city contains an extensive waterfront area along the banks of the Colorado River, as well as a number of sensitive natural habitats located both along the river and throughout the city. The Land Use Element includes policies designed to facilitate new growth while reducing impacts to natural resources or sensitive ecologies, including through avoiding further expansions of the developed area that would encroach on these areas. The Land Use Element’s emphasis on infill development and redevelopment, as well as its inclusion of the Downtown Core concept, supports these policies through providing a context in which growth can be absorbed within the existing developed area as opposed to merely stating that outward expansion is undesirable without providing alternative means by which growth projections can be accommodated. The Land Use Element would result in greater protection of natural lands than the current policy regime, under which new growth is to be accommodated through greenfield development beyond the current developed area.</p>	<p>Goal LU-1: A Compatible and Balanced Mix of Land Uses that Enable People to Live and Work in Needles Policy LU-1.7: Environmentally sensitive development. Require new development to maximize its compatibility with the natural environment and avoid expansions or encroachments into environmentally sensitive areas. Goal LU-4: A Pedestrian and Experience-Oriented Downtown Core the Serves as a Local Gathering Place and Regional Destination Policy LU-4.1: Downtown core. Promote the development of higher intensity residential, commercial, and mixed-use development in the downtown core, with building and site designs that facilitate a walkable, experience-oriented atmosphere.</p>

5.12 MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
MINERAL RESOURCES - Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Mineral Classification

Minerals are defined as any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances. An “ore deposit” with minable minerals is defined as a deposit of ore or concentration of minerals having a value materially in excess of the cost of accessing, extracting, and processing the mineral(s) directly from the deposit and reclaiming the disturbed lands. Mineral deposit occurrences are widespread throughout eastern San Bernardino County, being found in nearly all regions and environments.

Classification is the process of identifying lands containing significant mineral deposits. Designation is the formal recognition by the State Mining and Geology Board, after consultation with lead agencies and other interested parties, of areas containing mineral deposits of regional or statewide significance. The objective of classification and designation processes is to ensure, through appropriate lead agency policies and procedures, that strategic mineral deposits of statewide or of regional significance are available when needed.

The California Geological Survey Mineral Resources Program provides information about California’s nonfuel mineral resources. The Mineral Resources Project classifies lands throughout the state that contain regionally significant mineral resources as mandated by SMARA. Nonfuel mineral resources include metals such as gold, silver, iron, and copper; industrial minerals such as boron compounds, rare-earth elements, clays, limestone, gypsum, salt, and dimension stone; and construction aggregates, including sand, gravel, and crushed stone. Building and infrastructure development generally results in a demand for minerals,

especially construction aggregates. Urban expansion over prime deposits and conflicts between mining and other incompatible land uses throughout California led to SMARA's guidelines for classification and designation of mineral lands, which require all cities and counties to incorporate MRMPs into their general plans and approval by the State Mining and Geology Board.

The classification process has developed Production-Consumption (P-C) region boundaries based on identification of active aggregate operations (production) and the market areas served (consumption). The P-C regional boundaries are modified to include only the parts of the region that are urbanized or are urbanizing and are classified for their aggregate resource significance. An aggregate resource appraisal further evaluates the presence or absence of important sand, gravel and dimension stone deposits that are suitable sources of construction aggregate. The classification and designation of these mineral resources is a joint effort of the state and the local governments. It is based on geologic factors and requires that the State Geologist classify the mineral resources area as one of the four Mineral Resource Zones (MRZs), Scientific Resource Zones (SZ), or Identified Resource Areas (IRAs), described below.

- MRZ-1: Areas where adequate geologic information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- MRZ-2a: Areas underlain by mineral deposits where geologic data show that significant measured or indicated resources are present.
- MRZ-2b: Areas underlain by mineral deposits where geologic information indicates that significant inferred resources are present.
- MRZ-3a: Areas containing known mineral deposits that may qualify as mineral resources
- MRZ-3b: Areas containing inferred mineral deposits that may qualify as mineral resources.
- MRZ-4: Areas where geologic information does not rule out either the presence or absence of mineral resources (SMGB 2019).
- SZ Areas: Contain unique or rare occurrences of rocks, minerals, or fossils that are of outstanding scientific significance.
- IRA Areas: County- or state-identified areas where production and information indicates that significant minerals are present.

As part of the classification and designation processes, an analysis of site-specific conditions is utilized to calculate the total volume of aggregates within individually identified resource sectors. Designated resource sectors are MRZ-2 areas judged to contain a significant deposit of construction quality aggregates. Anticipated aggregate demand in the P-C regions for the next 50 years is estimated and compared to the total volume of aggregate reserves identified in the P-C region by the state. Reserves are aggregates that have been determined to be acceptable for commercial use, are in properties owned or leased by aggregate producing companies, and for which permits have been issued allowing mining and processing of the material.

City of Needles

Approximately 2 percent of the eastern portion of San Bernardino County, including the area around Needles, is designated MRZ-2 or MRZ-3. studies done by the BLM as part of the California Desert conservation Area Plan indicate that there are good supplies and geothermal, oil, natural gas, sand and gravel, and other strategic mineral resources located in the Needles area.

Past mining activity has involved the extraction of gold and silver from the Sacramento Mountains and cooper and black manganese from the Dead Mountains.²²⁸ To date, the City of Needles has no mineral resource areas classified and designated by the state Mining and Geology Board under the Surface Mining Reclamation Act.

The California Desert Conservation Area (COCA) Plan²²⁹ indicates that the Needles area contains known and potential mineral resources. Known deposits of reserves or resources of strategic and/or imported and/or nationally important minerals lie four miles north of Needles. Potential locatable mineral resources lie about four miles west of Needles. The City lies in an area that has potential for leasable oil and gas. The Needles area has been determined "prospectively valuable" meaning it has similar geologic conditions to other areas where minerals have been extracted. The COCA Plan also indicates that there are good supplies of sand and gravel in the Needles area.

228 City of Needles General Plan, Technical Background Reports, Natural, Cultural, and Aesthetic Resources, V-10, (1986).

229 U.S. Bureau of Land Management, California Desert Conservation Area Plan 1980 as amended.

The City has no mineral resource areas classified and designated by the State Mining and Geology Board under the Surface Mining Reclamation Act.²³⁰ However, the California Desert Conservation Area (CDCA)²³¹ Plan indicates that the City Planning Area contains known and potential mineral resources. The Needles area has been determined “prospectively valuable” meaning it has similar geologic conditions to other areas where minerals have been extracted.²³² The CDCA Plan also indicates that there are good supplies of sand and gravel in the Needles area.²³³

The City’s Planning Area lies in an area that has potential for leasable oil and gas. According to the California Department of Conservation’s Oil and Gas Well Finder Map²³⁴, there are currently no ongoing leases for oil or gas resources, or active wells, in Needles.

Discussion

a. Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?

No Impact.

The City’s Planning Area is not designated as having any known mineral resources that would be of future value to the region. Although mineral resources do exist in the broader area, they are located at least 4 miles outside of the City limits, and outside of the boundaries of the proposed General Plan Update.

The proposed General Plan update does not involve lands that are designated or known for substantial mineral resource mining or removal, nor would it interfere with any actual or proposed mineral extraction operations. As such, there would be no disruption of existing mining operations, and there would be no loss of availability of a known mineral resource.

No impacts would occur.

230 California Department of Conservation, SAMARA Statutes and Regulations for the Division of Mine Reclamation, January 2022.

231 U.S. Bureau of Land Management, California Desert Conservation Area Plan 1980 as amended.

232 City of Needles General Plan, Technical Background Reports, Natural, Cultural, and Aesthetic Resources, V-10, (1986).

233 U.S. Bureau of Land Management, California Desert Conservation Area Plan 1980 as amended.

234 California Department of Conservation, CalGEM GIS Well Finder, Accessed October 2022.

Mitigation Measures: No mitigation is required.

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

No impact.

As stated above, there are no known mineral resources of value present within the City limits, nor within the boundaries of the Planning area. The proposed General Plan Update, within which the Land Use and Transportation Elements are to be replaced, would maintain consistency with the City’s existing Conservation and Historic Preservation Element.²³⁵ The City’s Conservation and Historic Preservation Element and its attendant Technical Background Reports identify mineral resources present in the area and provide policies to protect their future viability.²³⁶

No impact would occur.

Mitigation Measures: No mitigation is required.

235 City of Needles General Plan, Conservation and Historic Preservation Element.

236 City of Needles General Plan, Technical Background Reports, Natural, Cultural, and Aesthetic Resources, V-10, (1986).

5.13 NOISE

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
NOISE - Would the project:				
a. Generate 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Generate excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Framework

State of California

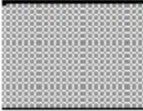
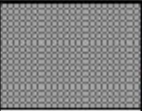
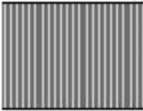

Noise

The State of California, through its General Plan Guidelines, discusses how ambient noise should influence land use and development decisions and includes a table of normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable uses at different noise levels expressed in CNEL. These land use compatibility guidelines are shown in **Figure 5.13-1: Community Noise and Land Use Compatibility**.

A conditionally acceptable designation implies new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements for each land use is made and needed noise insulation features are incorporated in the design. By comparison, a normally acceptable designation indicates that standard construction can occur with no special noise reduction requirements. This table provides urban planners with a tool to gauge the compatibility of land uses relative to existing and future noise levels.

Land Uses	CNEL (dBA)					
	55	60	65	70	75	80
Residential-Low Density Single Family, Duplex, Mobile Homes	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Normally Unacceptable
Residential- Multiple Family	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Normally Unacceptable	Clearly Unacceptable
Transient Lodging: Hotels and Motels	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Normally Unacceptable	Clearly Unacceptable
Schools, Libraries, Churches, Hospitals, Nursing Homes	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Auditoriums, Concert Halls, Amphitheaters	Normally Unacceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Sports Arena, Outdoor Spectator Sports	Normally Unacceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Playground, Neighborhood Parks	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Golf Courses, Riding Stables, Water Recreation, Cemeteries	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Office Buildings, Businesses, Commercial and Professional	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Industrial, Manufacturing, Utilities, Agricultural	Normally Unacceptable	Normally Unacceptable	Normally Unacceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable

Explanatory Notes

	Normally Acceptable: With no special noise reduction requirements assuming standard construction.		Normally Unacceptable: New construction is discouraged. If new construction does not proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.
	Conditionally Acceptable: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirement is made and needed noise insulation features included in the design.		Clearly Unacceptable: New construction or development should generally not be undertaken.

Source: California Office of Noise Control. *Guidelines for the Preparation and Content of Noise Elements of the General Plan*. February 1976. Adapted from the US EPA Office of Noise Abatement Control, Washington D.C. *Community Noise*. Prepared by Wyle Laboratories. December 1971.

FIGURE 5.13-1

Airport Noise

Public Law 96 193²³⁷ also directs the Federal Aviation Administration (FAA) to identify land uses that are “normally compatible” with various levels of noise from aircraft operations. Because of the size and complexity of many major hub airports and their operations, FAR Part 150²³⁸ identifies a large number of land uses and their attendant noise levels. However, since the operations of most heliports and helistops tend to be much simpler and the impacts more restricted in area, Part 150 does not apply to heliports/helistops not located on airport property. Instead, the FAA recommends exterior noise criteria for individual heliports based on the types of surrounding land uses. Per FAA Guidelines in Part 150, the maximum recommended cumulative sound level [Leq] from the operations of helicopters at any new site should not exceed the ambient noise already present in the community at the site of the proposed heliport or noise set forth in Part 150.

California Code of Regulations²³⁹ establishes 65 dBA CNEL as the acceptable level of aircraft noise for persons living in the vicinity of airports. Noise-sensitive land uses in locations where the aircraft exterior noise level exceeds 65 dBA CNEL are generally incompatible unless an aviation easement for aircraft noise has been acquired by the airport proprietor or the residence is a high-rise apartment or condominium that has an interior CNEL of 45 dBA or less in all habitable rooms despite aircraft noise and an air circulation or air conditioning system, as appropriate. Assembly Bill (AB) 2776 requires any person who intends to sell or lease residential properties within an airport influence area to disclose that fact to the person buying the property.²⁴⁰

City of Needles

The General Plan Environmental Assessment²⁴¹ contains mitigation that sets maximum noise levels for both interior and exterior areas. The Noise Element²⁴² establishes acceptable outdoor noise level for residential (65 dBA), commercial (70 dBA), and Industrial (75 dBA) developments.

237 Public Law 96 193, Aviation Safety and Noise Abatement Act of 1979. 49 us e 2101 note..

238 49 U.S.C. 106(g), FAR Part 150 Airport Noise Compatibility Planning.

239 California Code of Regulations Title 21, Subchapter 6, Airport Noise Standards.

240 AB 2776, Section 11010 of the Business and Professions Code, Aviation Noise.

241 City of Needles General Plan Environmental Assessment, prepared by Urban Futures, Inc., January 1986.

242 City of Needles General Plan, “Noise Element” (February 18, 1986).

Policies, principles, and standards included in the Noise Element²⁴³ address the issues of compatibility of land uses coordination of future developments with other agencies (where applicable) and subjecting new developments to the environmental review process. These include:

Goal 1: To protect people from exposure to excessive noise levels and seek a livable environment which is conducive to human health, safety and welfare and which does not interfere with basic, necessary and desirable activities.

Policy 1: Protect residential and other sensitive land uses from major incompatible noise sources such as major transportation routes and facilities, as well as industrial and commercial areas.

Policy 2: Insure that new development occurring within noise impact areas is compatible with existing noise levels.

The Noise Element also establishes the following principals and standards:

- Residential neighborhoods should be free from high noise levels (over 65 dBA), particularly during the night.
- Sensitive land uses (schools, hospitals, rest homes and special recreational areas) should be protected from high noise levels {over 60 dBA).
- Lands near airports and other high noise producing activities should not be used for intensive population gatherings. These areas should contain compatible uses.
- People in all parts of the City should not be involuntarily exposed to noise levels which are high enough to cause hearing damage.
- Existing noise conflicts should be mitigated as much as possible or eliminated at the source. Mitigation measures should be based upon a determination of the relative costs and benefits incurred by such measures.
- No new housing, schools, libraries, religious institutions, health facilities or other gathering places shall be encouraged to locate on land presently or expected to be subjected to high noise levels (over 65 dBA).

243 City of Needles General Plan, “Noise Element” (February 18, 1986).

The Noise Element establishes the following standards for land uses:

Land Use	Exterior	Interior
Noise Sensitive Areas (hospitals, rest homes)	45 to 65 dBA	45 dBA
Residential Areas	45 to 65 dBA	55 dBA
Commercial Areas	45 to 70 dBA	55 dBA
Industrial Areas	45 to 75 dBA	none

Additionally, Section 99.10.01 of the City’s Municipal Zoning Code²⁴⁴ established the following noise standards:

- 1) For all dwellings and group quarters, the development shall be designed to achieve:
 - a. Within each main building, a community noise equivalent level (CNEL) not exceeding forty-five (45) decibels.
 - b. In outdoor areas, a community noise equivalent level (CNEL) not exceeding sixty-five (65) decibels, except that where it is not reasonably possible to achieve this objective, the development shall be designed to provide the lowest noise level reasonably possible within private open areas and/or common usable open areas of at least one hundred (100) square feet per unit, with access to such area available to the residents of each unit.

- 2) Acoustical design and analysis shall be based upon the projected noise contours as shown in the noise element of the general plan. For all new residential developments, an acoustical analysis shall be submitted to the city as follows:
 - a. For any residential development within a sixty (60) decibel CNEL contour, an analysis by a professional architect, engineer or building designer shall demonstrate that the required noise levels will be achieved.
 - b. For any residential development within a sixty-five (65) decibel CNEL contour, an analysis by a professional mechanical or acoustical engineer shall demonstrate that the required noise levels will be achieved. Prior to issuing a certificate of occupancy, the building official may require tests by a qualified acoustical technician to confirm that the noise reduction achieved is sufficient to meet the requirements of this section.

The proposed General Plan Update would include policies that maintain the goals of the previous Land Use Element. These policies include:

Policy LU-1.1 Growth management. Encourage new development to take place in areas that are already served by existing utilities, expanding and improving systems and capacity as appropriate and fiscally sustainable. Discourage development and extension of services outside of the City’s incorporated boundaries.

244 City of Needles, Municipal Code, Section 99.10.01.

Policy LU-1.4 Compatibility with planned uses. Require that new development and proposed general plan amendments are located, scaled, buffered, and designed to minimize negative impacts both on and from adjacent areas as designated on the Land Use Map.

Policy LU-1.5 Land use buffers. Require appropriate buffering between commercial, manufacturing, and other land use/zoning designations, considering noise, odors, vibration, emissions, and vehicular traffic.

Policy LU-1.7 Environmentally sensitive development. Require new development to maximize its compatibility with the natural environment and avoid expansions or encroachments into environmentally sensitive areas.

Setting

Fundamentals of Noise

Sound is a pressure wave transmitted through the air. It is described in terms of loudness or amplitude (measured in decibels), frequency or pitch (measured in Hertz [Hz] or cycles per second), and duration (measured in seconds or minutes). The standard unit of measurement of the loudness of sound is the decibel (dB). Changes of 1 to 3 dB are detectable under quiet, controlled conditions and changes of less than 1 dBA are usually indiscernible. A 3 dB change in noise levels is considered the minimum change that is detectable with human hearing in outside environments. A change of 5 dB is readily discernible to most people in an exterior environment whereas a 10 dBA change is perceived as a doubling (or halving) of the sound.

The human ear is not equally sensitive to all frequencies. Sound waves below 16 Hz are not heard at all and are “felt” more as a vibration. Similarly, while people with extremely sensitive hearing can hear sounds as high as 20,000 Hz, most people cannot hear above 15,000 Hz. In all cases, hearing acuity falls off rapidly above about 10,000 Hz and below about 200 Hz. Since the human ear is not equally sensitive to sound at all frequencies, a special frequency dependent rating scale is usually used to relate noise to human sensitivity. The A-weighted decibel scale (dBA) performs this compensation by weighting frequencies in a manner approximating the sensitivity of the human ear.

Noise is defined as unwanted sound and is known to have several adverse effects on people, including hearing loss, speech and sleep interference, physiological responses, and annoyance. Based on these known adverse effects of noise, the federal government, the State of California, and many local governments have established criteria to protect public health and safety and to prevent disruption of certain human activities.

Sound pressure is measured through the A-weighted measure to correct for the relative frequency response of the human ear. That is, an A-weighted noise level de-emphasizes low and very high frequencies of sound similar to the human ear's de-emphasis of these frequencies.

Unlike linear units such as inches or pounds, decibels are measured on a logarithmic scale, representing points on a sharply rising curve. On a logarithmic scale, an increase of 10 dB is 10 times more intense than 1 dB, while 20 dB is 100 times more intense, and 30 dB is 1,000 times more intense. A sound as soft as human breathing is about 10 times greater than 0 dB. The decibel system of measuring sound gives a rough connection between the physical intensity of sound and its perceived loudness to the human ear. Ambient sounds generally range from 30 dBA (very quiet, e.g. soft whisper) to 100 dBA (very loud, e.g. garbage truck).

Sound levels are generated from a source and their decibel level decreases as the distance from that source increases. Sound dissipates exponentially with distance from the noise source. This phenomenon is known as "spreading loss." For a single point source, sound levels decrease by approximately 6 dB for each doubling of distance from the source. This drop-off rate is appropriate for noise generated by on-site operations from stationary equipment or activity at a project site. If noise is produced by a line source, such as highway traffic, the sound decreases by 3 dB for each doubling of distance in a hard site environment. Line source noise in a relatively flat environment with absorptive vegetation decreases by 4.5 dB for each doubling of distance.

Time variation in noise exposure is typically expressed in terms of a steady-state energy level equal to the energy content of the time varying period (called Leq), or alternately, as a statistical description of the sound level that is exceeded over some fraction of a given observation period. For example, the L50 noise level represents the noise level that is exceeded 50 percent of the time. Half the time the noise level exceeds this level and half the time the noise level is less than this level. This level is also representative of the level that is exceeded 30 minutes in an hour. Similarly, the L2, L8 and L25 values represent the noise levels that are exceeded 2, 8, and 25 percent of the time, or 1, 5, and 15 minutes per hour. These "Ln" values are typically used to demonstrate compliance for stationary noise sources with a city's noise ordinance, as discussed below. Other values typically noted during a noise survey are the Lmin and Lmax. These values represent the minimum and maximum root-mean-square noise levels obtained over the measurement period.

Because community receptors are more sensitive to unwanted noise intrusion during the evening and at night, state law and the County require that, for planning purposes, an artificial dB increment be added to quiet time noise levels in a 24-hour noise descriptor called the Community Noise Equivalent Level (CNEL) or Day-Night Noise Level (Ldn). The CNEL descriptor requires that an artificial increment of 5 dBA be added to the actual noise level for the hours from 7:00 p.m. to 10:00 p.m. and 10 dBA for the hours from 10:00 p.m. to 7:00 a.m. The Ldn descriptor uses the same methodology except that there is no artificial increment added to the hours between 7:00 p.m. and 10:00 p.m. Both descriptors give roughly the same 24-hour level with the CNEL being only slightly more restrictive (i.e., higher).

Vibration Fundamentals

Vibration is an oscillating motion in the earth. Like noise, vibration is transmitted in waves, but in this case through the earth or solid objects. Unlike noise, vibration is typically of a frequency that is felt rather than heard.

Vibration can be either natural as in the form of earthquakes, volcanic eruptions, landslides, or man-made as from explosions, heavy machinery, or trains. Both natural and man-made vibration may be continuous such as from operating machinery, or impulsive as from an explosion.

As with noise, vibration can be described by both its amplitude and frequency. Amplitude may be characterized in three ways including displacement, velocity, and acceleration. Particle displacement is a measure of the distance that a vibrated particle travels from its original position and for the purposes of soil displacement is typically measured in inches or millimeters. Particle velocity is the rate of speed at which soil particles move in inches per second or millimeters per second. Particle acceleration is the rate of change in velocity with respect to time and is measured in inches per second or millimeters per second. Typically, particle velocity (measured in inches or millimeters per second) and/or acceleration (measured in gravities) are used to describe vibration.

Discussion

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

Less than Significant Impact

Certain land uses, such as residences, schools, and hospitals are particularly sensitive to noise and vibration. Sensitive receptors in the County include residences, senior housing, schools, places of worship, and recreational areas. These uses are regarded as sensitive because they are where residents most frequently engage in activities that are likely to be disturbed by noise, such as reading, studying, sleeping, resting, or engaging in quiet or passive recreation. Commercial and industrial uses are not particularly sensitive to noise or vibration.

Mobile Noise

Future development in accordance with the General Plan Update would cause increases in traffic along local roadways. Traffic noise levels were estimated using the Federal Highway Administration's (FHWA)²⁴⁵ and traffic volumes for Existing (2021) and Future (2040) conditions, obtained from the Project's Traffic Study.²⁴⁶ The FHWA model predicts noise levels through a series of adjustments to a reference sound level. These adjustments account for distances from the roadway, traffic volumes, vehicle speeds, car/truck mix, number of lanes, and road width. **Appendix F** lists the calculated noise levels on roadways in the plan area at a distance of 25 feet from the roadway centerline.

Table 5.13-1: Off-Site Roadway Traffic Noise Impacts—Future Plus Project, shows the calculated noise levels under Existing (2021) and Future (2021) conditions. As shown, the General Plan Update would not exceed the City's established exterior noise standards.

245 Federal Highway Administration (FHWA) Traffic Noise Prediction, 1978)

246 KOA, City of Needles, Transportation Element Update, Level of Service and Vehicle Miles Traveled Analysis, October 2022. See Appendix F

**TABLE 5.13-1
OFF-SITE ROADWAY TRAFFIC NOISE IMPACTS—FUTURE PLUS PROJECT**

Intersection	Roadway Segment	Time Period	Existing	Future Plus Project	Land Use	Noise Standard (dBA)	Exceeds Standard?
			(2021)	(2040)			
<i>Needles Highway</i>							
1	North of Budweiser Road	AM	62.0	64.8	Vacant	N/A	N/A
		PM	62.8	63.3			N/A
	South of Budweiser Road	AM	62.2	64.9	Industrial	75	No
		PM	62.8	63.4			No
2	North of Park Road	AM	62.5	63.3	Vacant	N/A	N/A
		PM	63.3	63.7			N/A
	South of Park Road	AM	59.1	60.1	Vacant	N/A	N/A
		PM	60.2	60.2			N/A
3	North of WB I-40 Ramps/Balboa Place	AM	60.4	61.3	Commercial	70	No
		PM	61.8	61.8			No
	South of WB I-40 Ramps/Balboa Place	AM	58.4	59.0	Commercial	70	No
		PM	58.6	58.6			No
4	North of EB I-40 Ramps/Pashard Street	AM	57.1	57.2	Commercial	70	No
		PM	58.9	59.0			No
	South of EB I-40 Ramps/Pashard Street	AM	54.5	54.6	Commercial	70	No
		PM	51.5	51.8			No
7	East of North K Street	AM	52.3	53.1	Residential	65	No
		PM	52.9	53.9			No
	West of North K Street	AM	64.0	64.2	Commercial	70	No
		PM	64.7	64.9			No
<i>Budweiser Road</i>							
1	East of Needles Highway	AM	41.5	41.5	Industrial	75	No
		PM	42.2	41.5			No
	West of Needles Highway	AM	N/A	N/A	Vacant	N/A	N/A
		PM	N/A	N/A			N/A
<i>Park Road</i>							

**TABLE 5.13-1
OFF-SITE ROADWAY TRAFFIC NOISE IMPACTS—FUTURE PLUS PROJECT**

Intersection	Roadway Segment	Time Period	Existing	Future Plus Project	Land Use	Noise Standard (dBA)	Exceeds Standard?
			(2021)	(2040)			
			(dBA)				
2	East of Needles Highway	AM	36.7	36.7	Residential	65	No
		PM	36.7	36.7			No
	West of Needles Highway	AM	59.4	60.0	Vacant	N/A	N/A
		PM	60.0	60.7			N/A
WB I-40 Ramps/Balboa Place							
3	East of Needles Highway	AM	38.9	38.9	Commercial	70	No
		PM	46.7	46.7			No
	West of Needles Highway	AM	60.2	60.4	Commercial	70	No
		PM	60.4	60.5			No
EB I-40 Ramps/Pashard Street							
4	East of Needles Highway	AM	64.4	64.5	Commercial	70	No
		PM	65.0	65.1			No
	West of Needles Highway	AM	62.6	62.6	Commercial	70	No
		PM	62.2	62.3			No
5	North of Smokestack Avenue	AM	65.2	65.4	Commercial	70	No
		PM	66.1	66.2			No
	South of Smokestack Avenue	AM	65.1	65.1	Commercial	70	No
		PM	65.9	66.0			No
Smokestack Avenue							
5	East of North K Street at River Road	AM	50.6	51.6	Commercial	70	No
		PM	51.5	52.8			No
	West of North K Street at River Road	AM	44.3	44.3	Commercial	70	No
		PM	45.3	46.1			No
North Broadway Avenue							
6	North of N Street at Needles Highway	AM	44.9	44.9	Residential	65	No
		PM	46.5	46.5			No
	South of N Street at Needles Highway	AM	61.9	62.0	Commercial	70	No
		PM	62.2	62.4			No
N Street at Needles Highway							

**TABLE 5.13-1
OFF-SITE ROADWAY TRAFFIC NOISE IMPACTS—FUTURE PLUS PROJECT**

Intersection	Roadway Segment	Time Period	Existing	Future Plus Project	Land Use	Noise Standard (dBA)	Exceeds Standard?
			(2021)	(2040)			
6	East of N Street at Needles Highway	AM	64.1	64.5	Residential/Commercial	65	No
		PM	64.9	65.0			No
	West of N Street at Needles Highway	AM	62.4	63.0	Residential/Commercial	65	No
		PM	63.5	63.8			No
North K Street							
7	North of Needles Highway	AM	64.8	64.9	Commercial	70	No
		PM	65.6	65.7			No
	South of Needles Highway	AM	50.1	51.0	Residential/Commercial	65	No
		PM	53.4	53.7			No
J Street							
8	North of West Broadway Street	AM	43.7	44.8	Residential	65	No
		PM	41.3	45.7			No
	South of West Broadway Street	AM	61.6	61.6	Commercial	70	No
		PM	62.7	62.7			No
9	North of WB I-40 Ramps	AM	62.9	49.8	Commercial	70	No
		PM	63.9	50.7			No
	South of WB I-40 Ramps	AM	61.9	N/A	Commercial	70	No
		PM	62.9	N/A			No
10	North of EB I-40 Ramps	AM	61.9	50.0	Commercial	70	No
		PM	63.0	49.6			No
	South of EB I-40 Ramps	AM	60.1	47.8	Commercial	70	No
		PM	61.9	50.1			No
12	East of Bailey Avenue	AM	57.2	57.5	Commercial	70	No
		PM	58.7	58.9			No
	West of Bailey Avenue	AM	56.7	56.7	Residential/Commercial	65	No
		PM	58.3	58.5			No
8	East of J Street	AM	61.3	61.6	Residential/Commercial	65	No
		PM	60.2	60.8			No
	West of J Street	AM	N/A	N/A	Residential/	65	No

**TABLE 5.13-1
OFF-SITE ROADWAY TRAFFIC NOISE IMPACTS—FUTURE PLUS PROJECT**

Intersection	Roadway Segment	Time Period	Existing	Future Plus Project	Land Use	Noise Standard (dBA)	Exceeds Standard?
			(2021)	(2040)			
19	East of Palm Way	PM	N/A	N/A	Commercial	65	No
		AM	60.8	61.1	Residential		No
		PM	61.3	61.7	Residential		No
	West of Palm Way	AM	60.9	61.1	Residential	65	No
		PM	61.5	61.9			No
	WB I-40 Ramps						
9	East of J Street	AM	58.9	62.3	Commercial	70	No
		PM	60.8	63.4			No
	West of J Street	AM	53.4	61.9	Commercial	70	No
		PM	53.7	63.0			No
EB I-40 Ramps							
10	East of J Street	AM	59.4	60.5	Commercial	70	No
		PM	60.0	61.1			No
	West of J Street	AM	52.8	60.5	Commercial	70	No
		PM	60.0	61.1			No
Bailey Avenue							
11	North of Washington Street	AM	N/A	N/A	School	65	N/A
		PM	N/A	N/A			N/A
	South of Washington Street	AM	50.0	50.5	Residential	65	No
		PM	51.0	52.0			No
12	North of J Street	AM	49.0	49.6	Commercial	70	No
		PM	51.1	51.9			No
	South of J Street	AM	58.7	59.3	Residential/ Commercial	65	No
		PM	60.2	60.7			No
13	North of Lillyhill Drive	AM	57.9	58.7	Commercial	70	No
		PM	59.0	59.9			No
	South of Lillyhill Drive	AM	N/A	N/A	Vacant	N/A	N/A
		PM	36.3	36.3			N/A

**TABLE 5.13-1
OFF-SITE ROADWAY TRAFFIC NOISE IMPACTS—FUTURE PLUS PROJECT**

Intersection	Roadway Segment	Time Period	Existing	Future Plus Project	Land Use	Noise Standard (dBA)	Exceeds Standard?
			(2021)	(2040)			
			(dBA)				
Washington Street							
11	East of Bailey Avenue	AM	46.2	46.8	Residential	65	No
		PM	47.3	48.2			No
	West of Bailey Avenue	AM	N/A	N/A	School	65	N/A
		PM	N/A	N/A			N/A
Lillyhill Drive							
13	East of Bailey Avenue	AM	55.2	56.0	Commercial	70	No
		PM	56.9	57.6			No
	West of Bailey Avenue	AM	48.7	48.9	Vacant	N/A	N/A
		PM	50.1	50.1			N/A
San Clemente Street							
14	East of Casa Linda Street	AM	N/A	N/A	Residential	65	No
		PM	49.3	50.2			No
	West of Casa Linda Street	AM	44.9	45.8	Residential	65	No
		PM	47.3	48.3			No
Casa Linda Street							
14	North of San Clemente Street	AM	48.2	48.8	Residential	65	No
		PM	45.5	46.5			No
	South of San Clemente Street	AM	46.9	48.2	Vacant	N/A	N/A
		PM	N/A	N/A			N/A
East Broadway Street							
15	North of I-40 EB Ramps	AM	61.1	52.7	Residential	65	No
		PM	62.6	53.2			No
	South of I-40 EB Ramps	AM	62.1	46.7	Commercial	70	No
		PM	63.6	47.4			No
16	North of I-40 WB Ramps	AM	62.0	62.3	Commercial	70	No
		PM	63.6	64.0			No
	South of I-40 WB Ramps	AM	62.7	63.3	Commercial	70	No

**TABLE 5.13-1
OFF-SITE ROADWAY TRAFFIC NOISE IMPACTS—FUTURE PLUS PROJECT**

Intersection	Roadway Segment	Time Period	Existing	Future Plus Project	Land Use	Noise Standard (dBA)	Exceeds Standard?
			(2021)	(2040)			
17	North of Goodwill Street	PM	63.9	64.8	Commercial	70	No
		AM	60.9	61.3			No
		PM	62.1	62.6			No
	South of Goodwill Street	AM	60.9	61.3	Commercial	70	No
		PM	62.2	62.7			No
20	North of Victory Drive	AM	60.8	62.0	Vacant	N/A	N/A
		PM	62.7	63.7			N/A
	South of Victory Drive	AM	60.5	61.6	Commercial	70	No
		PM	62.6	63.4			No
<i>I-40 EB Ramps</i>							
15	East of East Broadway Street	AM	50.5	60.3	Commercial	70	No
		PM	52.9	61.9			No
	West of East Broadway Street	AM	58.5	59.7	Commercial	70	No
		PM	59.9	61.4			No
<i>I-40 WB Ramps</i>							
16	East of East Broadway Street	AM	53.4	53.4	Commercial	70	No
		PM	53.8	54.0			No
	West of East Broadway Street	AM	58.0	58.9	Commercial	70	No
		PM	60.5	61.5			No
<i>Goodwill Street</i>							
17	East of East Broadway Street	AM	33.7	33.7	Commercial	70	No
		PM	33.7	33.7			No
	West of East Broadway Street	AM	45.2	45.2	Commercial	70	No
		PM	42.8	42.8			No
<i>D Street</i>							
18	North of Third Street	AM	53.1	53.6	Commercial	70	No
		PM	52.8	53.5			No
	South of Third Street	AM	53.5	53.8	Residential/ Commercial	65	No
		PM	54.5	55.0			No

**TABLE 5.13-1
OFF-SITE ROADWAY TRAFFIC NOISE IMPACTS—FUTURE PLUS PROJECT**

Intersection	Roadway Segment	Time Period	Existing	Future Plus Project	Land Use	Noise Standard (dBA)	Exceeds Standard?
			(2021)	(2040)			
<i>Third Street</i>							
18	East of D Street	AM	51.0	52.0	Residential/ Commercial	65	No
		PM	50.3	51.3			No
	West of D Street	AM	53.7	54.1	Residential/ Commercial	65	No
		PM	53.6	53.9			No
<i>Palm Way</i>							
19	East of West Broadway Street	AM	60.8	61.1	Residential	65	No
		PM	61.3	61.7			No
	West of West Broadway Street	AM	60.9	61.1	Residential	65	No
		PM	61.5	61.9			No
<i>Victory Drive</i>							
20	East of East Broadway Street	AM	N/A	N/A	Vacant	N/A	N/A
		PM	N/A	N/A			N/A
	West of East Broadway Street	AM	42.8	46.7	Commercial	70	No
		PM	43.3	47.9			No

Source: KOA, City of Needles, Transportation Element Update Level of Service and Vehicle Miles Traveled Analysis, October 2022.

The Noise Element identifies principals that provide for the limitation of noise impacts related to transportation.²⁴⁷ The proposed Land Use Element identifies polices that would reduce impacts from noise.

Furthermore, prior to issuance of building permits for projects that include sensitive receptors and are located in ambient noise environments exceeding the “Normally Acceptable” noise and land use compatibility standards shown in **Figure 5.13-1**, the project applicant shall submit an acoustical study to the County that demonstrates that any proposed residential building design would provide an interior noise level of 45 dBA CNEL or less for residential uses, as required by the 2022 California Building Standards Code,²⁴⁸ or acceptable levels for nonresidential uses per CALGreen standards.

Stationary Noise

Stationary sources of noises may occur from all types of land uses. Residential uses would generate noise from landscaping, maintenance activities, and air conditioning systems. Commercial uses would generate noise from heating, ventilation, air conditioning (HVAC) systems, loading docks, and other sources. Industrial uses may generate noise from HVAC systems, loading docks, and possibly machinery. Noise generated by residential or commercial uses is generally short and intermittent. Industrial uses may generate noise on a more continual basis. Nightclubs, outdoor dining areas, gas stations, car washes, fire stations, drive-throughs, swimming pool pumps, school playgrounds, athletic and music events, and public parks are other common noise sources.

Future noise-sensitive land uses could be in areas that exceed the “Normally Acceptable” noise standards shown in **Figure 5.13-1** due to changes in roadway activity. In addition, future development of noise-sensitive land uses could be located in areas that exceed the “City’s” noise standards listed in the Noise Element.²⁴⁹

Summary

The General Plan Update would not directly result in construction or development activity, nor would it entitle any new development projects. At such time that a development proposal

247 San Bernardino County Airport Land Use Commission, Needles Municipal Airport Comprehensive Land Use Plan, page 2-7, February 1991, prepared by Ray A. Vidal, Aviation Planning Consultant, <http://www.sbcounty.gov/Uploads/lus/Airports/Needles.pdf>. Accessed October 2022.

247 City of Needles General Plan, “Noise Element” (February 18, 1986).

248 California Code of Regulations (CCR), Title 24), 2022 California Building Standards Code. Link: Codes (ca.gov)

249 City of Needles General Plan, “Noise Element” (February 18, 1986).

is considered that project will be subject to the existing regulatory environment, including adopted noise standards, and any impacts identified through site-specific review will be addressed through mitigation measures specific to the impact.

Moreover, all future development would be required to adhere to the policies, principles, standards, and mitigation as outlined in the General Plan Noise Element, the General Plan Environmental Assessment, and the City's Municipal Zoning Code.

Impacts would be less than significant.

Mitigation Measures: No mitigation measures required.

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

Less than Significant Impact.

Construction activity would generate varying degrees of ground vibration, depending on the construction procedures and equipment. Operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. The effect on buildings in the vicinity of the construction site varies depending on soil type, ground strata, and receptor-building construction. 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. Vibration from construction activities rarely reaches levels that can damage structures, but can achieve the audible and perceptible ranges in buildings close to the construction site. Vibration generated by construction equipment has the potential to be substantial, since it has the potential to exceed the FTA criteria for human annoyance of 78 VdB and architectural damage of 0.2 in/sec. However, groundborne vibration is almost never annoying to people who are outdoors, so it is usually evaluated in terms of indoor receivers.

Construction details and equipment for future project-level developments under the proposed General Plan Update are not known at this time, but may cause vibration impacts.

Commercial and industrial operations would generate varying degrees of ground vibration, depending on the operational procedures and equipment. The effect on buildings in the vicinity of the vibration source varies depending on soil type, ground strata, and receptor-building construction. In addition, future sensitive receptors could be placed within close proximity to existing railroad lines through buildout of the proposed General Plan Update.

Because specific project-level information is not available at this time, it is not possible to quantify future vibration levels at vibration-sensitive receptors that may be in close proximity

to existing and future vibration sources. Therefore, with the potential for sensitive uses to be exposed to annoying and/or interfering levels of vibration from commercial or industrial operations-related vibration impacts associated with implementation of the proposed General Plan update may be noticeable.

The Noise Element does not identify any specific policies related to vibration. However, the principals that provide for the limitation of noise impacts would also serve to reduce vibration level. The proposed Land Use Element identifies polices that would reduce impacts from vibration.

The General Plan Update would not directly result in construction or development activity, nor would it entitle any new development projects. At such time that a development proposal is considered that project will be subject to the existing regulatory environment, including adopted noise standards, and any impacts identified through site-specific review will be addressed through mitigation measures specific to the impact.

All future development would require project-specific environmental evaluation in order to determine that any potential impacts are less than significant. As previously mentioned, the General Plan Noise Element and General Plan Environmental Assessment contain policies, principles, standards, and mitigation that would ensure any new development would have less than significant impacts. Moreover, according to the Federal Transit Administration,²⁵⁰ typical road traffic-induced vibration levels are unlikely to be perceptible by people.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less Than Significant Impact.

Aircraft noise is typically characterized as occasional but can be intrusive to nearby sensitive receptors.

250 Federal Transit Administration, Transit Noise and Vibration Impact Assessment, FTA report no. 0123 (September 2018), https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf. Accessed October 2022.

Needles Municipal Airport is a San Bernardino County-owned public airport, located within the southern portion of the City within the City’s Sphere of Influence (see **Figure 2.0-2**). Areas surrounding the airport are designated Industrial and zoned Open Space;²⁵¹ the nearest residential community or area zoned Residential is over 2 miles to the north.²⁵² The proposed Land Use Map (see **Figure 5.13-2**) noted that the area around the airport is to be designated as General Manufacturing; this would limit the type of development near the airport. As such, the potential for sensitive receptors (houses, schools, medical facilities, etc.) would not be located in the General Manufacturing zone.

The Airport’s Comprehensive Land Use Plan identifies conservative 20-year projections of the noise impact areas near the airport, including 65 Community Noise Equivalent Level (CNEL) and 60 CNEL contours.²⁵³ **Figure 5.13-2: Noise Impact Areas from Needles Municipal Airport**, shows the 65 CNEL and 60 CNEL noise contours from the Airport in relation to the proposed Land Use Map. As shown, there are no sensitive receptor land uses proposed within the Airport’s noise contours.

The City of Needles Noise Element²⁵⁴ lists goals policies to minimize the impacts of noise from the airport.

The proposed Land Use Element identifies policies that would reduce impacts by directing new development away from the airport, which is located outside the City’s boundary but within the City’s Sphere of Influence (see **Figure 2.0-2**).

As the existing General Plan Noise Element provides guidance on noise levels and the proposed Land Use Map does not propose new development near the airport, impacts from airport noise would be less than significant. Further, airport noise is limited by existing FAA regulations.

Impacts would be less than significant.

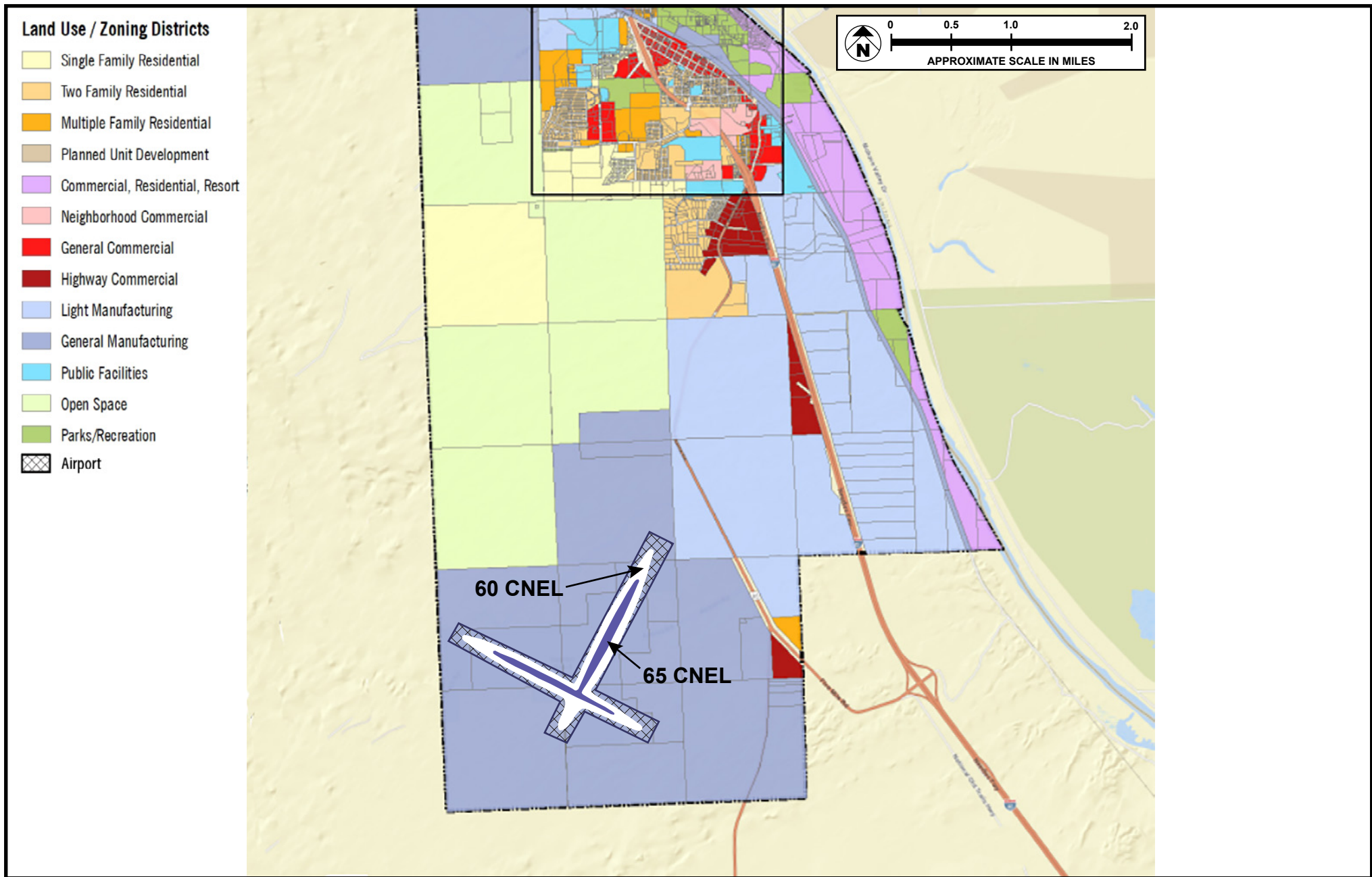
Mitigation Measures: No mitigation measures required.

251 City of Needles, Zoning Map, <https://cityofneedles.com/services/planning-department/>. Accessed October 2022.

252 City of Needles, Zoning Map, <https://cityofneedles.com/services/planning-department/>. Accessed October 2022.

253 San Bernardino County Airport Land Use Commission, Needles Municipal Airport Comprehensive Land Use Plan, page 2-7, February 1991, prepared by Ray A. Vidal, Aviation Planning Consultant, <http://www.sbcounty.gov/Uploads/lus/Airports/Needles.pdf>. Accessed October 2022.

254 City of Needles General Plan, “Noise Element” (February 18, 1986).



SOURCE: California Air Resources Board - 2017; Placeworks - 2019

FIGURE 5.13-2

5.14 POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
POPULATION AND HOUSING - Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Framework

SCAG's Regional Housing Needs Assessment

The City's future housing need is based on population and employment growth projections over the 2013-2021 period. Based on these projections, the state assigns each region in California a Regional Housing Needs Allocation (RHNA), which requires regions to address housing issues and needs (California Government Code Section 65584).

The Southern California Association of Governments (SCAG) developed the RHNA for the City of Needles. It allocates to each jurisdiction its "fair share" of the projected housing need, based on household income groupings over the eight-year planning period. The RHNA also identifies and quantifies the existing housing needs for each jurisdiction. The quantification in the 2019 Housing Element Update is for the 5th cycle RHNA allocation and is based on a RHNA cycle from January 1, 2014, to October 1, 2021. This RHNA time period addresses the housing element planning period from October 2013 to October 2021. SCAG is in the process of developing the 6th cycle RHNA allocation plan, which will cover the planning period from October 2021 through October 2029. It is planned for adoption by SCAG in October 2020.

The City's future housing need is based on population and employment growth projections over the 2021-2029 period. Based on these projections, HCD assigns each region in California a RHNA allocation which requires regions to address housing issues and needs (California Government Code Section 65584). Through HCD, the state of California establishes the total housing unit needs for each region. The local council of governments determines the share of the regional housing need for each city and county within its jurisdiction, consistent with Government Code Section 65584(a) and with the advice of HCD.

SCAG developed the RHNA for the City of Needles. SCAG allocates to each jurisdiction its “fair share” of the projected housing need, based on household income groupings over the eight-year planning period. The RHNA also identifies and quantifies the existing housing needs for each jurisdiction. The quantification in this Housing Element is for the 6th cycle RHNA allocation and is based on a RHNA cycle from January 1, 2022, to October 1, 2029. This RHNA time period addresses the Housing Element planning period from October 2021 to October 2029. SCAG drafted and adopted the 6th cycle RHNA allocation plan on March 4, 2021. It was then followed by HCD approval on March 22, 2021, which covers the planning period from October 2021 through October 2029.

The intent of the RHNA is to ensure that local jurisdictions not only address the needs of their immediate areas but also address their share of housing needs for the entire region. Additionally, a major goal of the RHNA is to ensure that every community provides an opportunity for a mix of housing affordable to all economic segments of its population. The RHNA jurisdictional allocations are made to ensure that adequate sites and zoning are provided to address existing and anticipated housing demands during the planning period and that market forces are not inhibited in addressing the housing needs for all facets of a particular community.

Mandated by the State under Government Code Section 65584²⁵⁵ the RHNA quantifies the need for housing within each jurisdiction during specified planning periods. SCAG is responsible for allocating RHNA numbers to cities within its jurisdiction based on population and employment growth projections and adopted its 6th Cycle (2021-2029) RHNA Allocation Plan in March 2020.

City of Needles

Housing Element

The Housing Element of the City’s General Plan lists policies and programs in order to accommodate a variety of housing types for all income levels and needs of special population groups defined under State law;²⁵⁶ analyzes governmental constraints to housing maintenance, improvement, and development; addresses conservation and improvement of the condition of the existing affordable housing stock; and outlines policies to promote housing opportunities for all persons.

255 California Government Code Section 65584

256 California Government Code Section 65583.

The City most recently amended its General Plan with the adoption of the 2021- 2029 Housing Element Update. The 2021- 2029 Housing Element²⁵⁷ presents the City of Needles’ goals, quantified objectives, and policies relative to the development, improvement, and maintenance of housing within the incorporated areas of the City, during the period of 2021-2029. The Housing Element identifies sites designated for residential development, and does not itself change, modify, or regulate land use designations, zoning, building heights or intensities in the city.

The City’s housing goals are ideals that have been determined by the citizens as desirable and deserving of community time and resources to obtain. Statements of objectives are more specific and shorter range. They provide the opportunity to evaluate the progress made toward the realization of the long-range goals. In conformance with state law, objectives have been quantified. Policy statements are more specific still and provide well-defined guidelines for decision making. Program actions are intended to carry out the goals, objectives, and policies.

The Housing Element’s goals, objectives, policies, and programs establish close coordination between the City, the County of San Bernardino, other local and regional organizations involved with providing housing and housing services, the State of California, and federal agencies, so that the City’s residents can be assured of a safe, adequate place to live. It is necessary to establish ties at all levels of government because of the interdependence of these agencies for programs, funding, and technical assistance.

The 2021- 2029 Housing Element Update includes a description of existing housing types, the condition of existing units, overcrowding, overpayment, homelessness, and special needs housing, and the demand for affordable housing in the City. The element also includes an analysis of the progress made since the drafting of the 2005 Housing Element and projections of needs for the next five years.

The City has a current RHNA²⁵⁸ allocation of 87 units in total, with 10 being allocated for very-low income, 11 for low income, 16 for moderate income, and 50 for above moderate income households. The City has a total of 87 units for its RHNA. **Table 5.14-1: City of Needles 2021-2029 Regional Housing Needs Assessment (RHNA) Goals** show the adjusted RHNA target for the time period from 2021 to 2029 for each of the five household income groups for the City.

257 City of Needles, 2021 - 202 Housing Element, adopted October 2022.

258 City of Needles, 2021 - 202 Housing Element, adopted October 2022.

The proposed General Plan Update includes a revision to the City’s Land Use Element, the goals of which are to create a single-map system that bring its General Plan and Zoning maps²⁵⁹ into consistency and to introduce mixed-use development into the City’s downtown through the creation of a Downtown (DT) designation and corresponding changes to the Development Code.

TABLE 5.14-1 CITY OF NEEDLES 2021-2029 RHNA		
Income Group	Number of Units	Percentage
Extremely Low*	5	5.7%
Very Low	5	5.7%
Low	11	12.7%
Moderate	16	18.4%
Above Moderate	50	57.5%
Total	87	100.0%

Source: Southern California Association of Governments, 6th Cycle Final RHNA Allocation Plan 2021.

*The extremely low-income allocation is assumed to be 5 units based on the HCD-accepted methodology of assuming 50 percent of the very low-income allocation (allocated at 10 units) for households of extremely low income.

The proposed General Plan does not itself propose or entitle any new development in the City, nor does it propose any new uses that have not previously been studied for environmental impacts. The addition of the new DT land use designation and its associated mixed-use development component is consistent with the City’s most recent Housing Element, adopted in 2019.²⁶⁰

Proposed Land Use Policies

The proposed General Plan Update would not decrease available land in the City that could be used for housing. The Land Use Element identifies policies that would provide for future housing.

- Policy LU-1.1** **Growth management.** Encourage new development to take place in areas that are already served by existing utilities, expanding, and improving systems and capacity as appropriate and fiscally sustainable. Discourage development and extension of services outside of the City’s incorporated boundaries.
- Policy LU-1.2** **New housing construction.** Promote and facilitate residential development to provide housing opportunities

²⁵⁹ City of Needles, Zoning Map, 2012.

²⁶⁰ City of Needles, 2021 - 202 Housing Element, adopted October 2022.

for those working in Needles and to help attract and retain key commercial services within Needles. Expand opportunities for multifamily and mixed-use residential development into General Commercial areas.

Policy LU-1.3

Compatibility with existing uses. Require that new development be located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. Require new residential development to be located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

Policy LU-1.4

Compatibility with planned uses. Require that new development and proposed general plan amendments are located, scaled, buffered, and designed to minimize negative impacts both on and from adjacent areas as designated on the Land Use Map.

Setting

The 2020 US Census²⁶¹ found the population of Needles to be 4,931. In 2021 and 2022, the California Department of Finance²⁶² estimated the City's population to be 4,915 and 4,876, respectively, representing a decrease of approximately 1.1 percent over the two-year period. The Southern California Association of Governments (SCAG) projects in its 2020 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) that the population of Needles will increase to 5,600 people by 2045, from a baseline of 5,000 people in 2016.²⁶³ The buildout assumptions associated with the proposed General Plan Update include a projected 2040 population of 7,750, an increase of 1,150 relative to SCAG's 2045 population projection for the City.

Per the 2020 US Census, there were a total of 2,743 housing units in the City of Needles, 2,056 of which were occupied and 687 of which were vacant, resulting in an average household size of 2.4 persons per household.²⁶⁴ Of the occupied housing units in Needles, an estimated 56.4 percent were owner-occupied and 43.6 percent were renter-occupied.²⁶⁵

261 US Census Bureau; Decennial Census, 2020 Census P-1 Census Bureau Table for Needles, CA

262 California Department of Finance; E-5 City/County Population and Housing Estimates for Cities, Counties, and the State, 2020-2022, May 2022.

263 SCAG; 2020 Regional Transportation Plan/Sustainable Communities Strategy, Demographics and Growth Forecast

264 US Census Bureau; Decennial Census, H-1 Occupancy Status Table for Needles, CA

265 US Census Bureau; American Community Survey, 2020: ACS 5-Year Estimates Subject Table S1101 Households and Families

Discussion

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

Less Than Significant Impact.

The proposed General Plan Update includes revisions to the City's Land Use and Transportation Elements, and is intended to guide the City's growth and development over a twenty-year planning horizon through 2040. As part the General Plan update, the City will also create a single-map system that bring its General Plan and Zoning maps into consistency, and introduce mixed-use development into the City's General Commercial (GC) designation (including corresponding changes to the City's Development Code). As part the General Plan update, the City will also create a single-map system that bring its General Plan and Zoning maps into consistency, and introduce mixed-use development into the City's General Commercial (GC) designation (including corresponding changes to the City's Development Code). **Table 5.11-1: Buildout Statistical Summary**, provides a statistical summary of the buildout potential associated with the Proposed Land Use Element compared to existing conditions. As shown, the proposed General Plan update would allow for additional housing to be built by increasing the potential for 1,078 additional housing units. The proposed Land Use Element includes polices for increasing and improving housing stock. These include provisions for promoting and facilitating residential development to provide housing opportunities for those working in Needles and expand opportunities for multifamily and mixed-use residential development into General Commercial areas.

The City's Municipal Code²⁶⁶ provides for different zones for housing development. These include:

- **R-1 Single-Family Zone.** This zone is intended to provide for the development of low density, single-family residential areas (one (1) to seven (7) units per net acre).
- **R-2 Two-Family Zone.** This zone is intended to provide for the development of medium density, two-family residential areas (eight (8) to seventeen (17) units per net acre).

266 Article III. Zones. Ord. No. 427-AC Sections 93.00 Establishment of zones.

- **R-3 Multifamily Zone.** This zone is intended to provide for the development of high-density multiple family units (eighteen (18) to thirty (30) units per net acre), such as apartments, condominiums, townhouses or other group dwellings compatible for the neighborhood environment.
- **CRR Commercial, Residential, Resort Zone.** This zone is intended to allow for sufficient diversity of land use types in the area along the Colorado River catering to the resort atmosphere. Depending upon the nature of the development, this zone can support the full range of residential and commercial densities as appropriate.
- **C-1 Neighborhood Commercial Zone.** This zone is intended to serve the daily or frequent food and convenience needs of families within their respective service areas -- usually one-half (1/2) to one (1) mile. The uses normally include a supermarket and small shops such as drug store, barber and beauty shops, laundry and cleaning service. The overall site area should be sufficient to provide for the supportable commercial facilities as well as sufficient parking.
- **C-2 General Commercial Zone.** This zone is generally intended for uses in central business district (particularly those that are pedestrian oriented) accommodating a wide range of commercial and associated residential uses.
- **M-1 and M-2.** The performance standards set forth in later sections place limitations in the characteristics of uses located in these zones. The limitations in the M-1 zone are less restrictive than those in the M-2 zone. This zone is intended for public facilities such as schools, parks, civic centers, etc.

Table 5.14-2: Housing Types Permitted by Zoning District summarizes the housing types permitted in the community by zoning district.²⁶⁷ Each use is designated by a letter noting whether the use is permitted by right (Z), requires a special use permit (S) via Planning Commission approval, or is conditionally permitted (C) by City Council. Note that some uses required by state law are included in this table, despite the City’s zoning code providing no direction on the allowance. Programs are included in this element to address these uses not currently addressed by the City’s zoning code.

²⁶⁷ City of Needles, 2021 - 202 Housing Element, adopted October 2022.

**TABLE 5.14-2
HOUSING TYPES PERMITTED BY ZONING DISTRICT**

Housing Type	Zone							
	R-1	R-2	R-3	CRR	C-1	C-2	M-1	M-2
Single-Family Attached	Z	Z	Z	Z	Z	-	-	-
Single-Family Detached	Z	Z	Z	Z	Z	-	-	-
Duplexes	-	Z	Z	S	-	S	-	-
Multifamily (5+ units)	-	-	Z	C	-	S	-	-
Mobile Homes		C	C	S		-	-	-
Manufactured Homes	Z	Z	Z	Z	Z	-	-	-
Accessory Dwelling Units	Z	Z	Z	Z	Z	-	-	-
Emergency Shelters	-	-	-	-	-	-	Z	Z
Transitional Housing	Z	Z	Z	Z	-	-	-	-
Supportive Housing	Z	Z	Z	Z	-	-	-	-
Single-Room Occupancy Units	C	C	C	C	C	C	-	-
Residential Care Facilities (6 or fewer people)	C	C	S	C	C		-	-
Residential Care Facilities (7 or more persons)	-	-	-	-	-	-	-	-
Employee Housing	-	-	-	-	-	-	-	-

Source: City of Needles, 2021-2029 Housing Element.

Note: Z=Permitted, C=Conditionally Permitted; S=Specially Permitted.

The types of housing permitted for each of the zones is as follows:

- Single-family homes are permitted by right in all three residential zones, the R-1 zone, R-2 zone, and R-3 zone. Single-family homes are also permitted in some mixed-use and commercial zones, including by right in the CRR zone and the C-1 zone. Multifamily housing is permitted by right in the R-3 zone. Multifamily housing is allowed with a conditional use permit in the mixed-use CRR zone.
- Manufactured homes are permitted by right in all three residential zones and in some mixed-use and commercial zones, specifically the CRR and C-1 zones. Mobile homes are conditionally permitted in R-2 and R-3 residential zones and specially permitted in the CRR zone.
- The City allows mixed-use development via the CRR zone in several areas of Needles. As identified in the City of Needles zoning code, the intent of the CRR zone is to provide for a variety of uses along the Colorado River, including apartments, hotels, motels, restaurants, boat clubs, marinas, specialty and gift shops, convenience services, and goods and supplies for boat owners, water skiers, scuba divers, and the visiting public using marina and aquatic recreational facilities. Depending on the nature of the developments, this zone can support a full range of residential and commercial densities as appropriate per the zoning code. This zone allows sufficient diversity of land use types while avoiding the dangers of overcrowding and a haphazard mixing of land uses and providing new employment and housing opportunities for residents.
- Single-room occupancy facilities are allowed with a conditional use permit in all three residential zones (R-1, R-2, and R-3) as well as the CRR zone, C-1 zone, and C-2 zone.

- Residential care facilities with 6 or fewer residents are conditionally permitted in the R-1, R-2, CRR, and C-1 zones, and specially permitted in the R-3 zone. Residential care facilities with 7 or more residents are not permitted in any zone.
- Accessory dwelling units are permitted in all residential zones. An accessory dwelling unit must meet specified development standards consistent with Government Cod.²⁶⁸
- California law²⁶⁹ requires the adequate provision of sites to accommodate the housing needs of farmworkers. Housing elements should ensure that local zoning, development standards, and permitting processes comply with Health and Safety Code²⁷⁰ generally requires employee housing for six or fewer persons to be treated as a single-family structure and residential use. A jurisdiction cannot require any conditional use permit, zoning variance, or other zoning clearance for this type of employee housing that is not required of a family dwelling of the same type in the same zone. The Health and Safety Code generally requires employee housing consisting of not more than 36 beds in group quarters or 12 units or less designed for use by a single family or household to be treated as an agricultural use. A jurisdiction cannot require a conditional use permit, zoning variance, or other zoning clearance for this type of employee housing that is not required of any other agricultural activity in the same zone. The City has provided a program that addresses the requirements of the Employee Housing Act.
- California Health and Safety Code²⁷¹ defines an emergency shelter as “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or households may be denied emergency shelter because of an inability to pay.” The City of Needles updated its zoning ordinance in July 2019 to allow emergency shelters in the M-1 and M-2 zones.
- Supportive housing is defined by Health and Safety Code²⁷² as housing with linked on-site or off-site services with no limit on the length of stay and that is occupied by a target population as defined in Health and Safety Code²⁷³ (i.e., low-income persons with mental disabilities, AIDS, substance abuse or chronic health conditions, or persons whose disabilities originated before the age of 18). Pursuant to SB 2, transitional and supportive housing types are required to be treated as residential uses and subject only to those restrictions that apply to other residential uses of the same type in the same zone. In addition, pursuant to AB 2162, supportive housing is a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses.
- The Lanterman Development Disabilities Services Act declares that mentally and physically disabled persons are entitled to live in normal residential surroundings. A state-authorized, certified, or licensed family care home, foster home, or group home serving six or fewer disabled persons or dependent and neglected children on a 24-hour-a-day basis is considered a residential use that is permitted in all residential zones. No local agency can impose stricter zoning or building and safety standards or

268 Government Code Section 65852.2.

269 Government Code Section 65583[c][1][C].

270 Health and Safety Code Sections 17021.5 and 17021.6. Section 17021.5.

271 California Health and Safety Code Section 50801.

272 Health and Safety Code Section 50675.14.

273 Health and Safety Code Section 53260.

require variances on these homes than those required for homes in the same district. In addition to being permitted by right in the R1, R2, and R-3 zones, care facilities with six or fewer persons are also permitted by right in the CRR zone and C-1 zone.

To provide exceptions in zoning and land use for development for persons with disabilities, the City previously utilized either a variance or use permit process, if required, to accommodate requests such as special structures or appurtenances (e.g., access ramps or lifts) needed by persons with physical disabilities. The City adopted a reasonable accommodation procedure into its zoning ordinance in July 2019 to provide an exception in zoning and land use for housing for persons with disabilities.

As the proposed Land Use Element and Map will be brought into consistency with the existing zoning code, the City will retain the ability to have a mix of housing types depending on the zone.

The City of Needles has ample vacant sites and zoned land to meet and well exceed the RHNA. The 201-2029 Housing Element notes that vacant land available for residential use and the number of possible units in Needles from a 2019 inventory of vacant land.²⁷⁴ The City has almost 3,000 vacant acres in the R-2 zone. The R-2 zone has a maximum of 17 units per acre. This yields a realistic capacity of 40,052 units. The City has over 1,000 acres in the R-3 zone, at a maximum 30 dwelling units per acre, indicating capacity for 25,106 low-income units at 80 percent of the maximum allowed density. The vacant land inventory includes a realistic capacity for 65,175 units across the City.

By allowing for future residential development, the housing stock would allow for the future population growth, estimated to be 2,525 new residents in the General Plan update, to have adequate accommodations. This would allow the City to have a future population to housing ratio of 2.34 persons per household for the future development. This is consistent with the ratio found by the 2000 Census of 2.4 residents per household.²⁷⁵

The proposed Plan relies upon an assumption of population growth in Needles that is generally consistent with the regional projections for the area, and that is consistent with projections used for the planning and implementation of critical infrastructure, as is discussed in Section 5.19, **Utilities and Service Systems**. Existing vacant residential parcels require sewage disposal, water, and access. Single-home builders are required to improve streets and put in curb, gutter, and sidewalks along property lines. Residential developments are required to

²⁷⁴ City of Needles, 2021 - 202 Housing Element, adopted October 2022.

²⁷⁵ US Census Bureau; Decennial Census, H-1 Occupancy Status Table for Needles, CA

complete on-site improvements that are necessary to extend the sewer, water, and power lines to the property lines if not already available to the site. In addition, there is a requirement to connect to sewer if the parcel is within 200 feet of City services. Residential subdivisions must comply with City street and pedestrian standards for minimum street widths, setbacks, lighting, curbs and gutters, water and sewer connections, and pedestrian circulation, if appropriate.

Fundamentally, the purpose of the proposed General Plan Update and the revision of land use designations within are to better accommodate the growth that is projected to occur in Needles over the planning horizon, rather than to induce new population growth that would not otherwise occur. The population projections referenced above are contingent upon prevailing economic conditions and assumptions regarding future economic opportunities, including the assumption that new jobs created will be filled by residents from outside of the community.

In addition, while the proposed land use plan provides a designation for all parcels in the Planning Area, not all of the projected uses may be constructed. However, even if all of the residential, commercial, and tourism uses permitted by the Plan were to be constructed, the timing of development-associated population increases would be distributed over an extended period of time, reducing the impact of said population growth on the City's infrastructure and resources.

Further, future development projects initiated following the adoption of the proposed General Plan Update would require site-specific review of project-level impacts prior to implementation to ensure that the individual projects do not result in significant impacts, and any identified impacts would be required to be addressed through mitigation measures specific to the project in question.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Less Than Significant Impact.

The proposed General Plan Update would not decrease available land in the City that could be used for housing. The proposed Land Use Element identifies policies that would provide for future housing. Future development projects initiated following the adoption of the proposed General Plan Update would primarily consist of new development on vacant land or infill development.

The proposed Land Use Element does not propose or entitle any demolition or replacement of existing structures and is meant to improve the compatibility of future development with existing uses. The proposed Land Use Element includes Policy LU-1.3 and Policy LU-1.4, are included in the Plan to promote the compatibility of future development with both existing and planned uses.

The proposed Land Use Element and accompanying Land Use Map includes revised land use designations designed to be consistent with the City's current Zoning Map, existing conditions, and projects already within the development pipeline, and no housing that currently exists will be rezoned, encroached upon, or otherwise threatened. No residents will be displaced as a result of the proposed General Plan Update.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

5.15 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
PUBLIC SERVICES				
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Framework

State

To assist in providing school facilities to serve students generated by new development, Assembly Bill (AB) 2926 was enacted in 1986 and authorizes a levy of impact fees on new residential and commercial/industrial development.²⁷⁶ The bill was expanded and revised in 1987 through the passage of AB 1600. Under this statute, payment of impact fees by developers serves as CEQA mitigation to satisfy the impact of development on school facilities.

Senate Bill (SB) 50, passed in 1998, provides a comprehensive school facility financing and reform program and enables a statewide bond issue to be placed on the ballot.²⁷⁷ Under the provisions of SB 50, school districts are authorized to collect fees to offset the costs associated with increasing school capacity as a result of development and related population increases. The funding goes to acquiring school sites, constructing new school facilities, and modernizing existing school facilities. SB 50 establishes a process for determining the amount of fees developers would be charged to mitigate the impact of development on school districts from

²⁶⁴ Madera Unified School District, Developer Fees, <https://www.madera.k12.ca.us/Page/10137#:~:text=In%201986%2C%20the%20California%20Legislature,or%20reconstruction%20of%20school%20facilities>. Accessed October 2022.

²⁷⁷ California Legislative Information, Senate Bill 50, http://www.leginfo.ca.gov/pub/97-98/bill/sen/sb_0001-0050/sb_50_cfa_19980825_143838_sen_floor.html Accessed October 2022.

increased enrollment. According to Section 65996 of the Government Code, development fees authorized by SB 50 are deemed to be “full and complete school facilities mitigation.”

City of Needles

The Safety Element of the existing General Plan includes the following goals and policies:²⁷⁸

- Goal 1: To protect to the maximum extent possible, persons and property from natural and people-made hazards and dangers.
 - Policy 1: Pursue the protection of the existing population and future development from the hazards of flooding, seismic, and fire.
 - Policy 2: Insure that safety services are adequate to handle future development within the community.
 - Policy 3: Provide and maintain an emergency response system for the City of Needles.
 - Policy 4: Insure the protection of people or wildlife from hazardous materials in the community.

The Safety Element identifies the following principles to reduce hazards from potential fire threats:

- Development should be discouraged in areas known to possess a significant safety hazard unless appropriate mitigation measures are applied.
- Open-space uses should be encouraged in identified safety hazard areas.
- Existing safety hazards should be mitigated whenever possible.
- In safety matters, the concept of an acceptable level of risk should be employed. The level of risk is based upon the number of people and critical facilities threatened.
- Major access corridors should be available and unobstructed in case of major emergency or disaster.
- Adherence to recognized principles and standards concerning fire facilities and procedures should be maintained.

The City’s General Plan Open Space and Recreation Element²⁷⁹ has goals, policies, and principles that set standards for the existing and future open space areas within the City. These include:

- Goal 1: To secure adequate public access and increase recreational opportunities along the Colorado River for all population groups consistent with sound resources, conservation principles and the rights and needs of private property owners.

278 City of Needles General Plan, “Safety Element” (February 18, 1986).

279 City of Needles, General Plan, Open Space and Recreation Element, 1986.

- Goal 2. To provide necessary and desired recreational facilities, and open-space resources for the present and future needs of the citizens of Needles.
- Goal 3: To encourage tourism use of, and to enhance the recreational and cultural resources of the area.
- Policy 1: Insure that there are adequate park and recreational facilities in accord with new development in the community.
- Policy 2: Insure that all city park and recreational facilities are maintained at the highest level of standards possible.
- Policy 3: Pursue the development of the Colorado River waterfront with recreation, tourism, commercial, and residential land uses while insuring public access.
- Policy 4: Pursue the recreational needs of the citizens of Needles and set aside adequate open-space areas.
- Policy 5: Develop a sound recreational/tourism industry in the City of Needles.

In addition, the Open Space and Recreation Element provides the following as principals;²⁸⁰

- Open-space land, especially intensely developed recreation areas, should be conveniently located to serve residential neighborhoods of the City. These open-space resources should give definition and identity to the residential neighborhoods.
- A balanced variety of open-space and recreation land, active and passive, should be provided to meet the needs of all age groups in the City.
- A coordinated system of public activity trails for pedestrians, bikes and horses should be developed.
- Intensively used neighborhood recreation facilities.
- should be of adequate size, appropriately developed, to achieve an excellence of design and be convenient to all forms of transportation.
- Physical development should concentrate on smaller, intensely developed recreational sites while larger open-space resources should contain large areas of undeveloped and natural habitat.
- Acquisition and development of open-space resources "should be coordinated with County, the Federal Government and other interested entities.
- Open space should be extended along, under or over major transportation.
- Park space in the community should be based upon four (4) acres of park area per 1,000 persons.

280 City of Needles, General Plan, Open Space and Recreation Element, 1986.

- Multiple use of open-space resources should be encouraged.
- The quantity and location of open space should relate to development densities, distribution and characteristics of the people to be served.
- Recreational needs of the elderly and handicapped should be incorporated in all public facilities.
- All intended open space or recreational uses on Federal Government land should be coordinated with the USDI-BLM.

The proposed Land Use Element provides the following policies:

Policy LU-1.1 Growth management. Encourage new development to take place in areas that are already served by existing utilities, expanding, and improving systems and capacity as appropriate and fiscally sustainable. Discourage development and extension of services outside of the City's incorporated boundaries.

Policy LU-1.4 Compatibility with planned uses. Require that new development and proposed general plan amendments are located, scaled, buffered, and designed to minimize negative impacts both on and from adjacent areas as designated on the Land Use Map.

Policy LU-1.7 Environmentally sensitive development. Require new development to maximize its compatibility with the natural environment and avoid expansions or encroachments into environmentally sensitive areas.

Policy LU-1.8 Public facilities. Plan and coordinate to locate land and size facilities dedicated to open space, parks, education, and other public uses as appropriate to serve existing and future residents.

Policy LU-3.1 River improvements. Promote the public and seasonal use of the River through public improvements.

Policy LU-3.2 New development. Leverage public property to facilitate hotel and resort development and expand public access to and use of the Colorado River.

Policy LU-3.3 Open space and recreation. Seek to expand or create large public open space and recreation space along the Colorado River.

Policy LU-4.2 Downtown spaces and programming. Establish, design, maintain, and program public spaces in the downtown core for public gathering, community activities, and tourism-generating events, particularly along or connecting to Broadway and Santa Fe Park.

Discussion

a. Fire protection?

Less Than Significant Impact.

Fire protection in the City of Needles is provided by the San Bernardino County Fire Department (County Fire), which consists of 681 fire suppression personnel under 25 battalion chiefs. County Fire provides emergency mitigation and management for fire suppression, emergency medical services (paramedic and non-paramedic), ambulance services, hazardous materials (HAZMAT) response, arson investigation, technical rescue, winter rescue operations, hazard abatement, and terrorism and weapons of mass destruction. County Fire's services and programs include helicopter rescue, a dozer, fire abatement hand crews, an inmate hand crew specialized program, and an honor guard. County Fire also provides for the management of: community safety services such as fire prevention, building construction plans and permits, household hazardous waste, and local oversight and collection program for hazardous materials.

The City of Needles is located within County Fire Division 4 (South Desert) and is served by San Bernardino County Fire Station No. 32, located at 1113 East Broadway Street.

The San Bernardino County Local Agency Formation Commission (LAFCO) cites the distance between a fire station and the location of the emergency as having a significant impact on response time.²⁸¹

In 2019, the response time is 8 minutes and 38 seconds on average for the first unit on scene. This information is highly skewed due to the extreme response distances in the outlying areas of the County. County Fire divides itself into three geographical zones for response:²⁸²

- Urban areas have a target response time of 7 minutes 30 seconds. They are defined as areas having a population of over 30,000 people and/or population density of over 2,500 people per square mile, or significant commercial/industrial development, dense neighborhoods, and some mid-rise or high-rise buildings.
- Suburban areas have a target response time of 9 minutes 30 seconds. They are defined as areas with a population of 10,000 to 29,999 and/or population density between 1,000

281 Local Agency Formation Commission for San Bernardino County (February 2020) County Wide Service Review for: Fire Protection/Emergency Medical Services/Dispatch
http://www.sbcounty.gov/uploads/LAFCO//Downloads/Service_Review_Fire/Report/Fire_Service_Review.pdf
fff. Accessed September 2022.

282 San Bernardino County, Countywide General Plan Update EIR, Public Services, 2019.

and 2,5000 people per square mile, and/or single/multifamily neighborhoods and smaller commercial developments.

- Rural areas have a target response time of 22 minutes 30 seconds. They are defined as areas with a population of less than 10,000 people and/or population density of less than 1,000 people per square mile, and/or low density residential, little commercial development, and significant open space uses.

County Fire does not have a formal formula for identifying existing or future deficiencies in fire protection services. The City of Needles is considered to be in an Urban area and would have a targeted response time for emergency calls of 7 minutes and 30 seconds.

County Fire participates in the California Disaster and Civil Defense Master Mutual Aid Agreement, which establishes a framework for requesting and receiving mutual aid. Mutual aid exists for law enforcement, search and rescue, coroner services, emergency managers, public works, and medical services. The San Bernardino County Fire and Rescue Mutual Aid Operational Plan identifies the mutual aid system for the County.

Growth under the proposed General Plan update would add structures, residents, and workers in the service boundaries of County Fire. However, the proposed Land Use Map generally concentrates growth in existing the exiting urbanized area within the City's boundary.

The proposed General Plan Update does not include increasing the area to be serviced by Fire Station No. 32. Within County Division 4, LAFCO has used mapping analysis to determine that approximately 48 percent of populated areas in the County, including the City of Needles, are within a five-minute drive time, while approximately 82 percent are covered within a ten-minute drive time.²⁸³

The proposed buildout under the General Plan update estimates a population of 7,750 residents in 2040. Urban areas in the County maintain a target response time of 7 minutes and 30 seconds.²⁸⁴ The adoption of the proposed General Plan Update would not impact fire protection services that would require the construction or modification of public facilities.

By focusing growth into existing urbanized areas within the City and having numerous policies that address provision of fire protection and emergency services, the proposed General Plan

283 Local Agency Formation Commission for San Bernardino County (February 2020) County Wide Service Review for: Fire Protection/Emergency Medical Services/Dispatch
http://www.sbcounty.gov/uploads/LAFCO//Downloads/Service_Review_Fire/Report/Fire_Service_Review.pdf. Accessed September 2022.

284 County of San Bernardino (2019) San Bernardino Countywide Plan Draft PIER,
<https://documentcloud.adobe.com/spodintegration/index.html?r=1&locale=en-us>. Accessed September 2022.

update would limit growth in fire-prone areas. The Safety Element of the existing General Plan includes goals and policies to address fire protection.²⁸⁵

The proposed Land Use Element provides policies that will reduce the risk of fire threats related to future development.

In 2018, the City modified its Development Impact Fee (DIF)²⁸⁶ for both North and South Needles for new residential housing development; the City also initiated an economic development incentive program, which pays for fire protection fees and off-site infrastructure for homebuilders. The purpose of the DIF is to fund the design and construction of any additional fire facilities or the employment of additional firefighters required to mitigate the impact of new development on existing service. Impact fees are also applied to circulation system improvements, water source storage and distribution facilities, wastewater collection system facilities, and park and open space land acquisition and parkland development.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

b. Police protection?

Less Than Significant Impact.

Law enforcement and police protection in Needles is provided on contract by the San Bernardino County Sheriff's Department.

The San Bernardino County Sheriff's Department is the chief law enforcement agency for the county. The department's general law enforcement mission is carried out through the operation of 15 stations and a centralized headquarters, gangs, narcotics and homicide investigations, a crime laboratory and identification bureau, central records, specialized enforcement detail, technical services division, training division, employee resources division, two dispatch communication centers, and an aviation division for general patrol and search/rescue operations.

The California Highway Patrol provides some law enforcement services in rural parts of the county, including investigating vehicle collisions.

²⁸⁵ City of Needles General Plan, "Safety Element" (February 18, 1986).

²⁸⁶ Development Impact Fee Ordinance No. 607-AC, Adopted by Needles City Council September 25, 2018.

The County Sheriff maintains the Needles Patrol Station at 1111 Bailey Avenue. Among the services included in the City’s contract with the department are narcotics, Special Weapons and Tactics (SWAT), arson-bomb, crimes against children, homicide, scientific investigations/crime lab, aviation, and volunteer forces.

San Bernardino County Sheriff’s Department staff contained a total of 3,956 personnel in 2018. This consisted of 1,875 Sheriff/Coroner/Public Administrator staff, 1,467 Detentions staff, and 614 Law Enforcement Contracts staff.²⁸⁷ This staff also included 628 patrol deputies, 7 of which were assigned to the City. In 2018, this led to a ratio of 740 residents per deputy for a total of 5,177 residents. ²⁸⁸ At buildout, without an increase in patrol deputies, there would be 1,079 residents per deputy for the 7,750 residents. Across San Bernardino County in 2018, there was an average of 1,586 residents per patrol deputy. ²⁸⁹ The City does not set a requirement of the number of residents allowed per deputy. The proposed General Plan Update would allow the City to maintain a ratio of patrol deputies to residents that would allow less residents per deputy than average within the county.

By focusing growth into existing urbanized areas within the City and having numerous policies that address provision of police protection, the proposed General Plan update would assist in maintaining public safety. The Safety Element of the existing General Plan includes goals and policies related to public safety.²⁹⁰

The proposed Land Use Element provides policies that will reduce public safety threats related to future development.

The proposed General Plan update would not result in a need for new law enforcement facilities. Further, the policies of the existing General Plan and those in the proposed update address the need for public safety to be maintained as new development occurs.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

287 County of San Bernardino (2019) San Bernardino Countywide Plan Draft PIER, <https://documentcloud.adobe.com/spodintegration/index.html?r=1&locale=en-us>. Accessed October 2022.

288 County of San Bernardino (2019) San Bernardino Countywide Plan Draft PIER, <https://documentcloud.adobe.com/spodintegration/index.html?r=1&locale=en-us>. Accessed October 2022.

289 County of San Bernardino (2019) San Bernardino Countywide Plan Draft PIER, <https://documentcloud.adobe.com/spodintegration/index.html?r=1&locale=en-us>. Accessed October 2022.

290 City of Needles General Plan, “Safety Element” (February 18, 1986).

c. Schools?

Less Than Significant Impact.

Educational facilities within the City have their own state-mandated requirements to ensure a high quality of education for all the citizens of the county. School districts offer education to all school-age residents of the region but operate entirely independent of County government. The City of Needles is served by the Needles Unified School District (NUSD).

School districts were created by the state and are subject to the overview of the state legislature. Elected governing school boards are responsible for budgeting and decision-making. The State Department of Education establishes school site and construction standards.

NUSD operates seven schools in the District as shown in **Table 5.15-1: Needles Unified School District Schools and Population**. As of 2021, the student population was 1,071.

The North Desert Region, where Needles is located, identified a student generation rate of 0.6 new students for every new unit of housing growth in 2019.²⁹¹ The buildout under the proposed General Plan update estimates a potential increase of 1,078 new residential units; this is an increase from the current 2,829 units to 3,709 units. This would lead to an estimated increase of 647 new students at buildout.

The NUSD assesses a development fee on new construction to assist in offsetting costs for new facilities resulting from development. The current fees charged by NUSD per the Developer Fee Justification Study²⁹² and a Meeting of the NUSD Board of Trustees²⁹³ are the following:

- \$3.79 per square foot for all new residential construction;
- \$0.61 per square foot for new commercial/industrial construction;
- \$0.02 per square foot for rental self-storage;
- \$0.52 per square foot for community shopping centers;

291 County of San Bernardino (2019) San Bernardino Countywide Plan Draft PIER, <https://documentcloud.adobe.com/spodintegration/index.html?r=1&locale=en-us>. Accessed September 2022

292 Needles Unified School District Developer Fee Justification Study, August 30, 2016. <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:83ca3ca8-f1dc-3277-bc4f-c8bae48e7f5c>. Accessed October 2022.

293 Needles Unified School District, Board of Trustees Excerpt from Minutes (March 13,2019) <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:4488dd60-83e8-359b-896e-bd2e0d010b9a>. Accessed November 2022,

- \$0.45 per square foot for industrial parks/warehousing;
- \$0.56 per square foot for hospitality/lodging; and
- \$0.56 per square foot for senior housing projects.

**TABLE 5.15-1
NEEDLES UNIFIED SCHOOL DISTRICT SCHOOLS AND POPULATION**

Name	Address	Grades	Student Population
Vista Colorado Elementary School	700 Bailey Avenue, Needles	K-5	385
Chemehuevi Valley Elementary School	81 Road, Needles	K-5	41
Monument Peak School	149123 New North Road, Big River	TK-8	70 ^a
Needles Middle School	1900 Erin Drive, Needles	6-8	254
Needles High School	1600 Washington Street, Needles	9-12	277
Needles Community Day School	855 Front Street, Needles	7-12	26
ETC Continuation School	1900 Eric Drive, Needles	Adult Education	18

Source: Needles Unified School District (2021) School Accountability Report Cards, https://www.needlesusd.org/apps/pages/index.jsp?uREC_ID=232294&type=d&pREC_ID=531946. Accessed October 2022.

a - Email from Patrick Martinez, Assistant City Manager/Development Services, August 24th, 2022

The 2016 Developer Fee Justification Study identified the capacity of Elementary (K-5), Middle (6-8), and High Schools (9-12) as 325, 263, and 351, respectively, for a total student population of 939 students.²⁹⁴ Student enrollment at the time of the adoption of the Study showed a shortage of permanent capacity of 165 at the elementary school level, and a surplus of 58 and 121 at the middle and high school level.²⁹⁵ Since the Study was performed in 2016, the NUSD opened the Monument Peak and provided additional capacity at the elementary and middle school level. In addition, Community Day School has also opened and increased capacity at the high school level.

The projected number of new students that would result under the proposed General Plan update is more than the current capacity of the NUSD facilities. Students at all grade levels (K

294 Needles Unified School District Developer Fee Justification Study, August 30, 2016. <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:83ca3ca8-f1dc-3277-bc4f-c8bae48e7f5c>. Accessed October 2022.

295 Needles Unified School District Developer Fee Justification Study, August 30, 2016. <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:83ca3ca8-f1dc-3277-bc4f-c8bae48e7f5c>. Accessed October 2022.

thru 12) would require additional permanent facilities under the buildout projections. School development fees enforced by legislative requirements would ensure that projected enrollment needs be met by creating additional facilities.

Implementation of the proposed General Plan update could contribute to a potentially significant adverse impact on school facilities and services. However, under state law, development projects are required to pay established school impact fees in accordance with SB 50 at the time of building permit issuance. The funding program established by SB 50 has been found by the legislature to constitute “full and complete mitigation of the impacts of any legislative or adjudicative act...on the provision of adequate school facilities”. The fees authorized for collection under SB 50 are conclusively deemed full and adequate mitigation of impacts on school district facilities.

Furthermore, any project associated with expanding school facilities, whether related to the construction of new facilities or modernization of existing facilities, would be subject to environmental review and mitigation pursuant to CEQA. It is the responsibility of the school districts to comply with CEQA requirements.

The proposed General Plan update does not propose or entitle any new development projects at this time, nor would it directly result in any changes to the physical environment. All future development projects in the City would be subject to the NUSD Development Fees.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

d. Parks?

Less Than Significant Impact.

The City of Needles has a total of 14 parks:

- 3-Pete’s Memorial Field
- Duke Watkins Park
- Ed Parry Ballpark
- Franz Flower Ballpark
- Jack Smith Park & Launching Facility
- Manny Morris Beachside Park.
- Needles Dog Park
- Needles Skate Park
- Nikki Bunch Ballpark
- River’s Edge Golf Course
- Riverview Cemetery
- Rodeo Grounds
- Rotary Roadside Rest
- Santa Fe Park & El Garces Depot

The parks account for 162.82 acres within the City.

The City's General Plan Open Space and Recreation Element²⁹⁶ has goals, policies, and principles that set standards for the existing and future open space areas within the City.

The City's current population of 5,225 people requires 20.9 acres of based on the requirement of 4.0 acres per 1,000 population as set forth in the Open Space and Conservation Element. The buildout estimates for population in the proposed General Plan update, the 2040 population of 7,750 would require 31.0 acres of parks. AS previously noted, the City has 162.82 acres of parkland.

The proposed Land Use Element includes policies that will assist the City in maintaining parkland. The proposed General Plan update would not decrease parkland.

The current General Plan designates land adjacent to the Colorado River as Commercial Recreation (CRR). These areas are currently considered as part of CRR Commercial, Residential, Resort Zone in the City Municipal Code.²⁹⁷ Proposed Land Use Policy LU-1.8 Public Facilities would reclassify some land within the CRR Zone as the Public Facilities Zone (PF). The PF Zone allows for parks, as well as open space and other public uses. The General Plan Update proposes to create consistency across land use and zoning maps. as such, Commercial Recreation areas would be redesignated as Park/Recreation space under the proposed General Plan update.

By reclassifying some of the Commercial Resort Recreation (CRR) near the Colorado river as shown on the proposed Land Use Map (see **Figure 2.0-4**), the amount of designated park land would increase. As such, the City will continue to exceed the requirement of 4.0 acres of parkland per 1,000 residents.

The proposed General Plan Update is a policy-level planning document and does not propose or entitle any new development projects at this time, nor would it directly result in any changes to the physical environment.

All future developments in the City would require project-specific environmental evaluation in order to determine that any potential impacts are less than significant, and any potential impacts identified from future development would be addressed through project-specific

296 City of Needles, General Plan, Open Space and Recreation Element, 1986.

297 Article III. Zones. Ord. No. 427-AC Sections 93.00 Establishment of zones.

mitigation measures identified at the time a specific development project is considered by the City.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

e. Other Public Facilities?

Less Than Significant Impact.

The City of Needles offers other public services including a library and medical facilities.

Libraries

Needles has one public library, Needles Branch Library, located at 1111 Bailey Avenue, Needles, CA 92393. San Bernardino County Library (SBCL) maintains 32 branches and one administrative office, which total over 358,000 square feet of building area. These libraries are in both cities and unincorporated communities. The Needles Branch library is one branch that is part of the larger system.

The Needles Branch Library offers services such as free library classes, internet and computer access, volunteering, and checking out books.²⁹⁸ Other programs are offered by the library, including children’s Storytime and adult Basic Computer Classes.²⁹⁹ The SBCL does not have service standards for collection items or library square feet per service population.

The Needles Branch Library is the only library for the current population of 5,225 people in the City and surrounding area. The estimated future population growth of 7,750 people as provided for under the proposed General Plan update will increase demands for library services.

Implementation of the proposed General Plan Update would result in the potential for increased demand for library services within the City and surrounding area.

298 San Bernardino County Library, About Us, <https://sbclib.org/about-us/>. Accessed October 2022.

299 San Bernardino County Library, Needle Branch Library, <https://sbclib.org/needles-branch-programs/>. Accessed October 2022.

Out of over 7,500 branch libraries across the country, approximately 240 of them provided services to a population of 9,999 people or less.³⁰⁰ The Needles Branch Library provides services to population similar to branch libraries nationwide with corresponding populations. Even with the estimated growth in population under the proposed General Plan update, the library would be able to provide services to the anticipated future population.

Future development would generate new tax revenues, and, as noted above, funding sources for the SBCL consist of property taxes, state assistance, and revenue from fines, fees, and other miscellaneous revenue.

Impacts would be less than significant.

Medical Facilities

The City has one medical center, the Colorado River Medical Center (CRMC), located 1401 Bailey Avenue. CRMC is a 25-bed critical access hospital and provides basic emergency services, x-ray, inpatient pharmacy, outpatient surgery, laboratory services, and hospital related support services.³⁰¹

The national average of beds per 1000 residents was 2.9 beds per 1,000 in 2017.³⁰²

The City's current population of 5,225 equates to a ratio of 4.78 beds per 1000 residents. Future buildout under the proposed General Plan update would result in a population of 7,750 residents and would result in a ratio of 3.23 beds per 1000 residents in 2040. This is above the 2017 national average of 2.9 beds per 1000 residents. As such, with future population growth as forecast in the General Plan update, the City would maintain a bed to population ratio within the national average without the need to construct additional facilities.³⁰³

Summary

The proposed General Plan Update would not directly result in any new development projects at this time. Any future developments of other public facilities would be subject to the

300 National Center for Education Statistics, Table. 420 Selected Statistics of public libraries, by population size of legal service area: Fiscal year 2004, https://nces.ed.gov/programs/digest/d06/tables/dt06_420.asp. Accessed October 2022.

301 Colorado River Medical Center, About Us, <https://crmccares.com/about-us>. Accessed October 2022.

302 The World Bank, Hospital Beds (per 1,000 people), <https://data.worldbank.org/indicator/SH.MED.BEDS.ZS>. Accessed October 2022.

303 The World Bank, Hospital Beds (per 1,000 people), <https://data.worldbank.org/indicator/SH.MED.BEDS.ZS>. Accessed October 2022.

development review process and any potential environmental impacts identified would be addressed through project-specific mitigation measures.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

5.16 RECREATION

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
RECREATION - Would the project:				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated??	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Framework

The City's previous Open Space and Recreation Element³⁰⁴ identifies the following goals and policies that would assure that adequate parks and facilities are provided and maintained:

- Goal 2. To provide necessary and desired recreational facilities, and open-space resources for the present and future needs of the citizens of Needles.
- Goal 3: To encourage tourism use of, and to enhance the recreational and cultural resources of the area.
 - Policy 1: Insure that there are adequate park and recreational facilities in accord with new development in the community.
 - Policy 2: Insure that all city park and recreational facilities are maintained at the highest level of standards possible.

304 City of Needles, (February 18, 1986), Needles General Plan Document, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:565216e8-4dfa-313e-88d6-60d8703c0f83>. Accessed October 2022.

Discussion

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

Less Than Significant Impact.

The City of Needles has 14 total parks, which are listed in the Public Services Section above, that take up 162.82 acres.

As noted in Section 5.14,c, Parks, the City has adequate parkland to meet its current and future needs under the proposed General Plan Update. Further, as previously noted, the policies of the Open Space and Recreation Element and those proposed in the Land Use Element would allow the City to continue to meet the needs of the population regarding future park development.

The City's current population of 5,225 people requires 20.9 acres of based on the requirement of 4.0 acres per 1,000 population as set forth in the Open Space and Conservation Element. The buildout estimates for population in the proposed General Plan update, the 2040 population of 7,750 would require 31.0 acres of parks. AS previously noted, the City has 162.82 acres of parkland.

The projected increase in population resulting from the buildout of the proposed General Plan update would incrementally increase the use of existing parks. However, as noted, the City would continue to meet or exceed standards for the amount of parkland needed to meet the population growth and would not result in accelerating physical deterioration to levels that would be considered significant.

The City's previous Open Space and Recreation Element³⁰⁵ identifies goals and policies that would assure that adequate parks and facilities are provided and maintained.

The proposed General Plan Update would remain consistent with the previously implemented policies. The project would not increase the use of existing neighborhood and regional parks or

305 City of Needles, (February 18, 1986), Needles General Plan Document, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:565216e8-4dfa-313e-88d6-60d8703c0f83>. Accessed October 2022.

other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less than Significant.

The proposed General Plan update provides for the development of new recreation areas as noted in the policies in the proposed Land Use Element. In addition, the proposed General Plan update will change the existing Land Use Map to include redesignation of Commercial Recreation areas to Park/Recreation space. This change will create a larger area of Park/Recreation space, however there will be no addition or expansion of facilities.

The City has developed a Master Facilities Plan that was amended in 2006.³⁰⁶ The Master Facilities Plan is intended be used in the development of new facilities and to add new projects or delete completed or no longer needed projects. The Master Facilities Plan provides for the following:

- Planning - The Plan implements the standards and goals contained by the City's General Plan when applicable and proposes improvement projects which are constructed and located in conformance with the General Plan.
- Financial Planning - A Facilities Plan or CIP should consider the scheduling and availability of financing sources in order to achieve an orderly and comprehensive process.

The Master Facilities Plan provides for Park Land Acquisition and Recreation Facilities, which addresses the acquisition and development of new parks, construction of recreational facilities for the City and improvement of existing undeveloped parklands are accomplished. The Master Facilities Plan was prepared in conjunction with the City's Development Impact Fee (DIF)

306 City of Needles, Master Facilities Plan, as amended by Ordinance No. 607-AC, September 2006.prepared by Epic Engineering.

Report, The Master Facilities Master Plan identifies future facilities and funding mechanism for City capital improvement projects.

The proposed General Plan Update will remain consistent with the past Open Space and Recreation plan including the goal of providing necessary and desired recreational facilities, and open-space resources for the present and future needs of the City.³⁰⁷

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

307 City of Needles, (February 18, 1986), Needles General Plan Document, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:565216e8-4dfa-313e-88d6-60d8703c0f83>. Accessed October 2022.

5.17 TRANSPORTATION AND TRAFFIC

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
TRANSPORTATION/TRAFFIC - Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Interstate 40 and the adjacent BNSF railroad tracks are key transportation infrastructure components in the City, but they also limit access points to destinations within the City, including the Colorado River. Connections across Interstate 40 within the City of Needles are limited to Needles Highway, California Avenue (pedestrian only), L Street, J Street, D Street/Lillyhill Drive and Broadway Street. Crossings across the BNSF railroad tracks are currently limited to West Broadway Street and K Street (pedestrian only).

Several physical and geographic features significantly affect vehicle, pedestrian, and bicycle connectivity within Needles and between the City and its adjacent jurisdictions. On the eastern edge of Needles, the Colorado River is a significant physical feature affecting transportation connections. Access between Needles and communities east of the Colorado River is limited to North K Street, which becomes the Mohave Valley Highway (State Route 95) in Arizona. The nearest roadway connections to cross the Colorado River are located approximately 12 miles upriver (north) and 12 miles downriver (south) of the North Bridge crossing in Needles. To the north, Aztec Road crosses the river adjacent to the Avi Resort & Casino in the Fort Mohave Reservation, while Interstate 40 provides a crossing to the unincorporated community of Topock to the southeast.

Existing Transit Services

Local Transit Service

The City is served by one Needles Area Transit (NAT) route. All NAT buses are equipped with wheelchair lifts and operate once an hour from 7:00 AM to 6:55 PM, Monday through Friday, and from 10:00 AM to 4:55 PM on Saturday. The bus route stops directly next to a majority of the City's activity generators, including Downtown Needles, the commercial corridors along Needles Highway and East Broadway Street, the Sheriff's Department, Library, Colorado River Medical Center, Regional Senior Center, and Elks Lodge. While the nearest Needles transit stop is a 3- to 5-minute walk from Vista Colorado Elementary School/Needles Middle School and a 7-minute walk from Needles High School, Needles Unified School District (NUSD) provides bus services to its schools, with free transportation provided to students in Kindergarten through 3rd grade. There are currently no transit options available to recreational facilities east of the train tracks, which include Ed Parry Park, Jack Smith Park & Launching Facility, Needles Golf Course, Needles Marina, and other areas of public access to the Colorado River.

Regional Transit Service

Amtrak train service is available in Needles via the Southwest Chief train, with the train station located directly adjacent to the El Garces building in Downtown. Daily service departs at 12:31 AM westbound to Los Angeles Union Station, with stops in Barstow, Victorville, San Bernardino, Riverside, and Fullerton. The eastbound train departs daily at 12:18 AM, with service to Chicago. Stops directly to the east of Needles include Kingman, Flagstaff, and Winslow in Arizona.

The Victor Valley Transportation Authority operated a bus route on Fridays adjacent to the Amtrak train station in Downtown Needles that provides transit service to the Barstow library, Victorville Court House, and Victorville Civic Center. However, this transit service was suspended in August 2020 due to ongoing impacts of COVID-19 and the service has yet to be restored. When the service was operational, westbound service departed Needles at 6:15 AM to arrive in Barstow at 9:30 AM and Victorville at 10:15 AM. Eastbound service departed Victorville at 2:30 PM to arrive in Needles at 7:15 PM.

Existing Bicycle and Pedestrian Facilities

Although there are no designated bikeways or multi-use trails in the City of Needles, bicycle-parking facilities are provided at Vista Colorado Elementary School, Needles Middle School, and Needles High School. Additionally, bicycle-parking facilities are also available at the Needles Recreation Center and Needles Branch Library.

While there are sidewalks located along the majority of roadways in urbanized sections of Needles, notable gaps in the sidewalk network are present in the more rural, northern portion of Needles between Needles Highway and the Colorado River, as well as in the Gates residential neighborhood in south Needles. However, noticeable gaps in sidewalks exist in the urbanized section of Needles, with the largest gaps occurring along River Road, River Street, and Marina Way just east of Downtown Needles. This area contains a majority of the City's publicly accessible waterfront and recreational facilities, including Ed Parry Park, Manny Morris Park, Jack Smith Park & Launching Facility, and the Needles Golf Course. Additional areas with occasional gaps in sidewalk facilities include residential streets north of Needles Highway, east of Interstate 40, and west of K Street, as well as along Lillyhill Drive and Bailey Avenue south of J Street.

Traffic Analysis

A traffic study for the General Update was prepared by KOA, Inc. (see **Appendix D**). The study presents this level of service (LOS) and vehicle miles traveled (VMT) analysis report for the Transportation Element Update for the City of Needles General Plan. This report documents the potential transportation impacts associated with the project per CEQA.

Study intersections were identified as those that may potentially be impacted by the project. The intersection analysis of potential project traffic impacts examined weekday conditions during the morning (AM) and afternoon (PM) peak hours and weekend conditions during the midday (MD) peak hour.

The existing condition analysis year was selected in accordance with the collection of study location count data which occurred in July 2021. Additionally, in order to align with the analysis window presented within the San Bernardino Transportation Analysis Model (SBTAM), a future buildout year of 2040 was selected for evaluation. Due to its rural nature, limited development is anticipated for the City and the surrounding area absent land use changes proposed as part of the General Plan/Transportation Element update. Therefore, operating conditions for the Future Without Project implementation scenario are expected to closely resemble operating conditions under the Existing scenario. Therefore, to be conservative, Future With Project conditions were compared to Existing conditions. Based on these assumptions the following analysis scenarios were evaluated to determine whether the project would result in deficient conditions along the City's roadway network:

- Existing (2021) conditions
- Future (2040) With Project conditions

The study area includes the following study intersections:

- Needles Highway at Budweiser Road
- Needles Highway at Park Road
- Needles Highway at WB I-40 Ramps/Balboa Place
- Needles Highway at EB I-40 Ramps/Pashard Street
- North K Street at River Road/Smokestack Avenue
- North Broadway Avenue/N Street at Needles Highway
- North K Street at Needles Highway
- J Street at West Broadway Street
- J Street at WB I-40 Ramps
- J Street at EB I-40 Ramps
- Bailey Avenue at Washington Street
- Bailey Avenue at J Street
- Bailey Avenue at Lillyhill Drive
- San Clemente Street at Casa Linda Street
- East Broadway Street at I-40 EB Ramps
- East Broadway Street at I-40 WB Ramps
- East Broadway Street at Goodwill Street
- D Street at Third Street
- Palm Way at West Broadway Street
- East Broadway Street at Victory Drive

Additionally, the following roadway segments were evaluated for existing traffic operations within the study area:

- Needles Highway between Budweiser Road and Northern City Limits
- Park Road between I-40 Ramps/National Trails Highway and Needles Highway
- Needles Highway between Park Road and National Trails Highway
- Needles Highway North of I-40 WB Ramps/Balboa Place
- Needles Highway between I-40 Ramps and North Broadway Avenue
- Needles Highway between North Broadway Avenue and North K Street
- North K Street between Needles Highway and River Road
- River Road between Needles Highway and Marina Drive
- J Street between Bailey Avenue and I-40 Ramps
- J Street between I-40 Ramps and Broadway Avenue
- North Broadway Avenue/West Broadway Street between Needles Highway and J Street
- West Broadway Street between J Street and G Street
- 3rd Street between F Street and D Street
- D Street between 3rd Street and Valley Avenue/Cibola Street
- Bailey Avenue between Washington Street and J Street
- Bailey Avenue between J Street and Lillyhill Drive
- Lillyhill Drive between Bailey Avenue and Clay Drive
- San Clemente Street between Clay Drive and I-40 Ramps
- East Broadway Street between I-40 Ramps and Goodwill Street
- East Broadway Street between Victory Drive and Spikes Road

Regulatory Framework

State

CEQA Guidelines Section 15064.3 was developed in response to Senate Bill 743, which eliminated auto delay, LOS, and similar measures of vehicular capacity or traffic congestion. CEQA Guidelines Section 15064.3 is a basis for determining impacts. The new criteria “shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses” (PRC Section 21099(b)(1)).³⁰⁸ Vehicle miles traveled (VMT) is the new indicator of the travel levels on the roadway system by motor vehicles.

As of July 1, 2020, all land use projects within the State of California are required to prepare a VMT analysis. Since the City has yet to adopt formal VMT analysis requirements, the analysis criteria and methodology outlined in the OPR Technical Advisory were used to evaluate potential VMT impacts for the project. Per the Technical Advisory, VMT metrics are often presented on a per capita (resident) or per employee basis, based on the proposed land use. Since the Project is a land use plan comprised of both residential and employment-based uses, the total VMT per service population metric was used to evaluate the changes in VMT associated with the land use changes proposed for the City. Total VMT accounts for all trip types and the service population corresponds to the total number of residents and employees within a defined area. This approach aligns with OPR’s Technical Advisory, which suggests that VMT be presented on an efficiency (per capita) basis, which allows the impact thresholds to apply more broadly across a wide range of project sizes and types. This metric is also well suited for the evaluation of the project, since the City is comprised of different uses (including both commercial and residential uses). Analyzing total VMT allows all trip types to be considered in the VMT analysis, which would encompass the trips associated with the various uses currently located in and proposed for the City.

City of Needles

Safety Element

The Safety Element of the current General Plan provides policies to assure that emergency response is maintained. This includes:

308 Public Resources Code (PRC), Division 13. Environmental Quality, Chapter 2.7. Modernization of Transportation Analysis for Transit-Oriented Infill Projects, Section 21099, https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=21099.&lawCode=PRC. Accessed March 2022.

Policy 3: Provide and maintain an emergency response system for the City of Needles.

Coupled with the following implementation measure, this would maintain coordination with other agencies:

- Implementation: Work with the County, Federal Government and other appropriate entities to develop an emergency response system to include: disaster communication, evacuation and response plans for the community.

Transportation Element

The proposed General Plan Update includes revisions to the City’s Land Use and Transportation Elements. As part of the proposed Plan, the City’s circulation system (streets and roads, bikeways, and pedestrian routes) will be updated to enhance mobility in and around Needles for more efficient and safer motorized and nonmotorized circulation, with a focus on aligning future growth projections and necessary roadway improvements. The City is also exploring the potential of a “Main Street” concept within Downtown Needles along Broadway Avenue. For this concept, potential lane reductions are being considered to create a more vibrant commercial district. The existing four-lane facility between L Street and A Street would be reduced to provide one travel lane in each direction with on-street angled parking. The lane reduction would only affect the lane geometries at one study intersection: J Street and Broadway Avenue. In addition, the lane reduction would only affect the number of travel lanes for the segment of Broadway Avenue between J Street and G Street.

The City intends to limit growth and development to its incorporated boundaries and does not plan to promote growth or changing land use or circulation in its unincorporated sphere of influence (SOI).

The proposed Transportation Element contains two primary goals, under which the Element’s policies are organized. The goals and policies proposed are detailed below:

Transportation Goals & Policies

GOAL TR-1 A Safe, Efficient and Fiscally Sustainable Network of Streets that are Adequate for Residents, Business, Visitors and Emergency Services

Policy TR-1.1 Comprehensive network. Plan, design, operate, and maintain transportation networks that promote safe and convenient travel within and through Needles to and from

key destinations as appropriate for all users: pedestrians, bicyclists, transit riders, freight, and motorists.

- Policy TR-1.2** **Level of service.** Maintain level of service (LOS) “D” or better along and at intersections of Broadway between J Street and Needles Highway, Needles Highway between Broadway and North K Street, and North K Street between Needles Highway and the Arizona state line. Maintain LOS C at all other public roadways and intersections during peak hours.
- Policy TR-1.3** **Fair share of improvements.** Require new development to pay a fair share of needed transportation improvements based on a project’s impacts to the multimodal transportation network.
- Policy TR-1.4** **VMT reduction.** Promote new development and transportation improvements that will reduce household and employment vehicle miles traveled (VMT) relative to existing conditions.
- Policy TR-1.5** **Road maintenance.** Regularly update the pavement management plan and maintain roadways to ensure safety and functionality, as an investment strategy, and to improve the City’s image and quality of life.
- Policy TR-1.6** **Roadway configuration.** Maintain existing roadway rights-of-way dimensions and the number of existing vehicle travel lanes to preserve Needles’ small town atmosphere, retain current speed limits, and manage ongoing maintenance costs. Allow expansions in roadway configuration when necessary and fiscally sustainable in order to meet desired levels of service.
- Policy TR-1.7** **Medians.** Avoid the installation of medians to enhance access and response times for emergency vehicles and to minimize the proportion of ROW dedicated to travel lanes. Allow medians for roadways if necessary to enhance safety, provided pedestrian and bicycle crossings are not expected.
- Policy TR-1.8** **Downtown parking.** Create and support flexible parking requirements and centralized parking options for downtown businesses.
- Policy TR-1.9** **Truck routes.** Plan and designate routes where trucks are prohibited to avoid overlaps or conflicts with safe routes to schools, residential neighborhoods, noise-sensitive uses, and roads that are not designed and paved to accommodate trucks.
- Policy TR-1.10** **Scenic highways.** Comply with state requirements regarding scenic highways along Interstate 40, maintaining the rights-of-way to protect and enhance the City’s scenic resources.

	Policy TR-1.11	Colorado River Bridge. Pursue and support options to fund maintenance and improvements to the bridge across the Colorado River in a manner that is fiscally sustainable.
	Policy TR-1.12	Vehicular crossings at railroads. Encourage the installation, modernization, and improvement of grade separations at rail crossings to facilitate more convenient access for cars, trucks, and emergency vehicles.
GOAL TR-2	A Multimodal Network that Provides for the Safe and Convenient Movement of People of All Ages and Abilities	
	Policy TR-2.1	Nonmotorized networks. Establish and maintain citywide networks of nonmotorized travel ways that create pedestrian and bicycle linkages between neighborhoods, recreational amenities, schools, employment centers, and commercial areas.
	Policy TR-2. 2	Multimodal design. The design of the overall transportation network, individual roads, and pedestrian/bicycle facilities should consider the comfort, convenience, and safety of pedestrians, bicyclists, and motorists of all ages and abilities. Within public road rights-of-way, prioritize the design and use of the space outside of travel lanes and parking areas to serve pedestrians, bicycles, and transit service.
	Policy TR-2.3	Context-sensitive design. Design vehicular, pedestrian, and bicycle facilities and networks based on a combination of their land use and roadway context to promote safety and efficiency for all users.
	Policy TR-2.4	Pedestrian- and bicycle-friendly streets. Create and maintain pedestrian- and bicycle-friendly public streets within residential neighborhoods and the downtown core; around schools, parks, and public facilities; and along neighborhood and general commercial centers. Promote dedicated facilities instead of shared facilities for pedestrians and bicyclists.
	Policy TR-2.5	Pedestrian and bicycle crossings at railroads. Coordinate with BNSF and pursue funding to modernize existing and establish new grade-separated railroad crossings to enhance connectivity for pedestrians and bicyclists.
	Policy TR-2.6	Electric bikes. Support and encourage the use of electric bicycles to reduce resident and employee reliance on cars, resulting in greater mobility while lowering vehicle miles traveled and associated emissions.
	Policy TR-2.7	Transit service. Maintain and enhance transit services to provide residents and workers with accessible and convenient service between residential neighborhoods, commercial centers, employment nodes, and medical

facilities. Expand transit service as feasible to facilitate access to the Colorado River for residents and tourists.

Policy TR-2.8 **Safe routes to school and recreation.** Provide pathways and facilities that encourage and facilitate safe travel between schools, parks, recreation facilities, and residential neighborhoods on foot and by bike.

Policy TR-2.9 **Traffic calming.** Use traffic calming measures in residential areas and activity centers, where warranted and appropriate, to enhance the safety of pedestrians and bicyclists.

Policy TR-2.10 Coordinate with the County to maintain Needles Airport for general aviation services.

Municipal Code and Ordinances

City of Needles Municipal Code states: no person shall operate or move a vehicle or combination of vehicles or special mobile equipment of a size or weight of vehicle or load exceeding the maximum specified in the state of California Vehicle Code on any highway or street within the City Limits of Needles without first obtaining a transportation permit from the city engineering department.

The City of Needles requires you to have an Oversize Transportation Permit while traveling on City Streets in Needles. Fill out the Application and submit it with:

- Proof of Insurance;
- Payment of appropriate fees; and
- Clearance from other Utility Companies.

Any loads that exceed the following need assistance:

- Heights above 17 feet
- Width wider than 12 feet
- Weight and using Lowboy Trailer Equipment
- Length longer than 65 feet

Discussion

a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Less Than Significant Impact.

The County's transportation network has pedestrian, bicycle, and public transit facilities to support alternative modes of transportation (i.e., not personal automobile).

The proposed Transportation Element incorporates policies related to supporting transit in the study area. These include supporting trip reduction strategies to reduce the number and length of vehicular trips, first/last mile connectivity to enhance the viability of and expand the utility of public transit, transit access for residents in unincorporated areas, and transit access to job centers and tourist destinations.

The proposed Transportation Element incorporates policies related to supporting bicycle facilities in the study area. These include prioritizing multimodal systems inside the proposed Downtown Core and other City destinations, supporting first/last mile connectivity to transit, maintaining a network of complete streets to provide mobility opportunities for all users, implementing additional complete streets improvements when it fits the context of the community, developing and maintaining local and regional bicycle networks, and promoting bicycle and pedestrian safety when infrastructure improvements are made.

The proposed General Plan Update includes revisions to the City's Land Use and Transportation Elements. The City's existing Transportation Element, referred to as the Transportation Element³⁰⁹, is oriented around the stated goal of providing a complete and efficient circulation system that takes into account convenience of access and safety while minimizing disruptive unnecessary traffic within residential neighborhoods. This goal is met through the policies and principles included within the Transportation Element: Policy 2 improves the appearance of existing transportation rights-of-way and incorporates high standards of design when considering new transportation corridors, including streets, activity trails, walkways, and other related rights-of-way. Policy 3 ensures that sidewalks, activity trails, and walking facilities are extended throughout the city to allow for more convenient and safer pedestrian movement.

309 City of Needles General Plan, Circulation, Transportation, and Scenic Highways Element, 1986.

The proposed Transportation Element, by comparison, places a much greater emphasis on transit, roadway, bicycle, and pedestrian facilities than does the existing Transportation Element. This is illustrated by the proposed Plan's inclusion of Goal TR-2: A Multimodal Network that Provides for the Safe and Convenient Movement of People of All Ages and Abilities and its associated policies, as listed under the Regulatory Framework.

As a result of the proposed Plan's greater emphasis on safely accommodating both drivers and users of active modes of transportation, the adoption of the proposed General Plan Update would effectively improve the General Plan's provision of policies that protect the safety of circulation system users. Further, upon adoption of the General Plan Update, the proposed Transportation Element would supersede the existing Transportation Element, and would thus become the central governing document regulating the planning, maintenance, and use of the City's circulation system, which all other plans, policies, and regulations must then comply with from that point forward.

Beyond the existing Transportation Element, the existing regulatory regime in Needles requires payment of development impact fees in addition to adherence to the goals, policies, and principles established in the General Plan in order to help fund the implementation of said goals, policies and principles. Development impact fees in Needles are collected to support public expenditures regarding the circulation system, parkland acquisition and facilities, water source storage and distribution, and the City's wastewater collection system.³¹⁰ Fees supporting the circulation system, \$888 and \$593 per unit for detached and attached units in North Needles, respectively, and \$106 and \$71 per unit for detached and attached units in South Needles, respectively, are not modified by the proposed Transportation Element, and thus would not be impacted by the adoption of the proposed General Plan Update.

In summary, implementation of the proposed General Plan update would increase demand for public transit, bicycle, and pedestrian facilities, which would require the improvement and expansion of the circulation system. A review of the proposed General Plan update does not potential policy inconsistencies or conflicts with policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities or the performance or safety of those facilities. The proposed General Plan update incorporates policies related to supporting transit, bicycle, and pedestrians in the City. These are consistent with regional and local planning efforts supporting these modes of travel. Additionally, the proposed General Plan update has numerous policies

310 Needles City Council, City of Needles Annual Account of Development Impact Fees for FY 20, Accessed October 2022.

supporting complete streets (providing accessibility for all users of all ages and abilities) and active transportation.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less Than Significant Impact.

The VMT was calculated under both existing and future conditions to establish a baseline and determine the project impacts for the land use generated VMT. The San Bernardino Transportation Analysis Model SBTAM was used to estimate the VMT metrics associated with the City.

The Technical Advisory recommends that proposed projects generate a VMT per capita or per employee that is fifteen percent below that of the existing development in order to not result in a significant impact. However, the Technical Advisory also notes the difficulties rural communities face in order to reduce VMT. Therefore, significant thresholds for these areas can be determined on a case-by-case basis. Therefore, in order to comply with the State's goal of reducing VMT, for the purposes of this analysis, the following threshold was established for the identification of significant impacts:

- The Citywide VMT per service population under future with General Plan Buildout conditions exceeds the Citywide VMT per service population under existing conditions.

This impact threshold was applied based on the VMT metrics calculated for the project and were used to determine whether the project is anticipated to result in a significant VMT impact.

The VMT generated by uses in the City was also calculated for the Future (2040) With Project conditions. The total VMT associated with all trip types was calculated for all trips originating in or destined for the land uses with the traffic study traffic analysis zones (TAZs) within the City of Needles, the Needles Sphere of Influence area, and surrounding San Bernardino County, assuming the proposed General Plan update's land use changes are implemented.

The area covered by the TAZs containing the land uses within the City is expected to generate approximately 39.17 total VMT per service population. When this area is expanded to cover all

TAZs touching the boundary of the City (including large areas of land outside of the City), the area is expected to generate approximately 91.58 VMT per service population. The County of San Bernardino overall will generate on average 33.40 total VMT per service population. Therefore, while the City is still expected to generate VMT at a higher rate than the County average, the developed areas of the City will continue to generate VMT at a lower rate than the surrounding region.

To determine whether the General Plan land use changes will result in a significant VMT impact, the Future (2040) With Project VMT metrics for the City must be compared with the Existing (2021) VMT metrics. The City of Needles TAZs was determined to be the appropriate area to use to evaluate the impact of the proposed Transportation Element update. This area encompasses the vast majority of the uses within the City including all proposed land uses as part of the General Plan. In addition, this area excludes the distant communities which generate VMT at a much different rate than the City itself. The addition of the proposed General Plan update's land use changes would result in an approximately 3.8 percent decrease in the total VMT per service population generated by the City's land uses. Therefore, the Transportation Element update is not expected to result in a significant VMT impact.

The proposed Transportation Element includes a number of goals and policies designed to support the ongoing development of a safe and efficient transportation system in Needles. Among the policies included in the proposed Transportation Element is policy TR-1.4: VMT Reduction which codifies the promotion of greenhouse gas reduction through reductions in VMT.

Further, one of the proposed Transportation Element's two primary goals, Goal TR-2: A Multimodal Network that Provides for the Safe and Convenient Movement of People of All Ages and Abilities, is intended specifically to support the development of multimodal transportation networks and a diversity of land uses, and thus is compliant with both the spirit and letter of CEQA Guidelines section 15064.3, subdivision (b). Goal TR-2 and its associated policies are detailed in full in the **Setting** section above.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

No Impact.

Buildout of the proposed General Plan update would involve the alteration, intensification, and redistribution of land uses in the City; however, these changes would conform the land use designation with the City's existing zoning map. The proposed Transportation Element includes minor circulation network improvements, such as lane reductions along portions of Broadway Street, which would consist mostly of roadway widening and intersection improvements. These improvements would be subject to review and future consideration by the City's Public Works Department review. An evaluation of the roadway alignments, intersection geometrics, and traffic control features would be needed. Roadway improvements would have to be made in accordance with the City's circulation plan and roadway design guidelines.

The proposed General Plan Update includes revisions to the City's Land Use and Transportation Elements. As part of the proposed Plan, the City's circulation system (streets and roads, bikeways, and pedestrian routes) will be updated to enhance mobility in and around Needles for more efficient and safer motorized and nonmotorized circulation, with a focus on aligning future growth projections and necessary roadway improvements. The City is also exploring the potential of a "Main Street" concept within Downtown Needles along Broadway Avenue.

For this concept, potential lane reductions are being considered to create a more vibrant commercial district, the only proposed modification to the design and construction of the circulation system included in the Plan. The existing four-lane facility between L Street and A Street would be reduced to provide one travel lane in each direction with on-street angled parking. The lane reduction would only affect the lane geometries at one study intersection: J Street and Broadway Avenue. In addition, the lane reduction would only affect travel lanes on the segment of Broadway Avenue between J Street and G Street. The proposed lane reductions are intended to reduce hazards by reducing pedestrian crossing distances, providing a safer pedestrian environment, and reducing vehicle speeds in the proposed mixed-use commercial district.

The modifications proposed for Broadway Avenue would not introduce any sharp curves or dangerous intersections to the Planning Area, nor does the Plan propose any incompatible uses that would introduce hazards, such as farm equipment, to any section of the existing roadway.

City of Needles Municipal Code states: no person shall operate or move a vehicle or combination of vehicles or special mobile equipment of a size or weight of vehicle or load exceeding the maximum specified in the state of California Vehicle Code on any highway or street within the City Limits of Needles without first obtaining a transportation permit from the city engineering department.

The proposed General Plan update looks to limit truck traffic through revised policies. Additionally, the proposed General Plan update includes policies to assure pedestrian safety and safe routes to schools.

The City's Circulation Plan will be revised to update roadway designations and accompanying street cross sections. The proposed Circulation Plan is shown in **Figure 2.0-6: Proposed Circulation Plan**. In addition, the City will update street designated "Truck Routes" to include portions of the following roadways:

- Broadway Street
- Eagle Pass Road
- J Street
- K Street (U.S. 95)
- M Street
- N Street
- Needles Highway
- Third Street
- W. Park Road, and
- Walnut Street

Combined with appropriate roadway classifications to allow for oversize traffic and trucks, the proposed General Plan update will not result in increased hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses related to vehicle traffic.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

d. Result in inadequate emergency access?

Less Than Significant Impact.

As discussed under Section 5.9f, the proposed General Plan Update includes updates to the City's Land Use and Transportation Elements and does not include changes to the existing Safety Element or the existing Hazard Mitigation Plan. The proposed Land Use and Transportation

Elements, upon adoption, would remain consistent with the existing Safety Element and Hazard Mitigation Plan, and would not interfere with the provisions established therein. The proposed General Plan Update is a policy and regulatory document, does not propose or entitle any new development projects in the City, and would not result in any changes to the physical environment.

The Safety Element of the current General Plan provides policies to assure that emergency response is maintained.

As previously noted, buildout of the proposed General Plan update would involve the alteration, intensification, and redistribution of land uses in the City; however, these changes would conform the land use designation with the City's existing zoning map. An evaluation of the roadway alignments, intersection geometrics, and traffic control features would be needed. Roadway improvements would have to be made in accordance with the City's circulation plan and roadway design guidelines.

The proposed General Plan update does not propose or entitle any specific development projects, but rather modifies the land use designations of parcels within the City and establishes a new policy regime governing land use and transportation.

Projects are evaluated for emergency access concerns at the individual project level and must undergo review by the City and its departments for any impacts to the environment or health and safety of the community prior to approval. Any future development projects initiated following the adoption of the proposed General Plan Update would be subject to site-specific project-level review, including by the City's Police and Fire Departments.

As the proposed General Plan update would be required to comply with all existing rules, regulations, and practices regarding emergency access, no impacts would occur.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

5.18 TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
Tribal Cultural Resources - Would the project:				
a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Framework

State

“Tribal cultural resources” (TRCs) as defined in PRC Section 21074,³¹¹ are: sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe. Additionally, PRC section 5020.1(k) defines “local register of historical

311 Public Resources Code (PRC), Division 13. Environmental Quality, Chapter 2.5 Definitions, Section 21074, https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC§ionNum=21074. Accessed March 2022.

resources" as a list of properties officially designated or recognized as historically important by a local government pursuant to a local ordinance or resolution.³¹²

As discussed in Cultural Resources, the Planning Area includes sites listed on a local historic landmark list, the California Historical Landmarks register, and National Register. The potential exists that other archaeological resources, including TCRs.

Senate Bill 18 (SB 18)³¹³ and Assembly Bill (AB 52)³¹⁴ establishes a formal consultation process for California Native American tribes on development projects.

Under SB 18, local governments must consult with tribes under two circumstances:

- On or after March 1, 2005, local governments must consult with tribes that have requested consultation in accordance with Government Code §65352.3. The purpose of this consultation is to preserve, or mitigate impacts to, cultural places that may be affected by a general plan or specific plan amendment or adoption.
- On or after March 1, 2005, local governments must consult with tribes before designating open space, if the affected land contains a cultural place and if the affected tribe has requested public notice under Government Code §65092. The purpose of this consultation is to protect the identity of the cultural place and to develop treatment with appropriate dignity of the cultural place in any corresponding management plan (Government Code §65562.5).

AB 52 requires lead agencies to analyze a project's impacts on "tribal cultural resources," separately from archaeological resource. Under AB 52, "tribal cultural resources" include "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" that are either (1) listed, or determined to be eligible for listing, on the state or local register of historic resources; or (2) a resource that the lead agency chooses, in its discretion, to treat as a tribal cultural resource (PRC Section 21074). AB 52 also requires lead agencies to engage in additional consultation procedures with respect to California Native American tribes).

312 Public Resources Code (PRC), Division 5. Parks and Monuments, Chapter 1. State Parks and Monuments, Article 2. Historic Resources, Section 5020.1, https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=5020.1.&lawCode=PRC . Accessed March 2022.

313 Senate Bill 18 (Burton, Chapter 905, Statutes of 2004); California Government Code Section 65352.3 - Consultations with California Native American Tribes. 2004.

314 Assembly Bill No. 52 (AB52), Chapter 532, Approved by Governor September 25, 2014.

City of Needles

The Conservation Element includes the following goals and policies related to historic structures:³¹⁵

- Goal 1: To conserve and enhance Needles natural and historical resources, facilitating development in a manner which reflects the characteristics, sensitivities and constraints of these systems.
- Goal 2: To preserve the individual and collective architectural and historical heritage of Needles.
 - Policy 1: Vigorously pursue the conservation and preservation of historical and natural resources.
 - Policy 4: Manage existing land uses and future development to insure minimization of pollution of the City's water supply or the Colorado River.

The proposed Land Use Element includes the following policies that will assist the City in maintaining parkland.

Policy LU-1.1 Growth management. Encourage new development to take place in areas that are already served by existing utilities, expanding, and improving systems and capacity as appropriate and fiscally sustainable. Discourage development and extension of services outside of the City's incorporated boundaries.

Policy LU-1.8 Public facilities. Plan and coordinate to locate land and size facilities dedicated to open space, parks, education, and other public uses as appropriate to serve existing and future residents.

The proposed Land Use Element of the General Plan update includes policies regarding the protection of cultural resources:

Policy LU-1.1 Growth management. Encourage new development to take place in areas that are already served by existing utilities, expanding, and improving systems and capacity as appropriate and fiscally sustainable. Discourage development and extension of services outside of the City's incorporated boundaries.

Policy LU-1.7 Environmentally sensitive development. Require new development to maximize its compatibility with the natural environment and avoid expansions or encroachments into environmentally sensitive areas.

315 City of Needles General Plan, "Conservation and Historic Preservation Element" (February 18, 1986).

Discussion

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

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

Less Than Significant Impact.

Notification letters were sent by the City to tribes that have notified the City, pursuant to AB 52 that have notified the City for projects that the City processes an application under CEQA. The tribes that were notified of the proposed General Plan update include:

- Colorado River Indian Tribes
- Fort Mojave Indian Tribe
- Morongo Band of Mission Indians
- Torres Martinez Desert Cahuilla Indians
- Twenty Nine Palms Band of Mission Indians

Letters were sent to these tribes on August 22, 2022. Copies of the AB 52 notification letters are provided in **Appendix G.1**.

Notification letters were sent by the City to tribes identified by the NAHC pursuant to SB 18 as having an interest in the Planning Area. These tribes include:

- Agua Caliente Band of Cahuilla Indians
- Augustine Band of Cahuilla Indians
- Cabazon Band of Mission Indians
- Cahuilla Band of Mission Indians
- Chemehuevi Indian Tribe
- Colorado River Indian Tribes
- Fort Mojave Indian Tribe
- Gabrieleno Band of Mission Indians - Kizh Nation
- Gabrieleno/Tongva San Gabriel Band of Mission Indians
- Gabrielino /Tongva Nation
- Gabrielino Tongva Indians of California Tribal Council
- Gabrielino-Tongva Tribe

- Juaneno Band of Indians
Acjachemen Nation - Belardes
- Juaneno Band of Mission Indians
Acjachemen Nation 84A
- Kern Valley Indian Community
- Los Coyotes Band of Cahuilla and
Cupeño Indians
- Morongo Band of Mission Indians
- Pala Band of Mission Indians
- Pechanga Band of Indians
- Quechan Tribe of the Fort Yuma
Reservation
- Ramona Band of Cahuilla
- Rincon Band of Luiseno Indians
- San Fernando Band of Mission
Indians
- San Manuel Band of Mission Indians
- Santa Rosa Band of Cahuilla Indians
- Serrano Nation of Mission Indians
- Soboba Band of Luiseno Indians
- Torres Martinez Desert Cahuilla
Indians
- Twenty Nine Palms Band of Mission
Indians

Letters were sent to these tribes on October 22, 2022. Copies of the SB 18 notification letters are provided in **Appendix G.2**. The tribes that have responded as of the release of this document include:

- Agua Caliente Band of Cahuilla Indians
- Chemehuevi Indian Tribe
- Fort Mojave Indian Tribe
- Gabrielino Tongva Indians of California Tribal Council
- Rincon Band of Luiseno Indians
- San Manuel Band of Mission Indians
- Quechan Tribe of the Fort Yuma Reservation

Neither tribes indicated that they do not see a need to consult on this project. No other responses were received by any of the tribes that were contacted.

The Conservation Element includes the following goals and policies related to historic structures.³¹⁶ The proposed Land Use Element of the General Plan update includes policies regarding the protection of cultural resources.

The proposed General Plan Update includes an update to the City's Land Use and Transportation Elements, and does not modify or propose to modify the City's existing Conservation and Historic Preservation Element. The proposed Land Use Update does not propose or entitle any new development within the City and does not directly propose physical changes in the environment. The proposed General Plan Update would maintain consistency with the goals and policies referenced above.

³¹⁶ City of Needles General Plan, "Conservation and Historic Preservation Element" (February 18, 1986).

Should any future development project seek to modify the any of the designated land uses as noted on the proposed Land Use Map, including Open Space, project-specific review would be required pursuant to the existing regulatory regime and any impacts identified would be addressed through project-specific mitigation actions. This would include the requirements set forth under AB 52 for tribal notification. Likewise, should the City pursue any future General Plan amendments, the City would abide by the requirements of SB 18.

All future development in the City pursuant would be subject to federal, state, and regulatory requirements related to the discovery and handling of tribal resources, and would require project-specific environmental evaluation to determine that any potential impacts are less than significant. The involvement of the appropriate tribes, as determined the SB 18 and/or the AB 52 processes, would occur. Any potential environmental impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project is considered by the City.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less Than Significant Impact.

Public Resource Code Section 5024.1(c) includes criteria to be used for listing a resource in the California Register.

Assembly Bill (AB 52)³¹⁷ establishes a formal consultation process for California Native American tribes on development projects. Senate Bill 18 (SB 18)³¹⁸ requires local governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural

317 Assembly Bill No. 52 (AB52), Chapter 532, Approved by Governor September 25, 2014.

318 Senate Bill No. 18 (SB18), Approved by Governor September 2004.

places through local land use planning, with the intent being to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage for the purpose of protecting, or mitigating impacts to, cultural places.

Should any future development project seek to modify the any of the designated land uses as noted on the proposed Land Use Map, including Open Space, project-specific review would be required pursuant to the existing regulatory regime and any impacts identified would be addressed through project-specific mitigation actions. This would include the requirements set forth under AB 52 for tribal notification. Likewise, should the City pursue any future General Plan amendments, the City would abide by the requirements of SB 18.

All future development in the City pursuant would be subject to federal, state, and regulatory requirements related to the discovery and handling of tribal resources, and would require project-specific environmental evaluation to determine that any potential impacts are less than significant. The involvement of the appropriate tribes, as determined the SB 18 and/or the AB 52 processes, would occur. Any potential environmental impacts identified from future development would be addressed through project-specific mitigation measures identified at the time a specific development project is considered by the City.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

5.19 UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
UTILITIES AND SERVICE SYSTEMS - Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water, drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonable foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Framework

State and Federal

Wastewater

The numerous federal and state regulations regulate environmental impacts related to wastewater facilities. These include:

- The federal Clean Water Act (CWA), United States Code, Title 33, Section 1251 et seq. establishes regulations to control the discharge of pollutants into the waters of the United States and regulates water quality standards for surface waters.³¹⁹ Under the

³¹⁹ United States Environmental Protection Agency, Summary of the Clean Water Act, [https://www.epa.gov/laws-regulations/summary-clean-water-act#:~:text=33%20U.S.C.%20C%27A71251%20et%20seq.%20\(1972\)&text=%22Clean%20Water%20Act%22%20became%20the,for%20pollutants%20in%20surface%20waters](https://www.epa.gov/laws-regulations/summary-clean-water-act#:~:text=33%20U.S.C.%20C%27A71251%20et%20seq.%20(1972)&text=%22Clean%20Water%20Act%22%20became%20the,for%20pollutants%20in%20surface%20waters). Accessed October 2022.

CWA, the US Environment Protection Agency (EPA) is authorized to set wastewater standards for industry and runs the National Pollutant Discharge Elimination System (NPDES) permit program.³²⁰ Under the NPDES program, permits are required for all new developments that generate discharges that go directly into “Waters of the United States.”³²¹ Additionally, Section 1251 et seq. of the CWA requires wastewater treatment of all effluent before it is discharged into surface waters.³²²

- The Porter-Cologne Water Quality Act (Water Code § 13000 et seq.) is the basic water quality control law for California. ³²³ Under this act, the State Water Resources Control Board (SWRCB) has primary responsibility for coordination and control of water quality. In California, the EPA has delegated authority to issue NPDES permits to the SWRCB. ³²⁴ The state is divided into nine regions related to water quality and quantity characteristics. The SWRCB, through its nine Regional Water Quality Control Boards (RWQCBs), carries out the regulation, protection, and administration of water quality in each region.³²⁵ Each regional board is required to adopt a Water Quality Control Plan or Basin Plan that recognizes and reflects the regional differences in existing water quality, the beneficial uses of the region’s ground and surface water, and local water quality conditions and problems.³²⁶
- The SWRCB adopted a General Waste Discharge Requirement (Order No. 2006-0003) for all publicly owned sanitary sewer collection systems in California with more than one mile of sewer pipe.³²⁷ The order provides a consistent statewide approach to reducing sanitary sewer overflows by requiring public sewer system operators to take all feasible steps to control the volume of waste discharged into the system, to prevent sanitary sewer waste from entering the storm sewer system, and to develop a Sanitary Sewer

320 United States Environmental Protection Agency, NPDES Permit Basics, <https://www.epa.gov/npdes/npdes-permit-basics>. Accessed October 2022.

321 United States Environmental Protection Agency, NPDES Permit Basics, <https://www.epa.gov/npdes/npdes-permit-basics>. Accessed October 2022.

322 United States Environmental Protection Agency, Summary of the Clean Water Act, [https://www.epa.gov/laws-regulations/summary-clean-water-act#:~:text=33%20U.S.C.%20C2%A71251%20et%20seq.%20\(1972\)&text=%22Clean%20Water%20Act%22%20became%20the,for%20pollutants%20in%20surface%20waters](https://www.epa.gov/laws-regulations/summary-clean-water-act#:~:text=33%20U.S.C.%20C2%A71251%20et%20seq.%20(1972)&text=%22Clean%20Water%20Act%22%20became%20the,for%20pollutants%20in%20surface%20waters). Accessed October 2022.

323 California State Water Resources Control Board, Porter-Cologne Water Quality Control Act, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.waterboards.ca.gov/laws_regulations/docs/portercologne.pdf. Accessed October 2022.

324 California State Water Resources Control Board, National Pollutant Discharge Elimination System (NPDES) - Wastewater, https://www.waterboards.ca.gov/water_issues/programs/npdes/. Accessed October 2022,

325 California State Water Resources Control Board, The Nine Regional Water Quality Control Boards in California, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.waterboards.ca.gov/publications_forms/publications/factsheets/docs/region_brds.pdf. Accessed October 2022.

326 United States Environmental Protection Agency, Water Quality Standards Regulations: California, <https://www.epa.gov/wqs-tech/water-quality-standards-regulations-california>. Accessed October 2022.

327 California State Water Resources Control Board, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2006/wqo/wqo2006_0003.pdf. Accessed October 2022.

Master Plan. The General Waste Discharge Requirement also requires that storm sewer overflows be reported to the SWRCB using an online reporting system.³²⁸

- The Sanitary District Act of 1923 (Health and Safety Code Section 6400 et seq.) authorizes the formation of sanitation districts and empowers the districts to construct, operate, and maintain facilities for the collection, treatment, and disposal of wastewater.³²⁹ The act was amended in 1949 to allow the districts to also provide solid waste management and disposal services, including refuse transfer and resource recovery.³³⁰
- The SWRCB implements regulations to reduce the impact of wastewater sources on groundwater quality in accordance with state law (AB 885) through its water quality control policy for siting, design, operation, and maintenance of onsite wastewater treatment systems (OWTS) (septic systems) (Resolution No. 2012-0032).³³¹ This policy establishes a statewide, risk-based, tiered approach for the regulation and management of OWTS installations and replacements that have affected, or will affect, groundwater or surface water to a degree that makes it unfit for drinking water or other uses or cause a health or public nuisance condition.³³² RWQCBs incorporated the standards established in the OWTS policy or standards that are more protective of the environment and public health into their water quality control plans. Implementation is overseen by the state and regional water quality boards and local agencies (e.g., county and city departments and independent districts).
- The General Pretreatment Regulations at 40 CFR 403.1 et seq. establish the responsibilities of government agencies, industries, and the public to implement pretreatment standards to control industrial pollutants that may pass through or interfere with publicly owned treatment works (POTWs) or contaminate sewage sludge.³³³ In 1978, the EPA promulgated extensive regulations requiring many POTWs to develop and implement local pretreatment programs. The EPA delegated the responsibility to oversee these pretreatment programs to the state and regional water boards in 1989.³³⁴ As a result, the state and regional water boards are responsible for

328 California State Water Resources Control Board, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2006/wqo/wqo2006_0003.pdf. Accessed October 2022.

329 Los Angeles county Sanitation Districts, Who We Are & What We Do For You, <https://www.lacsd.org/services/wastewater-programs-permits/wastewater-revenue-program/who-we-are-what-we-do-for-you>. Accessed October 2022.

330 Los Angeles county Sanitation Districts, Who We Are & What We Do For You, <https://www.lacsd.org/services/wastewater-programs-permits/wastewater-revenue-program/who-we-are-what-we-do-for-you>. Accessed October 2022.

331 California State Water Resources Control Board, Onsite Wastewater Treatment Systems (OWTS) Policy, https://www.waterboards.ca.gov/water_issues/programs/owts/owts_policy.html. Accessed October 2022.

332 California State Water Resources Control Board, Onsite Wastewater Treatment Systems (OWTS) Policy, https://www.waterboards.ca.gov/water_issues/programs/owts/owts_policy.html. Accessed October 2022.

333 Code of Federal Regulations, § 403.1 Purpose and Applicability, <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-N/part-403/section-403.1>. Accessed October 2022.

334 California State Water Resources Control Board, National Pollutant Discharge Elimination System (NPDES) - Pretreatment Program, https://www.waterboards.ca.gov/water_issues/programs/npdes/pretreat.html. Accessed October 2022.

the review and approval of new and modified POTW pretreatment programs. The NPDES permits these POTWs to spell out the pretreatment program monitoring and reporting requirements.³³⁵

- Waste discharge requirements for effluent discharged from wastewater treatment facilities to Waters of the United States are set forth in permits issued by regional water quality control boards—CRRWQCB.³³⁶
- In order to meet the State of California’s OWTS policy the LAMP was created.³³⁷ The LAMP provides minimum standards and requirements for the treatment and disposal of sewage through OWTS when no connection to a sewer is available.³³⁸ Requirements for new development include siting standards for OWTS near drinking water wells, impaired waterways, sources of groundwater, and other specific land uses.³³⁹ Regulations include minimum lot size, residential density, minimum setback requirements, natural ground slope and percolation, OWTS design specifications, and other criteria.³⁴⁰

Solid Waste

State law requires that solid waste meet various standards for recycling and disposal. These include:

- Assembly Bill 939³⁴¹ established an integrated waste-management system that focused on source reduction, recycling, composting, and land disposal of waste. AB 939 required every California city and county to divert 50 percent of its waste from landfills by the year 2000. Compliance with AB 939 is measured in part by comparing solid waste disposal rates for a jurisdiction with target disposal rates; actual rates at or below target rates are consistent with AB 939. AB 939 also requires California counties to show 15 years disposal capacity for all jurisdictions within the county; or show a plan to transform or divert its waste. AB 341³⁴² increases the statewide waste diversion goal to 75 percent by 2020, and mandates recycling for commercial and multifamily residential land uses.

335 California State Water Resources Control Board, National Pollutant Discharge Elimination System (NPDES) - Pretreatment Program, https://www.waterboards.ca.gov/water_issues/programs/npdes/pretreat.html. Accessed October 2022.

336 United States Environmental Protection Agency, Summary of the Clean Water Act, [https://www.epa.gov/laws-regulations/summary-clean-water-act#:~:text=33%20U.S.C.%20%2%A71251%20et%20seq.%20\(1972\)&text=%22Clean%20Water%20Act%22%20became%20the,for%20pollutants%20in%20surface%20waters](https://www.epa.gov/laws-regulations/summary-clean-water-act#:~:text=33%20U.S.C.%20%2%A71251%20et%20seq.%20(1972)&text=%22Clean%20Water%20Act%22%20became%20the,for%20pollutants%20in%20surface%20waters). Accessed October 2022.

337 San Bernardino County, Wastewater, <https://wp.sbcounty.gov/dph/programs/ehs/wastewater/>. Accessed October 2022.

338 San Bernardino County, Wastewater, <https://wp.sbcounty.gov/dph/programs/ehs/wastewater/>. Accessed October 2022.

339 California State Resources Control Board, OWTS Policy, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.waterboards.ca.gov/water_issues/programs/owts/docs/owts_policy.pdf. Accessed October 2022.

340 California State Resources Control Board, OWTS Policy, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.waterboards.ca.gov/water_issues/programs/owts/docs/owts_policy.pdf. Accessed October 2022.

341 AB 939; Integrated Solid Waste Management Act of 1989; Public Resources Code 40050 et seq.

342 AB 341 (Chapter 476, Statutes of 2011)

- AB 1826³⁴³ requires recycling of organic matter by businesses and multifamily residences of five or more units generating such wastes in amounts over certain thresholds. Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. Multifamily residences are not required to have a food waste diversion program.
- The 2022 California Green Building Standards Code³⁴⁴ requires that at least 65 percent of the nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse.

City of Needles

General Plan

The Conservation and Historic Preservation Element implements goals and implementation policies related to protecting this natural resource of water. These policies include:

Policy 4: Manage existing land uses and future development to insure minimization of pollution of the City's water supply or the Colorado River.

The proposed Land Use Element includes the following policies.

Policy LU-1.1 Growth management. Encourage new development to take place in areas that are already served by existing utilities, expanding, and improving systems and capacity as appropriate and fiscally sustainable. Discourage development and extension of services outside of the City's incorporated boundaries.

Policy LU-1.7 Environmentally sensitive development. Require new development to maximize its compatibility with the natural environment and avoid expansions or encroachments into environmentally sensitive areas.

Policy LU-1.8 Public facilities. Plan and coordinate to locate land and size facilities dedicated to open space, parks, education, and other public uses as appropriate to serve existing and future residents.

Development Fees

The City charges various fees and assessments to cover the costs of processing permits and providing services. Impact fees are also charged to cover the cost of providing municipal services or mitigating project impacts, while general fees and exactions ensure that project proposals are reviewed and permitted in accordance with the zoning code.

343 AB 1826 (California Public Resources Code § 42649.8 et seq.)

344 2022 California Green Building Standards Code (CALGreen; Title 24, California Code of Regulations, Part 11, Section 5.408 (Construction Waste Reduction, Disposal, and Recycling)/)

Development impact fees to fund public facilities and infrastructure are reasonably related to impacts on the City from residential development and other development, as more fully described in “Amendment to the 2006 Development Impact Fee Calculation and Nexus Report for the City of Needles, California,” including the “Summary Amendment to the 2006 Development Impact Fee Nexus Report for the City of Needles, California,” and “Amendment to the 2006 Master Facilities Plan for the City of Needles, California.” The reports justify the imposition of each development fee on new construction by analyzing the Master Facility Plans, assigning the costs on a fair share basis to the various types of new development, and assigning the resulting fee per dwelling unit and/or commercial/industrial square footage based on the anticipated burden of such new dwelling unit and/or commercial/industrial area on City facilities and infrastructure and the need created by such dwelling unit and/or commercial/industrial area for new and expanded facilities and infrastructure. Impact fees include:

- Detached Dwellings
 - Circulation: \$106 per unit
 - Water Source Storage and Distribution Facilities: \$2,087 per unit
 - Wastewater Collection System: \$1,208 per unit
 - Parkland Acquisition and Facilities Development: \$726
- Attached Dwellings
 - Circulation: \$71 per unit
 - Water Source Storage and Distribution Facilities: \$1,132 per unit
 - Wastewater Collection System: \$629 per unit
 - Parkland Acquisition and Facilities Development: \$549

Due to new interest in growth north of the Needles central district, a study is now underway to determine the cost of extending City services into areas that are not presently being served by City water and sewer systems.

The City of Needles adopted Ordinance 607-AC, which amended Ordinance No 483-AC amending the development impact fee report and master facilities plan and adopted the necessary findings for the establishment of development impact fees to finance public improvements and facilities. The City considered the specific projects to be funded by the development impact fees and the cost estimates contained in the Development Impact Fee Report, Summary Amendment, and Master Facilities Plan.

Discussion

- a. Require or result in the relocation or construction of new water or expanded water, wastewater treatment or stormwater, drainage, electric power, natural gas, or telecommunications facilities, the construction of which relocation could cause significant environmental effects?***

Less Than Significant Impact.

Water Supply

Groundwater is the sole source of the Needles water supply. The City of Needles currently relies on its own sources, distribution lines, and storage to provide potable (also referred to as “culinary”) water to the City.

Approximately 781 million gallons per year are pumped from four (4) wells. The wells are approximately 100 feet deep and are located in the lower part of the City. The City’s water distribution system consists of 66 miles of lines varying in diameter from 2-inch to 16-inch. Lines are constructed of ductile iron, asbestos cement, steel and plastic pipe. Water storage capacity for the Needles water supply is provided by four storage tanks serving two pressure zones. There are two 1.5 million gallon tanks next to the Rodeo Grounds, and one 1.5 million gallon tank and one 100,000 gallon tank at the southern terminus of Parkway Street.

Currently, the sources of water include two groundwater wells. One primary well, Well 15, and one that is designated as an emergency backup and is planned to be abandoned in the future, Well 8. The Well Field is located on the southeast corner of Bush Street and K Street.

Well No. 15 is still in operation and is the primary source of water provided to the City. It was reinforced with grout to help keep it from collapsing. This well yields approximately 2,300 gallons per minute (GPM) and an annual capacity of 1,208.88 million gallons per year (MGY),³⁴⁵ Although the wells were drilled to approximately the same elevation, they do not appear to be receiving water from the same aquifer. In recent years, the City has been forced to cease use of some functioning wells due to high iron and manganese levels in the water.

Water quality drinking water standards are established both by the State Water Resource Control Board (SWRCB) and by the U. S. Environmental Protection Agency (USEPA) in compliance

345 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

with the Safe Water Drinking Act. The City of Needles has experienced declining groundwater quality in most of its domestic water wells. Currently three of the four permitted wells within the City's water system have contaminants exceeding Maximum Contaminant Levels (MCLs) set by the State of California for drinking water.

The City is in the process of drilling a new well (Well No. 16) to assist in meeting water demand requirements and address water quality issues experienced by current wells. Well No. 16 is anticipated to be developed based on a preliminary well design of an 18-inch inside diameter well casing. The depth of the well will be dependent upon test drilling results. Groundwater produced from the well would be distributed into the City's existing water system from the pump to a new 16-inch pipeline. Groundwater levels in the area of Well No. 16 are approximately 21-25 feet below the ground surface (BGS).

The average annual potable water usage from the years of 2010 to 2015 was approximately 594.9 MGY.³⁴⁶

The proposed General Plan Update estimates an increase in of 1,078 housing units by 2040; this would result in an increased potable water demand of 254.9 MGY based on the water 2019 Utilities Master Plan that assigns the value of 0.45 gpm as the average demand per residential connection.³⁴⁷ Additionally, the proposed General Plan update estimates 460 acres of future commercial area that could be developed by 2040; this would result in an increase of approximately 307.1 MGY based on the 1.27 gpm/acre of water demand given by the 2019 Utilities Master Plan.³⁴⁸ This would increase demand by 562.0 MGY for a total of 1,156 MGY.

The City's Culinary Water & Sanitary Sewer Capital Facilities Master Plan³⁴⁹ has identified that the supply of Well 15 will be able to provide enough culinary water to reach demands through 2040, but an additional well should be constructed in the case of the well failing or becoming

346 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

347 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

348 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

349 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

contaminated. As noted previously, the City is currently developing Well No. 16 to assist in meeting supply.

Storage capacity for water supplies currently provides a total surplus of 1,622,000 gallons. The storage of water is divided between two zones, the Upper Zone and the Lower Zone. At this time, water capacity in the Upper Zone storage has a surplus of 202,000 gallons of storage and the Lower Zone has 1,420,000 gallons of surplus storage.³⁵⁰ The 2019 Facilities Master Plan³⁵¹ identified a future need for an additional storage to provide the capacity needed for future growth. Without the construction of additional storage, there would be a combined shortfall of 1.254 million gallons by 2050 based on the buildout assumed by the 2019 Needles' Culinary Water and Sanitary Sewer and Capital Facilities Master Plan.³⁵²

The 2019 Facilities Master Plan³⁵³ assumed a future population of 8,259 people in 2040 and 10,200 people in 2050 compared to the proposed General Plan Update that expects smaller population of 7,750. As the future demand estimated by the City is more than that forecast by the proposed General Plan update, the City would have adequate water supply, with the addition of Well No. 16 and storage capacity, with the construction of an additional storage reservoir, to meet future demand.

The Conservation and Historic Preservation Element implements goals and implementation policies related to protecting this natural resource of water. The proposed Land Use Element includes policies that will assist the City in water supply.

Furthermore, sustainability measures will be ensured in all groundwater activities in line with the Sustainable Groundwater Management Act 354 and local water suppliers, cities, and

350 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

351 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

352 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

353 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

354 California Department of Water Resources, Sustainable Groundwater Management Act (SGMA)/ <https://water.ca.gov/programs/groundwater-management/sgma-groundwater-management>. Accessed October 2022.

counties will make decisions about land use in accordance with SB 610 and SB 221.³⁵⁵ In addition, the landscape water efficiency standards shall be implemented in accordance with the City's Water Efficient Landscape Ordinance. ³⁵⁶ The Ordinance applies to all of the following landscape projects:

1. New development projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review.
2. rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building permit, plan check, or design review.
3. Cemeteries.
4. Any new project shall utilize the requirements of the Water Efficient Landscape Ordinance.

Future development would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities and impacts would be less than significant.

The City does have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. The City would be able to continue to supply a surplus of water through the buildout of the proposed General Plan Update in 2040.³⁵⁷

Impacts would be less than significant.

355 California Department of Water Resources, Introduction to SB 610 and SB 221, https://calafco.org/sites/default/files/resources/CALAFCO_U/Introduction%20to%20SB%20610%20and%20SB%20221.pdf. Accessed October 2022.

356 City of Needles, Ordinance No. 570-AC, <https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:d190c0c4-d394-35c3-aaf7-b11a7488013d>. Accessed October 2022.

357 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

Wastewater

Wastewater in the City is handled by the existing sewage treatment plant which maintains a daily flow capacity of 1.2 million gallons per day (MGD).³⁵⁸ In 2018, the average daily flow of wastewater for the peak month was modeled to evaluate systems demands, and it was found that the average daily flow was 379,000 GPD (gallons per day);³⁵⁹ the plant is currently processing 28 percent to 31 percent of its daily capacity.

Projections made as part of the City's Culinary Water & Sanitary Sewer Capital Facilities Master Plan³⁶⁰ estimated that buildout through 2050 would create average flows equal to the full 1.20 MGD capacity of the treatment plant. The Plan also estimated peak flows which revealed that at buildout; as such it determined that wastewater flows could reach peak flows of 1.7 MGD, which exceeds the treatment plant daily flow capacity. The treatment plant was designed to handle a peak flow of 3.0 MGD, but the Plan recommends the City conduct a sewer capacity study prior to buildout (2035) to ensure that the treatment plant will maintain a capacity capable of handling the average daily flows.

The 2019 Facilities Master Plan³⁶¹ identified values of wastewater flows per residential unit and per commercial acre. These values are 0.104 gpm and 0.595 gpm, respectively. Using these values and the buildout conditions from the Buildout Methodology,³⁶² it can be estimated that the new 1,078 residential units would contribute an additional 161,441.28 gpd of wastewater, and the 460 commercial acres would add 394,128.0 gpd. The combined 555,569.28 gpd would bring the average daily flow to about 934,569 gpd. This amount remains below the maximum daily flow capacity of the wastewater treatment plant.

358 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

359 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

360 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

361 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

362 City of Needles, Buildout Methodology, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:ac9c2f4e-fc80-3b52-87d3-7856530a0542>. Accessed October 2022.

The SWRCB has also adopted Resolution No. 2012-0032, the Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems, which established statewide standards for septic systems. Local jurisdictions, such as the City, adopt a Local Area Management Program (LAMP) that fulfill the purpose of the onsite wastewater treatment systems (OWTS) Policy. LAMPs are submitted to RWQCBs for approval. Any future development associated with the Countywide Plan that relies on OWTSs needs to be compliant with the local LAMP.

This policy establishes a statewide, risk-based, tiered approach for the regulation and management of OWTS installations and replacements that have affected, or will affect, groundwater or surface water to a degree that makes it unfit for drinking water or other uses or cause a health or public nuisance condition. RWQCBs incorporated the standards established in the OWTS policy or standards that are more protective of the environment and public health into their water quality control plans. Implementation is overseen by the state and regional water quality boards and local agencies.

The proposed Land Use Element includes policies that will assist the City in maintaining wastewater treatment facilities.

Furthermore, as stated in the policies of the proposed Land Use Element, the City shall apply federal and state water quality standards for wastewater discharge requirements in the review of development proposals that relate to type, location, and size of the proposed project in order to safeguard public health and shared water resources.

Any future wastewater treatment expansion projects in the City would be required to conduct environmental review pursuant to CEQA prior to approval. CEQA requires proposed projects to provide detailed information on the potentially significant environmental effects they are likely to have, list ways in which the significant environmental effects would be minimized, and identify alternatives that would reduce or avoid the significant impacts identified for the project. To the extent feasible, significant environmental impacts would be mitigated to below a level of significance, consistent with CEQA. However, some environmental impacts associated with the construction of wastewater treatment plants would be significant and require mitigation.

Impacts would be less than significant.

Stormwater

The flood control functions of the County are handled through the San Bernardino County Flood Control District (Flood District). The Flood District was established in 1939 in response to the severe floods of 1938, which caused millions of dollars of property damage in the county and took several lives. The Flood District has developed an extensive system of facilities including dams, conservation basins, channels, and storm drains. The primary purpose of these facilities is to intercept and convey flood flows through and away from the major developed areas of the County to protect property and ensure public safety. Primary functions of the district are flood protection, water conservation, and storm drain construction. For future development proposals, the County does not require the payment of impact fees to pay for the construction and maintenance of regional infrastructure, although each project is required to include drainage improvements.

The Flood District is divided into six zones with interests, responsibilities, and geographical divisions distinctive to the particular zone. The City of Needles is located in Zone 6. According to the information readily available for Zone 6, facilities primarily consist of storm drains, channels, and natural streams and watercourses.

The area considered for cumulative storm drainage impacts is the Colorado River RWQCB region. Other projects in the region would increase impervious areas and thus increase runoff. Other projects meeting certain criteria would be required to implement low-impact development (LID) Best Management Practices (BMPs) requiring that specified amounts of runoff be infiltrated, evapotranspired, harvested and reused, or treated. Implementation of such BMPs would reduce the amount of runoff entering public storm drain systems.

Stormwater is a source of non-sewage flow into the City's treatment plant. The City's Culinary Water & Sanitary Sewer Capital Facilities Master Plan³⁶³ determined that the amount of wastewater treated does increase from approximately 537,000 gallons on a dry day to over 600,000 gallons during a rainstorm.³⁶⁴ The 2019 Master Plan does acknowledge that the additional flow of stormwater could cause the treatment plant to become overloaded, however

363 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

364 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

it had identified that the infiltration and inflow of stormwater is not a serious concern due to the arid climate and infrequency of storms.³⁶⁵

The current wastewater systems would be able to provide adequate services to meet the needs of future development projects that may accompany the proposed General Plan Update.

The proposed Land Use Element includes the following policies that will assist the City in managing stormwater.

The proposed General Plan Update is a policy-level planning document and does not authorize the construction of any new development therefore it would not cause significant environmental effects. Future developments would be subject to review to identify any environmental impacts and their subsequent mitigation.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

b. Have sufficient water supplies available to serve the project and reasonable foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact.

The City of Needles is the primary water supplier to the City; all areas are supplied by individual groundwater wells. The Colorado River provides an abundant source of surface and subsurface water to the Needles area.³⁶⁶ The dry desert climate of the City consistently experiences low amounts of precipitation - 4.62 inches annually.³⁶⁷

As mentioned in discussion a) above, current water supplies are 2,300 gpm which exceeds the demand of approximately 1,130 gpm.

365 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

366 City of Needles, (February 18, 1986) Natural, Cultural & Aesthetic Resources, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:fce5458c-0120-31b8-8644-774d380a438a>. Accessed October 2022.

367 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

The current primary well supplying water to the City. This well is expected to continue to provide up to 2,300 gallons per minute, which is more than enough to meet expected demand until about 2045 at 1,208.88 million gallons per year. The City also has Well 8, deemed as back up well, that yields approximately 550 gpm, which contributes to a total of 2,800 gpm of supply if needed. As determined in discussion a) above, the City is also in the process of creating a new well, Well 16, to provide additional water to meet future demand as well as address water quality issues since previous wells have declined in water quality due to contamination.

The City would be able to provide enough potable water at buildout of the proposed general plan that would increase potable water demand from an estimated 594.9 MGY to 1,156.4 MGY based on the 2019 Utilities Master Plan. Water storage capacity would need to be increased to meet the expected future demand. Current facilities provide an excess storage capacity of 1,622,00 gallons.³⁶⁸ The completed buildout in 2040 would require additional storage for 1.254 million gallons of water which would be achieved by constructing and additional storage reservoir.

The Conservation and Historic Preservation Element implements goals and implementation policies related to protecting this natural resource of water. The proposed Land Use Element includes the following policies that will assist the City in maintaining water supplies.

Furthermore, sustainability measures will be ensured in all groundwater activities in line with the Sustainable Groundwater Management Act³⁶⁹ and local water suppliers, cities, and counties will make decisions about land use in accordance with SB 610 and SB 221.³⁷⁰ In addition, the landscape water efficiency standards shall be implemented in accordance with the City's Water Efficient Landscape Ordinance.³⁷¹ The Ordinance applies to all of the following landscape projects:

368 City of Needles, (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022

369 California Department of Water Resources, Sustainable Groundwater Management Act (SGMA)/ <https://water.ca.gov/programs/groundwater-management/sgma-groundwater-management>. Accessed October 2022.

370 California Department of Water Resources, Introduction to SB 610 and SB 221, https://calafco.org/sites/default/files/resources/CALAFCO_U/Introduction%20to%20SB%20610%20and%20SB%20221.pdf. Accessed October 2022.

371 City of Needles, Ordinance No. 570-AC, <https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:d190c0c4-d394-35c3-aaf7-b11a7488013d>. Accessed October 2022.

- New development projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review.
- rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building permit, plan check, or design review.
- Cemeteries.
- Any new project shall utilize the requirements of the Water Efficient Landscape Ordinance.

Future development would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities and impacts would be less than significant.

The City does have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. The City would be able to continue to supply a surplus of water through the buildout of the proposed General Plan Update in 2040.³⁷²

Impacts would be less than significant.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less Than Significant Impact.

Waste discharge requirements for wastewater treatment plants are set forth in permits issued by RWQCBs. The City is located within the jurisdiction of the Colorado River RWQCB (CRRWQCB). Permits from specified local pretreatment programs. Industrial wastewater is often contaminated by a variety of harmful substances that sewage collection and treatment systems are not designed to remove; therefore, industrial facilities need to remove pollutants

372 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

from industrial wastewaters before they are discharged into municipal sewage treatment systems in line with the NPDES pretreatment program.

New residential, commercial, and industrial developments would require wastewater service. An increase in wastewater demand would require new or expanded facilities to be constructed in order to meet the demand. In order to be permitted, new facilities would be required to meet the wastewater treatment requirements in their RWQCB-issued NPDES permits.

The City has developed a Master Facilities Plan that was amended in 2006.³⁷³ The Master Facilities Plan is intended be used in the development of new facilities and to add new projects or delete completed or no longer needed projects. The Master Facilities Plan provides for the following:

- Planning - The Plan implements the standards and goals contained by the City's General Plan when applicable and proposes improvement projects which are constructed and located in conformance with the General Plan.
- Financial Planning - A Facilities Plan or CIP should consider the scheduling and availability of financing sources in order to achieve an orderly and comprehensive process.

The Master Facilities Plan provides for the development of new water, wastewater, and stormwater facilities to address future need. This includes the acquisition and construction of facilities for the City and improvement of existing undeveloped parklands are accomplished. The Master Facilities Plan was prepared in conjunction with the City's Development Impact Fee (DIF) Report, The Master Facilities Master Plan identifies future facilities and funding mechanism for City capital improvement projects.

The proposed Land Use Element includes the policies that will assist the City in managing wastewater resulting from growth.

The proposed Project could result in increases in industrial wastewater or new point sources of wastewater that would require permits from the Colorado River Basin Regional Water Quality Control Board. The City has identified the maximum daily flow capacity of the wastewater treatment plant of 1.12 million gallons per day (MGD). In 2018, the peak month

³⁷³ City of Needles, Master Facilities Plan, as amended by Ordinance No. 607-AC, September 2006. prepared by Epic Engineering.

had an average daily flow of 379,000 gallons per day (GPD).³⁷⁴ Future assumptions led sewer models to predict that future buildout would lead to projected flows of 1.12 MGD which is equal to the capacity of the plant. Peak conditions could lead to flows exceeding daily flow capacity at 1.7 MGD however, the plant was designed to handle peak flows of up to 3.0 MGD.

Projected future demands in 2050 are expected to equal the treatment plant's daily flow capacity which ensures that the plant does have adequate capacity to serve the project's demands.³⁷⁵ The approved Needles Culinary Water & Sanitary Sewer Capital Facilities Master Plan does recommend that the City conduct a sewer capacity study in 2035 to verify the ability of the plant to handle the average daily flow of the buildout conditions.

As previously noted, the City can apply federal and state water quality standards for wastewater discharge requirements in the review of development proposals that relate to type, location, and size of the proposed project in order to safeguard public health and shared water resources.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less than Significant Impact.

The City will abide by AB 939 and AB 341 and divert 75 percent of their waste from landfills.

374 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

375 City of Needles, CA (December 2019) Culinary Water & Sanitary Sewer Capital Facilities Master Plan, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a917ec3e-d98a-32c0-9b7a-e47d768bb1db>. Accessed October 2022.

Solid waste services are provided by Republic Services. These services include solid waste, recycling, yard waste, hazardous waste, and organic waste. Republic Services transfers all solid waste to the Mohave County Landfill in Golden Valley, Arizona.³⁷⁶

Needles's current population of 5,225 resides in 2,829 housing units. These housing units generate an estimated 28,920 pounds of solid waste per day based on a demand factor of 10 pounds of solid waste generated per unit.³⁷⁷ Non-residential land uses in Needles also produce solid waste at an estimated 0.010 Future buildout conditions would increase the amount of solid waste generated. pounds per day per square foot.³⁷⁸ Currently, non-residential uses generate an estimated 12,450 pounds of solid waste per day for a total of 41,370 pounds of solid waste per day generated in Needles.

The increase in housing units would increase the solid waste generated by an estimated 10,780 pounds per day by residences. The non-residential uses would increase the solid waste generated by an estimated 8,581.5 pounds per day. The total increase would be 19,361.5 pounds per day - making the total amount of solid waste generated approximately 60,731.5 pounds per day.

As future developments will need to comply with federal, state, and local regulations regarding solid waste, the need for solid waste disposal would be reduced by California's regulations put in place that require diversion of solid waste from landfills. New projects will be constructed in accordance with the 2022 California Green Building Standards Code, which requires a minimum of 65 percent of the "non-hazardous construction and demolition debris" (by weight or volume) to be recycled or reused. New projects will also store and collect recyclable materials in compliance with AB 341. Green waste will be handled in accordance with AB 1826.

The proposed General Plan Update would not generate solid waste in excess of state or local standards, or in excess capacity of local infrastructure or otherwise impair solid waste reduction goals.

Impacts would be less than significant.

376 City of Needles (2019) Housing Element Update, https://files.ceqanet.opr.ca.gov/254862-2/attachment/0fIUJf5VzX96BsNNeiG11ZnBIL9b2eJ0mLPdkiJ4tSDZHmRe5qXyBL_6eOjt6pJ3nKyExV7GTfgW4l1L0. Accessed October 2022.

377 County of San Bernardino (2019) San Bernardino Countywide Plan Draft PIER, <https://documentcloud.adobe.com/spodintegration/index.html?r=1&locale=en-us>. Accessed October 2022

378 County of San Bernardino (2019) San Bernardino Countywide Plan Draft PIER, <https://documentcloud.adobe.com/spodintegration/index.html?r=1&locale=en-us>. Accessed October 2022

Mitigation Measures: No mitigation is required.

e. Comply with federal, state, and local statutes and regulations related to solid waste?

Less Than Significant Impact.

The proposed General Plan Update would comply, as required, with federal, state, and local statutes and regulations related to solid waste. California has put regulations in place to reduce solid waste - these standards including: Assembly Bill 939, Assembly Bill 341, Assembly Bill 1826, and the California Green Building Standards Code. (See prior discussion for details of these regulations).

Any increases in solid waste generated by the future development under the proposed General Plan Update would be required to adhere to the requirements set forth by the state.

The City would abide by all federal, state, and regional policies and programs related to solid waste in implementing the growth and development that could occur under the proposed General Plan update.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

5.20 WILDFIRE

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

Regulatory Framework

State

The Disaster Mitigation Act of 2000³⁷⁹ 380 requires that local governments, as a condition of receiving federal disaster mitigation funds, have a mitigation plan that describes the process for identifying hazards, risks and vulnerabilities, identify and prioritize mitigation actions, encourage the development of local mitigation and provide technical support for those efforts.

City of Needles

The Safety Element of the existing General Plan includes the following goals and policies that relate to wildfire:³⁸¹

- Goal 1: To protect to the maximum extent possible, persons and property from natural and people-made hazards and dangers.

³⁷⁹ Federal Emergency Management Agency (FEMA), “The Disaster Mitigation Act of 2000: 20 Years of Mitigation Planning”, 2020. Accessed October 2022.

³⁸⁰ Federal Emergency Management Agency, Regulations and Guidance, <https://www.fema.gov/emergency-managers/risk-management/hazard-mitigation-planning/regulations-guidance>. Accessed October 2022.

³⁸¹ City of Needles General Plan, “Safety Element” (February 18, 1986).

- Policy 1: Pursue the protection of the existing population and future development from the hazards of flooding, seismic, and fire.
- Policy 2: Insure that safety services are adequate to handle future development within the community.
- Policy 3: Provide and maintain an emergency response system for the City of Needles.

The Safety Element identifies the following principals to reduce hazards from potential wildfire threats:

- Development should be discouraged in areas known to possess a significant safety hazard unless appropriate mitigation measures are applied.
- Existing safety hazards should be mitigated whenever possible.
- In safety matters, the concept of an acceptable level of risk should be employed. The level of risk is based upon the number of people and critical facilities threatened.
- Major access corridors should be available and unobstructed in case of major emergency or disaster.

The proposed Land Use Element provides the following polies that will reduce wildfire threats related to future development:

Policy LU-1.1 Growth management. Encourage new development to take place in areas that are already served by existing utilities, expanding and improving systems and capacity as appropriate and fiscally sustainable. Discourage development and extension of services outside of the City’s incorporated boundaries.

Policy LU-1.8 Public facilities. Plan and coordinate to locate land and size facilities dedicated to open space, parks, education, and other public uses as appropriate to serve existing and future residents.

Discussion

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

Less Than Significant Impact.

The City of Needles places a high emphasis on protection of the existing population and development from natural and people-made hazards. In addition, the City assumes an active interest in the potential safety hazards associated with future development. Emergencies and disasters cause death or leave people injured or displaced, cause significant damage to our

communities, businesses, public infrastructure and our environment, and cost tremendous amounts in terms of response and recovery dollars and economic loss.

Hazard mitigation reduces or eliminates losses of life and property. After disasters, repairs and reconstruction are often completed in such a way as to simply restore to pre-disaster conditions. Such efforts expedite a return to normalcy; however, the replication of pre-disaster conditions results in a cycle of damage, reconstruction, and repeated damage. Hazard mitigation ensures that such cycles are broken and that post-disaster repairs and reconstruction result in a reduction in hazard vulnerability.

The City of Needles maintains a Hazard Mitigation Plan³⁸² that serves to meet the requirements of the Disaster Mitigation Act. The Plan sets forth responsibilities and duties of various City personnel in the event of an event requiring an emergency response. These include:

- Collect, evaluate, and disseminate information
- Develop the City's Emergency Operations Center (EOC) Action Plan in cooperation with other City departments
- Installing and preparing the City's After-Action Report and maintaining documentation

As stated in the Hazard Mitigation Plan, the following are roles and responsibilities of City departments:

- The Needles Station of the San Bernardino County Fire Department will provide initial response for fire response, hazardous materials events, and medical/rescue operations. It will be the lead agency as necessary to law enforcement personnel for Crisis Management activities. Existing procedures, such as the County Fire Department's Hazardous Materials Response procedures and Chemical, Biological, Radiological, Nuclear and Explosives (CBRNE) Response Protocols will be used, as necessary.
- The Colorado River Station of the San Bernardino County Sheriff will be the lead for crisis management, perimeter security, access control, traffic/crowd control, evacuations, notifications, and safeguarding evidence. Act as Incident Commander (IC) or part of Unified Command.
- The City of Needles Utilities Department, under the direction of the Utilities General Manager, will serve as lead for damage assessment and will be the representative for utilities concerns.

The plan identifies the following regarding Risk management, The goal of mitigation is to reduce the future impacts of a hazard including property damage, disruption to local and

382 City of Needles, Hazard Mitigation Plan, 2005.

regional economies, and the amount of public and private funds spent to assist with recovery. However, mitigation should be based on risk assessment.

A risk assessment is measuring the potential loss from a hazard event by assessing the vulnerability of buildings, infrastructure, and people. It identifies the characteristics and potential consequences of hazards, how much of the community could be affected by a hazard, and the impact on community assets. A risk assessment consists of three components: hazard identification, vulnerability analysis and risk analysis. Technically, these are three different items, but the terms are sometimes used interchangeably.

The City, in concert with The San Bernardino County Sheriff, the San Bernardino County Fire Department, the Colorado River Medical Center, and the Needles Unified School District collaborate on the implementation of responses to hazards and emergency response.

The City is one of seventy (70) partners in San Bernardino County's Multi-Hazard Functional Plan. The City's Emergency Operations Plan (Multi-Hazard Functional Plan) ("EOP") has been approved by the Governor's Office of Emergency Services, and the County of San Bernardino.

The Safety Element of the existing General Plan includes the following goals and policies that assist in reducing wildfire risks.³⁸³

The proposed Land Use Element provides policies that will reduce wildfire threats related to future development.

The proposed General Plan update would not result in a need for new law enforcement facilities. Further, the policies of the existing General Plan and those in the proposed update address the need for public safety to be maintained as new development occurs.

As such, the proposed General Plan update will not conflict with the City's Hazard Mitigation Plan.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

383 City of Needles General Plan, "Safety Element" (February 18, 1986).

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

Less Than Significant Impact.

While most of California is subject to some degree of fire hazard, there are specific features that make some areas more hazardous. There are three specific land classifications to identify the agency with the financial responsibility for preventing and suppressing wildfire:

- Local Responsibility Area (LRA) is primarily the responsibility of the local jurisdiction, i.e. local fire departments.
- State Responsibility Area (SRA) is primarily the responsibility of the state, or CAL FIRE.
- Federal Responsibility Area (FRA) is primarily the responsibility of a federal government agency, such as the US Forest Service (USFS) and Bureau of Land Management (BLM).

The California Department of Forestry and Fire Protection (CAL FIRE) is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. These designations, referred to as Fire Hazard Severity Zones (FHSZ), mandate how people construct buildings and protect property to reduce risk associated with wildland fires.

The City is located within a designated Local Responsibility Area (LRA) with some areas classified as SRA and FRA.³⁸⁴ Moderate to Very High Fire Hazard Severity Zones (FHSZ) exist as well within Local and State responsibility areas to the north and southwest within District Service Area.

The City is located within a Non-FHSZ.³⁸⁵ The landscape of the City is generally flat - whereas steep and mountainous terrain poses a much greater risk for wildfire.³⁸⁶ The City is covered in desert vegetation which is generally more resistant to wildfires.³⁸⁷ Needles also does not

384 CalFire, Dept. of Forestry and Fire Protection's Fire and Resource Assessment Program (FRAP), <https://egis.fire.ca.gov/FHSZ/>. Accessed February 2022.

385 CalFire, Dept. of Forestry and Fire Protection's Fire and Resource Assessment Program (FRAP), <https://egis.fire.ca.gov/FHSZ/>. Accessed February 2022.

386 San Bernardino County (2019) San Bernardino Countywide Plan Draft PEIR, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:9f0d7e1e-a263-3677-a567-e7469494b5b0>. Accessed October 2022

387 San Bernardino County (2019) San Bernardino Countywide Plan Draft PEIR, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:9f0d7e1e-a263-3677-a567-e7469494b5b0>. Accessed October 2022

experience high winds, with an average wind speed of 8.9 miles per hour (mph) from 2010 to 2019.³⁸⁸ The proposed General Plan Update would not make changes to existing landscape and therefore would not exacerbate risks to wildlife. The slope, prevailing winds, and other factors would not expose project occupants to pollutant concentrations from a wildfire or uncontrolled spread of a wildfire.

The City relies on San Bernadino County Fire Department’s Office of Emergency Services (OES). OES is responsible for countywide emergency planning and maintains the San Bernardino County Emergency Operations Plan (EOP). The City also has a Hazards Mitigation Plan ³⁸⁹ that is consistent with State and regional laws, regulations, plans, and policies related to hazard mitigation and planning, and describes how the county will coordinate resources and activities with other Federal, State, County, local, and private sector partners.³⁹⁰ The City does not have its own adopted emergency response plan or emergency evacuation plan.

All future developments would also have to comply with Public Resources Code (PCR) Sections 4921 et. seq which would require that all brush, flammable vegetation, or combustible growth within 100 feet of buildings be removed.³⁹¹

The Safety Element of the existing General Plan includes goals and policies that would reduce the effects related to wildfire.³⁹²

The proposed Land Use Element provides policies that will reduce wildfire threats related to future development.

As the proposed General Plan Update would not construct any permanent buildings or create obstructions, the proposed General Plan Update would not substantially impair an emergency response plan or evacuation plan.

388 City of Needles (2019) Housing Element Update, https://files.ceqanet.opr.ca.gov/254862-2/attachment/0f1UJf5VzX96BsNNeiG11ZnBIL9b2eJ0mLPdkiJ4tSDZHmRe5qXyBL_6eOjt6pJ3nKyExV7GTfgW4l1L0. Accessed October 2022.

389 City of Needles, Hazard Mitigation Plan, 2005.

390 San Bernardino County Fire Department, Office of Emergency Services, <https://sbcfire.org/oes/>. Accessed October 2022

391 Public Resources Code (PCR) Division 4. Forests, Forestry and Range and Forage Lands, Chapter 3 Moutanius, Forest-Brush- and Grass-Covered Lands. https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=4291.&lawCode=PRC. Accessed October 2022.

392 City of Needles General Plan, “Safety Element” (February 18, 1986).

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less Than Significant Impact.

County Fire participates in the California Disaster and Civil Defense Master Mutual Aid Agreement, which establishes a framework for requesting and receiving mutual aid. Mutual aid exists for law enforcement, search and rescue, coroner services, emergency managers, public works, and medical services. The San Bernardino County Fire and Rescue Mutual Aid Operational Plan identifies the mutual aid system for the County.

Public Resources Code (PRC) Sections 4291³⁹³ et seq. require that brush, flammable vegetation, or combustible growth within 100 feet of buildings be removed. This requirement does not apply to single specimens of trees or other vegetation that are well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a structure or from a structure to other nearby vegetation. The intensity of fuels management may vary within the 100-foot perimeter of the structure, the most intense being within the first 30 feet around the structure.

To reduce the threat of wildfires, the San Bernardino County Fire Hazard Abatement (FHA) Program³⁹⁴ enforces the fire hazard requirements. The FHA Program establishes defensible space and reduction/removal of flammable materials on properties. The program conducts surveys to identify fire hazards throughout the year, and notices to abate the hazard(s) are mailed to property owners. Property owners have 30 days to abate the violations. Failure to abate may result in citations, penalties, and/or fees. The FHA Program responds to complaints year-round in the unincorporated areas and contracting cities and fire districts.

393 Public Resources Code (PRC), Sections 4291, Defensible Space.

394 San Bernardino County Fire Hazard Abatement (FHA) Program, San Bernardino County Code Sections 23.0301 to 23.0319.

Growth under the proposed General Plan update would add structures, residents, and workers in the service boundaries of County Fire. However, the proposed Land Use Map generally concentrates growth in existing the exiting urbanized area within the City’s boundary.

By focusing growth into existing urbanized areas within the City and having numerous policies that address provision of fire protection and emergency services, the proposed General Plan update would limit growth in fire-prone areas. The Safety Element of the existing General Plan includes goals and policies to address safety risks.³⁹⁵

The proposed Land Use Element provides policies that will reduce the risk of fire threats related to future development:

The proposed General Plan Update is a policy-level planning document and would not construct any buildings at this time. Because of this, there would be no installation or maintenance of associated infrastructure.

Future developments would require infrastructure and maintenance specific to the project. The developments and associated infrastructure would be required to comply with the requirements of CEQA and CEQA guidelines. This would ensure that future projects do not exacerbate fire risk or result in temporary or ongoing impacts to the environment.

Impacts would be less than significant.

Mitigation Measures: No mitigation is required.

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

Less Than Significant Impact.

Catastrophic wildfire can create favorable conditions for other hazards, such as flooding and landslides during the rainy season.

Programs, such as the Forest Service’s Burned Area Emergency Response (BAER) program, are designed to determine the need for and to prescribe and implement emergency treatments on federal lands to minimize threats to life or property resulting from the effects of a fire or to

395 City of Needles General Plan, “Safety Element” (February 18, 1986).

stabilize and prevent unacceptable degradation to natural resources. Severely burned areas, very steep slopes, places where water runoff will be excessive, fragile slopes above homes or businesses, municipal water supplies, and other valuable facilities are focus areas. Soil stabilization treatments are installed as soon as possible, generally before the next damaging storm. Primary techniques are reseeding ground cover; mulching; constructing straw, rock, or log dams in small tributaries; and placing logs to catch sediment on slopes. Response to wildfire after treatment includes assessment of the need to modify road and trail drainage mechanisms such as debris traps, culverts, drainage dips, and emergency spillways.

Landslides are a hazard that are exacerbated by wildfire. They are influenced by the nature of the rock or soil type, slope angle, groundwater levels, and rainfall. New subdivisions and developments must either be built outside of debris flow hazard areas or debris flow hazards must be mitigated for new developments such that occupants would have adequate time to evacuate out of the debris flow hazard area during times of relatively high debris flow hazard—that is, during and shortly after intense rainstorms—under Furthermore, future development projects would be required to conduct a geotechnical investigation of its site that would assess existing landslide susceptibility and impacts of proposed grading and construction on landslide hazard and provide any needed recommendations to minimize landslide hazards. Furthermore, all projects will implement the Wildfire SRA Fire Safe Regulations’ basic wildland fire protection standards.

By focusing growth into existing urbanized areas within the City and having numerous policies that address provision of fire protection and emergency services, the proposed General Plan update would limit growth in fire-prone areas. The Safety Element of the existing General Plan includes the following goals and policies:³⁹⁶

The proposed Land Use Element provides policies that will reduce the effects related to wildfire.

People and structures would not be exposed to significant risks, including downstream flooding or landslides because of runoff, post-fire slope instability, or drainage changes from the adoption of the proposed General Plan Update.

Impact would be less than significant.

396 City of Needles General Plan, “Safety Element” (February 18, 1986).

Mitigation Measures: No mitigation is required.

5.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion

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

Less Than Significant Impact.

Impacts to biological and cultural resources as a result of the proposed in proposed General Plan update would result in less than significant impacts.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact.

Policies and practices have been included in proposed General Plan update that would eliminate the potential for significant impacts.

As such, the in proposed General Plan update would not result in environmental impacts that are individually limited or cumulatively considerable.

Mitigation Measures: No mitigation measures are required.

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

Less than Significant Impact.

in proposed General Plan update Project's impacts to air quality, greenhouse gas emissions, hazards and hazardous materials, traffic, and other environmental issues have been evaluated and found that its implementation would result in less than significant adverse effects on human beings, either directly or indirectly.

Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

6.0 LIST OF PREPARERS

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8.0 TERMS, DEFINITIONS, AND ACRONYMS

AB	Assembly Bill
ALUC	Airport Land Use Commission
AMS	Air Monitoring System
ATSK	Atchison, Topeka, and Santa Fe
BAER	Burned Area Emergency Response
Basin Plan	Water Quality control Plan for the Colorado River Basin
BGS	below ground surface
BLM	Bureau of Land Management
BMP	Best Management Practice
BNSF	Burlington Northern Santa Fe
CAA	Clean Air Act
Cal. Ed. Code	California Education Code
CalEPA	California Environmental Protection Agency
CALFIRE	California Department of Forestry and Fire Protection
CALGreen	California's Green Building Standards
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBRNE	Chemical, Biological, Radiological, Nuclear, and Explosives
CCR	California Code of Regulations
CDE	California Department of Education
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California environmental quality act
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
COCA	California Desert Conservation Area
CRMC	Colorado River Medical Center
CRR	Commercial, Residential, Resort
CRRWQCB	Colorado River Basin Regional Water Quality Control Board
CWA	Clean Water Act
dB	Decibels
dBA	A-weighted decibel scale
DIF	Development Impact Fee
DT	downtown
DTSC	Department of Toxic Substances Control

EDR	Environmental Data Resources, Inc.
EIA	Energy Information Administration
EMFAC	CARD on-road vehicle emissions model
EOC	Emergency Operations Center
EOP	Emergency Operations Plan
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulations
FCAA	Federal Clean Air Act
FEMA	Federal Emergency Management Agency
FHA	Fire Hazard Abatement
FHSZ	Fire Hazard Severity Zone
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FRA	Federal Responsibility Area
GC	General Commercial
GHG	Greenhouse gas
GPD	Gallons per Day
GPM	Gallons per Minute
GWh	gigawatt hours
HAZMAT	Hazardous Materials
HCP	Habitat Conservation Plan
HVAC	heating/ventilating/air conditioning
HWCL	Hazardous Waste Control Law
Hz	Hertz
I-40	Interstate 40
IC	Incident Commander
IRA	Identified Resource Area
IS	initial study
LAFCO	Local Agency Formation Commission
LAMP	Local Agency Management Plan
LCRMSCP	Lower Colorado Multi-Species Conservation Program
Ldn	Day-Night Noise Level
LID	Low-impact development
LOS	Level of Service
LRA	Local Responsibility Area
LUST	Leaking Underground Storage Tank
MCL	Maximum Contaminant Levels
MDAQMD	Mojave Desert Air Quality Management District
mg	million gallons
MGD	Million Gallons per Day
MGY	Million Gallons per Year
MMcf	Million cubic feet
MPH	Miles per Hour
MRZ	Mineral Resource zone
NAAQS	National Ambient Air Quality Standards

NAHC	Native American Heritage Commission
NAT	Needles Area Transit
NCCP	Natural Community Conversation Plan
NF ₃	Nitrogen Trifluoride
NPDES	National Pollutant Discharge Elimination System
NPUA	Needles Public Utility Authority
NUSD	Needles Unified School District
O ₃	Ozone
OFFROAD	CARB off-road emissions model
OWTS	Onsite Wastewater Treatment System
P-C	Production-Consumption
PF	Public Facilities
PM ₁₀	Particulate Matter
POTW	Publicly Owned Treatment Works
PRC	Public Resources Code
RACM	Reasonably Available Control Measures
RCP	Regional Comprehensive Plan
RCRA	Resource Conservation and Recovery Act
RHNA	Regional Housing Needs Assessment
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SBCL	San Bernardino County Library
SBTAM	San Bernardino Transportation Analysis Model
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCS	Sustainable Communities Strategy
SFHA	Special Flood Hazard Area
SIP	State Implementation Plan
SOI	sphere of influence
SRA	State Responsibility Area
SVP	Society of Vertebrate Paleontology
SWAT	Special Weapons and Tactics
SWPPP	Stormwater pollution prevention plan
SWRCB	State Water Resources Control Board
SZ	Scientific Resource Zones
TAC	Toxic Air Contaminant
TAZ	Traffic Analysis Zone
TRC	Tribal Cultural Resource
USACOE	U.S. Army Corps of Engineers
USDOT	U.S. Department of Transportation
USFS	U.S. Forest Service
USFWS	U.S Fish and Wildlife Service
USPEA	U.S. Environmental Protection Agency

VMT	vehicle miles traveled
VOCs	volatile organic compounds
WOTS	Waters of the State
WOTUS	Waters of the United States