Appendix A

Notice of Preparation, Initial Study, and Scoping Comments

Notice of Preparation

Notice of Preparation of a Draft Environmental Impact Report and Notice of a Public Scoping Meeting

Date: September 1, 2023

To: State Agencies, Responsible Agencies, Local and Public Agencies, Organizations, and Interested Parties

From/Lead Agency: Town of Apple Valley, Planning Department

Subject: Notice of Preparation of a Draft Environmental Impact Report and Notice of a Public Scoping Meeting for the Cordova Complex and Quarry at Pawnee Warehouse Project

This Notice of Preparation (NOP) has been prepared to notify agencies, organizations, and interested parties that the Town of Apple Valley (Town), as lead agency, is commencing preparation of an environmental impact report (EIR) pursuant to the California Environmental Quality Act (CEQA) to evaluate the potential environmental effects associated with implementation of the Cordova Complex and Quarry at Pawnee Warehouse Project (Project). The Project applicant, Synergy Consulting, has submitted an application to the Town for review and approval of the Project along with requested entitlements.

The Town is requesting input from agencies, organizations, and interested parties, regarding the scope and content of the environmental analysis to be included in the upcoming EIR. In accordance with CEQA, the Town requests that agencies provide comments on the environmental issues related to the statutory responsibilities of their particular agency. This NOP contains a description of the Project, its location, and a preliminary overview of the environmental resource topics to be addressed in the EIR.

Project Location

The Project includes two sites: the Cordova Complex site and the Quarry at Pawnee site located within the northern portion of the Town, which is within the Victor Valley Region of San Bernardino County (Figure 1, Cordova Complex and Quarry at Pawnee Project Location). The 85.93-acre Cordova Complex site is bounded by Cordova Road to the north, Navajo Road to the east, Johnson Road to the south, and Dachshund Road Avenue to the west (see Figure 2, Cordova Complex Project Site). The Project site consists of Assessor's Parcel Numbers (APNs) 0463-213-05, 06, 07, 08, 09, 16, 33, 34, 35, and 36. The 76.34-acre Quarry at Pawnee site is bounded by Quarry Road to the north and Flint Road to the east (See Figure 3, Quarry at Pawnee Project Site). The Project site consists of APNs 0463-214-06, 07, 08, and 09. The Cordova Complex site is approximately 1,400 feet southwest of the Quarry at Pawnee site, as shown on Figure 1.

Specifically, the Project site is located in Section 15 and 16, Township 6 North, Range 3 West, as depicted on the U.S. Geological Survey Apple Valley North, California 7.5-minute topographic quadrangle maps. Regional access to the Project site is provided via Interstate 15 and State Route 18.

Project Summary

The proposed Project includes the construction and operation of two concrete, tilt-up-construction, high-pile storage warehouse buildings, the Cordova Complex and Quarry at Pawnee. The proposed 1,559,952-square-foot Cordova Complex warehouse building would include construction of a warehouse building and associated improvements, while the proposed 1,462,342-square-foot Quarry at Pawnee warehouse building would also include construction of a warehouse building and associated improvements (see Figures 4 and 5, Cordova Complex Site Plan and Quarry at Pawnee Site Plan).

Both warehouses would include a variety of sustainability measures (i.e., onsite solar, electric vehicle charging, and other sustainable design measures). Onsite improvements would include parking for vehicles, trucks, electric vehicles, and bicycles; a landscape plan; and an onsite detention basin for drainage and stormwater/rain capture. Because the Project area is currently undeveloped, new offsite roadway improvements (e.g., expansion) and water and sewer utility connections would be required to tie into the existing utility and roadway infrastructure (see Figures 6 through 9, Cordova Site and Quarry at Pawnee Site Roadway and Utility Improvements). Vehicle access to the Cordova Complex site would be provided via Cordova Road. The Quarry at Pawnee site would be accessed via Cordova Road and Flint Road. No vehicle access would be available via Quarry Road.

Potential Environmental Impacts of the Project

An initial study has been prepared to inform the scope and content of the EIR and is available for review on the Town's website (https://www.applevalley.org/services/planning-division/environmental). As discussed in the initial study, the EIR will evaluate whether implementation of the Project may potentially result in one or more significant environmental impacts. The analysis presented in the initial study suggests that the Project could have a potentially significant impact in several environmental topic areas, which will be addressed in the forthcoming EIR. The environmental topics to be addressed in the EIR will include, but may not be limited to, the following:

Aesthetics	Geology and Soils (Paleontological Resources)	Noise
Air Quality	Greenhouse Gas Emissions	Public Services (Fire Protection)
Biological Resources	Hazards and Hazardous Materials	Transportation
Cultural Resources	Hydrology and Water Quality	Tribal Cultural Resources
Energy	Land Use and Planning	Utilities and Service Systems

The EIR will also address all other CEQA-mandated topics, including cumulative impacts and Project alternatives.

Environmental topics that were determined to result in less-than-significant impacts or no impact were addressed in the initial study and include:

Agriculture and Forestry Resources	Population and Housing	Recreation
Mineral Resources	Public Services (Police Protection, Schools, Parks, and Other Public Facilities)	Wildfire

Public Scoping Comment Period and Meeting

Public Scoping Comment Period

The Town has established a 30-day public scoping period from **September 1, 2023, through September 30, 2023**. During the scoping period, the Town's intent is to disseminate Project information and solicit comments from

agencies, organizations, and interested parties, including nearby residents and business owners, regarding the scope and content of the environmental information to be included in the EIR, including mitigation measures or Project alternatives to reduce potential environmental effects.

During this period, the NOP and the Project's initial study may be accessed electronically at the following website:

https://www.applevalley.org/services/planning-division/environmental

This NOP and the Project's initial study are also available for review in person at the Apple Valley Town Hall Planning Department, 14955 Dale Evans Parkway, Apple Valley, California 92307 and at the San Bernardino County Library, 14901 Dale Evans Parkway, Apple Valley, California 92307.

Public Scoping Meeting

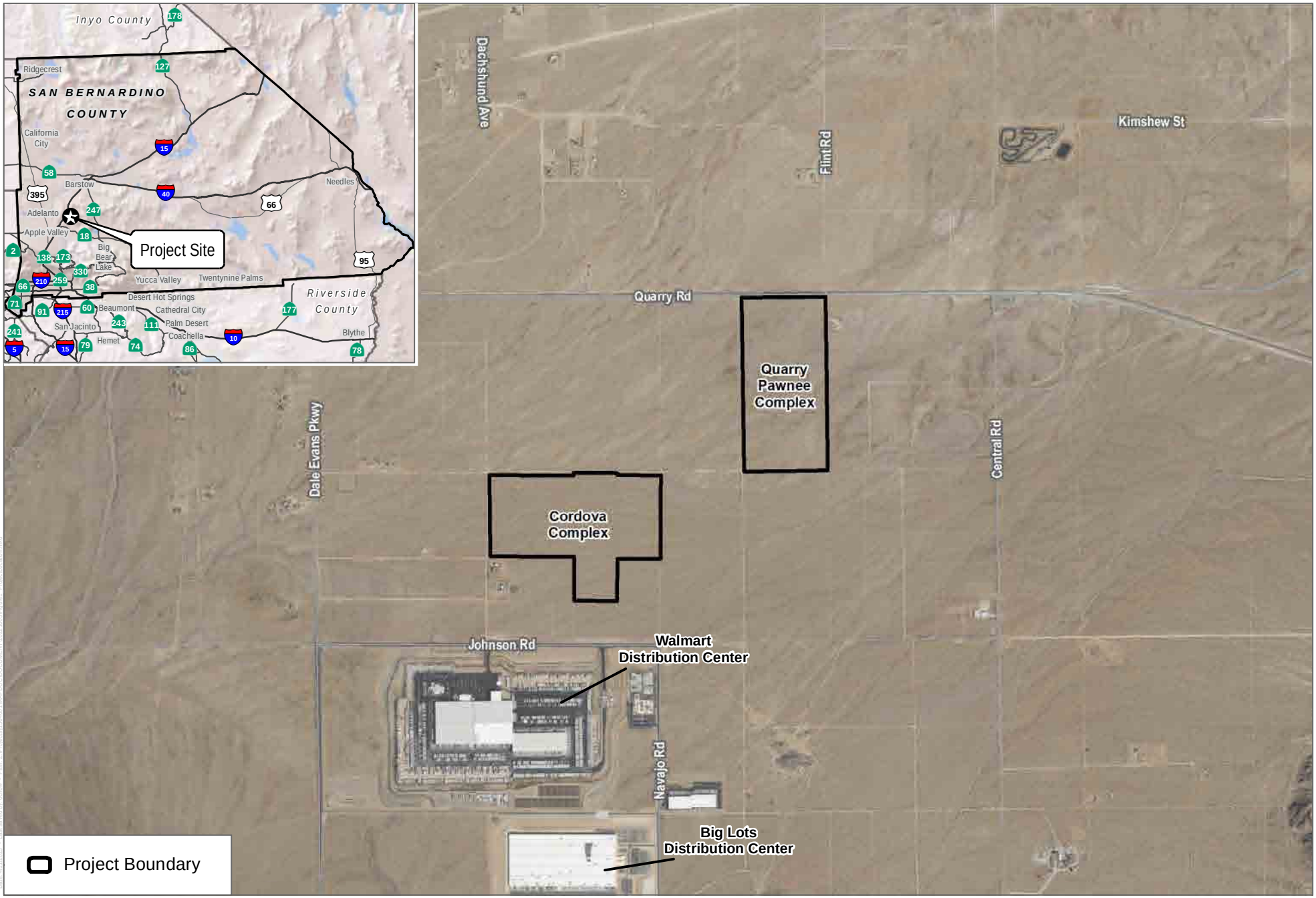
During the 30-day public scoping period, the Town will hold a public scoping meeting on **September 13, 2023, from 6:00 to 7:00 p.m.** at Apple Valley Town Hall, 14955 Dale Evans Parkway, Apple Valley. Virtual meeting participation is also available on Zoom at **https://bit.ly/47BpZoD**. The public scoping meeting will provide an additional opportunity to receive and disseminate information, identify potential environmental issues of concern, and discuss the scope of analysis to be included in the EIR. The scoping meeting is not a public hearing, and no decisions on the Project will be made at this meeting. It is provided as an additional opportunity for agencies, organizations, and the public to provide comments in person on what environmental issues should be addressed in the EIR. All public agencies, organizations, and interested parties are encouraged to attend and participate in this meeting.

Scoping Comments

All scoping comments must be received in writing by **5:00 p.m. on September 30, 2023**, which marks the end of the 30-day public scoping period. All written comments should indicate an associated contact person for the agency or organization, if applicable, and reference the Project name in the subject line. Pursuant to CEQA, responsible agencies are requested to indicate their statutory responsibilities in connection with the Project when responding. Please mail or email comments and direct any questions to the following contact person:

Daniel Alcayaga, Planning Manager
Town of Apple Valley
14955 Dale Evans Parkway
Apple Valley, California 92307
Phone: 760.240.7000 ext. 7200
Email: dalcayaga@applevalley.org

Attachments:
Figure 1, Cordova Complex and Quarry at Pawnee Project Location
Figure 2, Cordova Complex Project Site
Figure 3, Quarry at Pawnee Project Site
Figure 4, Cordova Complex Site Plan
Figure 5, Quarry at Pawnee Site Plan
Figure 6, Cordova Site Roadway Improvements
Figure 7, Cordova Site Utility Improvements
Figure 8, Quarry at Pawnee Site Roadway Improvements
Figure 9, Quarry at Pawnee Site Utility Improvements



SOURCE: Bing Imagery 2021

DUDEK

0 1,000 2,000 Feet

FIGURE 1

Cordova Complex and Quarry at Pawnee Project Location

Cordova Complex and Quarry at Pawnee Warehouse Project

SOURCE: Bing Imagery 2021

DUDEK

0 300 600 Feet

FIGURE 2

Cordova Complex Project Site

Cordova Complex and Quarry at Pawnee Warehouse Project

SOURCE: Bing Imagery 2021

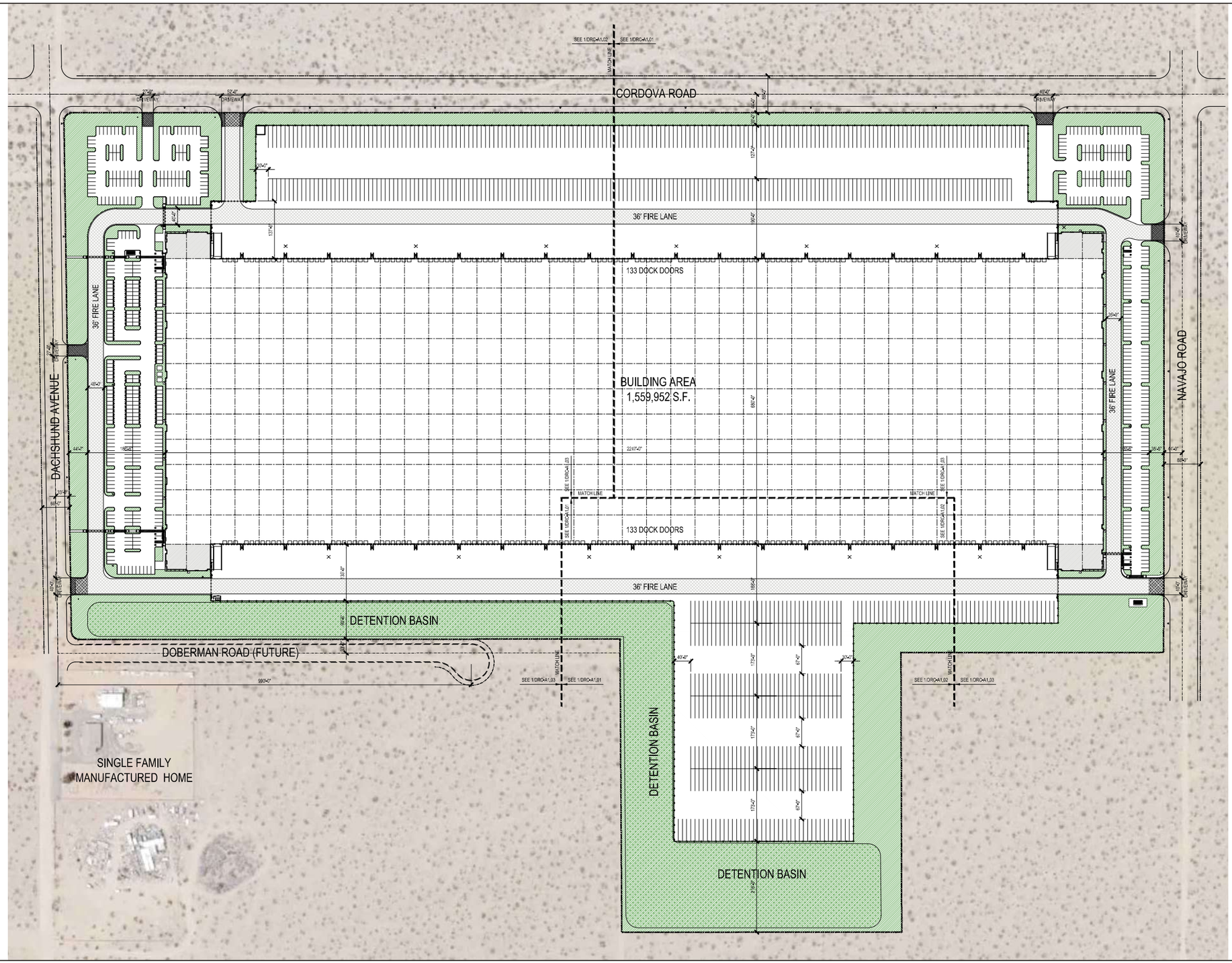
DUDEK

0 300 600 Feet

FIGURE 3

Quarry at Pawnee Project Site

Cordova Complex and Quarry at Pawnee Warehouse Project



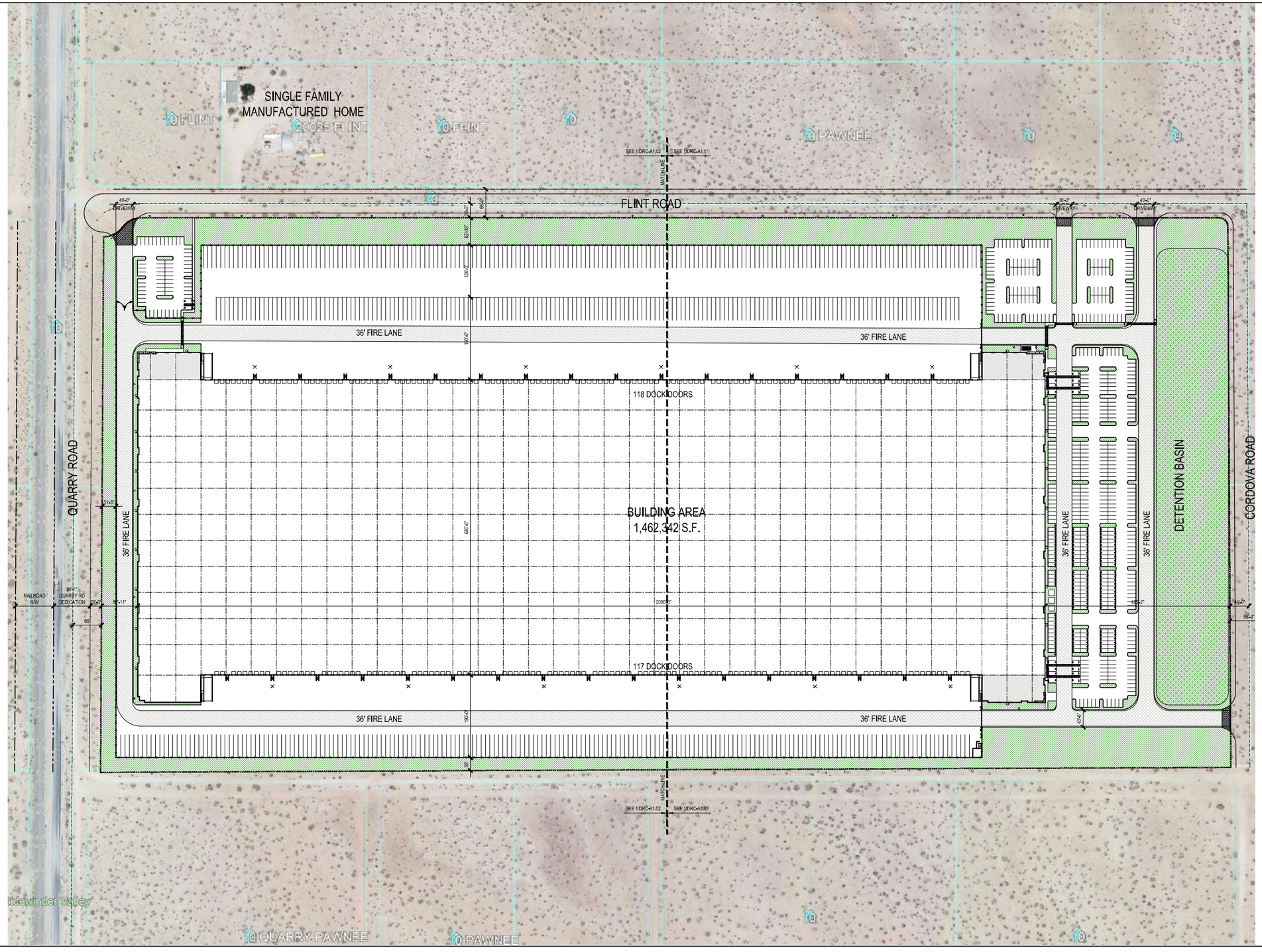
SOURCE: SKH, 2023

DUDEK 0 500 1,000 Feet

FIGURE 4

Cordova Complex Site Plan

Cordova Complex and Quarry at Pawnee Warehouse Project



SOURCE: SKH, 2023

DUDEK

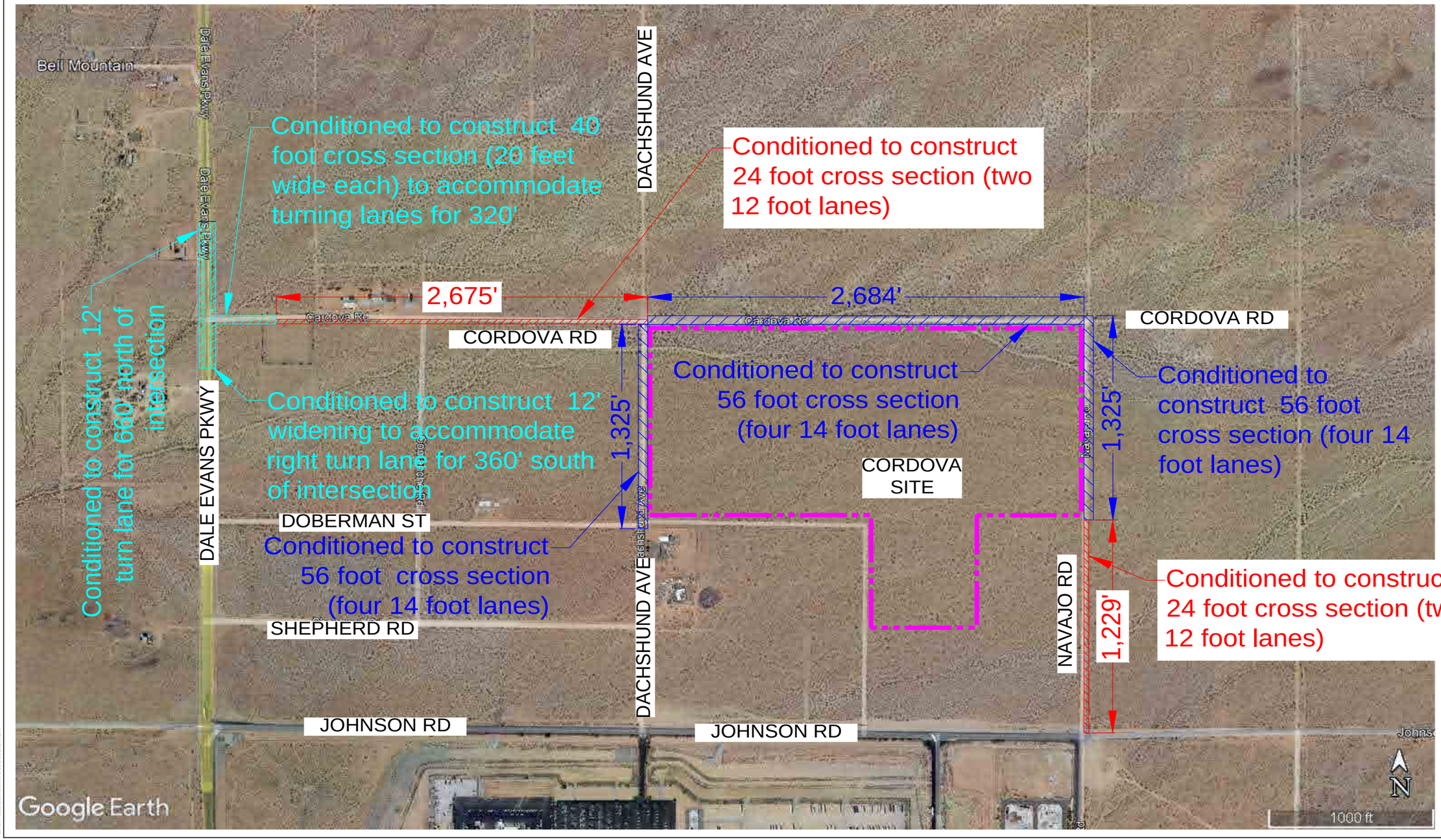
0 500 1,000 Feet

FIGURE 5

Quarry at Pawnee Site Plan

Cordova Complex and Quarry at Pawnee Warehouse Project

THE 56 FRONTING THE PROJECT SITE IS THE TOWN REQUIRED 1/2 WIDTH OF THE STANDARD STREET SECTION WHICH INCLUDES CURB, GUTTER, SIDEWALK, AND PAVEMENT



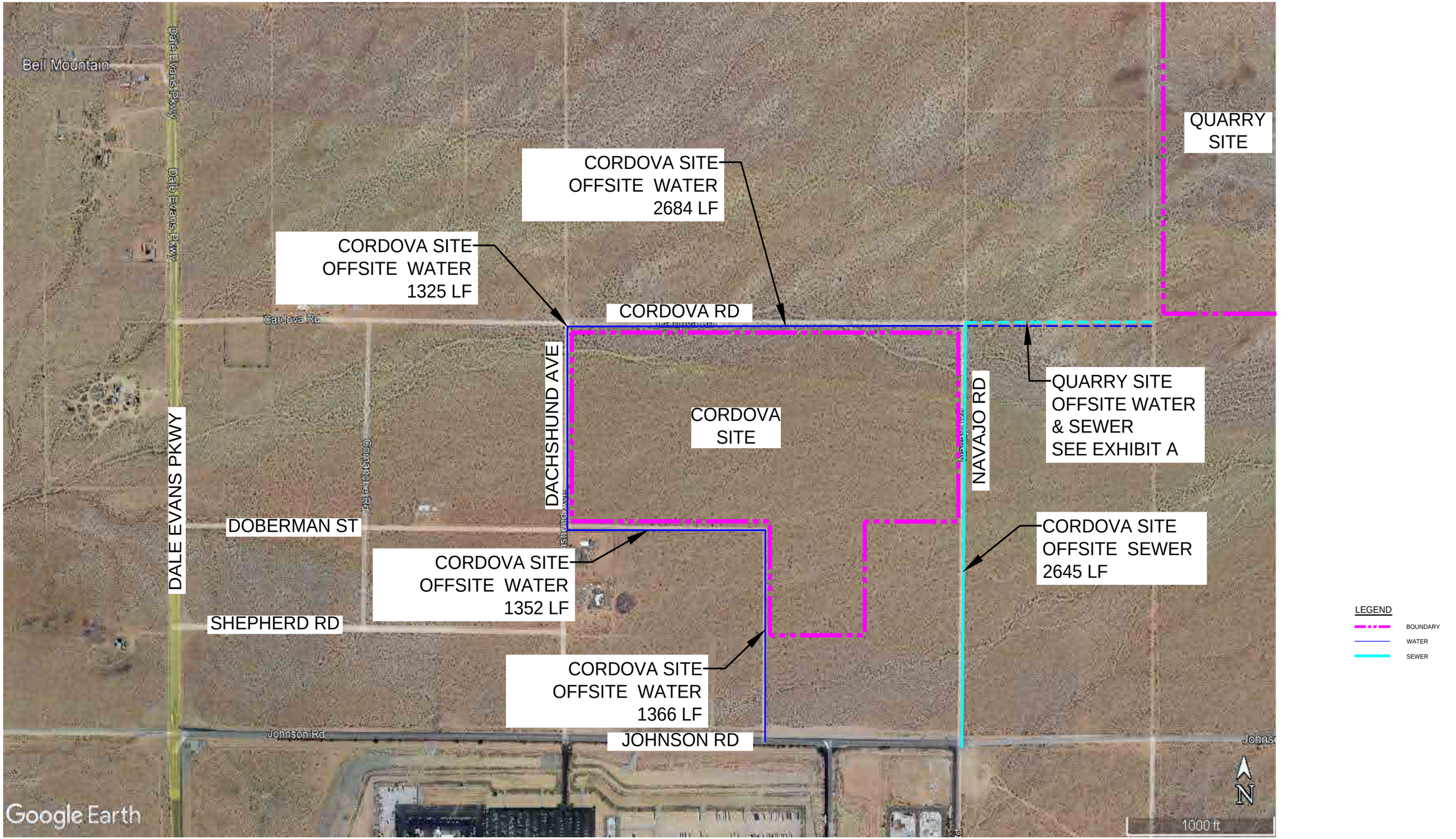
SOURCE: David Evans and Associates Inc., 2023

DUDEK 0 500 1,000 Feet

FIGURE 6

Cordova Site Roadway Improvements

Cordova Complex and Quarry at Pawnee Warehouse Project



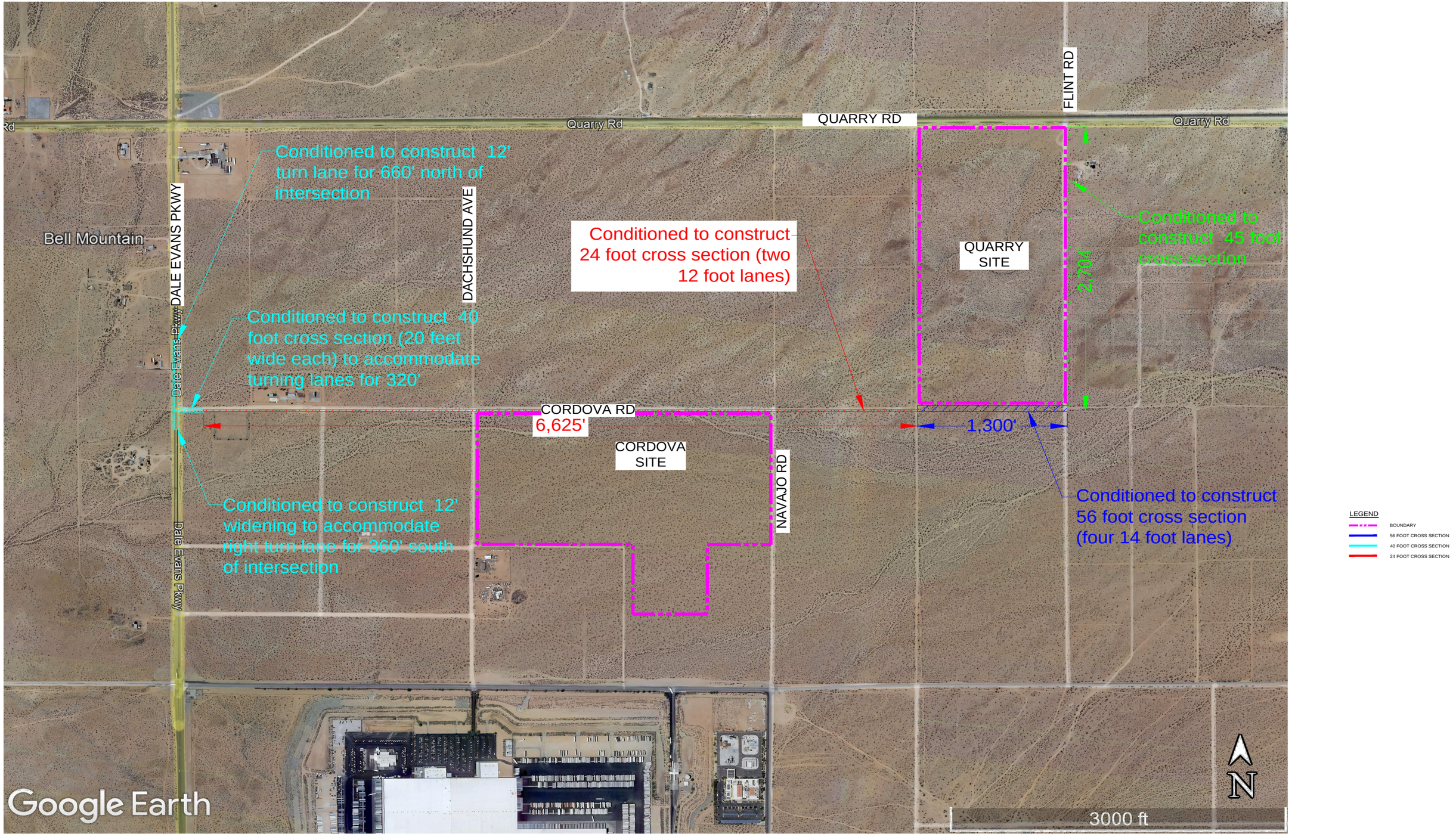
SOURCE: David Evans and Associates Inc., 2023

DUDEK 0 500 1,000 Feet

FIGURE 7

Cordova Site Utility Improvements

Cordova Complex and Quarry at Pawnee Warehouse Project



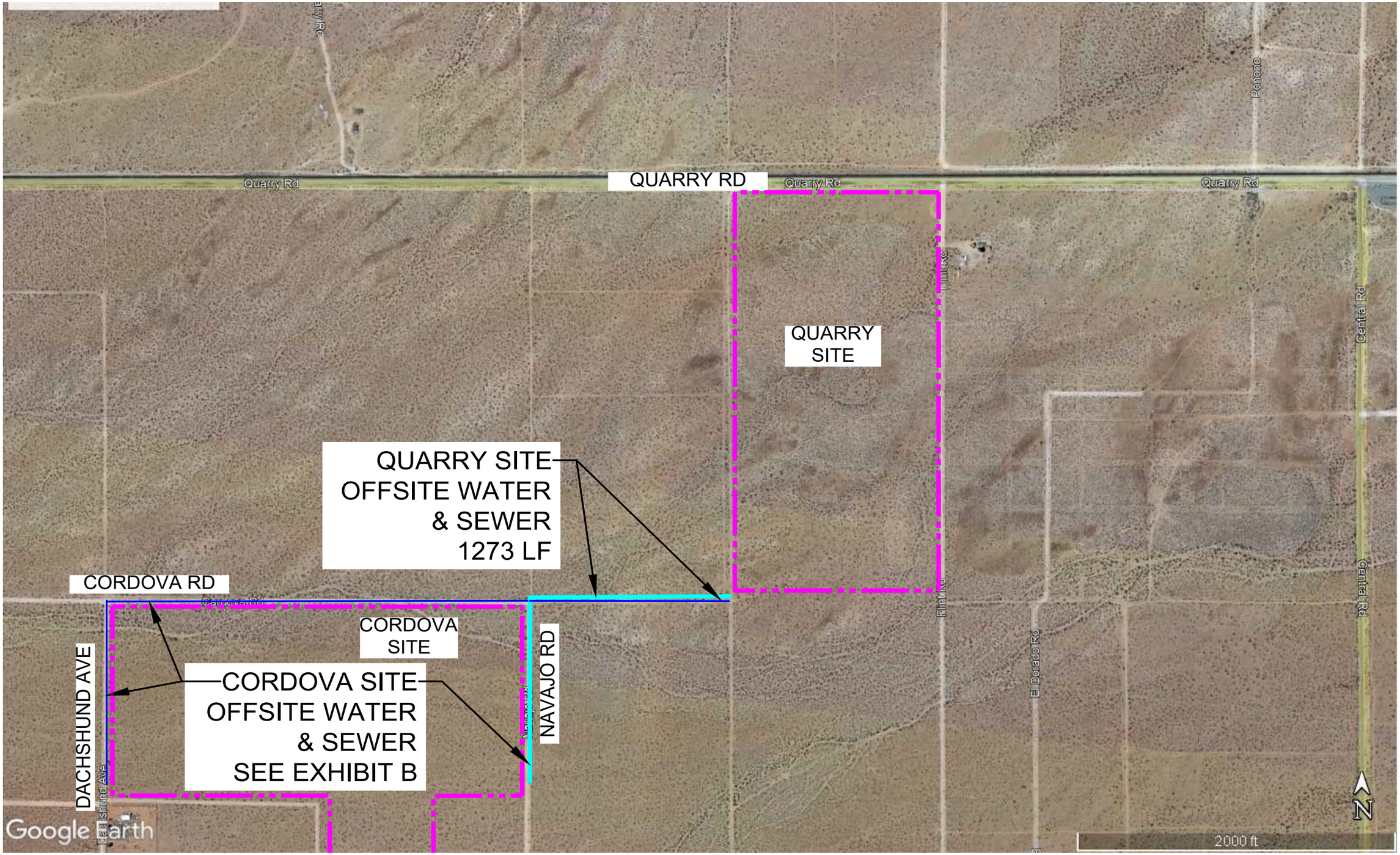
SOURCE: David Evans and Associates Inc., 2023

DUDEK 0 500 1,000 Feet

FIGURE 8

Quarry at Pawnee Site Roadway Improvements

Cordova Complex and Quarry at Pawnee Warehouse Project



SOURCE: David Evans and Associates Inc., 2023

DUDEK

0 1,000

FIGURE 9

Quarry at Pawnee Site Utility Improvements

Cordova Complex and Quarry at Pawnee Warehouse Project

Initial Study

Initial Study

Cordova Complex and Quarry at Pawnee Warehouse Project

SEPTEMBER 2023

Prepared by:

DUDEK

1810 13th Street, Suite 110
Sacramento, California 95811

Table of Contents

SECTION **PAGE**

Acronyms and Abbreviations iii

1 Introduction 1
- 1.1 California Environmental Quality Act Compliance 1

2 Project Description 3
- 2.1 Project Location and Setting 3
- 2.2 Project Characteristics 4
- 2.3 Construction, Phasing, and Schedule 6
- 2.4 Project Approvals 6

3 Initial Study Checklist 7
- 3.1 Aesthetics 10
- 3.2 Agriculture and Forestry Resources 12
- 3.3 Air Quality 13
- 3.4 Biological Resources 14
- 3.5 Cultural Resources 16
- 3.6 Energy 17
- 3.7 Geology and Soils 18
- 3.8 Greenhouse Gas Emissions 21
- 3.9 Hazards and Hazardous Materials 22
- 3.10 Hydrology and Water Quality 25
- 3.11 Land Use and Planning 27
- 3.12 Mineral Resources 28
- 3.13 Noise 28
- 3.14 Population and Housing 30
- 3.15 Public Services 31
- 3.16 Recreation 33
- 3.17 Transportation 34
- 3.18 Tribal Cultural Resources 35
- 3.19 Utilities and Service Systems 36
- 3.20 Wildfire 37
- 3.21 Mandatory Findings of Significance 39

4 References and Preparers 41
- 4.1 References Cited 41
- 4.2 List of Preparers 42

INTENTIONALLY LEFT BLANK

Acronyms and Abbreviations

Acronym/Abbreviation	Definition
ADA	Americans with Disabilities Act
AVFPD	Apple Valley Fire Protection District
BMP	Best Management Practice
CEQA	California Environmental Quality Act
County	San Bernardino County
DOC	California Department of Conservation
DTSC	Department of Toxic Substances Control
EDD	California Employment Development Department
EIR	Environmental Impact Report
ESFR	Early Suppression, Fast Response
EV	electric vehicle
FEMA	Federal Emergency Management Agency
GHG	Greenhouse Gas Emissions
I	Interstate
I-SP	Specific Plan Industrial
LRA	Local Responsibility Area
MWA	Mojave Water Agency
NAVISP	North Apple Valley Industrial Specific Plan
NPDES	National Pollutant Discharge Elimination System
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	Southern California Air Quality Management District
SP	Specific Plan
SR	State Route
SWRQCB	State Water Resources Quality Control Board
USDA	United States Department of Agriculture
VHFHSZ	Very High Fire Hazard Severity Zone

INTENTIONALLY LEFT BLANK

1 Introduction

1.1 California Environmental Quality Act Compliance

The California Environmental Quality Act (CEQA) serves as the main framework of environmental law and policy in California. CEQA emphasizes the need for public disclosure and identifying and preventing environmental damage associated with proposed projects. Unless a project is deemed categorically or statutorily exempt, CEQA is applicable to any project that must be approved by a public agency in order to be processed and established. The Cordova Complex and Quarry at Pawnee Project considered herein does not fall under any of the statutory or categorical exemptions listed in the 2018 CEQA Statute and Guidelines (California Public Resources Code, Section 21000 et seq.; 14 CCR 15000 et seq.); therefore, it must meet CEQA requirements.

The intent of this document is to provide an overview and analysis of the environmental impacts associated with the Cordova Complex and Quarry at Pawnee Project by the Town of Apple Valley, acting as the lead agency in order to understand if any potentially significant impacts could occur due to construction or operation.

INTENTIONALLY LEFT BLANK

2 Project Description

VVLIG US Holdings (project applicant) is proposing construction and operation of two warehouse buildings, the Cordova Complex and Quarry at Pawnee Project (proposed Project or Project), located within the Town of Apple Valley (Apple Valley or Town).

2.1 Project Location and Setting

The Project is located within the northern portion of Apple Valley, which is located within the Victor Valley Region of San Bernardino County (County) (see NOP Figure 1, Cordova Complex and Quarry at Pawnee Project Location). The Town is bordered by the City of Victorville to the west, the City of Hesperia to the southwest, and unincorporated San Bernardino County to the north and east. Regional Access to Apple Valley is provided by Interstate 15 (I-15) and State Route 18 (SR-18).

Cordova Complex

The approximately 87-acre Cordova Complex site is located in the northern portion of Apple Valley and is bounded by Cordova Road to the north, Navajo Road to the east, Johnson Road to the south, and Dachshund Road Avenue to the west (see NOP Figure 2, Cordova Complex Project Site).

The Cordova site consists of ten parcels (Assessor's Parcel Numbers [APNs] 0463-213-05, 06, 07, 08, 09, 16, 33, 34, 35, and 36). The site is currently undeveloped land. Surrounding uses include Ecco Stoves, a sporting goods store, located west of the site, as well as a Walmart Distribution Center and Victor Valley College Regional Public Safety Training Center, located south of the site. Farther south of the site is the Fresenius Medical Care Distribution Center and a Big Lots Distribution Center. Areas directly east and north of the site include undeveloped land. Scattered rural residential uses are located northwest of the site.

The site is within the North Apple Valley Industrial Specific Plan (NAVISP) and is designated Specific Plan Industrial (I-SP) in the NAVISP and Specific Plan (SP) in the Town of Apple Valley General Plan and is also zoned as SP (Town of Apple Valley 2009a, 2012, 2021).

Quarry at Pawnee Site

The approximately 76-acre Quarry at Pawnee site is located in the northern portion of Apple Valley and is bounded by Quarry Road to the north and Flint Road to the east (see NOP Figure 3, Quarry at Pawnee Project Site). The Cordova Complex site is located approximately 1,400 feet to the northwest of the Quarry at Pawnee site.

The Quarry at Pawnee site includes four parcels (APNs 0463-214-06, 07, 08, and 09) and is currently undeveloped land. Surrounding uses to the north, south, and west consist of undeveloped land. A single rural residence is located directly east of the Project boundary, east of Flint Road. Additional scattered rural residences are located farther to the north of the site.

Like the Cordova Complex, the site is within the NAVISP and is designated I-SP in the NAVISP and SP in the Town of Apple Valley General Plan and is also zoned as SP (Town of Apple Valley 2009a, 2012, 2021).

2.2 Project Characteristics

The Project would include construction of two concrete, tilt-up-construction, high-pile storage[1] warehouse buildings. Both buildings would not exceed 55 feet in height and would include warehouse operations and 5,000 square feet (sf) of office space on the ground floor with an additional 5,000 sf of office space on the second floor.

The 1,559,952-sf Cordova Complex warehouse building would include 133 loading dock doors on the northern warehouse facade with an additional 133 loading dock doors along the southern façade (see NOP Figure 4, Cordova Complex Site Plan). The slightly smaller 1,462,342-sf Quarry at Pawnee warehouse building would include a total of 235 loading dock doors with 118 loading dock doors on the eastern warehouse façade with an additional 117 loading dock doors along the western façade (see NOP Figure 5, Quarry at Pawnee Site Plan).

The Project would include preparation of a landscape plan that would include both the Cordova Complex and Quarry at Pawnee sites with landscaped areas incorporated along the site boundaries. Other onsite improvements would include surface parking, including parking for trucks, electric vehicles (EVs) and bicycles; and construction of detention basins for onsite drainage and stormwater/rain capture. An approximately 8-foot-tall wrought iron fence would be installed around the onsite truck court, trash enclosure, and pump house. Onsite lighting would also be installed throughout the site and along building exteriors.

Site Access and Circulation

Access to the Cordova Complex site would be via Dachshund Avenue to the west, Navajo Road to the east, and Cordova Road to the north. Paved passenger vehicle parking areas would be provided east and west of the building and would include EV-ready and Americans with Disabilities Act (ADA) accessible vehicle spaces. Tractor-trailer stalls and loading docks would be provided to the north and south of the warehouse building. In total, the Cordova Complex would provide approximately 266 loading dock positions, 692 tractor-trailer stalls, and 614 passenger vehicle spaces.

Access to the Quarry at Pawnee site would be via Flint Road along the eastern site boundary. Paved passenger vehicle parking areas would be provided north and east of the building and would include EV-ready and ADA accessible vehicle spaces. Tractor-trailer stalls and loading docks would be provided to the east and west of the building. In total, the Quarry at Pawnee warehouse would provide approximately 235 loading dock positions, 549 tractor-trailer stalls, and 689 passenger vehicle spaces.

Proposed offsite roadway improvements for accessing both the Cordova Complex and Quarry at Pawnee sites include the following:

- Expansion of Cordova Road, Navajo Road, and Dachshund Avenue;
- Expansion of the Dale Evans Parkway and Cordova Road intersection to accommodate new turn lanes; and
- Expansion of Flint Road.

See NOP Figure 6, Cordova Site Roadway Improvements, and Figure 8, Quarry at Pawnee Site Roadway Improvements.

[1] High-pile storage refers to storing product in vertical racks/shelving units higher than 12 feet.

Utility Improvements

Because the area is currently undeveloped, new domestic water, sanitary sewer, stormwater, and electrical connections would be required. Aboveground electrical lines would be extended to serve the project sites. Wastewater collection and treatment and stormwater services would be provided by the Town and potable water would be provided by Liberty Utilities. New offsite utility connections would be required to tie into the existing utility infrastructure. Specifically, new water infrastructure is proposed along Cordova Road, Dachshund Avenue, Doberman Street, and Johnson Road (See NOP Figure 7, Cordova Site Utility Improvements). New water infrastructure would total 6,727 linear feet. New wastewater infrastructure is proposed along Cordova Road, between the Cordova and Quarry at Pawnee sites, and along Navajo Road, directly east of the Cordova site (See NOP Figure 9, Quarry at Pawnee Site Utility Improvements). New wastewater infrastructure would total 3,918 linear feet.

New onsite water and wastewater utility connections would tie into the existing utility infrastructure in adjacent roadways. An existing 8-inch wastewater connection is located at the junction of Johnson and Navajo roads. An existing 12-inch potable water line is located along Cordova Road with available connections located east of Navajo Road at the intersection of Quarry and Flint roads. No existing stormwater infrastructure is present. Storm drain pipes would be constructed on site to divert stormwater through the sites. Each site would also have underground and aboveground storage ponds to infiltrate stormwater underground. No offsite storm drain infrastructure would be needed.

The warehouse buildings would be equipped with Early Suppression, Fast Response (ESFR) ceiling-mounted sprinklers to support operational uses as well as provide fire safety and protection.

Operations

Tenants of the Project have not yet been identified. However, business operations would be expected to be conducted primarily within the warehouse buildings, with the exception of ingress and egress of trucks and passenger vehicles accessing the site; passenger and truck parking; loading and unloading of trailers within designated truck courts/loading areas; and the internal and external movement of materials around the Project site via forklifts, pallet jacks, yard hostlers, and similar equipment. It is anticipated that the facilities would be operated 24 hours a day, 7 days a week.

Because future Project tenants are not known, the number of jobs the Project would generate cannot be precisely determined. Thus, for purposes of this analyses, employment estimates were calculated using average employment density factors reported by the Southern California Association of Governments (SCAG). SCAG estimates that for every 1,195 sf of warehouse space in the County, the average number of jobs supported is one employee (SCAG 2001). Based on this assumption, the Cordova Complex warehouse would support an estimated 1,305 employees, and the Quarry at Pawnee warehouse would support an estimated 1,224 employees, for a Project total of approximately 2,529 employees.

2.3 Construction, Phasing, and Schedule

Construction of the Cordova Complex and Quarry at Pawnee warehouse buildings is anticipated to commence in Spring 2024 (if the Project is approved) with an 8- to 13-month construction duration. Construction activities would include site clearing and grading, trenching for utilities, building construction, roadway expansions, paving, and landscaping. There is the potential construction may be phased but at this time it is assumed both warehouses would be constructed at the same time.

Exterior building walls for both warehouses would involve concrete tilt-up construction and would be approximately 10 inches thick with accentuated office corners with high performance storefront systems.

2.4 Project Approvals

At this time, it is anticipated that that the Project would require the following approvals from the Town:

- Site Plan Review
- Parcel Map Approval
- Project approval and certification of the EIR

3 Initial Study Checklist

1. **Project title:**

   Cordova Complex and Quarry at Pawnee Warehouse Project

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

   Town of Apple Valley
   14955 Dale Evans Parkway
   Apple Valley, California 92307

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

   Daniel Alcayaga, Planning Manager
   760.240.7000 ext. 7205

4. **Project location:**

   The Project is located on undeveloped, vacant land in the Town of Apple.

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

   VVLIG US Holdings LP
   Josh Malhi
   9040 Leslie Street, Suite 7
   Richard Hill, ON L4B-3M4

6. **General plan designation:**

   General Plan Designation: Specific Plan (SP)
   North Apple Valley Industrial Specific Plan Designation: Specific Plan Industrial (I-SP)

7. **Zoning:**

   Specific Plan (SP)

8. **Description of project. (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary):**

   The Project includes the construction and operation of two warehouses totaling 3,022,294 sf on two sites. The Cordova Complex warehouse would include 1,559,952 sf of industrial/warehouse space on an approximately 87-acre site. The Quarry at Pawnee warehouse would include approximately 1,462,342 sf of industrial/warehouse space on an approximately 76-acre site. The Project would include associated onsite and offsite improvements, including loading docks, truck and vehicle parking, and landscaped areas for both warehouses.

9. **Surrounding land uses and setting (Briefly describe the project's surroundings):**

Land uses surrounding the Project site primarily consist of vacant land. Specific land uses located in the immediate vicinity of the Project site include the following:

- **North:** Quarry Road and vacant land
- **East:** Central Road and vacant land
- **South:** Industrial/warehouse uses including Walmart, Big Lots, and Fresenius Medical Care Distribution Centers, and education uses including Victor Valley College Regional Public Safety Training Center
- **West:** The unincorporated community of Bell Mountain, containing large lot rural residences

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**

No discretionary approvals from other outside agencies are anticipated at this time.

11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

In accordance with California Assembly Bill 52 requirements, the Town will initiate Tribal consultation, the results of which will be summarized in the Draft EIR.

Environmental Factors Potentially Affected

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

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

Determination (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature Date

3.1 Aesthetics

		Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
I.	**AESTHETICS** – Except as provided in Public Resources Code Section 21099, would the project**:**				
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
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?	☒	☐	☐	☐
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☒	☐	☐	☐

a) Would the project have a substantial adverse effect on a scenic vista?

No Impact. For the purposes of this analysis, scenic vistas are generally defined as an expansive view of highly valued landscape features (e.g., mountain range, lake, or coastline) observable from a publicly accessible vantage point. A project which substantially blocks or alters a view of a scenic vista would result in a potentially significant impact. The Town of Apple Valley, including the Cordova and Quarry at Pawnee Project sites, offers views of the Turtle Mountains to the north, the Fairview and Granite Mountains to the east, and the Ord Mountains to the south. In the project vicinity, publicly accessible vantage points are limited to public roads (i.e., Quarry Road, Dale Evans Parkway, and Center Road). Project construction activities would occur over a period of 18 months and once operational, the project site would be visually similar to existing warehouse uses in the project area. During project operation, long-distance views from the project sites would continue to be available and would be limited to passersby, site users, and project personnel. Additionally, there are no officially designated scenic vistas within the Town according to the Apple Valley General Plan EIR (Town of Apple Valley 2009a); the nearest eligible scenic highway, California State Route (SR) 247, is located approximately 12.5 miles east of the project site (Caltrans 2022). Because project construction activities would be temporary and operation of the project would not impede or block distant views available to or from the project site, implementation of the project would have no impact on scenic vistas. This issue will not be further addressed in the EIR.

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

No Impact. A project which substantially damages scenic resources visible from a state scenic highway would be a potentially significant impact. While the Apple Valley General Plan identifies several eligible historic sites along portions of SR 18, there are no officially designated state scenic highways within the Apple Valley General Plan EIR (Town of Apple Valley 2009a). As described above, the nearest eligible scenic highway, California State Route (SR) 247, is located approximately 12.5 miles east of the project site. According to the California Department of Transportation, the nearest officially designated state scenic highway includes the portion of California SR 2 that spans from the eastern edge of Los Angeles County to Interstate 210, located approximately 35 miles southwest, as well as a portion of California SR 38 located southeast of Bear Valley and approximately 35 miles southeast of the project site (Caltrans 2022). Further, California U.S. Highway 40, which is considered a National Scenic Byway, is located approximately 20 miles northeast of the project site. Project construction and operation would not be visible from any eligible or designated state scenic highways, nor would it be visible from portions of SR 18, which is located approximately 5.5 miles south of the project site. As such, the project would not degrade or damage existing scenic resources along the interstate. In addition, because both sites are undeveloped, there are no rock outcroppings or historic buildings present. There would be no impact associated with damaging scenic resources within a state scenic highway and this issue will not be further addressed in the EIR.

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

Potentially Significant Impact. The Project is located in a rural area that would be considered non-urbanized. The Project would include construction of two warehouse buildings and associated improvements on land that is currently undeveloped. In total, the Project would provide 3,020,240 sf of warehouse space. Due to this proposed increase in on-site development intensity, there is a potential for the Project to affect the existing visual character or quality of public views of the sites and the surrounding area. Therefore, impacts are considered potentially significant and will be further analyzed in the EIR.

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

Potentially Significant Impact. Nighttime construction lighting is not anticipated as the majority of construction activities associated with the Project would occur during daytime hours consistent with standard industry practices. However, in the event work is required outside the standard construction hours (e.g., to reduce traffic or other impacts), portable lighting would be focused directly on work activity areas and would be temporary. However, it is not likely nighttime construction activities would be required, Operation of the Project would include new nighttime lighting, which could potentially adversely affect nighttime views in the area. Lighting would generally include building lights, overhead lights for on-site parking, and light generated by vehicles entering and exiting the Project sites. Therefore, impacts are considered potentially significant and will be further analyzed in the EIR.

3.2 Agriculture and Forestry Resources

		Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
II.	**AGRICULTURE AND FORESTRY RESOURCES** – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

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

No Impact. According to the California Department of Conservation's Farmland Mapping and Monitoring Program, both the Cordova site and Quarry at Pawnee site are designated as grazing land (DOC 2022a). Grazing land is described as land on which the existing vegetation is suited to the grazing of livestock. Grazing land does not include land designated or previously designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (collectively "Important Farmland"). Therefore, the Project would not covert Important

Farmland resources to non-agricultural uses and no impacts would occur. This issue will not be further addressed in the EIR.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The Project sites are zoned Specific Plan Industrial (I-SP) (Town of Apple Valley 2012). There is no portion of either site zoned for agricultural use or are under an existing Williamson Act contract (DOC 2017). As such, implementation of the Project would not conflict with existing zoning for agricultural use or land under a Williamson Act contract. Therefore, no impacts would occur, and this issue will not be further addressed in the EIR.

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

No Impact**.** According to the Town's Zoning Map, the Project sites are not located on or adjacent to forestland, timberland, or timberland zoned timberland production (Town of Apple Valley 2021). The only trees present on the site are Joshua Trees. Therefore, no impacts would occur, and this issue will not be further addressed in the EIR.

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. As discussed in response to Threshold c), above, the Project sites are not located on or adjacent to forestland (Town of Apple 2021). Additionally, no private timberlands or public lands with forests are located in the City. Therefore, no impact would occur, and this issue will not be further addressed in the EIR.

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

No Impact. As discussed above, the Project sites are not located on or adjacent to any parcels identified as Important Farmland or forestland (DOC 2022a). In addition, the Project would not involve changes to the existing environment that could result in the indirect conversion of Important Farmland or forestland located in the surrounding areas. Therefore, no impacts would occur, and this issue will not be further addressed in the EIR.

3.3 Air Quality

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☒	☐	☐	☐

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☒	☐	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☒	☐	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☒	☐	☐	☐

a-d) Would the project conflict with or obstruct implementation of the applicable air quality plan?

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

Would the project expose sensitive receptors to substantial pollutant concentrations?

Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Potentially Significant Impact. Project construction and operations would involve activities that would generate both short-term and long-term criteria air pollutants and other emissions or odors. An air quality analysis is required to determine whether the Project could potentially result in any adverse effects related to air quality. Therefore, impacts are considered potentially significant and will be further analyzed in the EIR.

3.4 Biological Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☒	☐	☐	☐

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☒	☐	☐	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☒	☐	☐	☐
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?	☒	☐	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☒	☐	☐	☐
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?	☒	☐	☐	☐

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

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

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

Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Potentially Significant Impact. Implementation of the Project could potentially have an adverse effect on candidate, sensitive, or special-status species; sensitive natural communities; migratory wildlife corridors; and protected trees. The Town has prepared a draft Multispecies Habitat Conservation Plan/Natural Community Conservation Plan that covers the entire Town. Although not yet adopted, the EIR will evaluate any potential conflicts with the plan. A biological resource assessment of the Project sites will also be conducted along with species-specific surveys to determine whether the Project could potentially result in any adverse effects related to biological resources. Therefore, impacts are considered potentially significant and will be further analyzed in the EIR.

3.5 Cultural Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☒	☐	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☒	☐	☐	☐

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

Less-Than-Significant Impact. A project that would adversely affect the significance of a historical resource would be considered to have a potentially significant impact. Historical resource is a term with a defined statutory meaning (see Public Resources Code section 21084.1 and CEQA Guidelines section 15064.5(a), (b). The term includes any resources listed or determined to be eligible for listing in the National Register of Historic Places, as well as some California State Landmarks and Points of Historical Interest. The term also can include resources included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code) or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code). In addition, historical resources are evaluated against the California Register of Historical Resources criteria prior to making a finding as to the project's impacts on historical resources. Because the Projects sites are undeveloped and have never been developed the potential for locating a historical resource is considered very unlikely. The impact is considered less than significant and will not be further addressed in the EIR.

b-c) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Would the project disturb any human remains, including those interred outside of formal cemeteries?

Potentially Significant Impact. A project that would adversely affect the significance of an archaeological resource would be considered to have a potentially significant impact. The Project has the potential to cause a substantial adverse change in the significance of previously undiscovered unique archaeological resources or historical resources of an archaeological nature pursuant to §15064.5, or human remains due to ground-disturbing activities associated with construction activities. Therefore, impacts are considered potentially significant and will be further analyzed in the EIR.

3.6 Energy

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. Energy – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☒	☐	☐	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☒	☐	☐	☐

a-b) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Potentially Significant Impact. Project construction and operations would involve activities that would require the use of energy, including electricity and petroleum. Further energy usage analysis is required to determine whether the Project could potentially result in any adverse effects related to energy consumption. Therefore, impacts are considered potentially significant and will be further analyzed in the EIR.

3.7 Geology and Soils

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. 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.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
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?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☒	☐	☐	☐

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. The Alquist–Priolo Earthquake Zoning Act (Alquist–Priolo Act) requires the delineation of fault zones along active faults in California. The purpose of the Alquist–Priolo Act is to regulate development on or near active fault traces to reduce hazards associated with fault rupture. The Alquist–Priolo Earthquake Fault Zones are the regulatory zones that include surface traces of active faults. According to the California Department of Conservation, the Project sites are not located in an Alquist–Priolo Earthquake Fault Zone (DOC 2022b). Thus, the potential for surface rupture is considered unlikely. Therefore, the impact is considered less than significant and will not be further addressed in the EIR.

ii) Strong seismic ground shaking?

Less-Than-Significant Impact**.** Similar to other areas located in seismically active Southern California, the Town is susceptible to strong ground shaking during an earthquake. However, the Project sites are not located within an Alquist–Priolo Earthquake Fault Zone, and the sites would not be affected by ground shaking more than any other area in this seismic region (DOC 2022b). Pursuant to Title 8, Buildings and Construction, of the Apple Valley Municipal Code, the Project's geotechnical report will be subject to review and approval by Town staff prior to issuance of a grading permit. Compliance with the recommendations of the geotechnical report is mandated by Section 8.12.010 of the Municipal Code, and compliance is subject to inspection by the Town Building Official. With implementation of the recommendations of the Project's geotechnical report, impacts associated with strong seismic ground shaking would be less than significant and will not be further addressed in the EIR.

iii) Seismic-related ground failure, including liquefaction?

Less-Than-Significant Impact. Soil liquefaction is a seismically induced form of ground failure that has been a major cause of earthquake damage in Southern California. Liquefaction is a process by which water-saturated granular soils transform from a solid to a liquid state because of a sudden shock or strain such as an earthquake. According to Exhibit III-11 of the Town's General Plan EIR (Town of Apple Valley 2009a), the Project sites are not within an area that has the potential for liquefaction. Therefore, impacts associated with potential seismic-related ground failure, including liquefaction, would be less than significant, and will not be further addressed in the EIR.

iv) Landslides?

No Impact. According to Exhibit III-11 of the Town's General Plan EIR (Town of Apple Valley 2009a), the Project sites are not located in an area identified as susceptible to slope instability. The Project sites are relatively flat and are not located adjacent to any potentially unstable topographical feature such as a hillside or riverbank. Therefore, no impacts would occur, and this issue will not be further addressed in the EIR.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Less-Than-Significant Impact. The Project would involve earthwork and other construction activities that would disturb surface soils and temporarily leave exposed soil on the ground's surface. Common causes of soil erosion from construction sites include stormwater, wind, and soil being tracked off site by vehicles. To help curb erosion, Project construction activities must comply with all applicable federal, state, and local regulations for erosion control. The Project would be required to comply with standard regulations, including South Coast Air Quality Management District Rules 402 and 403, which would reduce construction erosion impacts. Rule 402 requires dust suppression techniques be implemented to prevent dust and soil erosion from creating a nuisance off site (SCAQMD 1976). Rule 403 requires that fugitive dust be controlled with best available control measures so that it does not remain visible in the atmosphere beyond the property line of the emissions source (SCAQMD 2005).

Since Project construction activities would disturb one or more acres, the Project must adhere to the provisions of the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. Construction activities subject to this permit include clearing, grading, and ground disturbances such as stockpiling and excavating. The NPDES Construction General Permit requires implementation of a stormwater pollution prevention plan, which would include construction best management practices (BMPs) designed to prevent erosion and protect the quality of stormwater runoff. Sediment-control BMPs may include stabilized construction entrances, straw wattles on earthen embankments, sediment filters on existing inlets, or the equivalent.

Once developed, the Project sites would include buildings, paved surfaces, and other on-site improvements that would stabilize and help retain on-site soils. The remaining portions of the Project sites containing pervious surfaces would primarily consist of landscaped areas. These landscaped areas would include a mix of trees, shrubs, plants, and groundcover that would help retain on-site soils while preventing wind and water erosion from occurring. Therefore, construction and operational impacts related to soil erosion would be less than significant and this issue will not be further addressed in the EIR.

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

Less-Than-Significant Impact. As discussed previously, the potential for the Project to result in or be affected by landslides and liquefaction is low. Project activities may occur on geologically unstable soils such as those susceptible to lateral spreading, subsidence, or collapse. Pursuant to Title 8, Buildings and Construction, of the Apple Valley Municipal Code, the Project's geotechnical report will be subject to review and approval by Town staff prior to issuance of a grading permit. Compliance with the recommendations of the geotechnical report is mandated by Section 8.12.010 of the Municipal Code, and compliance is subject to inspection by the Town Building Official. With implementation of the recommendations of the Project's geotechnical report, impacts would be less than significant, and this issue will not be further addressed in the EIR.

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

Less-Than-Significant Impact. Expansive soils are characterized by their potential shrink/swell behavior. Shrink/swell is the change in volume (expansion and contraction) that occurs in certain fine-grained clay sediments from the cycle of wetting and drying. Clay minerals are known to expand with changes in moisture

content. The higher the percentage of expansive minerals present in near-surface soils, the higher the potential for substantial expansion.

Alluvial fan sediments, composed primarily of granular soils, underlie the low-lying areas of the Town and the expansion potential ranges from very low to moderately low. Additionally, the U.S. Department of Agriculture's (USDA) Web Soil Survey does not identify the Project site or surrounding area as containing clay soils, which are typically expansive (USDA 2023). Therefore, impacts would be less than significant, and this issue will not be further addressed in the EIR.

e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. The Project would connect to the Town's municipal sewer lines. The Project would not require septic tanks or alternative wastewater disposal systems. Therefore, no impacts would occur this issue will not be further addressed in the EIR.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Potentially Significant Impact. According to the Town's General Plan EIR, there is the potential for paleontological finds (Town of Apple Valley 2009a). As such, development and construction activities associated with the Project have the potential to unearth potentially significant paleontological resources. Therefore, impacts would be considered potentially significant and will be further analyzed in the EIR.

3.8 Greenhouse Gas Emissions

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☒	☐	☐	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☒	☐	☐	☐

a-b) ***Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?***

Would the project generate conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Potentially Significant Impact. Project construction and operations would involve activities that would generate both short-term and long-term greenhouse gas (GHG) emissions. Further analysis is required to determine whether the Project could potentially result in any adverse effects related to GHG emissions. Therefore, impacts would be considered potentially significant and will be further analyzed in the EIR.

3.9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. 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?	☒	☐	☐	☐
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?	☒	☐	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

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

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?

Potentially Significant Impact**.** Development of the Project would result in the construction of two industrial/warehouse buildings and associated improvements on land that is currently undeveloped. At this time future tenants are not known; however, Project implementation could potentially result in impacts related to the transport, use, or disposal of hazardous materials and could result in the accidental release of hazardous materials into the environment. Therefore, impacts would be considered potentially significant and will be further analyzed in the EIR.

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

No Impact. The nearest school to the Project sites is Sycamore Rocks Elementary School (23450 South Road), which is located approximately 4.45 miles southeast of the Cordova Complex site and approximately 4.56 miles southeast of the Quarry at Pawnee site. As such, the closest school is located well outside of a 0.25-mile radius around the Project sites. Therefore, no impacts would occur, and this issue will not be further addressed in the EIR.

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

No Impact. The Hazardous Waste and Substances Sites List (Cortese List) is a planning document providing information about the location of hazardous materials release sites. California Government Code Section 65962.5 requires the California Environmental Protection Agency to develop, at least annually, an updated Cortese List. The Department of Toxic Substances Control 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 materials release information for the Cortese List (CalEPA 2023). A review of the most up-to-date version of the Cortese List does not identify the presence of any known hazardous materials or waste sites on the Project sites or in the immediately surrounding area (DTSC 2022; SRWQCB 2022). Therefore, there would be no impact and this issue will not be further addressed in the EIR.

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

No Impact. The nearest operational public-use airport to the Project site is the Apple Valley Airport, which is located approximately 2.26 miles south of the Cordova Complex site and approximately 2.63 miles south of the Quarry at Pawnee site. According to Figure 6-2 of the Town of Apple Valley Airport Comprehensive Land Use Compatibility Plan, the Project sites are not located within a runway protection zone or safety zone area, which would have potential safety and noise impacts (Town of Apple 1995). Therefore, the Project would not result in any safety hazard for future employees. No impact would occur, and this issue will not be further addressed in the EIR.

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less-Than-Significant Impact. Construction activities may temporarily restrict vehicular traffic on adjacent roadways. Typical Town requirements include prior notification of any land or road closures with sufficient signage before and during any closures, flag crews with radio communication when necessary to coordinate traffic flow, etc. The Project developer would be required to comply with these requirements, which would maintain emergency access and allow for evacuation if needed during construction activities.

The Town's General Plan designates Central Road, SR-18, and Bear Valley Road as evacuation routes (Town of Apple 2009b). The Project does not propose any changes to these roadways, and moreover, the Project's truck trips would not be directed towards these roads. As such, it follows that the Project would not affect the ability of these roadways to serve as emergency evacuation routes. As a result, the Project would not significantly affect or physically interfere with the Town's emergency response or evacuation plan. Therefore, impacts would be less than significant, and this issue will not be further addressed in the EIR.

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact. Development of the Project would result in the construction of two industrial/warehouse buildings and associated improvements on land that is currently undeveloped. According to the California Department of Forestry and Fire Protection, The Project site is located within a Non-Very High Fire Hazard Severity Zone (VHFHSZ) within the Local Responsibility Area (LRA). Construction and operation of the project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. No impact would occur, and this issue will not be further analyzed in the EIR.

3.10 Hydrology and Water Quality

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. 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?	☒	☐	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☒	☐	☐	☐
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;	☒	☐	☐	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☒	☐	☐	☐
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	☒	☐	☐	☐
iv) impede or redirect flood flows?	☒	☐	☐	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

a-c) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

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

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?

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

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?

iv) Impede or redirect flood flows?

Potentially Significant Impact. Implementation of the Project would result in development of undeveloped lands with impervious surfaces. Such activities could potentially have an adverse effect on existing drainage patterns, which could subsequently impact surface water and groundwater quality, as well as both on-site and local hydrology including an increase in stormwater. Therefore, impacts would be considered potentially significant and will be further analyzed in the EIR.

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

No Impact. The Project would not be susceptible to flood hazards, tsunami, or seiche. Seiche is generally associated with oscillation of enclosed bodies of water (e.g., reservoirs, lakes) typically caused by ground shaking associated with a seismic event; however, the Project site is not located near a large body of water. Flooding from tsunami conditions is not expected, since the Project sites are located approximately 80 miles from the Pacific Ocean.

In addition, according to the Federal Emergency Management Agency (FEMA) Flood Map Service Center, the Project sites are not located within a designated flood hazard zone (FEMA 2022). As such, the Project would not risk release of pollutants due to inundation. Therefore, there would be no impacts associated with seiche, tsunami, or flooding and this issue will not be further addressed in the EIR.

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less-than-Significant Impact. The Project site is located within the Mojave River Groundwater Basin, which is the primary source of domestic groundwater in the Town and is managed by the Mojave Water Agency (MWA). Current reliance for groundwater recharge is through precipitation and runoff from the San Bernadino and San Gabriel Mountains. Additionally, the MWA has established a groundwater replenishment program to reduce groundwater overdraft. The Project site is not located within a designated groundwater recharge area (Town of Apple Valley 2009a). Project construction activities would comply with

the California Building Code Title 24 requirements as well as NPDES Construction General Permit BMP requirements intended to reduce water quality impacts (e.g., erosion and siltation control). Therefore, the project would not conflict with or obstruct a water quality control plan or groundwater management plan. Impacts would be less than significant, and this issue will not be further addressed in the EIR. Implementation of the Project would result in construction and operational activities upon currently undeveloped, vacant sites. Such activities could potentially have an adverse effect on existing drainage patterns, which could subsequently impact surface water and groundwater quality, as well as both on-site and local hydrology. Therefore, these issues will be analyzed in the Draft EIR.

3.11 Land Use and Planning

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING – Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☒	☐	☐	☐

a) Would the project physically divide an established community?

No Impact. The physical division of an established community typically refers to the construction of a linear feature (e.g., a major highway or railroad tracks) or removal of a means of access (e.g., a local road or bridge) that would impair mobility within an existing community or between a community and outlying area.

The Project sites consist of land that is undeveloped and does not provide a connection between any established communities. The Project would not physically divide an established community. Therefore, no impacts would occur, and this issue will not be further addressed in the EIR.

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

Potentially Significant Impact. The Project sites are designated as I-SP and zoned SP (Town of Apple 2009b). Although the Project would be consistent with the underlying General Plan land use designation and Zoning Code, further analysis is required to determine if the Project would cause a significant environmental impact due to a potential conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, this impact would be considered potentially significant and will be further analyzed in the EIR.

3.12 Mineral Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
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?	☐	☐	☐	☒

a-b) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact**.** According to the Energy and Mineral Resources Element in the Town's General Plan, mineral resources such as sand, gravel, and stone have been identified within the Town (Town of Apple Valley 2009b). According to Figure III-8 in the General Plan, the Project sites are not within an area that have been identified as potentially containing mineral resources (Town of Apple Valley 2009b). Additionally, the Project would be located within an area that is not zoned for mineral resource extraction operations, and thus, such activities are not allowed to occur on the Project sites. Therefore, no impacts would occur, and this issue will not be further addressed in the EIR.

3.13 Noise

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☒	☐	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☒	☐	☐	☐

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

a-b) ***Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?***

Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Potentially Significant Impact. Project construction and operations would involve activities that would generate both short-term and long-term noise. Further noise analysis is required to determine whether the Project could potentially result in any adverse effects related to increased noise levels. Therefore, these impacts would be considered potentially significant and will be further analyzed in the EIR.

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

No Impact. As discussed in Section 3.9, Hazards and Hazardous Materials, Threshold e), the nearest operational public-use airport to the Project site is the Apple Valley Airport, which is located approximately 1.3 miles south of the Cordova Complex site and approximately 1.8 miles south of the Quarry at Pawnee site. The Project sites are not located within a runway protection zone or safety zone area, which would have potential safety and noise impacts (Town of Apple 1995). Therefore, the Project would not expose people residing or working in the project area to excessive aircraft-related noise levels. No impact would occur, and this issue will not be further addressed in the EIR.

3.14 Population and Housing

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

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

Less-Than-Significant Impact. The Project would require a temporary construction workforce and a permanent operational workforce, both of which could potentially induce population growth in the Project area. The temporary workforce would be needed to construct the warehouse buildings and associated improvements. The number of construction workers needed during any given period would largely depend on the specific stage of construction but would likely range from a dozen to several dozen workers on a daily basis. These short-term positions are anticipated to be filled primarily by construction workers who reside in the in either the Town or County.

Because the future tenants are not known yet, the number of jobs the Project would generate cannot be precisely determined. Thus, for purposes of this analyses, employment estimates were calculated using average employment density factors reported by Southern California Association of Governments (SCAG). SCAG reports for every 1,195 sf of warehouse space in the County, the average number of jobs supported is one employee (SCAG 2001). The Project would include 3,022,294 sf of industrial/warehouses space. As such, it is estimated that 2,529 employees would be required for operation of the project.

According to the 2010 U.S. Census, the population of the Town was approximately 69,135 residents (UCSB 2010). According to the Town's General Plan, upon build-out in 2025, the Town could support a population of 185,858 residents (Town of Apple Valley 2009b). The Project's estimated increase of approximately 2,527 employees would represent a nominal percentage of the Town's projected future increase in workforce labor upon General Plan build-out. Further, the General plan indicates development of 58,629,920 sf of industrial space at buildout (Town of Apple Valley 2009b). The Project's contribution of approximately 1,617,140 sf of industrial space would represent 2.75 percent of the Town's planned industrial space.

Data provided by the California Employment Development Department in August 2022 found that the unemployment rate for the County is 4.3 percent, which is lower than the state average of 5.4 percent (EDD 2022). It is anticipated the Project's temporary (construction) and permanent employment requirements could likely be met by the existing labor force within the Town and surrounding areas without people needing to relocate into the Project area. As such, the Project would not stimulate population growth or a population concentration above what is assumed in local and regional land use plans. Impacts would be less than significant, and no further analysis will be conducted in the Draft EIR.

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

No Impact. The Project sites consist of undeveloped land and do not contain housing or other residential uses. Given that no residential uses are located within either-site the Project would not displace any existing people or housing. Therefore, no impacts would occur, and this issue will not be further addressed in the EIR.

3.15 Public Services

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire protection?	☒	☐	☐	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

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

Fire protection?

Potentially Significant Impact. Fire protection and emergency response services for the Project sites are provided by the Apple Valley Fire Protection District (AVFPD). The closest fire stations to the Project sites are Fire Station 332 (18857 Outer Highway 18 South) located approximately 6.2 miles to the southwest, and Fire Station 331 (22400 Headquarters Drive), located approximately 7.4 miles to the south. If needed, fire stations from adjacent cities, such as Victorville and Hesperia, may respond to emergency calls in Apple Valley through a mutual aid agreement.

In addition, as previously analyzed in response 3.14 a), the Project would not directly or indirectly induce unplanned population growth in the City. Although the Project could potentially result in an incremental increase in calls for service to the Project site compared to existing conditions, this increase is expected to be nominal (as opposed to new residential or commercial/retail land uses, which do result in greater increase in calls for service) and would not result in the need for new fire protection facilities.

It is anticipated that the Project would be adequately served by existing ACFPD facilities, equipment, and personnel. However, if a mutual aid agreement is not established, the implementation of the Project could result in a potentially significant associated with fire protection. This issue will be further analyzed in the EIR.

Police protection?

Less-Than-Significant Impact. Police protection and emergency response services for the Project site are provided by the Apple Valley Police Department, which contracts with the San Bernadino County Sheriff's Office. The police department operates one station within the Town at 14931 Dale Evans Parkway, which is located approximately 6.3 miles south of the Project sites. The Apple Valley Police Department is comprised of approximately 51 law enforcement personnel and 13 general employees (San Bernadino County nda). As described in the Apple Valley General Plan EIR, increases in police services associated with new development/buildout of the General Plan concurrent with increases in available Town revenue are expected (Town of Apple Valley 2009a). In general, an increase in demand for police protection services is typically associated with an increase in population. As explained in Section 3.14, Population and Housing, the Project is not expected to induce substantial population growth in the Project area and is therefore not expected to result in an increased demand for police protection services. Because the project would not substantially increase police protection demands such that new or expanded facilities would be required, impacts would be less than significant, and no further analysis will be conducted in the Draft EIR.

Schools?

No Impact. As previously discussed, the Project would not directly or indirectly induce unplanned population growth in the Town. In addition, the Project does not include new housing that would generate a permanent increase in residents, including families with children. Although the Project would require short-term construction workers to build the warehouses and long-term employees to operate the facilities, these short-term and long-term employees would likely already reside within the Town or in nearby communities in the County. It is not anticipated that many people would relocate to Apple Valley as a result of the Project, and an increase in school-age children requiring public education is not expected to occur as a result.

The Project would be subject to Senate Bill (SB) 50, which requires payment of mandatory impact fees to offset any impact to school services or facilities. The provisions SB 50 are deemed to provide full and complete mitigation of school facilities impacts, notwithstanding any contrary provisions in CEQA or other state or local laws (Government Code Section 65996). In accordance with SB 50, the Project Applicant would be required to pay its fair share of impact fees based on the Project's square footage per Government Code Section 65995(h). Impact fees are required of most residential, commercial, and industrial development projects in the state. The current fee for industrial development is 0.78 cents per square (SAB 2022). Therefore, no impacts would occur, and this issue will not be further addressed in the EIR.

Parks?

No Impact. The Project would construct two industrial/warehouse buildings and does not propose any residential uses that may require parks and other recreational facilities. The Project would provide jobs for approximately 2,527 people that would either live in Apple Valley or in the surrounding communities where existing parks are available. It is anticipated the Project would not increase the use of existing neighborhood parks or regional parks in the Town or in the surrounding area. Therefore, no impacts would occur, and this issue will not be further addressed in the EIR.

Other public facilities?

No Impact. Given the industrial nature of the Project, it is unlikely that the Project would increase the use of libraries and other public facilities in the Town. Therefore, no impacts would occur, and this issue will not be further addressed in the EIR.

3.16 Recreation

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) 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?	☐	☐	☐	☒

a-b) 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?

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?

No Impact**.** The Project does not propose any residential uses and would not directly or indirectly result in a substantial and unplanned increase in population growth within the Town requiring new park and recreation facilities be provided. It is reasonable to assume implementation of the Project would not increase the use of existing neighborhood parks or regional parks in the Town and in the surrounding communities. In addition, as an industrial use, the Project is not required to provide recreational facilities. Therefore, no impacts would occur, and this issue will not be further addressed in the EIR.

3.17 Transportation

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

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

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

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

Would the project result in inadequate emergency access?

Potentially Significant Impact. Project construction and operation, including expansion of existing offsite roadways, would involve industrial/warehouse activities that would generate truck and passenger vehicle traffic that may conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, or otherwise result in both localized and broader transportation impacts, including an increase in vehicle miles traveled. A traffic impact analysis is required to determine whether the Project could potentially result in any adverse effects related to the local and regional circulation system. Therefore, these issues are considered potentially significant and will be further addressed in the EIR.

3.18 Tribal Cultural Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES				
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) 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	☒	☐	☐	☐
b) 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☒	☐	☐	☐

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

a-b) ***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)?***

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.

Potentially Significant Impact. Implementation of the Project would result in construction and site disturbance on land that is currently undeveloped. Such activities could potentially have an adverse effect on unrecorded, unknown, historical, archaeological, or Tribal cultural resources. Further cultural resource analysis is required to determine whether the Project could potentially result in any adverse effects related to tribal cultural resources. The Project is subject to Assembly Bill 52 which requires the Town notify any Tribes that have previously requested notification to request consultation regarding the presence of any tribal cultural resources that may be present. Therefore, these impacts would be considered potentially significant and will be further analyzed in the EIR.

3.19 Utilities and Service Systems

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. 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?	☒	☐	☐	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☒	☐	☐	☐
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?	☒	☐	☐	☐
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?	☒	☐	☐	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☒	☐	☐	☐

a-e) ***Would the project 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?***

Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Potentially Significant Impact. Project construction and operations would involve activities that require the use of energy and would generate the need for domestic water, sanitary sewer, stormwater, and solid waste disposal. Given the undeveloped nature of the Project sites, and as described in Section 2, Project Description, utilities would need to be extended offsite in order to serve future development. Additionally, the Project would be subject to Senate Bill 610, which requires the preparation of a Water Supply Assessment because the Project involves the development of an industrial project that is greater than 650,000 sf. Further analysis is required to determine whether the Project could potentially result in any adverse effects related to utilities and services systems and to determine whether sufficient water supply and treatment capacity, wastewater treatment and conveyance, stormwater facilities, and landfill space is available to serve the Project. Therefore, these impacts would be considered potentially significant and will be further analyzed in the EIR.

3.20 Wildfire

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

Less-Than-Significant Impact**.** As described in Section 3.9, Hazards and Hazardous Materials, Threshold f), construction activities that may temporarily restrict vehicular traffic would be required to implement appropriate measures (i.e., notification of road closures, signage, flag crews, etc.) to facilitate the passage of persons and vehicles through/around any required road closures. The Project developer would be required to comply with these requirements, which would maintain emergency access and allow for evacuation if needed during construction activities.

Additionally, the Project does not propose any changes to the geometry of designated evacuation routes and roadways (which will be further discussed in the Transportation section of the EIR) and such routes would not be compromised as a result of project implementation. Therefore, the Project would not impair any adopted emergency response or evacuation plans. Impacts would be less than significant, and this issue will not be evaluated further in the Draft EIR.

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

Less-Than-Significant Impact. The California Department of Forestry and Fire Protection's (CAL FIRE) Fire Hazard Severity maps have determined that the Project sites are not in or near land classified as a Very High Fire Hazard Severity Zone (VHFHSZ), and impacts associated with wildfire in or near LRA or lands classified as VHFHSZs are not anticipated. The Project sites are located in an area that is generally flat, lacking any steep slopes, and characterized as undeveloped land generally comprised of scattered desert scrub vegetation; these factors are not typically associated with the uncontrolled spread of wildfire. In addition, the Project does not include homes but is an industrial development. Furthermore, the risk of wildfire would be reduced through state and local Fire Code-compliant design to ensure state and local fire safe regulations are implemented. Fire suppression services in the area would continue to be provided by the Apple Valley Fire Department. Because the Project site is not in or near an area of high fire hazard severity, adequate fire protection services would be provided by the local Fire Department, and the Project would be designed to be Fire Code-compliant, this impact would be considered less than significant, and this issue will not be further addressed in the EIR.

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

Less-Than-Significant Impact. As previously addressed, the Project sites are not located within or near an SRA or in an area with lands classified as VHFHSZs. While the Project does not include the construction of fuel breaks or power lines, the Project would involve the installation of underground utility infrastructure, including water, wastewater, storm drainage facilities, and possibly the extension of overhead electrical lines. However, the construction of these utilities would not exacerbate fire risk as the Project sites are not located in a wildfire prone area. The potential construction impacts associated with installation of this infrastructure has been discussed within this Initial Study. Therefore, impacts associated with installation of infrastructure exacerbating fire risk would be considered less than significant and this issue will not be further addressed in the EIR.

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

Less-Than-Significant Impact. As discussed above, the Project sites are not located within or near an SRA or in an area with lands classified as VHFHSZs. As discussed in Section 3.7, Geology and Soils and Section 3.10, Hydrology and Water Quality, the Project sites are relatively flat and would not result in significant risks associated with flooding or landslides, and the Project does not propose the use of fire (such as for a controlled vegetation burn) that could result in post-fire slope instability. In addition, the Project does not include homes but is an industrial development. Therefore, impacts associated with post-fire runoff, slope instability, or drainage changes would be less than significant, and will not be further addressed in the EIR.

3.21 Mandatory Findings of Significance

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

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

Potentially Significant Impact. The Project has the potential to degrade the quality of the environment, reduce the habitat of a plant or wildlife species, cause a plant or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal (see Section 3.4, Biological Resources). In addition, the Project may have the potential to eliminate important examples of California history or prehistory during grading activities due to the potential for unanticipated cultural resources (see Section 3.5, Cultural Resources). Therefore, impacts are considered potentially significant and will be further addressed in the EIR.

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.)

Potentially Significant Impact. The Project could have impacts that are individually limited but cumulatively considerable. The EIR will analyze past, present, and reasonably foreseeable projects in the vicinity of the Project site. Therefore, impacts are considered potentially significant and will be further addressed in the EIR.

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

Potentially Significant Impact. The Project could have environmental effects that could cause substantial adverse effects on human beings. Therefore, impacts are considered potentially significant and will be further addressed in the EIR.

4 References and Preparers

4.1 References Cited

14 CCR 15000–15387 and Appendices A through L. Guidelines for Implementation of the California Environmental Quality Act, as amended.

CalEPA (California Environmental Protection Agency). 2023. Cortese List Data Resources. https://calepa.ca.gov/sitecleanup/corteselist/

Caltrans. 2022. California State Scenic Highway System Map. https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa.

DOC (California Department of Conservation). 2017. State of California Williamson Act Contract Land. https://planning.lacity.org/eir/HollywoodCenter/Deir/ELDP/(E)%20Initial%20Study/Initial%20Study/Attachment%20B%20References/California%20Department%20of%20Conservation%20Williamson%20Map%202016.pdf.

DOC. 2022a. California Important Farmland Finder. Accessed October 2022. https://maps.conservation.ca.gov/dlrp/ciff/.

DOC. 2022b. Earthquake Zones of Required Investigation. Accessed October 2022. https://maps.conservation.ca.gov/cgs/EQZApp/app/.

DTSC (Department of Toxic Substances Control). 2022. EnviroStor. Accessed October 2022. https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Search.

EDD (California Employment Development Department). 2022. Riverside-San Bernardino-Ontario Metropolitan Statistical Area (MSA) (Riverside and San Bernardino Counties). February 2022. Accessed October 2022. https://data.edd.ca.gov/w/7qx7-ercp/98fh-2xv7?cur=F5L7ERsZG9m&from=uwHlA4c1orF.

FEMA (Federal Emergency Management Agency). 2022. Flood Map Service Center. Accessed October 2022. https://msc.fema.gov/portal/search#searchresultsanchor.

SAB (State Allocation Board). 2022. February 23, 2022.

San Bernadino County. nda. Apple Valley Patrol Station. https://wp.sbcounty.gov/sheriff/patrol-stations/apple-valley/.

SCAG (Southern California Association of Governments). 2001. Employment Density Study Summary Report. October 31, 2001. Accessed April 2022. http://www.mwcog.org/uploads/committee-documents/bl5aX1pa20091008155406.pdf.

SCAQMD (South Coast Air Quality Management District). 1976. Rule 402, Nuisance. Adopted May 7, 1976. http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf.

SCAQMD. 2005. Rule 403, Fugitive Dust. Adopted May 7, 1976; last amended June 3, 2005. http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf.

SWRCB (State Water Resources Control Board). 2022. GeoTracker. Accessed October 2022. https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=Search+GeoTracker.

Town of Apple Valley. 1995. Comprehensive Airport Land Use Compatibility Plan. http://www.sbcounty.gov/Uploads/lus/Airports/AppleValley.pdf.

Town of Apple Valley. 2009a. General Plan EIR. https://www.applevalley.org/home/showpublisheddocument/24331/636552384686570000.

Town of Apple. 2009b. Adopted August 11, 2009. https://www.applevalley.org/services/planning-division/2009-general-plan.

Town of Apple Valley. 2012. North Apple Valley Industrial Specific Plan. Amended 2012. Accessed June 6, 2023. https://www.applevalley.org/home/showpublisheddocument/18587/636149111285930000.

Town of Apple Valley. 2021. Zoning Map & Permitted Use. Accessed October 2022. https://www.applevalley.org/services/planning-division/zoning-map-permitted-use.

USCB (U.S. Census Bureau). 2010. Quick Facts: Apple Valley town, California. https://www.census.gov/quickfacts/fact/table/applevalleytowncalifornia/PST045221.

USDA (United States Department of Agriculture) 2023. Web Soil Survey. Accessed June 6, 2023. https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx.

4.2 List of Preparers

Dudek

Christine Kronenberg, AICP, Principal
Kirsten Burrowes, Project Manager
Mollie Brogdon, Environmental Planner
Madison Brown, Environmental Analyst

Scoping Comments

Mojave Desert Air Quality Management District
Brad Poiriez, *Executive Director*
14306 Park Avenue, Victorville, CA 92392-2310
760.245.1661 • Fax 760.245.2022
www.MDAQMD.ca.gov • @MDAQMD

September 28, 2023

Daniel Alcayaga, Planning Manager
Town of Apple Valley
14955 Dale Evans Parkway
Apple Valley, CA 92307

Project: Apple Valley Cordova Complex and Quarry at Pawnee Warehouse Project

Dear Mr. Alcayaga:

The Mojave Desert Air Quality Management District (District) has received a request for comments on the Draft Environmental Impact Report (EIR) for the proposed Cordova Complex and Quarry at Pawnee Warehouse Project in Apple Valley. The Project includes the construction and operation of two concrete, tilt-up-construction, high-pile storage warehouse buildings, the Cordova Complex and Quarry at Pawnee. The proposed 1,559,952-square-foot Cordova Complex warehouse building would include construction of a warehouse building and associated improvements, while the proposed 1,462,342-square-foot Quarry at Pawnee warehouse building would also include construction of a warehouse building and associated improvements.

The District has reviewed the project notice and agrees with the findings of the initial study that Project construction and operations would involve activities that would generate both short-term and long-term criteria air pollutants and other emissions or odors. Additionally, the proposed location for the Quarry Pawnee Complex is within 100 feet of sensitive receptors (residences). An air quality analysis is required to determine whether the Project could potentially result in any adverse effects related to air quality and sensitive receptors. Therefore, impacts are considered potentially significant and should be further analyzed in the EIR.

The District requires that the following dust mitigation measures be required for the construction portion of the development (enforceable by the District AND by the land use agency) should the project be approved:

- Prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project;

- Signage compliant with Rule 403 Attachment B shall be erected at each project site entrance not later than the commencement of construction.

- Use a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with

exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.

- All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.

- All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related trackout onto paved surfaces, and clean any project-related trackout within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.

- Obtain District permits for any miscellaneous process equipment that may not be exempt under District Rule 219 including, but not limited to: Internal Combustion Engines with a manufacture's maximum continuous rating greater than 50 brake horsepower.

Thank you for the opportunity to review this planning document, the District looks forward to reviewing the DEIR. If you have any questions regarding this letter, please contact me at (760) 245-1661, extension 6726, or Bertrand Gaschot at extension 4020.

Sincerely,

Chris Anderson
Planning and Air Monitoring Supervisor

CA/bg

ROB BONTA
Attorney General

State of California
DEPARTMENT OF JUSTICE

1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550

E-Mail: EJ@doj.ca.gov

September 8, 2023

Daniel Alcayaga, Planning Manager
City of Apple Valley
14955 Dale Evans Parkway
Apple Valley, CA 92307

RE: Cordova Complex and Quarry at Pawnee Warehouse Project, SCH # 2023090009

Dear Mr. Alcayaga:

Thank you for the opportunity to provide comments on the Notice of Preparation for the Cordova Complex and Quarry at Pawnee Warehouse Project. While the logistics industry is an important component of our modern economy, warehouses can bring various environmental impacts to the communities where they are located. For example, diesel trucks visiting warehouses emit nitrogen oxide (NO_x)—a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation—and diesel particulate matter (a subset of fine particular matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.[1] Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.[2] The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate can contribute to traffic jams, deterioration of road surfaces, traffic accidents, and unsafe conditions for pedestrians and bicyclists. Depending on the circumstances of an individual project, warehouses may also have other environmental impacts.

To help lead agencies avoid, analyze, and mitigate warehouses' environmental impacts, the Attorney General Office's Bureau of Environmental Justice has published a document containing best practices and mitigation measures for warehouse projects. We have attached a copy of this document to this letter, and it is also available online.[3] We encourage you to

---

[1] California Air Resources Board, Nitrogen Dioxide & Health, https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health (NOx); California Air Resources Board, Summary: Diesel Particular Matter Health Impacts, https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts; Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf (DPM).

[2] Noise Sources and Their Effects, https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

[3] https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf.

consider the information in this document as you prepare the draft environmental impact report for this project.

Priority should be placed on avoiding land use conflicts between warehouses and sensitive receptors and on mitigating the impacts of any unavoidable land use conflicts. However, even projects located far from sensitive receptors may contribute to harmful regional air pollution, so you should consider measures to reduce emissions associated with the project to help the State meet its air quality goals. A distant warehouse may also impact sensitive receptors if trucks must pass near sensitive receptors to visit the warehouse.

The Bureau will continue to monitor proposed warehouse projects for compliance with the California Environmental Quality Act and other laws. We are available to discuss as you prepare the draft environmental impact report and consider how to guide warehouse development in your jurisdiction. Please do not hesitate to contact the Environmental Justice Bureau at ej@doj.ca.gov if you have any questions.

Sincerely,

CHRISTIE VOSBURG
Supervising Deputy Attorney General

For ROB BONTA
Attorney General

l

ROB BONTA
Attorney General

State of California
DEPARTMENT OF JUSTICE

Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act

Table of Contents

I. Background 1
II. Proactive Planning: General Plans, Local Ordinances, and Good Neighbor Policies 3
III. Community Engagement 4
IV. Warehouse Siting and Design Considerations 5
V. Air Quality and Greenhouse Gas Emissions Analysis and Mitigation 7
VI. Noise Impacts Analysis and Mitigation 10
VII. Traffic Impacts Analysis and Mitigation 11
VIII. Other Significant Environmental Impacts Analysis and Mitigation 12
IX. Conclusion 13

In carrying out its duty to enforce laws across California, the California Attorney General's Bureau of Environmental Justice (Bureau)[1] regularly reviews proposed warehouse projects for compliance with the California Environmental Quality Act (CEQA) and other laws. When necessary, the Bureau submits comment letters to lead agencies regarding warehouse projects, and in rare cases the Bureau has filed litigation to enforce CEQA.[2] This document builds upon the Bureau's work on warehouse projects, collecting information gained from the Bureau's review of hundreds of warehouse projects across the state.[3] It is meant to help lead agencies pursue CEQA compliance and promote environmentally-just development as they confront warehouse project proposals.[4] While CEQA analysis is necessarily project-specific, this document provides information on feasible best practices and mitigation measures, nearly all of which have been adapted from actual warehouse projects in California.

I. Background

In recent years, the proliferation of e-commerce and rising consumer expectations of rapid shipping have contributed to a boom in warehouse development.[5] California, with its ports, population centers, and transportation network, has found itself at the center of this trend. In 2020, the Ports of Los Angeles, Long Beach, and Oakland collectively accounted for over 34% of all United States international container trade.[6] The Ports of Los Angeles and Long Beach alone generate about 35,000 container truck trips every day.[7] Accordingly, the South Coast Air Basin now contains approximately 3,000 warehouses of over 100,000 square feet each, with a total warehouse capacity of approximately 700 million square feet, an increase of 20 percent over the last five years.[8] This trend has only accelerated, with e-commerce growing to

[1] https://oag.ca.gov/environment/justice.
[2] https://oag.ca.gov/environment/ceqa; *People of the State of California v. City of Fontana* (Super. Ct. San Bernardino County, No. CIVSB2121829); *South Central Neighbors United et al. v. City of Fresno et al.* (Super. Ct. Fresno County, No. 18CECG00690).
[3] This September 2022 version revises and replaces the prior March 2021 version of this document.
[4] Anyone reviewing this document to determine CEQA compliance responsibilities should consult their own attorney for legal advice.
[5] As used in this document, "warehouse" or "logistics facility" is defined as a facility consisting of one or more buildings that stores cargo, goods, or products on a short- or long-term basis for later distribution to businesses and/or retail customers.
[6] Data from the Bureau of Transportation Statistics, Container TEUs (Twenty-foot Equivalent Units) (2020), https://data.bts.gov/stories/s/Container-TEU/x3fb-aeda/ (Ports of Los Angeles, Long Beach, and Oakland combined for 14.157 million TEUs, 34% of 41.24 million TEUs total nationwide) (last accessed September 18, 2022).
[7] U.S. Dept. of Transportation, Federal Highway Administration, *FHWA Operations Support – Port Peak Pricing Program Evaluation* (2020), available at https://ops.fhwa.dot.gov/publications/fhwahop09014/sect2.htm (last accessed September 18, 2022).
[8] South Coast Air Qual. Mgmt. Dist., *Final Socioeconomic Assessment for Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program and Proposed Rule 316 – Fees for Rule 2305*, at 7-8, 41 (May 2021).

13% of all retail sales and 2021 being a second consecutive record year for new warehouse space leased.[9] The latest data and forecasts predict that the next wave of warehouse development will be in the Central Valley.[10]

When done properly, these activities can contribute to the economy and consumer welfare. However, imprudent warehouse development can harm local communities and the environment. Among other pollutants, diesel trucks visiting warehouses emit nitrogen oxide (NO_x)—a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation—and diesel particulate matter (a subset of fine particular matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.[11] Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.[12] The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate contribute to traffic jams, deterioration of road surfaces, and traffic accidents.

These environmental impacts also tend to be concentrated in neighborhoods already suffering from disproportionate health impacts and systemic vulnerability. For example, a comprehensive study by the South Coast Air Quality Management District found that communities located near large warehouses scored far higher on California's environmental justice screening tool, which measures overall pollution and demographic vulnerability.[13] That

---

[9] U.S. Census Bureau News, Quarterly Retail E-Commerce Sales 4th Quarter 2021 (February 22, 2022), https://www.census.gov/retail/mrts/www/data/pdf/ec_current.pdf (last accessed September 18, 2022); CBRE Research, *2022 North America Industrial Big Box Report: Review and Outlook*, at 2-3 (March 2022), *available at* https://www.cbre.com/insights/reports/2022-north-america-industrial-big-box#download-report (last accessed September 18, 2022).

[10] CBRE Research, *supra note* 9, at 4, 36; New York Times, *Warehouses Are Headed to the Central Valley, Too* (Jul. 22, 2020), *available* at https://www.nytimes.com/2020/07/22/us/coronavirus-ca-warehouse-workers.html.

[11] California Air Resources Board, Nitrogen Dioxide & Health, https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health (last accessed September 18, 2022) (NOx); California Air Resources Board, Summary: Diesel Particular Matter Health Impacts, https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts (last accessed September 18, 2022); Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf (last accessed September 18, 2022) (DPM).

[12] Noise Sources and Their Effects, https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm (last accessed September 18, 2022) (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

[13] South Coast Air Quality Management District, "Final Socioeconomic Assessment for Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program and Proposed Rule 316 – Fees for Rule 2305" (May 2021), at 4-5.

study concluded that, compared to the South Coast Air Basin averages, communities in the South Coast Air Basin near large warehouses had a substantially higher proportion of people of color; were exposed to more diesel particulate matter; had higher rates of asthma, cardiovascular disease, and low birth weights; and had higher poverty and unemployment rates.[14] Each area has its own unique history, but many of these impacts and vulnerabilities reflect historic redlining practices in these communities, which devalued land and concentrated poverty, racial outgroups, and pollution into designated areas.[15]

II. Proactive Planning: General Plans, Local Ordinances, and Good Neighbor Policies

To systematically guide warehouse development, we encourage local governing bodies to proactively plan for logistics projects in their jurisdictions. Proactive planning allows jurisdictions to prevent land use conflicts before they materialize and direct sustainable development. Benefits also include providing a predictable business environment, protecting residents from environmental harm, and setting consistent expectations jurisdiction-wide.

Proactive planning can take many forms. Land use designation and zoning decisions should channel development into appropriate areas. For example, establishing industrial districts near major highway and rail corridors but away from sensitive receptors[16] can help attract investment while avoiding conflicts between warehouse facilities and residential communities. Transition zones with lighter industrial and commercial land uses may also help minimize conflicts between residential and industrial uses.

In addition, general plan policies, local ordinances, and good neighbor policies should set minimum standards for logistics projects. General plan policies can be incorporated into existing economic development, land use, circulation, or other related general plan elements. Many jurisdictions alternatively choose to consolidate policies in a separate environmental justice element. Adopting general plan policies to guide warehouse development may also help

---

[14] *Id*. at 5-7.

[15] Beginning in the 1930s, federal housing policy directed investment away from Black, immigrant, and working-class communities by color-coding neighborhoods according to the purported "riskiness" of loaning to their residents. In California cities where such "redlining" maps were drawn, nearly all of the communities where warehouses are now concentrated were formerly coded "red," signifying the least desirable areas where investment was to be avoided. *See* University of Richmond Digital Scholarship Lab, Mapping Inequality, https://dsl.richmond.edu/panorama/redlining/#loc=12/33.748/-118.272&city=los-angeles-ca (Los Angeles), https://dsl.richmond.edu/panorama/redlining/#loc=13/32.685/-117.132&city=san-diego-ca (San Diego), https://dsl.richmond.edu/panorama/redlining/#loc=11/37.81/-122.38&city=oakland-ca (Oakland), https://dsl.richmond.edu/panorama/redlining/#loc=13/37.956/-121.326&city=stockton-ca (Stockton), https://dsl.richmond.edu/panorama/redlining/#loc=12/36.751/-119.86&city=fresno-ca (Fresno) (all last accessed September 18, 2022).

[16] In this document, "sensitive receptors" refers to residences, schools, public recreation facilities, health care facilities, places of worship, daycare facilities, community centers, or incarceration facilities.

jurisdictions comply with their obligations under SB 1000, which requires local government general plans to identify objectives and policies to reduce health risks in disadvantaged communities, promote civil engagement in the public decision making process, and prioritize improvements and programs that address the needs of disadvantaged communities.[17]

Local ordinances and good neighbor policies that set development standards for all warehouses in the jurisdiction are a critical and increasingly common tool that serve several goals. When well-designed, these ordinances direct investment to local improvements, provide predictability for developers, conserve government resources by streamlining project review processes, and reduce the environmental impacts of industrial development. While many jurisdictions have adopted warehouse-specific development standards, an ordinance in the City of Fontana provides an example to review and build upon.[18] Good neighbor policies in Riverside County and by the Western Riverside Council of Government include additional measures worth consideration.[19]

The Bureau encourages jurisdictions to adopt their own local ordinances that combine the strongest policies from those models with measures discussed in the remainder of this document.

III. Community Engagement

Early and consistent community engagement is central to establishing good relationships between communities, lead agencies, and warehouse developers and tenants. Robust community engagement can give lead agencies access to community residents' on-the-ground knowledge and information about their concerns, build community support for projects, and develop creative solutions to ensure new logistics facilities are mutually beneficial. Examples of best practices for community engagement include:

- Holding a series of community meetings at times and locations convenient to members of the affected community and incorporating suggestions into the project design.
- Posting information in hard copy in public gathering spaces and on a website about the project. The information should include a complete, accurate project description, maps and drawings of the project design, and information about how the public can provide input and be involved in the project approval process. The

[17] For more information about SB 1000, *see* https://oag.ca.gov/environment/sb1000.
[18] https://oag.ca.gov/system/files/attachments/press-docs/Final%20Signed%20Fontana%20Ordinance.pdf (last accessed September 18, 2022).
[19] For example, the Riverside County policy requires community benefits agreements and supplemental funding contributions toward additional pollution offsets, and the Western Riverside Council of Governments policy sets a minimum buffer zone of 300 meters between warehouses and sensitive receptors. https://www.rivcocob.org/wp-content/uploads/2020/01/Good-Neighbor-Policy-F-3-Final-Adopted.pdf (last accessed September 18, 2022) (Riverside County); http://www.wrcog.cog.ca.us/DocumentCenter/View/318/Good-Neighbor-Guidelines-for-Siting-Warehouse-Distribution-Facilities-PDF?bidId= (last accessed September 18, 2022) (Western Riverside Council of Governments).

information should be in a format that is easy to navigate and understand for members of the affected community.

- Providing notice by mail to residents and schools within a certain radius of the project and along transportation corridors to be used by vehicles visiting the project, and by posting a prominent sign on the project site. The notice should include a brief project description and directions for accessing complete information about the project and for providing input on the project.
- Providing translation or interpretation in residents' native language, where appropriate.
- For public meetings broadcast online or otherwise held remotely, providing for access and public comment by telephone and supplying instructions for access and public comment with ample lead time prior to the meeting.
- Partnering with local community-based organizations to solicit feedback, leverage local networks, co-host meetings, and build support.
- Considering adoption of a community benefits agreement, negotiated with input from affected residents and businesses, by which the developer provides benefits to the affected community.
- Creating a community advisory board made up of local residents to review and provide feedback on project proposals in early planning stages.
- Identifying a person to act as a community liaison concerning on-site construction activity and operations, and providing contact information for the community liaison to the surrounding community.
- Requiring signage in public view at warehouse facilities with contact information for a local designated representative for the facility operator who can receive community complaints, and requiring any complaints to be answered by the facility operator within 48 hours of receipt.

IV. Warehouse Siting and Design Considerations

The most important consideration when planning a logistics facility is its location. Warehouses located in residential neighborhoods or near sensitive receptors expose community residents and those using or visiting sensitive receptor sites to the air pollution, noise, traffic, and other environmental impacts they generate. Therefore, placing facilities away from sensitive receptors significantly reduces their environmental and quality of life harms on local communities. The suggested best practices for siting and design of warehouse facilities does not relieve lead agencies' responsibility under CEQA to conduct a project-specific analysis of the project's impacts and evaluation of feasible mitigation measures and alternatives; lead agencies' incorporation of the best practices must be part of the impact, mitigation and alternatives analyses to meet the requirements of CEQA. Examples of best practices when siting and designing warehouse facilities include:

- Per California Air Resources Board (CARB) guidance, siting warehouse facilities so that their property lines are at least 1,000 feet from the property lines of the nearest sensitive receptors.[20]
- Providing adequate amounts of on-site parking to prevent trucks and other vehicles from parking or idling on public streets and to reduce demand for off-site truck yards.
- Establishing setbacks from the property line of the nearest sensitive receptor to warehouse dock doors, loading areas, and truck drive aisles, and locating warehouse dock doors, loading areas, and truck drive aisles on the opposite side of the building from the nearest sensitive receptors—e.g., placing dock doors on the north side of the facility if sensitive receptors are near the south side of the facility.
- Placing facility entry and exit points from the public street away from sensitive receptors—e.g., placing these points on the north side of the facility if sensitive receptors are adjacent to the south side of the facility.
- Ensuring heavy duty trucks abide by the on-site circulation plans by constructing physical barriers to block those trucks from using areas of the project site restricted to light duty vehicles or emergency vehicles only.
- Preventing truck queuing spillover onto surrounding streets by positioning entry gates after a minimum of 140 feet of space for queuing, and increasing the distance by 70 feet for every 20 loading docks beyond 50 docks.
- Locating facility entry and exit points on streets of higher commercial classification that are designed to accommodate heavy duty truck usage.
- Screening the warehouse site perimeter and onsite areas with significant truck traffic (e.g., dock doors and drive aisles) by creating physical, structural, and/or vegetative buffers that prevent or substantially reduce pollutant and noise dispersion from the facility to sensitive receptors.
- Planting exclusively 36-inch box evergreen trees to ensure faster maturity and four-season foliage.
- Requiring all property owners and successors in interest to maintain onsite trees and vegetation for the duration of ownership, including replacing any dead or unhealthy trees and vegetation.
- Posting signs clearly showing the designated entry and exit points from the public street for trucks and service vehicles.
- Including signs and drive aisle pavement markings that clearly identify onsite circulation patterns to minimize unnecessary onsite vehicle travel.
- Posting signs indicating that all parking and maintenance of trucks must be conducted within designated on-site areas and not within the surrounding community or public streets.

[20] CARB, Air Quality and Land Use Handbook: A Community Health Perspective (April 2005), at ES-1. CARB staff has released draft updates to this siting and design guidance which suggests a greater distance may be warranted in some scenarios. CARB, Concept Paper for the Freight Handbook (December 2019), *available at* https://ww2.arb.ca.gov/sites/default/files/2020-03/2019.12.12%20-%20Concept%20Paper%20for%20the%20Freight%20Handbook_1.pdf (last accessed September 18, 2022).

V. Air Quality and Greenhouse Gas Emissions Analysis and Mitigation

Emissions of air pollutants and greenhouse gases are often among the most substantial environmental impacts from new warehouse facilities. CEQA compliance demands a proper accounting of the full air quality and greenhouse gas impacts of logistics facilities and adoption of all feasible mitigation of significant impacts. Although efforts by CARB and other authorities to regulate the heavy-duty truck and off-road diesel fleets have made excellent progress in reducing the air quality impacts of logistics facilities, the opportunity remains for local jurisdictions to further mitigate these impacts at the project level. Lead agencies and developers should also consider designing projects with their long-term viability in mind. Constructing the necessary infrastructure to prepare for the zero-emission future of goods movement not only reduces a facility's emissions and local impact now, but it can also save money as demand for zero-emission infrastructure grows. In planning new logistics facilities, the Bureau strongly encourages developers to consider the local, statewide, and global impacts of their projects' emissions.

Examples of best practices when studying air quality and greenhouse gas impacts include:

- Fully analyzing all reasonably foreseeable project impacts, including cumulative impacts. In general, new warehouse developments are not ministerial under CEQA because they involve public officials' personal judgment as to the wisdom or manner of carrying out the project, even when warehouses are permitted by a site's applicable zoning and/or general plan land use designation.[21]
- When analyzing cumulative impacts, thoroughly considering the project's incremental impact in combination with past, present, and reasonably foreseeable future projects, even if the project's individual impacts alone do not exceed the applicable significance thresholds.
- Preparing a quantitative air quality study in accordance with local air district guidelines.
- Preparing a quantitative health risk assessment in accordance with California Office of Environmental Health Hazard Assessment and local air district guidelines.
- Refraining from labeling compliance with CARB or air district regulations as a mitigation measure—compliance with applicable regulations is required regardless of CEQA.
- Disclosing air pollution from the entire expected length of truck trips. CEQA requires full public disclosure of a project's anticipated truck trips, which entails calculating truck trip length based on likely truck trip destinations, rather than the distance from the facility to the edge of the air basin, local jurisdiction, or other truncated endpoint. All air pollution associated with the project must be considered, regardless of where those impacts occur.

[21] CEQA Guidelines § 15369.

- Accounting for all reasonably foreseeable greenhouse gas emissions from the project, without discounting projected emissions based on participation in California's Cap-and-Trade Program.

Examples of measures to mitigate air quality and greenhouse gas impacts from construction are below. To ensure mitigation measures are enforceable and effective, they should be imposed as permit conditions on the project where applicable.

- Requiring off-road construction equipment to be hybrid electric-diesel or zero-emission, where available, and all diesel-fueled off-road construction equipment to be equipped with CARB Tier IV-compliant engines or better, and including this requirement in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities.
- Prohibiting off-road diesel-powered equipment from being in the "on" position for more than 10 hours per day.
- Using electric-powered hand tools, forklifts, and pressure washers, and providing electrical hook ups to the power grid rather than use of diesel-fueled generators to supply their power.
- Designating an area in the construction site where electric-powered construction vehicles and equipment can charge.
- Limiting the amount of daily grading disturbance area.
- Prohibiting grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area.
- Forbidding idling of heavy equipment for more than three minutes.
- Keeping onsite and furnishing to the lead agency or other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications.
- Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts.
- Using paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L.
- Providing information on transit and ridesharing programs and services to construction employees.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations for construction employees.

Examples of measures to mitigate air quality and greenhouse gas impacts from operation include:

- Requiring all heavy-duty vehicles engaged in drayage[22] to or from the project site to be zero-emission beginning in 2030.

[22] "Drayage" refers generally to transport of cargo to or from a seaport or intermodal railyard.

- Requiring all on-site motorized operational equipment, such as forklifts and yard trucks, to be zero-emission with the necessary charging or fueling stations provided.
- Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.
- Forbidding trucks from idling for more than three minutes and requiring operators to turn off engines when not in use.
- Posting both interior- and exterior-facing signs, including signs directed at all dock and delivery areas, identifying idling restrictions and contact information to report violations to CARB, the local air district, and the building manager.
- Installing solar photovoltaic systems on the project site of a specified electrical generation capacity that is equal to or greater than the building's projected energy needs, including all electrical chargers.
- Designing all project building roofs to accommodate the maximum future coverage of solar panels and installing the maximum solar power generation capacity feasible.
- Constructing zero-emission truck charging/fueling stations proportional to the number of dock doors at the project.
- Running conduit to designated locations for future electric truck charging stations.
- Unless the owner of the facility records a covenant on the title of the underlying property ensuring that the property cannot be used to provide refrigerated warehouse space, constructing electric plugs for electric transport refrigeration units at every dock door and requiring truck operators with transport refrigeration units to use the electric plugs when at loading docks.
- Oversizing electrical rooms by 25 percent or providing a secondary electrical room to accommodate future expansion of electric vehicle charging capability.
- Constructing and maintaining electric light-duty vehicle charging stations proportional to the number of employee parking spaces (for example, requiring at least 10% of all employee parking spaces to be equipped with electric vehicle charging stations of at least Level 2 charging performance)
- Running conduit to an additional proportion of employee parking spaces for a future increase in the number of electric light-duty charging stations.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, air filtration systems at sensitive receptors within a certain radius of facility for the life of the project.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the affected community by providing information that can be used to improve air quality or avoid exposure to unhealthy air.
- Requiring all stand-by emergency generators to be powered by a non-diesel fuel.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of

trucks.

- Requiring operators to establish and promote a rideshare program that discourages single-occupancy vehicle trips and provides financial incentives for alternate modes of transportation, including carpooling, public transit, and biking.
- Meeting CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking.
- Designing to LEED green building certification standards.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations.
- Posting signs at every truck exit driveway providing directional information to the truck route.
- Improving and maintaining vegetation and tree canopy for residents in and around the project area.
- Requiring that every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. Also require facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.
- Requiring tenants to enroll in the United States Environmental Protection Agency's SmartWay program, and requiring tenants who own, operate, or hire trucking carriers with more than 100 trucks to use carriers that are SmartWay carriers.
- Providing tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets.

VI. Noise Impacts Analysis and Mitigation

The noise associated with logistics facilities can be among their most intrusive impacts to nearby sensitive receptors. Various sources, such as unloading activity, diesel truck movement, and rooftop air conditioning units, can contribute substantial noise pollution. These impacts are exacerbated by logistics facilities' typical 24-hour, seven-days-per-week operation. Construction noise is often even greater than operational noise, so if a project site is near sensitive receptors, developers and lead agencies should adopt measures to reduce the noise generated by both construction and operation activities.

Examples of best practices when studying noise impacts include:

- Preparing a noise impact analysis that considers all reasonably foreseeable project noise impacts, including to nearby sensitive receptors. All reasonably foreseeable project noise impacts encompasses noise from both construction and operations, including stationary, on-site, and off-site noise sources.
- Adopting a lower significance threshold for incremental noise increases when baseline noise already exceeds total noise significance thresholds, to account for the cumulative impact of additional noise and the fact that, as noise moves up the decibel scale, each decibel increase is a progressively greater increase in sound

pressure than the last. For example, 70 dBA is ten times more sound pressure than 60 dBA.

- Disclosing and considering the significance of short-term noise levels associated with all aspects of project operation (i.e. both on-site noise generation and off-site truck noise). Considering only average noise levels may mask noise impacts sensitive receptors would consider significant—for example, the repeated but short-lived passing of individual trucks or loading activities at night.

Examples of measures to mitigate noise impacts include:

- Constructing physical, structural, or vegetative noise barriers on and/or off the project site.
- Planning and enforcing truck routes that avoid passing sensitive receptors.
- Locating or parking all stationary construction equipment as far from sensitive receptors as possible, and directing emitted noise away from sensitive receptors.
- Verifying that construction equipment has properly operating and maintained mufflers.
- Requiring all combustion-powered construction equipment to be surrounded by a noise protection barrier
- Limiting operation hours to daytime hours on weekdays.
- Paving roads where truck traffic is anticipated with low noise asphalt.
- Orienting any public address systems onsite away from sensitive receptors and setting system volume at a level not readily audible past the property line.

VII. Traffic Impacts Analysis and Mitigation

Warehouse facilities inevitably bring truck and passenger car traffic. Truck traffic can present substantial safety issues. Collisions with heavy-duty trucks are especially dangerous for passenger cars, motorcycles, bicycles, and pedestrians. These concerns can be even greater if truck traffic passes through residential areas, school zones, or other places where pedestrians are common and extra caution is warranted.

Examples of measures to mitigate traffic impacts include:

- Designing, clearly marking, and enforcing truck routes that keep trucks out of residential neighborhoods and away from other sensitive receptors.
- Installing signs in residential areas noting that truck and employee parking is prohibited.
- Requiring preparation and approval of a truck routing plan describing the facility's hours of operation, types of items to be stored, and truck routing to and from the facility to designated truck routes that avoids passing sensitive receptors. The plan should include measures for preventing truck queuing, circling, stopping, and parking on public streets, such as signage, pavement markings, and queuing analysis and enforcement. The plan should hold facility operators responsible for violations of the truck routing plan, and a revised plan should be required from any new tenant that occupies the property before a business license

is issued. The approving agency should retain discretion to determine if changes to the plan are necessary, including any additional measures to alleviate truck routing and parking issues that may arise during the life of the facility.
- Constructing new or improved transit stops, sidewalks, bicycle lanes, and crosswalks, with special attention to ensuring safe routes to schools.
- Consulting with the local public transit agency and securing increased public transit service to the project area.
- Designating areas for employee pickup and drop-off.
- Implementing traffic control and safety measures, such as speed bumps, speed limits, or new traffic signs or signals.
- Placing facility entry and exit points on major streets that do not have adjacent sensitive receptors.
- Restricting the turns trucks can make entering and exiting the facility to route trucks away from sensitive receptors.
- Constructing roadway improvements to improve traffic flow.
- Preparing a construction traffic control plan prior to grading, detailing the locations of equipment staging areas, material stockpiles, proposed road closures, and hours of construction operations, and designing the plan to minimize impacts to roads frequented by passenger cars, pedestrians, bicyclists, and other non-truck traffic.

VIII. Other Significant Environmental Impacts Analysis and Mitigation

Warehouse projects may result in significant environmental impacts to other resources, such as to aesthetics, cultural resources, energy, geology, or hazardous materials. All significant adverse environmental impacts must be evaluated, disclosed and mitigated to the extent feasible under CEQA. Examples of best practices and mitigation measures to reduce environmental impacts that do not fall under any of the above categories include:

- Appointing a compliance officer who is responsible for implementing all mitigation measures, and providing contact information for the compliance officer to the lead agency, to be updated annually.
- Creating a fund to mitigate impacts on affected residents, schools, places of worship, and other community institutions by retrofitting their property. For example, retaining a contractor to retrofit/install HVAC and/or air filtration systems, doors, dual-paned windows, and sound- and vibration-deadening insulation and curtains.
- Sweeping surrounding streets on a daily basis during construction to remove any construction-related debris and dirt.
- Directing all lighting at the facility into the interior of the site.
- Using full cut-off light shields and/or anti-glare lighting.
- Requiring submission of a property maintenance program for agency review and approval providing for the regular maintenance of all building structures, landscaping, and paved surfaces.
- Using cool pavement to reduce heat island effects.

- Planting trees in parking areas to provide at least 35% shade cover of parking areas within fifteen years to reduce heat island impacts.
- Using light colored roofing materials with a solar reflective index of 78 or greater.
- Including on-site amenities, such as a truck operator lounge with restrooms, vending machines, and air conditioning, to reduce the need for truck operators to idle or travel offsite.
- Designing skylights to provide natural light to interior worker areas.
- Installing climate control and air filtration in the warehouse facility to promote worker well-being.

IX. Conclusion

California's world-class economy, ports, and transportation network position it at the center of the e-commerce and logistics industry boom. At the same time, California is a global leader in environmental protection and environmentally just development. The guidance in this document furthers these dual strengths, ensuring that all can access the benefits of economic development. The Bureau will continue to monitor proposed projects for compliance with CEQA and other laws. Lead agencies, developers, community advocates, and other interested parties should feel free to reach out to us as they consider how to guide warehouse development in their area.

Please do not hesitate to contact the Environmental Justice Bureau at ej@doj.ca.gov if you have any questions.

NATIVE AMERICAN HERITAGE COMMISSION

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

September 2, 2023

Daniel Alcayaga
Town of Apple Valley, Planning Department
14955 Dale Evans Parkway
Apple Valley, CA 92307

Re: 2023090009, Cordova Complex and Quarry at Pawnee Warehouse Project, San Bernardino County

Dear Mr. Alcayaga:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project.
- **b.** Recommended mitigation measures.
- **c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- **a.** Type of environmental review necessary.
- **b.** Significance of the tribal cultural resources.
- **c.** Significance of the project's impacts on tribal cultural resources.
- **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub: Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
    a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
    b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
    a. If part or all of the APE has been previously surveyed for cultural resources.
    b. If any known cultural resources have already been recorded on or adjacent to the APE.
    c. If the probability is low, moderate, or high that cultural resources are located in the APE.
    d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
    a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
    b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
   a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
   b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
   a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
   b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
   c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Cameron.Vela@nahc.ca.gov.

Sincerely,

Cameron Vela

Cameron Vela
Cultural Resources Analyst

cc: State Clearinghouse

Main Office - 825 East Third Street, San Bernardino, CA 92415-0835 | Phone: 909.387.7910 Fax: 909.387.7911

www.SBCounty.gov

SAN BERNARDINO COUNTY

Department of Public Works

- Flood Control
- Operations
- Solid Waste Management
- Special Districts
- Surveyor
- Transportation

Brendon Biggs, M.S., P.E.
Director

Noel Castillo, P.E.
Assistant Director

David Doublet, M.S., P.E.
Assistant Director

September 20, 2023

Transmitted Via Email
File: 10(ENV)-4.01

Town of Apple Valley
Planning Department
Attn: Daniel Alcayaga, Planning Manager
14955 Dale Evans Parkway
Apple Valley, CA 92307
dalcayaga@applevalley.org

RE: CEQA PROJECT REVIEW – NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT AND NOTICE OF A PUBLIC SCOPING MEETING FOR THE CORDOVA COMPLEX AND QUARRY AT PAWNEE WAREHOUSE PROJECT.

Dear Mr. Alcayaga:

Thank you for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. **We received this request on September 6, 2023** and pursuant to our review, we have no comments.

We respectfully request to be included on the circulation list for all project notices, public reviews, or public hearings. In closing, I would like to thank you again for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. Should you have any questions or need additional clarification, please contact the Environmental Management Division at (909) 387-8109.

Sincerely,

Nancy Sansonetti

Nancy Sansonetti, AICP
Supervising Planner
Environmental Management Division

September 12, 2023

Town of Apple Valley
Attn: Daniel Alcayaga, Planning Manager
14955 Dale Evans Parkway
Apple Valley, CA 92307
Submitted via email to dalcayaga@applevalley.org.

Re: Notice of Preparation of a Draft Environmental Impact Report for the Cordova Complex and Quarry at Pawnee Warehouse Project (SCH #2023090009)

Dear Daniel Alcayaga,

This letter is on behalf of the Center for Community Action and Environmental Justice (CCAEJ) to respond to the Notice of Preparation for the proposed Cordova Complex and Quarry at Pawnee Warehouse Project which would be built there in Apple Valley.

After reviewing the documents, CCAEJ would like to make sure that several items receive thorough study and mitigation as part of the EIR process. A critical issue with any warehouse is to ensure that they do not burden the surrounding communities, particularly with their truck traffic. While the Project is located several miles from any sizable communities, based on the City's designated Truck Routes (Figure 1), then absent clear direction to make use of other interchanges closer to the Project, truck traffic from the Project could be directed past a Census Tract in Victorville which is at the 87th percentile (Figure 2) to reach I-15. That would worsen the pollution burden which they face so it is important that efforts are taken to ensure that such an outcome is able to be avoided.

Another concern is for ensuring that the road infrastructure built for or due to the Project includes the appropriate accommodation for cyclists. It is not clear that the City has yet updated its standard sections to provide allowance for designs based on the latest and safest bike facilities (Figure 3). Nevertheless, it is crucial that as these sorts of projects are undertaken in areas which in some instances lack even so much as a paved road, that the associated construction be done to the latest standards *now*. This is to avoid creating hazards by design and resulting in a situation which at best, needs additional reconstruction at a later date to retrofit in place what should have been built from the beginning, a situation which is likely to result once SB 932 (Portantino, 2022) is implemented.

We urge the Town to ensure that any locations where the developer is being conditioned to build/widen roads do so with standard sections based on the principles provided by Figure 3 so

that no hazardous conditions are created in those locations. In addition to being vital for improved safety, the provision of the safer bike facilities can be a powerful tool available to reduce the VMT and air quality impacts which this Project may have by providing a place where people feel more willing to travel by (electric) bicycle[1] or other non-motorized options.

Thank you for your time and consideration of these comments to ensure that these issues are addressed as part of the EIR process. If there are any questions or clarifications, please do not hesitate to contact me for clarification.

Sincerely,

Marven E. Norman, Policy Coordinator
Center for Community Action and Environmental Justice

Cc:
City of Victorville
Inland Empire Biking Alliance

[1] Karpinski, E. (2021). Estimating the effect of protected bike lanes on bike-share ridership in Boston: a case study on Commonwealth Avenue. *Case studies on transport policy*, *9*(3), 1313-1323.

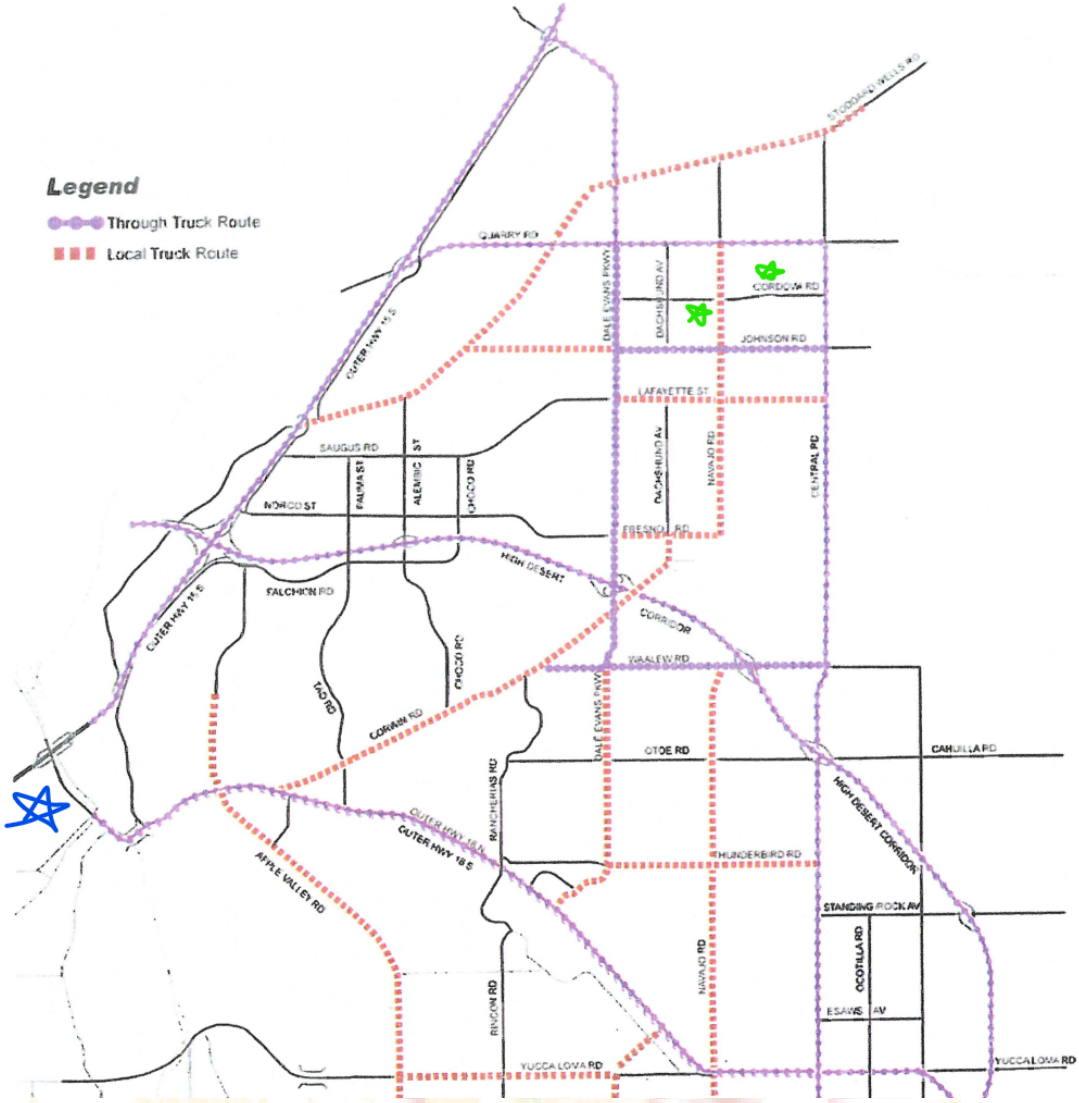


Figure 1: A portion of Exhibit II-8 of the Apple Valley General Plan Town of Apple Valley Truck Routes at Build Out with the proposed Project identified in lime green and Census Tract 6071009800 identified in blue.

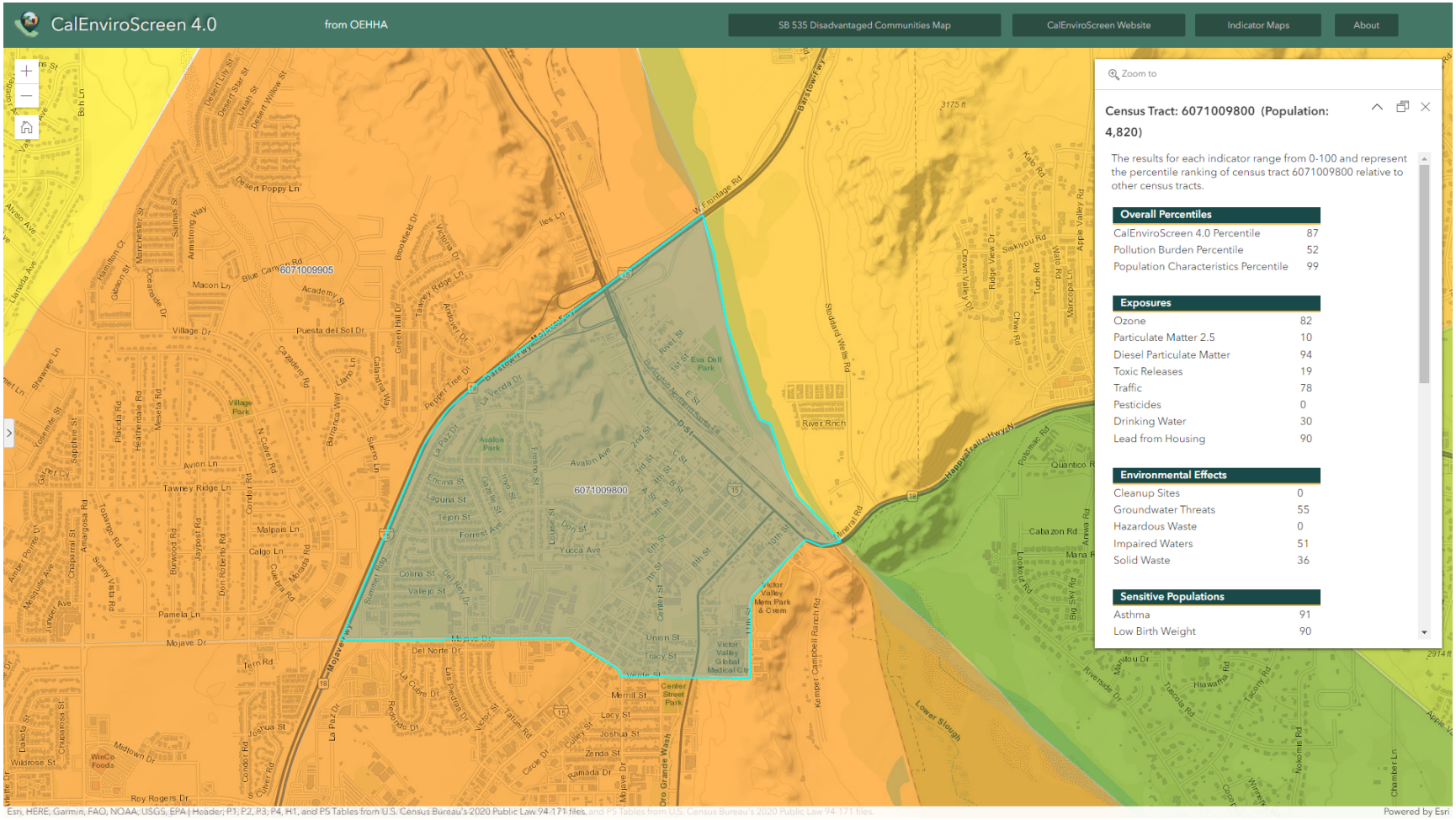


Figure 2: CalEnviroScreen 4.0 results for Census Tract 6071009800 which is at the 87th percentile.

Mailing Address
PO Box 33124
Jurupa Valley, CA 92519
www.ccaej.org

Attachment A

Caltrans Contextual Guidance for Preferred Bicycle Facilities**

Place Type and Surrounding Land-Use [1]	Design Year ADT	Posted Speed 15-20	25-30	35-45	> 45
Urban Areas & Suburban Main Streets	<2,500	Standard Shoulder or Shared Lane	Standard Shoulder or Shared Lane	Class II or Class IV	Class IV
	2,500-5,000				
	5,000-10,000	Class II or Class IV	Class II or Class IV	Class IV	
	>10,000	Class IV	Class IV		
Rural Areas (Developing Corridors)		15-20	25-30	35-45	> 45
	<2,500	Standard Shoulder (may be designated as a Class III facility)[2]			
	2,500-5,000				
	5,000-10,000				
	>10,000				
		15-20	25-30	35-45	> 45
Rural Main Streets	<2,500	Standard Shoulder or Shared Lane	Class II	Class II	Class I or IV
	2,500-5,000				
	5,000-10,000	Class II			
	>10,000			Class I, II, or IV	

1 Highway Design Manual (HDM) Index 81.3

2 HDM, Tables 302.1 and 307.2

** Chart is not a replacement for engineering judgement. Intended for planning purposes, to identify minimum preferred bikeway facility under different place type, volume and speed conditions.

Figure 3: Caltrans Contextual Guidance for Preferred Bicycle Facilities.[2]

[2] https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/office-of-smart-mobility-and-climate-change/planning-contextual-guidance-memo-03-11-20-a11y.pdf