Draft Environmental Impact Report

Mojave Industrial Park Project

APRIL 2024

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Table of Contents

SECTION **PAGE NO.**

FIGURES

TABLES

EXHIBITS

APPENDICES

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Acronyms and Abbreviations

Acronym/Abbreviation	Definition
AAM	American Association of Museums
AAQS	ambient air quality standards
AB	Assembly Bill
ACC	Advanced Clean Cars
ACT	Advanced Clean Trucks
AERMOD	American Meteorological Society/Environmental Protection Agency Regulatory Model
AFV	alternative fuel vehicles
AFY	acre-feet per year
AIC	Archaeological Information Center
AMTP	Archaeological Monitoring and Treatment Plan
ANSI	American National Standards Institute
APN	Assessor's Parcel Number
AQMD	Air Quality Management District
AQMP	air quality management plan
AVAQMD	Antelope Valley Air Quality Management District
BLM	Bureau of Land Management
BMP	best management practice
BSA	Biological Study Area
BUG	backlight, up light, and glare
CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fuel Economy
CalEEMod	California Emissions Estimator Model
CalGEM	Geologic Energy Management Division
CALGreen	California Green Building Standards Code
Cal-IPC	California Invasive Plant Council
CalSTA	California State Transportation Agency
CAP	Climate Action Plan
CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CDBG	Community Development Block Grant
CDE	California Department of Education
CDFW	California Department of Fish and Wildlife
CDNPA	California Desert Native Plants Act
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act

Acronym/Abbreviation	Definition
CFR	Code of Federal Regulations
CGS	California Geologic Survey
CH4	methane
CHRIS	California Historical Resources Information System
CIWM	California Integrated Waste Management
CIWMB	California Integrated Waste Management Board
CMAQ	Community Multiscale Air Quality
CMP	Congestion Management Plan
CNDDB	California Natural Diversity Database
CNEL	community noise equivalent level
CNG	compressed natural gas
CNPS	California Native Plant Society
CNRA	California Natural Resources Agency
CO	carbon monoxide
CO_2	carbon dioxide
CO2e	carbon dioxide equivalent
CPUC	California Public Utilities Commission
CRHR	California Register of Historic Resources
CRMP	Cultural Resources Management Plan
CRPR	California Rare Plant Rank
CTC	California Transportation Commission
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
CWHR	California Wildlife Habitat Relationships
CY	cubic yards
dB	decibels
dBA	A-weighted decibels
DCP	Dust Control Plan
DCV	Design Capture Volume
DG	decomposed granite
DHS	Department of Health Services
DIF	Development Impact Fees
DOC	California Department of Conservation
DOF	California Department of Finance
DPM	diesel particulate matter
EDD	Employment Development Department
EI	expansion index
EIA	Energy Information Administration
EI	expansion index
EIR	environmental impact report
EISA	Energy Independence and Security Act of 2007
EKAPCD	Eastern Kern Air Pollution Control District
EO	Executive Order

Acronym/Abbreviation	Definition
EPA	U.S. Environmental Protection Agency
ESA	Environmentally Sensitive Area
EV	electric vehicle
FEMA	Federal Emergency Management Agency
FESA	federal Endangered Species Act
FHSZ	Fire Hazard Severity Zones
FICON	Federal Interagency Committee on Noise
FIRM	Flood Insurance Rate Map
FPP	Fire Protection Plans
GHG	greenhouse gas
GIS	geographical information system
GO-Biz	Governor's Office of Business and Economic Development
GSA	Groundwater Sustainability Agency
GSP	Groundwater Sustainability Plan
GW	gigawatts
GWP	global warming potential
HAP	hazardous air pollutant
HARP2	Hotspots Analysis and Reporting Program Version 2
HB	Home-Based
HBW	Home-Based Work
HDT	heavy-duty truck
HDV	heavy-duty vehicle
HEPA	high efficiency particulate air
HFC	hydrofluorocarbon
HHDT	heavy-heavy duty truck
HIA	health impact assessment
HMBP	hazardous materials business plan
HMMP	Habitat Mitigation and Monitoring Plan
HRA	health risk assessment
HVAC	heating, ventilation, and air conditioning
IBank	California Infrastructure and Economic Development Bank
IESNA	Illuminating Engineering Society of North American
IPaC	Information for Planning and Conservation
IPCC	Intergovernmental Panel on Climate Change
IRP	Integrated Resource Planning
IS	initial study
ISA	Integrated Science Assessment
ISO	California Independent System Operator
ISTEA	Intermodal Surface Transportation Efficiency Act
ITE	Institute of Transportation Engineers
ITP	Incidental Take Permit
IWMP	Idle Well Management Plans

Acronym/Abbreviation	Definition
IWTP	Industrial Wastewater Treatment Plant
KDAG	Barstow-Daggett Airport
LCFS	low carbon fuel standard
LDV	Light-duty vehicle
LEED	Leadership in Energy and Environmental Design
Leq	sound equivalent level
LEV	Low-Emission Vehicle
LHMP	Local Hazard Mitigation Plan
LI	Light Industrial
LID	low-impact development
LOS	level of service
MBTA	Migratory Bird Treaty Act
MDAB	Mojave Desert Air Basin
MDAE	Melva Davis Academy of Excellence
MDAQMD	Mojave Desert Air Quality Management District
MDT	medium heavy-duty trucks
MDV	medium-duty vehicle
MLD	Most Likely Descendant
MM	Mitigation Measure
MMT	million metric tons
MOU	memorandum of understanding
MPO	Metropolitan Planning Organization
MRZ	Mineral Resource Zones
MS4	municipal separate storm sewer systems
MT	metric ton
MWA	Mojave Water Agency
N2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NF3	nitrogen trifluoride
NFHL	National Flood Hazard Layer
NHMLA	Natural History Museum of Los Angeles County
NHTSA	National Highway Traffic Safety Administration
NO	nitric oxide
NO2	nitrogen dioxide
NOP	notice of preparation
NOx	oxides of nitrogen
NPDES	National Pollution Discharge Elimination System
NPS	National Park Service
NRHP	National Register of Historic Places
OEHHA	Office of Environmental Health Hazard Assessment
OHWM	ordinary high-water mark
OPR	Office of Planning and Research

Acronym/Abbreviation	Definition
PA	Production/Attraction
PFC	perfluorocarbons
PGM	photochemical grid model
PM2.5	particulate matter with a diameter less than or equal to 2.5 microns
PM10	particulate matter with a diameter less than or equal to 10 microns
PPV	peak particle velocity
PRC	California Public Resources Code
PRIMP	Paleontological Resources Impact Mitigation Program
PSD	Prevention Significant Deterioration
PSIP	Periodic Smoke Inspection Program
PV	photovoltaic
QSD	Qualified SWPPP Developer
RCNM	Roadway Construction Noise Model
RCRA	Resource Conservation and Recovery Act
RFS	Renewable Fuel Standard
RPS	Renewables Portfolio Standard
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SANBAG	San Bernardino Associated Governments
SB	Senate Bill
SBCM	San Bernardino County Museum
SBCTA	San Bernardino County Transportation Authority
SBTAM	San Bernardino Traffic Analysis Model
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SCLA	Southern California Logistics Airport
SCRAM	Support Center for Regulatory Atmospheric Modeling
SCS	Sustainable Communities Strategy
SDWA	Safe Drinking Water Act
SED	socio-economic data
SF6	sulfur hexafluoride
SGC	Strategic Growth Council
SGMA	Sustainable Groundwater Management Act
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District
SLCP	short-lived climate pollutants
SMARA	Surface Mining and Reclamation Act of 1975
SO2	sulfur dioxide
SOI	Secretary of the Interior Standards

Acronym/Abbreviation	Definition
SR	State Route
SSC	California Species of Special Concern
STIP	State Transportation Improvement Program
SVP	Society of Vertebrate Paleontology
SWGa	Southwest Gas
SWMP	stormwater management program
SWPPP	stormwater pollution prevention plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminants
TCR	tribal cultural resource
THPO	Tribal Historic Preservation Officer
TMDL	total maximum daily load
TNM	Traffic Noise Model
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USFS	U.S. Forest Service
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UWMP	Urban Water Management Plan
VdB	vibration decibels
VESD	Victor Elementary School District
VMT	vehicle miles traveled
VOC	volatile organic compound
VVHSD	Victor Valley Union High School District
VVTA	Victor Valley Transit Authority
VVWRA	Victor Valley Wastewater Regional Authority
VWD	Victorville Water District
WEAP	Worker Environmental Awareness Program
WJTCA	Western Joshua Tree Conservation Act
WQMP	Water Quality Management Plan
WSA	water supply assessment
WWTP	wastewater treatment plant
YSMN	Yuhaaviatam San Manuel Nation
ZEV	zero-emission vehicles

1 Executive Summary

1.1 Introduction

This environmental impact report (EIR) has been prepared by the City of Victorville (City) as lead agency pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines. This EIR has been prepared to evaluate the environmental impacts associated with implementation of the Mojave Industrial Park Project (Project).

This EIR is an informational document intended for use by the City, other public agencies, and members of the public in evaluating the potential environmental effects of the Project.

CEQA requires that local government agencies, before taking action on projects over which they have discretionary approval authority, consider the environmental consequences of such projects. An EIR is a document designed to provide to the public and to local and state governmental agency decision makers an analysis of potential environmental consequences of a project to support informed decision making.

The City prepared this EIR to provide the public and responsible agencies information about the potential adverse impacts on the local and regional environment associated with implementation of the Project. This EIR was prepared pursuant to CEQA, codified as California Public Resources Code Section 21000 et seq., and the CEQA Guidelines in the California Code of Regulations, Title 14, Section 15000 et seq.

This summary provides a brief synopsis of the Project, results of the environmental analysis contained within this environmental document, alternatives to the Project that were considered, and major areas of controversy and issues to be resolved by decision makers. This summary does not contain the extensive background and analysis found throughout the individual chapters within the EIR. Therefore, the reader should review the entire document to fully understand the Project and its environmental effects.

1.2 Project Location

The approximately 81.1-acre Project site is located in the northern part of the City, which is within the Victor Valley Region of San Bernardino County. The Project site is located south of Cactus Road/Tawney Ridge Lane, north of Mojave Drive, east of Onyx Road, and west of Topaz Road (unpaved), approximately 1 mile east of Highway 395, northwest of Interstate 15, and north of State Route 18.

The Project site consists of three parcels: Assessor's Parcel Numbers (APNs) 3128-631-02, 3128-631-03, and 3128-631-04. Specifically, the Project site is located in Section 10, Township 5N, Range 5W (City of Victorville 2023). Regional access to the Project site is provided via Highway 395, approximately 1 mile west of the Project site. Local access to the Project is provided via Mojave Drive and Onyx Road.

1.3 Project Description

Project Summary

The Project would include the development of three industrial/warehouse buildings and associated improvements on 81.1 acres of vacant land (see Figure 3-9, Overall Site Plan). Building 1, the southeast building, would be

approximately 100,300 square feet; Building 2, the southwest building, would be approximately 91,100 square feet; and Building 3, the northern building, would be approximately 1,160,000 square feet. In total, the Project would provide 1,351,400 square feet of industrial/warehouse space and associated improvements, including loading docks, tractor-trailer stalls, passenger vehicle parking spaces, and landscape area. No cold storage is proposed as part of this Project.

The Project would include improvements along Onyx Road, Mojave Drive, Cactus Road/Tawney Ridge Lane, and Topaz Road, including frontage landscaping and pedestrian improvements. A variety of trees, shrubs, plants, and land covers would be planted within the Project frontage's landscape setback area, as well as within the landscape areas found around the proposed industrial/warehouse buildings and throughout the Project site. The Project would also involve the off-site construction of the west half of Topaz Road, east half of Onyx Road, and south half of Cactus Road, and the Project would widen Mojave Drive from east of Topaz Road to west of Onyx Road. Additionally, the Project would extend Cactus Road, a collector, from Onyx Road to east of Highway 395. This would be a public road once constructed.

The Project would support a variety of activities associated with the three industrial/warehouse buildings, including the ingressing and egressing of passenger vehicles and trucks, the loading and unloading of trucks with 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. In addition, the office space would support general internal office activities related to the industrial/warehouse uses.

At this time, no refrigeration is being proposed as part of the Project, and the Project Applicant currently has no plans to lease to any tenant needing refrigerated space. Because an end user of the three buildings has not yet been identified, specific details regarding future operational activities on the Project site are not yet available. However, for the purposes of CEQA and to ensure full disclosure on all potential allowable uses on the Project site, this environmental impact assessment assumes development of a blend of industrial uses. Thus, the modeling assumptions used for the air quality, health risk assessment, greenhouse gas, energy, and traffic impact analyses summarized in subsequent chapters of this EIR assume a blend of "high-cube" fulfillment center, warehousing and general light industrial. Under this modeling scenario, buildings 1 and 2 (i.e., 191,400 square feet) would support warehouse uses, and building 3 would support a mix of "high-cube" warehouse uses (754,000 square feet) and General Light Industrial uses (406,000 square feet)

Project Construction

Construction is expected to commence in 2024 and would last through 2025. The duration of construction activity was estimated based on consultation with the Project Applicant and past project experience. The construction schedule used in the analysis is assumed to commence in or around October 2024 and last approximately 12 months, ending towards the end of October 2025. This schedule represents a conservative analysis should construction occur any time after the respective dates, since emissions factors for construction decrease as the analysis year increases due to emissions regulations becoming more stringent. As discussed below, a development agreement is contemplated with the Project to extend applicable vesting periods for the Project's entitlements, which would allow for construction to start after October 2024 if market conditions or other factors preclude immediate construction.

1.4 Project Objectives

Consistent with the Project's purpose and need, the primary objectives sought by the Project are as follows:

- **Objective 1:** Develop large-format industrial warehouse, along a City truck route, in an industrial zoned area, to meet the existing and growing demand for large-format logistics and warehouse buildings in the region.
- **Objective 2:** Develop a new fiscally sound, jobs-producing, and tax-generating warehouse in northwest Victorville to help reduce the need of local workforce to travel outside the City for employment.
- **Objective 3:** Concentrate warehouse development on industrial zoned land near existing roadways, highways, and freeways in an effort to isolate and reduce any potential environmental impacts related to truck traffic congestion, air emissions, industrial noise, and biological resources to the greatest extent feasible.
- **Objective 4:** Create a project that takes advantage of and enhances existing infrastructure, including the proximity to Interstate 15, which is defined in the RTP/SCSP as a Major Freight Highway Corridor, Main Line Roal, and other similar infrastructure.

1.5 Discretionary Actions

Consistent with the City's General Plan and Municipal Code, the Project requires certain entitlements be submitted, reviewed, and approved by the City. The requested entitlements include the following.

Discretionary Approvals

Planning Commission

- **Project Site Plan Review.** A review by the Planning Commission is held in order to review the Project, including all requested entitlements. The Planning Commission will make a final decision on the site plan review, absent an appeal to the City Council.
- **Deviation Request.** Requesting a deviation for the height of Building 3 to be greater than 50 feet with a 10-foot-high screening fence. The Planning Commission will make a final decision on the deviation request.
- **Certification of the EIR.** The Planning Commission will review the EIR and make a final decision to certify or reject this EIR, along with appropriate CEQA Findings and the mitigation monitoring and reporting program.

City Council

- **Development Agreement.** A Development Agreement may be considered between the City and the Project Applicant pursuant to Section 16 of the Victorville Municipal Code. The Development Agreement would provide sufficient time for the development of the Project by locking in development standards and extending applicable vesting periods for the Project's entitlements. The Development Agreement does not contemplate any additional physical improvements, other than those already identified in the Project description, analysis, and proposed mitigation for the Project.

Ministerial Approvals

City of Victorville Subsequent Implementing Approvals

- Approvals for water and sewer infrastructure
- Remove and relocate on-site protected native desert plants
- Issue grading permits
- Issue building permits
- Issue encroachment permits

The City would use this EIR and associated documentation in its decision to approve or deny the required discretionary permits. Other responsible and/or trustee agencies can use this EIR and supporting documentation in their decision-making process to issue additional approvals.

Other Agency Approvals

In addition to the approvals required by the City to implement the Project, the Project would also require permits from other agencies. The following permits are anticipated to be required, but this list may not be exhaustive and may be refined throughout the Project planning process.

- **California Department of Fish and Wildlife.** An Incidental Take Permit from the California Department of Fish and Wildlife (CDFW) would be required to remove western Joshua trees that are present on the Project site. A Lake and Streambed Alteration Agreement from CDFW would also be required to modify existing drainages that are present on the Project site.
- **Regional Water Quality Control Board.** A Waste Discharge Requirements Permit from the Regional Water Quality Control Board (RWQCB) would be required to modify existing drainages that are present on the Project site.
- **Mojave Desert Air Quality Management District.** Issuance of appropriate construction related permits would be required for the Project.

1.6 Summary of Impacts

Table 1-1 presents a summary of the Project's significant environmental impacts and mitigation measures that would reduce or avoid those effects, and the level of significance of the impact after implementation of the mitigation measures. With the exception of those specific impacts identified in Table 1-1, the Project would result in less than significant or no impacts with regard to all other resource areas evaluated, and therefore, those resource areas are not included in Table 1-1.

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
Air Quality			
Would the Project conflict with or obstruct implementation of the applicable air quality plan?	Potentially significant impact	**MM-AQ-1 Construction Measures** The Project shall implement the following measures to reduce construction air pollutant emissions to the extent feasible: ▪ On days when the hourly average wind speed for the City of Victorville exceeds 20 miles per hour, additional dust control measures shall be implemented, such as increased surface watering. Grading and excavation shall be prohibited when sustained wind speed exceeds 30 miles per hour. ▪ Require all generators, and all diesel-fueled off-road construction equipment greater than 75 horsepower, to be zero-emissions or equipped with California Air Resources Board (CARB) Tier 4 Final compliant engines (as set forth in Section 2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 of the Code of Federal Regulations) or better by including this requirement in applicable bid documents, purchase orders, and contracts with successful contractors. An exemption from these requirements may be granted by the City of Victorville in the event that the applicant documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment (for example, another piece of equipment can be replaced with a zero-emission equipment to offset the emissions associated with using a piece of equipment that does not meet Tier 4 Final standards). Before an exemption may be considered by the City, the applicant shall be required to demonstrate that at least two construction fleet owners/operators in the San Bernadino Region were contacted and that those owners/operators confirmed Tier 4 Final or better equipment could not be located within the San Bernardino Region. To ensure that Tier 4 Final construction equipment or better would be used during the proposed Project's construction, the applicant shall include this requirement in applicable bid documents, purchase orders, and contracts. Successful contractors must	Significant and unavoidable impact

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		demonstrate the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities. ▪ Provide infrastructure for zero-emission off-road construction equipment if the contractors selected to construct the Project plan to use zero-emission off-road construction equipment. ▪ Provide electrical hook ups to the power grid, rather than diesel-fueled generators, for contractors' electric construction tools, such as saws, drills and compressors. In applicable bid documents and contracts with contractors selected to construct the Project, include language requiring all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers, etc.) used during Project construction to be electric. ▪ Require construction equipment to be turned off when not in use. ▪ Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with Section 5.408.1 of the California Green Building Standards Code Part 11. ▪ Use paints, architectural coatings, and industrial maintenance coatings for all interior painting that have volatile organic compound levels of less than 10 grams per liter (g/L). ▪ The idling of heavy construction equipment for more than 5 minutes shall be prohibited. Signage shall be posted throughout the construction site informing construction personnel of the idling time limit. Idling time limits shall be noted in construction specifications. Subject to all other idling restrictions, heavy construction equipment shall not be left in the “on position” for more than 10 hours per day. ▪ All haul trucks entering the Project construction site during the grading and building construction phases shall meet California Air Resources Board model year 2014 engine emission standards. All heavy-duty haul trucks should also meet CARB’s lowest optional low-oxides of nitrogen (NOx) standard. ▪ The Project’s construction manager shall maintain on the construction site construction logs detailing the following:	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		- An inventory of construction equipment, maintenance records, and datasheets, including design specifications and emission control tier classifications - Verification that construction equipment operators have been advised of idling time limits and photographic evidence that signage with idling time limits have been posted around the construction site - Evidence that construction contractors have been provided with transit and ridesharing information for construction workers Construction logs shall be made available in the event that local, regional, or state officials (e.g., officials from the City of Victorville, Mojave Desert Air Quality Management District, or California Air Resources Board) conduct an inspection at the Project site. **MM-AQ-2 Haul Trucks** The Project shall implement the following measures in order to reduce operational mobile source air pollutant emissions to the extent feasible: Only haul trucks meeting California Air Resources Board (CARB) model year 2010 engine emission standards shall be used for the on-road transport of materials to and from the Project site. **MM-AQ-3 Zero Emissions Off-Road Equipment** All outdoor cargo handling equipment (including yard trucks, hostlers, yard goats, pallet jacks, forklifts, and landscaping equipment) shall be zero-emission vehicles. The Project shall include the necessary charging stations or other necessary infrastructure for cargo handling equipment. The building manager or their designee shall be responsible for enforcing these requirements. **MM-AQ-4 Stationary Source Equipment** All diesel-fueled emergency generators shall be equipped with California Air Resources Board (CARB) Tier 4 Final compliant engines (as set forth in Section 2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 of the Code of Federal Regulations) or better by including this requirement in	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		applicable bid documents, purchase orders, and contracts with successful contractors. **MM-AQ-5 Provision of Information** Prior to tenant occupancy, the Project Applicant or successor in interest shall provide documentation to the City of Victorville demonstrating that the occupants of the Project site have been provided: Information regarding energy efficiency, energy-efficient lighting and lighting control systems, energy management, and existing energy incentive programs Information regarding and a recommendation to use cleaning products that are water-based or containing low quantities of volatile organic compounds. Information regarding and a recommendation to use electric or alternatively fueled sweepers with high efficiency particulate air (HEPA) filters. Documentation on funding opportunities, such as the Carl Moyer Program, that provide incentives for using cleaner-than-required engines and equipment. **MM-AQ-6 Electric Vehicle Infrastructure and Zero Emission Vehicles** The following shall be incorporated into the Project: ▪ Prior to certificate of occupancy, install conduit and infrastructure for Level 2 (or faster) electric vehicle charging stations on-site for employees for the percentage of employee parking spaces commensurate with Title 24 requirements in effect at the time of building permit issuance plus additional charging stations equal to 5% of the total employee parking spaces in the building permit, whichever is greater. By 2030 install Level 2 (or faster) electric vehicle charging stations for 25% of the employee parking spaces required.	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		▪ Conduit shall be installed to tractor trailer parking areas in logical locations determined by the Project Applicant during construction document plan check, for the purpose of accommodating the future installation of electric truck charging stations at such time this technology becomes commercially available. ▪ In anticipation of a transition to zero emissions truck fleets during the lifetime of the Project, install at least four heavy-duty truck vehicle charging stations on-site by 2030. ▪ Require all heavy-duty vehicles engaged in drayage to or from the Project site to be zero emission beginning in 2030, as feasible. ▪ Require tenants to use zero-emission light- and medium-duty vehicles as part of business operations, as feasible. MM-AQ-7 Operational Measures The following measures shall be incorporated into the Project: ▪ Provide meal options on site or shuttles between the facility and nearby meal destinations, as feasible. ▪ Post signs at every truck exit driveway providing directional information to the truck route. ▪ Improve and maintain vegetation and tree canopy for residents in and around the Project area in accordance with the approved landscaping plan. ▪ Include contractual language in tenant lease agreements requiring that any facility operator shall: – For occupants with more than 250 employees, require the establishment of a transportation demand management program to reduce employee commute vehicle emissions; – Place legible, durable, weather-proof signs at truck access gates, loading docks, and truck parking areas that identify applicable CARB anti-idling regulations. At a minimum, each sign shall include: (1) instructions for truck drivers to shut off engines when not in use; (2) instructions for drivers of diesel trucks to restrict idling to no more than 5 minutes	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; and (3) telephone numbers of the building facilities manager and CARB to report violations. Prior to the issuance of an occupancy permit, the City of Victorville shall conduct a site inspection to ensure that the signs are in place; – Ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at CARB-approved courses (such as the free, one-day Course #512); – Be required to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks. The building manager or their designee shall be responsible for enforcing these requirements; – Be in, and monitor compliance with, all current air quality regulations for on-road trucks including CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation, Periodic Smoke Inspection Program (PSIP), and the Statewide Truck and Bus Regulation. – Train 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; – Enroll in the U.S. Environmental Protection Agency's SmartWay program, and if tenant owns, operates, or hires trucking carriers with more than 100 trucks to use carriers that are SmartWay carriers, as feasible. **MM-GHG-1 Building Design** **MM-GHG-2 Rooftop Solar**	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		MM-GHG-3 Water Conservation **MM-GHG-4 Solid Waste Reduction**	
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?	Potentially significant impact	**MM-AQ-1 Construction Measures** **MM-AQ-2 Haul Trucks** **MM-AQ-3 Zero Emissions Off-Road Equipment** **MM-AQ-4 Stationary Source Equipment** **MM-GHG-1 Building Design** **MM-GHG-2 Rooftop Solar** **MM-GHG-3 Water Conservation** **MM-GHG-4 Solid Waste Reduction**	Significant and unavoidable impact
Would the Project expose sensitive receptors to substantial pollutant concentrations?	Potentially significant impact	**MM-AQ-2 Haul Trucks, MM-AQ-3 Zero Emissions Off-Road Equipment, and** **MM-AQ-4 Stationary Source Equipment**	Significant and Unavoidable
Would the Project have a cumulative effect on air quality resources?	Potentially significant impact	**MM-AQ-1 Construction Measures, MM-AQ-2 Haul Trucks** through **MM-AQ-7**	Significant and unavoidable impact
Biological Resources			
Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or	Potentially Significant Impact	**MM-BIO-1 Western Joshua Tree Fee Payment** Mitigation for direct impacts to 101 western Joshua trees will be fulfilled through attainment of a Western Joshua Tree Conservation Act (WJTCA) Incidental Tak Permit and a payment of the elected fees as described in Section 1927.3 of the WJTCA. In conformance with the reduced fee schedule prescribed for the Project area, mitigation will consist of payment of $1,000 for each western Joshua tree five meters or greater in height, $200 for each western Joshua tree less than five meters but greater than 1 meter in height; and $150 for each western Joshua tree less than 1 meter in height. California Department of Fish and Wildlife	Less than Significant

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		(CDFW) determines the final fee. Alternatively, mitigation will occur through off-site conservation or through a CDFW approved mitigation bank, or as required by a Section 2081 Incidental Take Permit, if received. Other local regulations (i.e., City of Victorville Municipal Code, Chapter 13.33 and San Bernardino County Development Code Chapter 88.01) also require permitting or notification prior to removal of western Joshua trees. Therefore, the Project must also receive written consent from the City of Victorville's Director of Parks and Recreation prior to the removal or relocation of western Joshua trees in accordance with City of Victorville Municipal Code, Chapter 13.33, Preservation and Removal of Joshua Trees. Additionally, the Project applicant shall submit an application for a Tree or Plant Removal Permit for all western Joshua trees to be removed in compliance with San Bernardino County Development Code Chapter 88.01.050 prior to the issuance of grading permits. MM-BIO-2 Relocation of Desert Native Plants Prior to the commencement of Project activities, the Project applicant shall apply for a permit with the County of Los Angeles for removal of protected native desert plants as required under California Desert Native Plants Act (Food and Agricultural Code, Division 23). The Project shall comply with any conditions of approval imposed by the applicable review authority upon issuance of the permit. The permit application form shall specify information outlined in the California Desert Native Plant Act Section 80114, which includes but is not limited to, the number and species of native plants to be removed, a description of the real property from which the plants are to be removed, and in the case that relocation is required, the destination of the native plants and the manner in which the plants are to be salvaged. Pursuant to the California Desert Native Plants Act, tags or seals issued by the County must be attached to the native plants at the time of harvesting and before transporting to their permanent relocation site(s) and must remain attached to the plant until transplanted into its ultimate	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		destination. Transport of salvaged plants will occur as prescribed by the County. If relocation is required by the applicable review authority, the following actions shall also be implemented to ensure successful relocation of desert native plants: Salvaged plants shall be transplanted expeditiously to either their final on-site location or to an approved off-site area. If the plants cannot be expeditiously taken to their permanent relocation area at the time of excavation, they may be transplanted in a temporary area (stockpiled) prior to being moved to their permanent relocation site(s). Plants designated for relocation shall be marked on their north facing side prior to excavation. Transplanted plants shall be planted in the same orientation as they currently occur on the Project site, with the marking on the north side of the trees facing north at the relocation site(s). Transplanted plants shall be watered prior to and at the time of transplantation. Watering of the transplanted plants shall continue under the guidance of qualified tree expert and desert native plant expert(s) until it has been determined that the transplants have become established in the permanent relocation site(s) and no longer require supplemental watering. **MM-BIO-3 Designated Biologist Authority** The designated biologist shall have authority to immediately stop any activity that does not comply with the biological resources mitigation measures and/or to order any reasonable measure to avoid the unauthorized take of an individual western Joshua tree or other sensitive biological resources. **MM-BIO-4 Compliance Monitoring** The designated biologist shall be on site daily when impacts occur. The designated biologist shall conduct compliance inspections to minimize incidental take of western Joshua trees and impacts to other sensitive biological resources; prevent unlawful take of western Joshua trees; ensure that signs, stakes, and fencing are intact; and ensure that impacts are only occurring within the	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		direct impact footprint. Weekly written observation and inspection records that summarize oversight activities, compliance inspections, and monitoring activities required by the Incidental Take Permit shall be prepared. **MM-BIO-5 Education Program** An education program (Worker Environmental Awareness Program [WEAP]) for all persons employed or otherwise working in the Project site shall be administered before impacts occur. The WEAP shall consist of a presentation from the designated biologist that includes a discussion of the biology and status of western Joshua tree, burrowing owl, loggerhead shrike, desert tortoise, desert kit fox, and Crotch's bumble bee, along with other biological resources mitigation measures described in the California Environmental Quality Act document. Interpretation for non-English-speaking workers shall be provided, and the same instruction shall be provided to any new workers before they are authorized to perform work in the Project area. Upon completion of the WEAP, employees shall sign a form stating they attended the program and understand all protection measures. This training shall be repeated at least once annually for long-term and/or permanent employees who will be conducting work in the Project area. **MM-BIO-6 Construction Monitoring Notebook** The designated biologist shall maintain a construction-monitoring notebook on site throughout the construction period, which shall include a copy of the biological resources mitigation measures with attachments and a list of signatures of all personnel who have successfully completed the education program. The notebook will include a sign-off date page for the designated biologist to sign and date each construction date for which the Project is in compliance. The permittee shall ensure that a copy of the construction monitoring notebook is available for review at the Project site upon request by the CDFW. **MM-BIO-7 Delineation of Property Boundaries** Before beginning activities that would cause impacts, the contractor shall, in consultation with the designated biologist, clearly delineate the boundaries with fencing,	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		stakes, or flags, consistent with the grading plan, within which the impacts will take place. All impacts outside the fenced, staked, or flagged areas shall be avoided, and all fencing, stakes, and flags shall be maintained until the completion of impacts in that area. MM-BIO-8 Hazardous Waste The applicant shall immediately stop work and, pursuant to pertinent state and federal statutes and regulations, arrange for repair and clean up by qualified individuals of any fuel or hazardous waste leaks or spills at the time of occurrence, or as soon as it is safe to do so. MM-BIO-9 Herbicides The applicant shall limit herbicide use for invasive plant species and shall use herbicides only if it has been determined that hand or mechanical efforts are infeasible. To prevent drift, the permittee shall apply herbicides only when wind speeds are less than 7 miles per hour. All herbicide application shall be performed by a licensed applicator and in accordance with all applicable federal, state, and local laws and regulations. MM-BIO-10 Pre-Construction Burrowing Owl Survey and Avoidance One pre-construction burrowing owl survey shall be completed no more than 14 days before initiation of site preparation or grading activities, and a second survey shall be completed within 24 hours of the start of site preparation or grading activities. If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction surveys, the Project site shall be re-surveyed. Surveys for burrowing owl shall be conducted in accordance with protocols established in the Staff Report on Burrowing Owl Mitigation prepared by the California Department of Fish and Game (now CDFW) in 2012 or current version. If burrowing owls are detected, the Burrowing Owl Relocation Plan (Appendix I of Appendix C) shall be implemented in consultation with CDFW. As required by the Burrowing Owl Relocation Plan, disturbance to burrows shall be avoided during the nesting season (February 1 through August 31). Buffers will be established around occupied burrows as determined by a qualified biologist. No Project activities shall be allowed to encroach into established buffers without the consent of a monitoring	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		biologist. The buffer shall remain in place until it is determined that occupied burrows have been vacated or the nesting season has completed. Outside of the nesting season, passive owl relocation techniques approved by CDFW shall be implemented. Owls shall be excluded from burrows in the immediate Project area and within a buffer zone if there is a threat to the surface or subterranean burrow structure by installing one-way doors in burrow entrances. These doors will be placed at least 48 hours prior to ground-disturbing activities. The Project area shall be monitored daily for 1 week to confirm owl departure from burrows prior to any ground-disturbing activities. Compensatory mitigation for permanent loss of owl habitat will be provided following the guidance in the CDFW 2012 Staff Report on Burrowing Owl Mitigation or current version. Where possible, burrows will be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible plastic pipe shall be inserted into the tunnels during excavation to maintain an escape route for any wildlife inside the burrow. Mitigation for direct impacts to 76.47 acres of occupied habitat shall be fulfilled through conservation of suitable burrowing owl habitat through the purchase of credits at a minimum of 1:1 in-kind habitat replacement of equal or better functions and values to those impacted by the Project, for a total of 76.47 acres. MM-BIO-11 Pre-Construction Nesting Bird Survey and Avoidance Construction activities shall avoid the migratory bird nesting season (typically February 1 through August 31), to reduce any potential significant impact to birds that may be nesting on the survey area. If construction activities must occur during the migratory bird nesting season, an avian nesting survey of the Project site and within 500 feet of all impact areas must be conducted to determine the presence/absence of protected migratory birds and active nests. The avian nesting survey shall be performed by a qualified wildlife biologist within 72 hours prior to the start of construction in accordance with the	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 3513. If an active bird nest is found, the nest shall be flagged and mapped on the construction plans along with an appropriate buffer established around the nest, which will be determined by the biologist based on the species' sensitivity to disturbance. The nest area shall be avoided until the nest is vacated and the juveniles have fledged. The nest area shall be demarcated in the field with flagging and stakes or construction fencing. On-site construction monitoring shall also be conducted when construction occurs in close proximity to an active nest buffer. No Project activities may encroach into established buffers without the consent of a monitoring biologist. The buffer shall remain in place until it is determined the nestlings have fledged and the nest is no longer considered active. **MM-BIO-12 Pre-Construction Crotch's Bumble Bee Survey and Avoidance** A pre-construction survey for Crotch's bumble bee shall be conducted within the construction footprint prior to the start of initial vegetation removal or initial grading activities occurring during the Crotch's bumble bee nesting period (February 1 through October 31). The survey shall ensure that no nests for Crotch's bumble bee are located within the construction area. The pre-construction survey shall include 1) a habitat assessment and 2) focused surveys, both of which will be based on recommendations described in the "Survey Considerations for CESA (California Endangered Species Act) Candidate Bumble Bee Species," released by the CDFW on June 6, 2023, or the most current at the time of construction. The habitat assessment shall, at a minimum, include historical and current species occurrences; document potential habitat on site including foraging, nesting, and/or overwintering resources; and identify which plant species are present. For the purposes of this mitigation measure, nest resources are defined as abandoned small mammal burrows, bunch grasses with a duff layer, thatch, hollow trees, brush piles, and man-made structures that may support bumble bee colonies	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		such as rock walls, rubble, and furniture. If nesting resources are present in the impact area, focused surveys will be conducted. The focused survey will be performed by a biologist with expertise in surveying for bumble bees and include at least three (3) survey passes that are not on sequential days or in the same week, preferably spaced two to four weeks apart. The timing of these surveys shall coincide with the Colony Active Period (April 1 through August 31 for Crotch's bumble bee). Surveys may occur between 1 hour after sunrise and 2 hours before sunset. Surveys will not be conducted during wet conditions (e.g., foggy, raining, or drizzling) and surveyors will wait at least 1 hour following rain. Optimal surveys are when there are sunny to partly sunny skies that are greater than 60 degrees Fahrenheit. Surveys may be conducted earlier if other bees or butterflies are flying. Surveys shall not be conducted when it is windy (i.e., sustained winds greater than 8 mph). Within non-developed habitats, the biologist shall look for nest resources suitable for bumble bee use. Ensuring that all nest resources receive 100% visual coverage, the biologist shall watch the nest resources for up to five minutes, looking for exiting or entering worker bumble bees. Worker bees should arrive and exit an active nest site with frequency, such that their presence would be apparent after five minutes of observation. If a bumble bee worker is detected, then a representative shall be identified to species. Biologists should be able to view several burrows at one time to sufficiently determine if bees are entering/exiting them depending on their proximity to one another. It is up to the discretion of the biologist regarding the actual survey viewshed limits from the chosen vantage point which would provide 100% visual coverage; this could include a 30- to 50-foot-wide area. If a nest is suspected, the surveyor can block the entrance of the possible nest with a sterile vial or jar until nest activity is confirmed (no longer than 30 minutes). Identification will include trained biologists netting/capturing the representative bumble bee in appropriate insect nets, per the protocol in U.S. National Protocol Framework for the Inventory and Monitoring of Bees. The bee shall be placed in a clear container for observation and	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		photographic documentation if able. The bee will be photographed using a macro lens from various angles to ensure recordation of key identifying characteristics. If bumble bee identifying characteristics cannot be adequately captured in the container due to movement, the container will be placed in a cooler with ice until the bumble bee becomes inactive (generally within 15 minutes). Once inert, the bumble bee shall be removed from the container and placed on a white sheet of paper or card for examination and photographic documentation. The bumble bee shall be released into the same area from which it was captured upon completion of identification. Based on implementation of this method on a variety of other bumble bee species, they become active shortly after removal from the cold environment, so photography must be performed quickly. If Crotch's bumble bee nests are not detected, no further mitigation would be required. The mere presence of foraging Crotch's bumble bees would not require implementation of additional minimization measures because they can forage up to 10 kilometers from their nests. If nest resources occupied by Crotch's bumble bee are detected within the construction area, no construction activities shall occur within 100 feet of the nest, or as determined by a qualified biologist through evaluation of topographic features or distribution of floral resources. The nest resources will be avoided for the duration of the Crotch's bumble bee nesting period (February 1 through October 31). Outside of the nesting season, it is assumed that no live individuals would be present within the nest as the daughter queens (gynes) usually leave by September, and all other individuals (original queen, workers, males) die. The gyne is highly mobile and can independently disperse to outside of the construction footprint to surrounding open space areas that support suitable hibernacula resources. A written survey report will be submitted to the City of Victorville (City) and CDFW within 30 days of the pre-construction survey. The report will include survey methods, weather conditions, and survey results, including a list of insect species observed and a figure showing the locations of any Crotch's bumble bee nest sites or individuals observed.	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		The survey report will include the qualifications/resumes of the surveyor(s) and approved biologist(s) for identification of photo vouchers, detailed habitat assessment, and photo vouchers. If Crotch's bumble bee nests are observed, the survey report will also include recommendations for avoidance, and the location information will be submitted to the California Natural Diversity Database (CNDDB) at the time of, or prior to, submittal of the survey report. If the above measures are followed, it is assumed that the Project shall not need to obtain authorization from CDFW through the CESA Incidental Take Permit process. If the nest resources cannot be avoided during the nesting period, as outlined in this measure, the Project applicant will consult with CDFW regarding the need to obtain an Incidental Take Permit. Any measures determined to be necessary through the Incidental Take Permit process to offset impacts to Crotch's bumble bee may supersede measures provided in this CEQA document and shall be incorporated into the habitat mitigation and monitoring plan. In the event an Incidental Take Permit is needed, mitigation for direct impacts to Crotch's bumble bee will be fulfilled through compensatory mitigation at a minimum 1:1 nesting habitat replacement of equal or better functions and values to those impacted by the Project, or as otherwise determined through the Incidental Take Permit process. Mitigation will be accomplished either through off-site conservation or through a CDFW-approved mitigation bank. If mitigation is not purchased through a mitigation bank, and lands are conserved separately, a cost estimate will be prepared to estimate the initial start-up costs and ongoing annual costs of management activities for the management of the conservation easement area(s) in perpetuity. The funding source will be in the form of an endowment to help the qualified natural lands management entity that is ultimately selected to hold the conservation easement(s). The endowment amount will be established following the completion of a Project-specific Property Analysis Record to calculate the costs of in-perpetuity land management. The Property Analysis Record will consider all management activities required in the Incidental Take	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		Permit to fulfill the requirements of the conservation easement(s), which are currently in review and development. **MM-BIO-13 Pre-Construction Mojave Desert Tortoise Clearance Survey and Avoidance** Two consecutive pre-construction clearance survey in accordance with current U.S. Fish and Wildlife Service (USFWS) protocol shall be conducted to reevaluate locations of potential Mojave Desert tortoise burrows within the Project limits so take of Mojave Desert tortoise can be avoided. The first pre-construction clearance survey shall be conducted in areas supporting potentially suitable habitat 14 to 21 days prior to the start of construction activities and a second survey shall be repeated within 72 hours prior to the start of construction activities; or alternatively, pre-construction clearance surveys may be conducted at any time following construction of a desert tortoise–proof fence encompassing the Project site that would ensure that tortoises cannot enter the Project after clearance surveys are completed. If no Mojave Desert tortoises are found during the surveys, no further mitigation would be required; however, desert tortoise–proof fence encompassing the Project site shall remain in place until Project construction is completed and shall be monitored by a qualified biologist in compliance with current USFWS protocol. Should Mojave Desert tortoise be located during the clearance survey, all methods used for handling desert tortoises during the clearance surveys must be in accordance with the USFWS Desert Tortoise Field Manual or Project-specific guidance contained in a biological opinion or Incidental Take Permit. No take of Mojave Desert tortoise shall occur without authorization in the form of an Incidental Take Permit pursuant to California Fish and Game Code Section 2081 and a biological opinion or Habitat Conservation Plan. The Project applicant shall adhere to measures and conditions set forth within the Incidental Take Permit. Anyone who handles desert tortoises during clearance activities must have the appropriate authorizations from USFWS. The area cleared and number of Mojave Desert tortoises found within that area shall be reported to the local USFWS and appropriate state wildlife agency.	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		Notification shall be made in accordance with the conditions of the biological opinion or Incidental Take Permit. Should Mojave Desert tortoise be located during the clearance survey, the Project would result in the loss of 84.34 acres of occupied habitat for Mojave Desert tortoise. Mitigation for direct impacts to 84.34 acres shall be fulfilled through conservation of suitable Mojave Desert tortoise habitat through the purchase of credits at a minimum of 1:1 in-kind habitat replacement of equal or better functions and values to those impacted by the Project, for a total of 84.34 acres or as otherwise determined through coordination with the USFWS and/or CDFW. **MM-BIO-14 Pre-Construction Desert Kit Fox Survey and Avoidance** A pre-construction survey for desert kit fox shall be conducted within 10 days before initiation of site preparation or grading activities to determine the presence/absence of desert kit fox. If an active non-natal desert kit fox den is detected, a 200-foot no disturbance buffer will be established around the active den, unless otherwise authorized by the California Department of Fish and Wildlife. Where required buffering will not be feasible, passive relocation is allowed with concurrence from the City of Victorville and CDFW. If an active natal desert kit fox den is detected, an initial 200-foot no disturbance buffer will be established around the natal den, and this buffer will be maintained until the den can be verified to not host pups. Construction activities will not be permitted in this area until the den has been vacated. Once the den is vacated, and if in danger by construction, it can be collapsed, if deemed necessary by a qualified biologist. A report to evaluate the success of the relocation efforts and any subsequent re-occupation, if applicable, will be provided (including a comprehensive summary, tables, maps, etc.) at the end of the construction period. Data will be readily available to the CDFW upon request. If an injured, sick, or dead desert kit fox is detected on any area associated with the Project, the designated CDFW personnel at both the Ontario office and the Wildlife Investigation Lab will be notified.	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		A Desert Kit Fox Relocation Plan has been prepared to facilitate implementation of this mitigation measure (Appendix K of Appendix C). **MM-BIO-15 Trash and Debris** The following avoidance and minimization measures shall be implemented during Project construction. 1) Fully covered trash receptacles that are animal-proof will be installed and used by the operator to contain all food, food scraps, food wrappers, beverage containers, and other miscellaneous trash. Trash contained within the receptacles will be removed at least once a week from the Project site. 2) Construction work areas shall be kept clean of debris, such as cable, trash, and construction materials. All construction/contractor personnel shall collect all litter, vehicle fluids, and food waste from the Project site on a daily basis. **MM-BIO-16 Lighting** Lighting for construction activities and post-construction operations within 50 feet of the outside edge of the impact footprint containing habitat for special-status wildlife will be shielded and directed downward. **MM-BIO-17 Invasive Plant Management** In order to reduce the spread of invasive plant species, landscape plants within 200 feet of native vegetation communities shall not be on the most recent version of the California Invasive Plant Council (Cal-IPC) California Invasive Plant Inventory (http://www.cal-ipc.org/ip/inventory/index.php). Post-construction, the applicant shall continually remove invasive plant species on site by hand or mechanical methods, as feasible.	
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	Potentially Significant	**MM-BIO-3 Designated Biologist Authority** **MM-BIO-4 Compliance Monitoring** **MM-BIO-5 Education Program** **MM-BIO-6 Construction Monitoring Notebook** **MM-BIO-7 Delineation of Property Boundaries**	Less-than-significant impact with mitigation incorporated

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
direct removal, filling, hydrological interruption, or other means?		**MM-BIO-8 Hazardous Waste** **MM-BIO-18 Aquatic Resources Mitigation** The Project site supports aquatic resources that are considered jurisdictional under the Regional Water Quality Control Board (RWQCB) and the CDFW. Prior to construction activity, the applicant shall coordinate with the Lahontan RWQCB (Region 6) to ensure conformance with the requirements of the Porter–Cologne Water Quality Control Act (waste discharge requirement). Prior to activity within CDFW jurisdictional streambed or associated riparian habitat, the applicant shall coordinate with CDFW (Inland Deserts Region 6) relative to conformance to the Lake and Streambed Alteration permit requirements. The Project shall mitigate to ensure no-net-loss of waters at a minimum of 1:1 with purchase of credits (0.27 -acres of potential non-wetland waters of the state under RWQCB jurisdiction and 0.65- acres of potential streambed under CDFW jurisdiction) for impacts to aquatic resources as part of an overall strategy to ensure no net loss. Mitigation shall be completed through use of a mitigation bank (e.g., West Mojave Mitigation Bank) or other applicant-sponsored mitigation. Final mitigation ratios and credits shall be determined in consultation with RWQCB and/or CDFW based on agency evaluation of current resource functions and values and through each agency's respective permitting process. Should applicant-sponsored mitigation be implemented, a Habitat Mitigation and Monitoring Plan (HMMP) shall be prepared in accordance with State Water Resources Control Board guidelines and approved by the agencies in accordance with the proposed program permits. The HMMP shall include a conceptual planting plan including planting zones, grading, and irrigation, as applicable; a conceptual planting plant palette; a long-term maintenance and monitoring plan; annual reporting requirements; and proposed success criteria. Any off-site applicant-sponsored mitigation shall be conserved and managed in perpetuity. Best management practices shall be implemented to avoid any indirect impacts on jurisdictional waters, including the following:	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		Vehicles and equipment shall not be operated in ponded or flowing water except as described in permits. Water containing mud, silt, or other pollutants from grading or other activities shall not be allowed to enter jurisdictional waters or be placed in locations that may be subjected to high storm flows. Spoil sites shall not be located within 30 feet from the boundaries of jurisdictional waters or in locations that may be subject to high storm flows, where spoils might be washed back into drainages. Raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to vegetation or wildlife resources resulting from Project-related activities shall be prevented from contaminating the soil and/or entering avoided jurisdictional waters. No equipment maintenance shall be performed within 100 feet of jurisdictional waters, including wetlands and riparian areas, where petroleum products or other pollutants from the equipment may enter these areas. Fueling of equipment shall not occur on the Project site.	
Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Potentially significant impact	**MM-BIO-16 Lighting**	Less-than-significant impact
Would the Project conflict with any local policies or ordinances protecting biological	Potentially significant impact	**MM-BIO-1 Western Joshua Tree Fee Payment** **MM-BIO-2 Relocation of Desert Native Plants**	Less-than-significant impact with mitigation incorporated

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
resources, such as a tree preservation policy or ordinance?			
Would the Project have a cumulative effect on biological resources?	Potentially significant impact	**MM-BIO-1 Western Joshua Tree Fee Payment** **MM-BIO-2 Relocation of Desert Native Plants** **MM-BIO-3 Designated Biologist Authority** **MM-BIO-4 Compliance Monitoring** **MM-BIO-5 Education Program** **MM-BIO-6 Construction Monitoring Notebook** **MM-BIO-7 Delineation of Property Boundaries** **MM-BIO-8 Hazardous Waste** **MM-BIO-9 Herbicides** **MM-BIO-10 Pre-Construction Burrowing Owl Survey and Avoidance** **MM-BIO-11 Pre-Construction Nesting Bird Survey and Avoidance** **MM-BIO-12 Pre-Construction Crotch's Bumble Bee Survey and Avoidance** **MM-BIO-13 Pre-Construction Mojave Desert Tortoise Clearance Survey and Avoidance** **MM-BIO-14 Pre-Construction Desert Kit Fox Survey and Avoidance** **MM-BIO-18 Aquatic Resources Mitigation**	Less-than-significant impact with mitigation incorporated
Cultural and Tribal Resources			
Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	Potentially significant impact	**MM-CUL-1 Tribal Monitoring Services Agreement.** Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Services Agreement with the consulting Tribe(s) for the Project. The Tribal Monitor(s) shall be on site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor(s) shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to	Less-than-significant with mitigation incorporated

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		allow identification, evaluation, and potential recovery of cultural resources. **MM-CUL-2 Cultural Resources Monitoring and Treatment Plan.** Prior to any ground-disturbing activities the Project Archaeologist shall develop a Cultural Resources Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the Project site, that is reflective of the Project mitigation (for cultural resources and tribal cultural resources), and that includes contact information for all pertinent parties, parties' responsibilities, procedures for each Project mitigation, and an overview of the Project schedule. The Plan shall be written in consultation with the consulting Tribe(s). The Plan shall be submitted to the Lead Agency for dissemination to the consulting Tribe(s). Once all parties review and approve the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior to permitting for the Project. Any and all findings will be subject to the protocol detailed within the Plan. **MM-CUL-3 Retention of Archaeologist.** Prior to any ground-disturbing activities, and prior to the issuance of grading permits, the Applicant shall retain a Qualified Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). The Archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe(s) Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event. **MM-CUL-4 Pre-Grade Meeting.** The retained Qualified archeologist and Consulting Tribe[s] representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan. **MM-CUL-5 Archaeological Monitoring.** Due to the heightened cultural sensitivity of the Project site, an archaeological monitor with at least 3	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		years of regional experience in archaeology and the Tribal Monitor(s) shall be present for all ground-disturbing activities that occur within the Project site (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, landscaping phases of any kind, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). A sufficient number of archaeological monitors shall be present each work day to ensure that simultaneously occurring ground disturbing activities receive thorough levels of monitoring coverage. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Tribal Monitoring will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The Qualified Archaeologist, in consultation with the Tribal Monitor(s), shall be responsible for determining the duration and frequency of monitoring. **MM-CUL-6 Treatment of Cultural Resources.** In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal Monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly nonsignificant deposits shall be minimally documented in the field and collected so the monitored grading can proceed. If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. All work shall be diverted away from the vicinity of the find, so that the find can be evaluated by the Qualified Archaeologist and Tribal Monitor[s]. The Archaeologist shall notify the Lead Agency and consulting Tribe[s] of said discovery. The Qualified Archaeologist, in consultation with the Lead Agency, the consulting Tribe[s], and the Tribal Monitor, shall determine	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the Qualified Archaeologist in consultation with the Tribe[s] and the Tribal Monitor[s] and be submitted to the Lead Agency for review and approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference: A. Full avoidance. B. If avoidance is not feasible, preservation in place. C. If preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or Deed Restriction. D. If all other options are proven to be infeasible, data recovery through excavation and then curation in a Curation Facility that meets the Federal Curation Standards (CFR 79.1) Following the completion of evaluation efforts, all parties shall confer regarding the archaeological significance of the resource, its potential as a Tribal Cultural Resource (TCR), avoidance of the discovered resource, and the potential need for construction monitoring during Project implementation. Should any significant resource and/or TCR not be a candidate for avoidance or preservation in place, and the removal of the resource(s) is necessary to mitigate impacts, the research design shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. Removal of any cultural resource(s) shall be conducted with the presence of a Tribal monitor representing the consulting Tribe(s).All plans for analysis shall be reviewed and approved by the applicant and the consulting Tribe(s) prior to implementation, and all removed material shall be temporarily curated on-site. It is the preference of the consulting Tribe(s) that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during Project implementation not be feasible, then a reburial location for future reburial shall be decided upon by the consulting Tribe(s), the landowner, and the Lead Agency, and all finds	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		shall be reburied within this location. Additionally, in this case, reburial shall not occur until all ground-disturbing activities associated with the Project have been completed, all monitoring has ceased, all cataloguing and basic recordation of cultural resources have been completed, and a final monitoring report has been issued to Lead Agency, CHRIS, and consulting Tribe(s). All reburials are subject to a reburial agreement that shall be developed between the landowner and consulting Tribe(s) outlining the determined reburial process/location and shall include measures and provisions to protect the reburial area from any future impacts. Should it occur that avoidance, preservation in place, and on-site reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to this material and confer with the consulting Tribe(s) to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 CA Curation Guidelines. A curation agreement with an appropriate qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project developer/applicant to pay for those fees. **MM-CUL-7 Final Report.** The final report[s] created as a part of the Project (AMTP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe[s] for review and comment. After approval of all parties, the final reports are to be submitted to the Eastern Information Center and the Consulting Tribe[s].	
Would the Project disturb any human remains, including	Potentially significant impact	**MM-CUL-8 Inadvertent Discoveries of Human Remains.** No photographs are to be taken except by	Less-than-significant impact with mitigation incorporated

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
those interred outside of formal cemeteries?		the coroner, with written approval by the consulting Tribe(s). A. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; Project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98. B. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5. C. The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		remains and all associated grave goods pursuant to PRC §5097.98. Dependent on who has been named the Most Likely Descendant (MLD), the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). Reburial location of human remains and/or cremations will be determined by the Tribe's Most Likely Descendant (MLD), the landowner, and the City Planning Department.	
Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	Potentially significant impact	**MM-CUL-1 Tribal Monitoring Services Agreement** through **MM-CUL-7 Final Report**	Less-than-significant impact with mitigation incorporated
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	Potentially significant impact	**MM-CUL-1 Tribal Monitoring Services Agreement** **MM-CUL-2 Cultural Resources Monitoring and Treatment Plan** **MM-CUL-3 Retention of Archaeologist** **MM-CUL-4 Pre-Grade Meeting** **MM-CUL-5 Archaeological Monitoring** **MM-CUL-6 Treatment of Cultural Resources** **MM-CUL-7 Final Report** **MM-CUL-8 Inadvertent Discoveries of Human Remains**	Less-than-significant impact with mitigation incorporated

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
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)? *AND* 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			

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
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.)			
Would the Project have a cumulative effects on Cultural Resources and Tribal Cultural Resources?	Potentially significant impact	**MM-CUL-1 Tribal Monitoring Services Agreement** **MM-CUL-2 Cultural Resources Monitoring and Treatment Plan** **MM-CUL-3 Retention of Archaeologist** **MM-CUL-4 Pre-Grade Meeting** **MM-CUL-5 Archaeological Monitoring** **MM-CUL-6 Treatment of Cultural Resources** **MM-CUL-7 Final Report** **MM-CUL-8 Inadvertent Discoveries of Human Remains**	Less-than-significant impact with mitigation incorporated
Energy			
Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?	Potentially significant impact	**MM-AQ-3 Zero Emissions Off-Road Equipment** **MM-AQ-5 Provision of Information** **MM-AQ-6 Electric Vehicle Infrastructure and Zero Emission Vehicles** **MM-AQ-7 Operational Measures** **MM-GHG-1 Building Design** **MM-GHG-2 Rooftop Solar** **MM-GHG-3 Water Conservation**	Less-than-significant with mitigation Incorporated

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
Geology, Soils, and Paleontological Resources			
Would the Project directly or indirectly destroy a unique paleontological resources or site or unique geologic feature?	Potentially significant impact	**MM-GEO-1 Paleontological Resources Impact Mitigation Program and Paleontological Monitoring.** Prior to commencement of any grading activity on-site, the applicant shall retain a qualified paleontologist per the 2010 Society of Vertebrate Paleontology (SVP) guidelines. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the Project. The PRIMP shall be consistent with the 2010 SVP guidelines and should outline requirements for preconstruction meeting attendance and worker environmental awareness training, where monitoring is required within the Project site based on construction plans and/or geotechnical reports, procedures for adequate paleontological monitoring and discoveries treatment, and paleontological methods (including sediment sampling for microvertebrate fossils), reporting, and collections management. The qualified paleontologist shall attend the preconstruction meeting and a qualified paleontological monitor shall be on-site during all rough grading and other significant ground-disturbing activities (including augering) in previously undisturbed, Pleistocene alluvial deposits. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontological monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the monitor will remove the rope and allow grading to recommence in the area of the find. Costs for laboratory work or curation of fossils (if necessary due to fossil recovery) are the responsibility of the Project Applicant/Developer.	Less-than-significant with mitigation Incorporated
Would the Project have a cumulative effect on paleontological resources?	Potentially significant impact	**MM-GEO-1 Paleontological Resources Impact Mitigation Program and Paleontological Monitoring.**	Less-than-significant with mitigation Incorporated
Greenhouse Gas Emissions			

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Potentially significant impact	**MM-GHG-1 Building Design.** The Project shall be designed to: ▪ Achieve Leadership in Energy and Environmental Design (LEED) certification and meet or exceed California Green Building Standards (CALGreen) Tier 2 standards in effect at the time of building permit application. Documentation shall be provided to the City of Victorville demonstrating that the Project meets this requirement prior to the issuance of building permits. ▪ Include the application of surface treatments (such as PURETi Coat or PlusTi) on impervious ground surfaces that lessen impervious surface-related radiative forcing. ▪ The Project's roof structures shall be designed to include "cool roof" materials with a minimum aged reflectance and thermal emittance values that are equal to or greater than those specified in the current edition of the California Green Building Standards (CALGreen), Table A5.106.11.2.3 for Tier 1 standards. ▪ Sufficient shade trees shall be provided throughout the Project site so that at least 30% of the automobile parking areas will be shaded within 15 years after Project construction is complete (excluding the truck courts where trees cannot be planted due to interference with truck maneuvering). ▪ All heating, cooling, lighting, and appliance fixtures shall be Energy Star-rated ▪ Structures shall be equipped with outdoor electric outlets in the front and rear of the structures to facilitate use of electrical lawn and garden equipment. ▪ Provide storage areas for recyclables and green waste, as well as food waste storage if a pick-up service is available. ▪ Include HVAC and/or HEPA air filtration systems within in all warehouse facilities. **MM-GHG-2 Rooftop Solar.** The Project shall provide rooftop solar array that has the capacity to provide an on-site solar generation sufficient to accommodate the Project's total operational energy requirements from	Significant and unavoidable impact

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		within the building envelope at maximum peak. However, the rooftop solar system will not be designed or constructed to exceed the annual energy consumption of the Project facilities. **MM-GHG-3 Water Conservation.** To reduce water demands and associated energy use, subsequent development proposals within the Project site would be required to implement a Water Conservation Strategy and demonstrate a minimum 20% reduction in indoor and outdoor water usage when compared to baseline water demand (total expected water demand without implementation of the Water Conservation Strategy). To implement this measure, prior to the issuance of building permits for the Project, the Project applicant shall provide building plans that include the following water conservation measures: ▪ Install low-water use appliances and fixtures ▪ Restrict the use of water for cleaning outdoor surfaces and prohibit systems that apply water to non-vegetated surfaces ▪ Implement water-sensitive urban design practices in new construction ▪ Install rainwater collection systems where feasible. **MM-GHG-4 Solid Waste Reduction.** In order to reduce the amount of waste disposed at landfills, the Project would implement a 75% waste diversion program. To implement this measure, prior to the issuance of building permits for the Project, the Project applicant shall provide building plans that include the following solid waste reduction measures: ▪ Provide storage areas for recyclables and green waste in new construction, and food waste storage, if a pick-up service is available. ▪ Evaluate the potential for onsite composting. ▪ The Project would also implement the following air quality mitigation measures that would also serve to reduce GHG emissions.	

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		MM-AQ-2 Haul Trucks MM-AQ-3 Zero-Emissions Off-Road Equipment MM-AQ-5 Provision of Information MM-AQ-6 Electric Vehicle Infrastructure and Zero Emission Vehicles	
Would the Project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Potentially significant impact	MM-GHG-2 Rooftop Solar MM-GHG-3 Water Conservation MM-AQ-2 Haul Trucks MM-AQ-3 Zero-Emissions Off-Road Equipment	Less-than-significant impact with mitigation incorporated
Would the Project have a cumulative effect on greenhouse gas emissions?	Potentially significant impact	MM-GHG-1 Building Design MM-GHG-2 Rooftop Solar MM-GHG-3 Water Conservation MM-GHG-4 Solid Waste Reduction MM-AQ-2 Haul Trucks MM-AQ-3 Zero Emissions Off-Road Equipment MM-AQ-4 Stationary Source Equipment MM-AQ-5 Provision of Information MM-AQ-6 Electric Vehicle Infrastructure and Zero Emission Vehicles MM-AQ-7 Operational Measures	Significant and unavoidable
Hazards and Hazardous Materials			
Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Potentially significant impact	**MM-HAZ-1.** Prior to the issuance of a grading permit, the Project Applicant shall retain a qualified environmental specialist that has documented experience in the identification, characterization, and removal of hazardous materials, such as a California licensed professional engineer, geologist, or hydrogeologist, to remove and dispose of all refuse located on the Project site, including but not limited to, the illegally dumped tires and debris currently found on site. The removal, transport, and disposal of refuse shall be done in accordance	Less-than-significant impact with mitigation incorporated

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
		with all applicable local, state, and federal guidelines related to hazardous materials handling. Prior to the removal of refuse deposits from the site, the environmental specialist shall inspect each refuse pile for indications that the refuse may contain, or may have once contained, hazardous materials, including, but not limited to, motor oil, solvents, paints, and/or other petroleum products. In addition, the environmental specialist shall inspect the soils surrounding each refuse deposit for evidence of any contamination (staining) or volatilization of contaminants (odors). If contamination indicators are identified, work shall stop in the immediate proximity of the potential contamination. The Project Applicant and/or their construction contractor shall be responsible for engaging a qualified environmental specialist to design and perform an investigation to verify the presence and extent of contamination on the Project site. Subsurface investigation shall determine appropriate worker protection and hazardous material and disposal procedures appropriate for the Project site. Contaminated soil or groundwater determined to be hazardous shall be removed by personnel who have been trained through the Occupational Safety and Health Administration–recommended 40-hour safety program with an approved plan for groundwater extractions, soil excavation, control of contaminant releases to the air, and off-site transport or on-site treatment.	
Transportation			
Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Potentially significant impact	The Project could result in potentially significant impacts associated with increasing hazards due to a geometric design feature related to queuing. Improvement measures required to mitigate Project's impact would include fair-share contribution to improvements at the I-15 ramps at Mojave Drive (Intersections #13 and #14 in Appendix K). Since the City does not have jurisdiction over this intersection, improvements cannot be assumed to be in place prior to Project's occupancy.	Significant and unavoidable impact

Table 1-1. Summary of Project Impacts

Environmental Topic	Impact?	Mitigation Measures	Level of Significance After Mitigation
Would the Project result in cumulatively considerable transportation impacts?	Potentially significant impact	The Project could result in potentially significant impacts with regard to cumulatively considerable transportation impacts. The Project may increase a hazardous condition due to queuing impacts at impacts at the I-15 ramps at Mojave Drive. Since the City does not have jurisdiction over this intersection, improvements cannot be assumed to be in place prior to Project's occupancy.	Significant and unavoidable impact

Significant and Unavoidable Impacts

As identified in Table 1-1, the Project would result in significant and unavoidable impacts with regard to air quality, greenhouse gas emissions, and transportation. These impacts are discussed in further detail below.

- **Air Quality.** The Project would exceed the numerical thresholds of significance established by the Mojave Desert Air Quality Management District for emissions of oxides of nitrogen, and particulate matter with an aerodynamic diameter less than or equal to 10 microns. As such, the Project would potentially result in health effects associated with those pollutants. Although mitigation measures have been recommended to minimize operational-related air quality impacts (**MM-AQ-1** through **MM-AQ-7** and **MM-GHG-1** through **MM-GHG-4**), no feasible mitigation measures or Project design features beyond those already identified exist that would reduce these emissions to levels that are less than significant. Therefore, even with the incorporation of mitigation, long-term impacts associated with a cumulatively considerable net increase of criteria pollutants for which the Project region is non-attainment would be significant and unavoidable, as would their potential health effects. On this basis, the Project is considered to potentially conflict with the Federal Particulate Matter Attainment Plan and Ozone Attainment Plan for the Mojave Desert Air Basin.
- **Greenhouse Gas Emissions.** Construction and operation of the Project would result in the generation of approximately 46,424.31 metric tons of carbon dioxide (CO_2) equivalent, which would exceed the numerical greenhouse gas threshold established by the South Coast Air Quality Management District of 3,000 metric tons of CO_2 equivalent per year. While the Project is located within the jurisdiction of the Mojave Desert Air Quality Management District, because the South Coast Air Quality Management District's thresholds are more stringent and are backed by substantial evidence from an expert agency, the South Coast Air Quality Management District's recommended thresholds have been utilized for determining the significance of the Project's greenhouse gas emission impacts. Implementation of **MM-AQ-2** through **MM-AQ-7** and **MM-GHG-1** through **MM-GHG-4** would also reduce operation-related GHG emissions. However, the effectiveness of the mitigation and the associated emission reductions cannot be accurately quantified at this time and GHG emissions impacts are inherently cumulative in nature. As such, impacts on the project-level and cumulatively would remain significant and unavoidable.
- **Transportation.** An intersection in the vicinity of the Project site is expected to experience periodic queuing issues during peak hours, which can lead to potential safety concern if a significant speed differential exists between queue vehicles and vehicles proceeding beyond the queue. The Project would result in additional traffic that would exacerbate these conditions under the Horizon Year (2040) Plus Project Conditions (queueing issues would continue to occur without Project-generated traffic for many intersections regardless of the Project). Improvement measures have been identified for which the Project would be required to either construct or contribute fair-share costs to address these conditions. However, this intersection is not within the City's jurisdiction, but rather within the jurisdiction of other agencies, such as the California Department of Transportation. Since the City does not have jurisdiction over these facilities, these improvements cannot be assumed to be in place prior to Project's occupancy, and these impacts are considered significant and unavoidable.

1.7 Alternatives to the Project

Section 15126.6(a) of the CEQA Guidelines states that an EIR shall describe "a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project," as well as provide an evaluation

of "the comparative merits of the alternatives." Under CEQA Guidelines Section 15126.6(a), an EIR does not need to consider alternatives that are not feasible, nor does it need to address every conceivable alternative to the project. The range of alternatives "is governed by the 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice" (14 CCR 15126.6[f]).

No Project/No Development Alternative (Alternative 1)

Under Alternative 1, construction of the Project would not occur. The Project site would remain unchanged, and development activities related to construction and operation of the proposed industrial/warehouse buildings, associated office spaces, surface parking and loading areas, and all other proposed on- and off-site improvements would not occur.

In the short term, consistent with the existing conditions, the Project site would continue to be undeveloped. Under Alternative 1, the Project site would remain vacant, undeveloped land, although the site would presumably continue to be subject to illegal dumping, trespassing, and unpermitted off-road vehicle use, similar to the existing conditions.

Other Development Project Alternative (Alternative 2)

Under Alternative 2, the Project site would be developed with other land uses, consistent with the property's Light Industrial zoning (M-1).

The Light Industrial zone designation allows industrial uses that serve not only the residents and businesses of Victorville, but also of the surrounding region. Permitted uses in this designation include primarily trade schools, large and small appliance repair, auto repair, truck stops, utility facilities and transmission, building material storage and sales (including contractor equipment storage yard), and entertainment venues. The minimum size for a light industrial project site is 10,000 square feet.

It is assumed that Alternative 2 would involve development of a land use that would be permissible either by right or by a conditional use permit, including the aforementioned land uses listed above. It is also assumed that those uses would share a similar development intensity/floor-area-ratio/site coverage as the Project. Land uses that are expressly not allowed in the M-1 zone—specifically residential and community serving retail—would not be considered under Alternative 2.

Moreover, given the Project site's proximity to major regional transportation routes (e.g., I-15 and other local truck routes), it is assumed that the Project constructed under Alternative 2 would consist of primarily transit oriented uses such as truck stops, auto-repair, and contractor equipment storage or other allowed industrial land uses of similar size as the Project. Such an alternative could take the form of many smaller buildings instead of three larger buildings.

Reduced Development Intensity Alternative (Alternative 3)

Presently, the only approach to reducing the Project's operational-related air quality and greenhouse gas emission impacts would be to reduce the total number of daily trips and employees generated by the Project. As such, in an effort to reduce the Project's significant and unavoidable impacts, the City considered a Reduced Development Intensity Alternative (Alternative 3).

Under Alternative 3, the Project would be constructed and operated as planned on the Project site, with the exception that the size of the proposed development would be reduced by 15%, equating to an industrial/warehouse project consisting of approximately 1,148,690 square feet, compared to the Project's

1,351,400 square feet. Since the building footprint would be reduced by 202,710 square feet (approximately 4.7 acres), this extra space on the Project site would remain vacant. All other on- and off-site improvements proposed as part of the Project are assumed to still be required under Alternative 3.

Environmentally Superior Alternative

Section 15126(e)(2) of the State CEQA Guidelines requires an EIR to identify an "environmentally superior alternative." If the No Project/No Development Alternative is the environmentally superior alternative, the EIR must also identify an environmentally superior alternative from among the other Project alternatives.

Each of the three Project alternatives considered herein would lessen at least one environmental impact relative to the Project. As previously addressed, if the No Project/No Development Alternative is the environmentally superior alternative—which is the case in this analysis—the EIR must also identify another environmentally superior alternative among the remaining alternatives.

Based on a comparison of Alternative 2 and Alternative 3, environmental impacts associated with aesthetics, air quality, energy and GHG emissions, and noise would be less under Alternative 3 compared to Alternative 2. Impacts associated with biological resources, cultural and tribal cultural resources, hazards and hazardous materials, hydrology and water quality, transportation, and utilities and services systems would be similar under Alternative 3 compared to Alternative 2. Overall, based on these findings, Alternative 3 would be considered the environmentally superior alternative.

1.8 Areas of Controversy/Issues to Be Resolved

The scope of this EIR includes the potential environmental impacts identified in the Initial Study/Notice of Preparation that was available for public review from November 17, 2023, through December 18, 2023; comments received during a public scoping meeting held on December 13, 2023, at City Hall Council Chambers, 14343 Civic Drive, Victorville, California 92392; and agency and public written comment received in response to the Notice of Preparation.

A summary of these written comment letters are provided in Table 1-2. The written comments and the Notice of Preparation are included as Appendix A of this EIR.

Table 1-2. Summary of Initial Study/Notice of Preparation Comments

Commenter	Date	Summary of Environmental Issues Raised	EIR Chapter/Section Where Comment is Addressed
State Agency			
Native American Heritage Commission	November 21, 2023	▪ Provides guidance to consultant with the California Native American tribes within the geographic area of the Project as early as possible in order to avoid any inadvertent discoveries of Native American remains and best protect tribal cultural resources	Section 4.4, Cultural Resources and Tribal Cultural Resources

Table 1-2. Summary of Initial Study/Notice of Preparation Comments

Commenter	Date	Summary of Environmental Issues Raised	EIR Chapter/Section Where Comment is Addressed
		▪ Provides recommendations to consult with legal counsel about compliance with AB 52 and SB 18 and any other applicable laws ▪ Provides AB 52 and SB 18 consultation requirements	
Office of the Attorney General - Department of Justice	November 28, 2023	b. Provides a summary of potential impacts caused by the logistics industry c. Provides a reference to the Attorney General Office's Bureau of Environmental Justice's best practices and mitigation measures for warehouse projects document and encourages this information be considered for the project ▪ Notes land use conflicts between warehouses and sensitive receptors	Chapter 3, Project Description; Section 4.2, Air Quality; Section 4.7, Greenhouse Gas Emissions; Section 4.12, Noise; Section 4.15 Transportation
Private Organizations and Members of the Public			
Californians Allied for a Responsible Economy (CARE CA)	December 18, 2023	▪ Provides recommendations for Project objectives to not be narrow or impact analysis of the alternatives ▪ Provides recommendations for analysis of the Project since an end user has not been identified	Section 3, Project Description; Section 4.2, Air Quality; Section 4.7, Greenhouse Gas Emissions; Section 4.15 Transportation; Section 7, Alternatives
San Gorgonio Chapter Mojave Group of the Sierra Club	December 18, 2023	▪ Concerns regarding construction impacts, cumulative impacts, biological impacts, community engagement prior to draft EIR, and zone changes. ▪ Provides guidance to analyze the Project's impacts on noise, vibration, light, and odor. ▪ Provides guidance to analyze generated traffic, Air Quality and Greenhouse Gas Emissions. Provides guidance on survey protocols, mitigation measures, and information pertaining to nesting activity.	Section 3, Project Description; Section 4.1 Aesthetics; Section 4.2 Air Quality; Section 4.3 Biological Resources; Section 4.7, Greenhouse Gas Emissions; Section 4.12, Noise; Section 4.15, Transportation
Comments Received at the Scoping Meeting			
No comments were received at scoping meeting.			

Issues to be Resolved by Lead Agency

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR contain a discussion of issues to be resolved. With respect to the proposed Project, the key issues to be resolved include decisions by the City, as lead agency, as to the following:

- Whether this environmental document adequately describes the environmental impacts of the Project.
- Whether the recommended mitigation measures should be modified and/or adopted.
- Whether there are other mitigation measures or alternatives that should be considered for the Project besides those identified in the Draft EIR.

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2 Introduction

2.1 Purpose of the California Environmental Quality Act Process

This environmental impact report (EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental effects associated with implementation of the Mojave Industrial Park Project (Project). It was prepared in accordance with Title 14, Section 15000 et seq. of the California Code of Regulations (CEQA Guidelines), and the rules, regulations, and procedures for implementing CEQA as adopted by the City of Victorville (City). Consistent with CEQA Guidelines Section 15161, this document is a project-level EIR and evaluates the potential environmental impacts associated with a specific project. As the lead agency for the Project, the City must complete an environmental review to determine if the Project could potentially result in significant adverse environmental effects. A detailed description of the Project is provided in Chapter 3, Project Description.

CEQA Guidelines Section 15002 states that the basic purposes of CEQA are to:

- Inform governmental decision-makers and the public about the potential significant environmental effects of proposed government actions (including the discretionary approval of development projects)
- Identify the ways that environmental damage can be avoided or significantly reduced
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible

If a project will be approved involving significant environmental effects, the lead agency must also disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose.

This EIR provides a project-level analysis of the potential environmental effects related to implementation of the Project. The level of impact analysis in this EIR corresponds to the degree of specificity deemed appropriate in accordance with CEQA Guidelines Section 15146. This EIR addresses the potentially significant environmental impacts that could occur as a result of construction and operation of the Project. This document also identifies appropriate and feasible mitigation measures, where necessary, and includes Project alternatives that could be adopted to reduce or avoid potential significant environmental effects.

This EIR is an informational document for public agencies and members of the public, allowing informed decisions to be made regarding the purpose, objectives, and components of the Project. This EIR is the primary reference document for the formulation and implementation of a mitigation monitoring and reporting program for the Project, in compliance with California Public Resources Code (PRC), Section 21081.6.

2.2 Legal Authority and Lead Agency

This EIR was prepared in accordance with all criteria, standards, and procedures of CEQA (PRC Section 21000 et seq.) and the CEQA Guidelines (14 CCR 15000 et seq.).

Pursuant to CEQA Section 21067 and CEQA Guidelines Article 4 and Section 15367, the City is the lead agency under whose authority this EIR has been prepared. "Lead agency" refers to the public agency that has the principal responsibility for carrying out or approving a project. Serving as the lead agency and before taking action to approve the Project, the City has the obligation to (1) ensure that this EIR was completed in accordance with CEQA; (2) review and consider the information contained in this EIR as part of its decision-making process; (3) make a statement that this EIR reflects the City s independent judgment; (4) ensure that all significant impacts on the environment are eliminated or substantially lessened, where feasible; and, if necessary (5) make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or Project alternatives identified in this EIR are infeasible and citing the specific benefits of the Project that outweigh its unavoidable adverse effects (14 CCR 15090–15093).

Pursuant to CEQA Guidelines Sections 15040 through 15043, and upon completion of the CEQA review process, the City will have the legal authority to do any of the following:

- Approve the Project
- Require feasible changes in any or all activities involved in the Project to substantially lessen or avoid significant effects on the environment
- Disapprove the Project, if necessary, to avoid one or more significant effects on the environment that would occur if the Project were approved as proposed
- Approve the Project even though the Project would cause a significant effect on the environment if the City makes a fully informed and publicly disclosed decision that (1) there is no feasible way to lessen the effect or avoid the significant effect, and (2) expected benefits from the Project will outweigh significant environmental impacts of the Project

This EIR fulfills the CEQA environmental review requirements for the proposed Site Plan Review, Development Agreement, and all other governmental discretionary and ministerial actions related to the Project.

This EIR is an informational document intended for use by City decision makers, trustees, responsible agencies, and members of the general public in evaluating the physical environmental impacts of the Project. This EIR is the primary reference document for the formulation and implementation of a mitigation monitoring and reporting program for the Project, in compliance with PRC Section 21081.6. Environmental impacts cannot always be mitigated to a level considered less than significant. In accordance with Section 15093(b) of the CEQA Guidelines, if a lead agency approves a project that has significant impacts that are not substantially mitigated (i.e., significant unavoidable impacts), the agency shall state in writing the specific reasons for approving the project, based on the final CEQA documents and any other information in the public record. This is defined in Section 15093 of the CEQA Guidelines as "a statement of overriding considerations."

2.3 Responsible and Trustee Agencies

Responsible and Trustee Agencies

PRC Section 21104 requires that all EIRs be reviewed by state responsible and trustee agencies (see also 14 CCR 15082 and 15086[a]). As defined by CEQA Guidelines Section 15381, "the term 'Responsible Agency' includes all public agencies other than the Lead Agency which have discretionary approval power over the project." A trustee agency is defined in CEQA Guidelines Section 15386 as "a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California."

For this Project, the California Department of Fish and Wildlife is a trustee agency, because the Project has the potential to impact plant and wildlife species that are managed and protected by the state.

2.4 Summary of Project Analyzed in this Environmental Impact Report

The Project includes the construction and operation of three industrial/warehouse buildings totaling approximately 1,350,000 square feet on approximately 81.1 acres (gross acres). Building 1, the southeast building, would be approximately 100,000 square feet, Building 2, the southwest building, would be approximately 91,000 square feet, and Building 3, the northern building, would be approximately 1,159,000 square feet. The Project would include passenger vehicle parking spaces, trailer parking spaces, tractor-trailer loading docks, and other associated site improvements such as landscaping, sidewalks, and internal driveways. No cold storage is proposed as part of this Project.

The Project would also include several off-site utility and public street improvements, including improvements along Onyx Road, Mojave Drive, Cactus Road/Tawney Ridge Lane, and Topaz Road, including frontage landscaping and pedestrian improvements. These would be public roads once constructed. There would also be installation of or upsizing of water and sewer lines within road right-of-ways in the immediate vicinity of the Project site.

2.4.1 Requested Approvals

The following discretionary and ministerial actions under the jurisdiction of the City would be required. This EIR covers all state and local government, and quasi-government approvals that may be needed to implement the Project, whether or not they are explicitly listed in this section or elsewhere in this EIR (14 CCR 15124[d]). Details regarding each of these approvals are provided in Chapter 3.

Discretionary Approvals

Planning Commission

- **Project Site Plan Review.** A review by the Planning Commission is held in order to review the Project, including all requested entitlements. The Planning Commission will make a final decision on the site plan review, absent an appeal to the City Council.
- **Deviation Request.** Requesting a deviation for the height of Building 3 to be greater than 50 feet with a 10-foot-high screening fence. The Planning Commission will make a final decision on the deviation request.
- **Recommendation Certification of EIR.** The Planning Commission will review the EIR and make a final decision to certify or reject this EIR, along with appropriate CEQA Findings and the mitigation monitoring and reporting program.

City Council

- **Development Agreement.** A Development Agreement may be considered between the City and the Project Applicant pursuant to Section 16 of the Victorville Municipal Code. The Development Agreement would provide sufficient time for the development of the Project by locking in development standards and extending applicable vesting periods for the Project's entitlements. The Development Agreement does not

contemplate any additional physical improvements, other than those already identified in the Project description, analysis, and proposed mitigation for the Project.

Ministerial Approvals

City of Victorville Subsequent Implementing Approvals

- Approvals for water and sewer infrastructure
- Remove and relocate on-site protected native desert plants
- Issue grading permits
- Issue building permits
- Issue encroachment permits

2.4.2 Project of Statewide, Regional, or Area-Wide Environmental Significance

CEQA Guidelines Section 15206 identifies the types of projects considered to be of statewide, regional, or area-wide significance. When a project is so classified, its EIR must be submitted to the State Clearinghouse of the Governor's Office of Planning and Research, and the appropriate metropolitan area council of governments. This Project meets the following criteria of a project of statewide, regional, or area-wide significance:

- The Project has the potential for causing significant environmental effects extending beyond the City of Victorville.

2.5 Scope of this Environmental Impact Report

2.5.1 Notice of Preparation Scoping Process

The purpose of this EIR is to evaluate the potential environmental impacts associated with implementation of the Project. The City concluded that the Project could potentially have direct or indirect adverse effects on the environment. Accordingly, the City determined the need for preparation of an EIR for the Project. The scope of this EIR includes the potential environmental impacts identified in the initial study (IS)/notice of preparation (NOP) that was available for public review from November 17, 2023, through December 18, 2023; comments received during a public scoping meeting held on December 13, 2023, at the City of Victorville City Hall; and agency and public written comment received in response to the NOP.

A summary of these written comment letters is provided in Table 2-1. The written comments and the NOP are included as Appendix A of this EIR.

Table 2-1. Summary of Initial Study/Notice of Preparation Comments

Commenter	Date	Summary of Environmental Issues Raised	EIR Chapter/Section Where Comment is Addressed
State Agency			
Native American Heritage Commission	November 21, 2023	▪ Provides guidance to consultant with the California Native American tribes within the geographic area of the Project as early as possible in order to avoid any inadvertent discoveries of Native American remains and best protect tribal cultural resources ▪ Provides recommendations to consult with legal counsel about compliance with AB 52 and SB 18 and any other applicable laws ▪ Provides AB 52 and SB 18 consultation requirements	Section 4.4, Cultural and Tribal Cultural Resources
Office of the Attorney General - Department of Justice	November 28, 2023	▪ Provides a summary of potential impacts caused by the logistics industry ▪ Provides a reference to the Attorney General Office's Bureau of Environmental Justice's best practices and mitigation measures for warehouse projects document and encourages this information be considered for the project ▪ Notes land use conflicts between warehouses and sensitive receptors	Chapter 3, Project Description; Section 4.2, Air Quality; Section 4.7, Greenhouse Gas Emissions; Section 4.12, Noise; Section 4.15 Transportation
Private Organizations and Members of the Public			
Californians Allied for a Responsible Economy (CARE CA)	December 18, 2023	▪ Provides recommendations for Project objectives to not be narrow or impact analysis of the alternatives ▪ Provides recommendations for analysis of the Project since an end user has not been identified	Chapter 3, Project Description; Section 4.2, Air Quality; Section 4.7, Greenhouse Gas Emissions; Section 4.15 Transportation; Chapter 7, Alternatives
San Gorgonio Chapter Mojave Group of the Sierra Club	December 18, 2023	▪ Concerns regarding construction impacts, cumulative impacts, biological impacts, community engagement prior to draft EIR, and zone changes. ▪ Notes the Project should incorporate best practices from the Attorney General's Warehouse Projects document. ▪ Provides guidance to analyze the	Chapter 3, Project Description; Section 4.1, Aesthetics; Section 4.2, Air Quality; Section 4.3, Biological Resources; Section 4.7, Greenhouse Gas Emissions; Section 4.12, Noise; Section 4.15, Transportation

Table 2-1. Summary of Initial Study/Notice of Preparation Comments

Commenter	Date	Summary of Environmental Issues Raised	EIR Chapter/Section Where Comment is Addressed
		Project's impacts on noise, vibration, light, and odor. ▪ Provides guidance to analyze Project generated traffic, air quality, and greenhouse gas emissions.	
Comments Received at the Scoping Meeting			
No comments were received at scoping meeting			

2.5.2 Environmental Issues Determined not to Be Significant

Pursuant to CEQA, the discussion of potential environmental impacts is focused on those impacts that could be significant or potentially significant. CEQA allows the lead agency to limit the detail of discussion of the environmental impacts that are not considered potentially significant (PRC Section 21100; 14 CCR 15126.2[a] and 15128). CEQA requires that the discussion of any significant environmental effect be limited to substantial, or potentially substantial, adverse changes in physical conditions that exist within the affected area, as defined in PRC Section 21060.5. In accordance with CEQA Guidelines Section 15143, environmental impacts dismissed in an analysis as clearly insignificant and unlikely to occur need not be discussed further in the EIR unless the lead agency subsequently receives information inconsistent with the finding.

As part of the NOP scoping process, environmental issue areas identified in the IS prepared for the Project that were found to have no impact or a less-than-significant impact are provided in the IS (Appendix A), and Chapter 5, Effects Found Not to Be Significant, of this EIR. Thus, with the exception of the impact discussion in the IS Study and Chapter 5 of this EIR, these environmental issues are not discussed at further length in this EIR:

- Agricultural and Forestry Resources
- Public Services (with regard to parks and other public services)
- Recreation

2.5.3 Environmental Issues Determined to be Potentially Significant

Pursuant to CEQA and CEQA Guidelines Section 15064, the discussion of potentially significant environmental impacts is focused in this EIR on those impacts that the lead agency has determined could be potentially significant. A determination of those environmental impacts that would be potentially significant was made for the Project based on a review of comments received as part of the NOP scoping process and additional research and analysis of relevant information during preparation of this EIR.

The scope of this EIR includes environmental issues identified by the City during the preparation of the NOP, as well as issues raised by public agencies and members of the public in response to the NOP. The following environmental issue areas were determined to be potentially significant and are addressed at further length in this EIR:

- Aesthetics
- Air quality
- Biological resources
- Cultural and tribal cultural resources
- Energy
- Geology, soils, and paleontological resources
- Greenhouse gas emissions
- Hazards, hazardous materials, and wildfire
- Hydrology and water quality
- Land use and planning
- Mineral resources
- Noise
- Population and housing
- Public services (with regard to police and fire services, and schools)
- Transportation
- Utilities and service systems

2.6 Organization of this Environmental Impact Report

This EIR contains all of the information required to be included in an EIR, as specified by the CEQA Statutes and Guidelines (PRC Section 21000 et seq.; 14 CCR 15000 et seq.). CEQA requires that an EIR contain, at a minimum, specified content. The following provides a quick reference in locating the CEQA-required sections within this document:

- **Chapter 1: Executive Summary.** The executive summary provides a summary of the Project and Project alternatives, including a summary of the Project and cumulative impacts, recommended mitigation measures, and the level of significance after mitigation for each environmental issue.
- **Chapter 2: Introduction.** The introduction provides an overview of the Project and the CEQA process, and describes the purpose, scope, and components of this EIR.
- **Chapter 3: Project Description.** The project description provides a detailed description of the Project, including the location and Project characteristics. The intended uses of this EIR, Project background, Project objectives, and required Project approvals are also addressed.

- **Chapter 4: Environmental Analysis.** The environmental analysis chapter analyzes the environmental impacts of the Project. Impacts are organized into major environmental topic areas. Each topic area includes a description of the environmental setting, regulatory setting, significance criteria, individual and cumulative impacts, mitigation measures, and level of significance after mitigation. The following specific environmental areas are addressed in Chapter 4:
  - Section 4.1, Aesthetics
  - Section 4.2, Air Quality
  - Section 4.3, Biological Resources
  - Section 4.4, Cultural and Tribal Cultural Resources,
  - Section 4.5, Energy
  - Section 4.6, Geology, Soils, and Paleontological Resources
  - Section 4.7, Greenhouse Gas Emissions
  - Section 4.8, Hazards, Hazardous Materials, and Wildfire
  - Section 4.9, Hydrology and Water Quality
  - Section 4.10, Land Use and Planning
  - Section 4.11, Mineral Resources
  - Section 4.12, Noise
  - Section 4.13, Population and Housing
  - Section 4.14, Public Services
  - Section 4.15, Transportation
  - Section 4.16, Utilities and Service Systems
- **Chapter 5: Effects Found Not to Be Significant.** The effects found not to be significant chapter provides a summary of Project impacts that have been determined, through preparation of the IS/NOP, to result in less-than-significant or no impacts, and therefore, further discussion is not warranted. A brief discussion of these Project impacts is provided in this chapter.
- **Chapter 6: Other CEQA Considerations.** The other CEQA considerations chapter provides a summary of significant environmental impacts, including unavoidable, irreversible, and growth-inducing impacts.
- **Chapter 7: Alternatives.** The alternatives chapter provides a comparison between the Project impacts and three Project alternatives: (1) the No Project/No Development Alternative, (2) No Project/Other Development Project Alternative, and (3) the Reduced Development Intensity Alternative.
- **Chapter 8: List of Preparers.** The list of preparers chapter provides a list of the organizations, persons consulted, and various individuals who contributed to the preparation of this EIR. This section also includes a list of the lead agency personnel and technical consultants used to prepare this EIR.
- **Appendices.** The technical appendices contain the NOP (including public comments) and technical studies prepared to support the analyses and conclusions in this EIR.

The Final EIR will be prepared after the public review period for this EIR has been completed. The Final EIR will include comments and recommendations received on the EIR during the public review period; a list of persons, organizations, and public agencies commenting on the EIR; written responses to significant environmental issues identified in the comments received; and any other relevant information added by the City.

2.7 Documents Incorporated by Reference

Pursuant to CEQA Guidelines Section 15150, this EIR has referenced several technical studies, analyses, and previously certified environmental documents. Information from these documents, incorporated by reference, is briefly summarized in the appropriate chapters and sections. The documents that were used to prepare this EIR include the following:

- City of Victorville General Plan (2006)
- Victorville Municipal Code (Code of Ordinances) (2023 [Updated])
- County of San Bernardino Countywide Plan (General Plan) (2020)

These reference documents, in accordance with CEQA Guidelines Section 15150(b), are available for review at the following locations:

City of Victorville General Plan

https://www.cityofhighland.org/191/General-Plan

City of Victorville Code of Ordinances

https://library.municode.com/ca/victorville/codes/code_of_ordinances

County of San Bernardino Countywide Plan (General Plan)

http://countywideplan.com/

2.8 Documents Prepared for the Project

The following technical studies and analyses were prepared for the Project and Project site and are incorporated into the technical appendices of this EIR:

- Initial Study, Notice of Preparation, and Scoping Comments (Appendix A)
- Air Quality and Greenhouse Gas Emission Estimates, prepared by Dudek in December 2023 (Appendix B-1)
- Health Risk Assessment, prepared by Dudek in December 2023 (Appendix B-2)
- California Attorney General's Recommended Measures Applicability Table, prepared by Dudek in February 2024 (Appendix B-3).
- Biological Resources Technical Report, prepared by Dudek in February 2024 (Appendix C)
- Cultural Resources Technical Report, prepared by Dudek in February 2024 (Appendix D)
- Energy Assessment Calculations, prepared by Dudek in November 2023 (Appendix E)
- Geotechnical reports, prepared by Southern California Geotechnical in December 2022 and January 2023 (Appendix F-1 and F-2)
- Water Supply Assessment, prepared by Water Systems Consulting, Inc in June 2023 (Appendix G)
- Executed Will-Serve Letter, prepared by the City of Victorville in August 2023 (Appendix G)
- Water Quality Management Plans, prepared by Huitt-Zollars Inc. in May 2023 (Appendix H)

- Preliminary Hydrology Report, prepared by Huitt-Zollars Inc. in May 2023 (Appendix I)
- Noise Technical Report, prepared by Dudek in November 2023 (Appendix J)
- Transportation Impact Analysis, prepared by Dudek in February 2024 (Appendix K)
- Supplemental VMT Analysis, prepared by Urban Crossroads in December 2023 (Appendix K)
- Sewer Feasibility Report, prepared by David Evans and Associates Inc. in October 2023 (Appendix L)

2.9 Review of the Draft Environmental Impact Report

Upon completion of this Draft EIR, the City prepared and filed a notice of completion with the Governor's Office of Planning and Research, State Clearinghouse, to start the public review period (PRC Section 21161). Concurrent with the notice of completion, the City distributed a notice of availability in accordance with CEQA Guidelines Section 15087. the notice of availability was mailed to the agencies, organizations, and individuals who previously requested in writing to receive a copy. This Draft EIR was distributed to responsible and trustee agencies, other affected agencies, surrounding cities and municipalities, and all interested parties requesting a copy of this document in accordance with PRC Section 21092(b)(3). During the public review period, this Draft EIR, including the appendices, is available for review at the following locations:

In Person:

City of Victorville, Development Department
14343 Civic Drive
Victorville, California 92392

Victorville City Library
15011 Circle Drive
Victorville, California 92395

Online:

https://www.victorvilleca.gov/government/city-departments/development/planning/environmental-review-notices

Agencies, organizations, individuals, and all other interested parties not previously contacted, or who did not respond to the NOP, currently have the opportunity to comment on this Draft EIR during the public review period. Written or email comments on this Draft EIR should be addressed to:

Travis Clark, Senior Planner
City of Victorville, Development Department
14343 Civic Drive
Victorville, California 92392
Phone: 760.955.5135
Email: TClark@victorvilleca.gov

Upon completion of the public review period, written responses to all substantive environmental comments are prepared and made available prior to the public hearing on the Project before the City of Victorville's Planning Commission, at which the Project, the Final EIR, and requested entitlements are considered for recommendation to the Victorville City Council. The comments received and the responses to those comments will be included as part of the record for consideration for the Project.

3 Project Description

This chapter provides a detailed description of the Project characteristics and describes the objectives of the Mojave Industrial Park Project (Project) and the environmental impact report (EIR). This chapter also discusses the required development approvals and discretionary actions necessary to implement the Project.

As discussed below, the Project involves the development of three industrial/warehouse buildings totaling 1,351,400 square feet on an approximately 81.1-acre (gross acres) site, which consists of three parcels located north of Mojave Drive and east of Onyx Road in Victorville (City), California. Building 1, the southeast building, would be approximately 100,300 square feet; Building 2, the southwest building, would be approximately 91,100 square feet; and Building 3, the northern building, would be approximately 1,160,000 square feet. The Project would include passenger vehicle parking spaces, trailer parking spaces, tractor-trailer loading docks, and other associated site improvements such as landscaping, sidewalks, and internal driveways.

The Project site currently has a General Plan Land Use designation of Light Industrial (LI) and zoning of Light Industrial (M-1). Per section 16-3.070-010 of the Victorville Code of Ordinances, warehouse/storage facilities are a permitted use in a M-1 zone.

Construction of the Project is anticipated to commence in October 2024, lasting approximately 12 months. A tenant for the proposed industrial warehouse building has not yet been identified, but the Project would operate as a warehouse and/or distribution facility. It is anticipated that the facilities would be operated 24 hours a day, 7 days a week. Cold storage is not proposed as part of this Project.

3.1 Project Location

The approximately 81.1-acre Project site is located in the northern part of the City of Victorville (City), which is within the Victor Valley Region of San Bernardino County (Figure 3-1, Regional Vicinity, and Figure 3-2, Project Site Aerial). The Project site is located south of Cactus Road/Tawney Ridge Lane, north of Mojave Drive, east of Onyx Road, and west of Topaz Road (unpaved), approximately 1 mile east of Highway 395, northwest of Interstate (I) 15, and north of State Route (SR) 18.

The Project site consists of three parcels: Assessor's Parcel Numbers (APNs) 3128-631-02, 3128-631-03, and 3128-631-04. Specifically, the Project site is located in Section 10, Township 5N, Range 5W (City of Victorville 2023). Regional access to the Project site is provided via Highway 395, approximately 1 mile west of the Project site. Local access to the Project is provided via Mojave Drive and Onyx Road.

3.2 Environmental Setting

City of Victorville

The City is approximately 74 square miles in southwestern San Bernardino County, in the southwestern Victor Valley region, also known as the High Desert. The City is located within the southwestern portion of the Mojave Desert, which is a region containing desert plains, dry lakebeds, and scattered mountains. Generally, the City is an urban community with a broad mix of land uses, including housing, commercial, office, industrial, and public-serving uses.

The City primarily consists of rural residential land uses. Commercial and Industrial uses are generally located in the central portion of the City.

The City is bordered by the City of Hesperia to the south, the Town of Apple Valley to the east, unincorporated San Bernardino County land to the north, and the City of Adelanto to the west. Three highways provide direct access to the City: I-15 runs north–south through the central portion of the City, U.S. Highway 395 connects to I-15 on the west side, and SR-18 passes through the eastern portion of the City.

Existing Project Site

The approximately 81.1-acre, rectangular-shaped Project site is currently undeveloped property bound to the east by Topaz Road, to the west by vacant land and Onyx Road, to the south by Mojave Drive, and to the north by Cactus Road/Tawney Ridge Lane. The Project site currently has a General Plan designation of Light Industrial (LI) and zoning of Light Industrial (M-1) (see Figure 3-3, Existing Land Use Designations, and Figure 3-4, Existing Zoning Designations).

Photos of the Project site are included in Figures 3-5a through 3-5c, Site Photos. Ground surface cover of the Project site consists of low to moderate densities of native brush and shrub growth, with occasional juniper and Joshua trees located throughout the site. The site has been subject to disturbance as a result of illegal dumping and trespassing. These unpermitted activities have led to areas of exposed bare soils (where trails have formed) and several debris piles. Occasional debris is scattered throughout the Project site. The off-site utility alignments are located within public rights-of-way comprised of either developed asphalt roadways or gravel roadways, primarily surrounded by undeveloped areas with vegetation compositions similar to the Project site.

The Project site's surface elevation is approximately 2,900 feet above mean sea level. The Project site's local topographic gradient is approximately 3% downward towards the north (Figure 3-6, Topographic Map).

Land uses surrounding immediately surrounding the Project site primarily consist of vacant undeveloped property to the north, west, and east and by single family homes south of Mojave Drive (see Figure 3-2). Specific land uses located in the immediate vicinity of the Project site include the following (see Figure 3-7, Development Setting):

- **North:** Cactus Road and vacant land
- **East:** Topaz Road, vacant land, and single-family homes,
- **South:** Mojave Drive, vacant land, and single-family homes
- **West:** Onyx Road, and vacant land

In the broader Project vicinity, development includes scattered residential uses and the Melva Davis Academy of Excellence approximately 0.25 miles east of the Project site.

Local connectivity to the Project site from the center of the City and surrounding urban communities is provided via Mojave Drive (south of the Project site), Route 395 (0.75 miles west of the Project site), Highway 18 (approximately 1.5 miles south of the Project site), and I-15 (approximately 3.6 miles southeast of the Project site).

Cumulative Setting

In many cases, the impact of an individual project may not be significant, but its cumulative impact may be significant when combined with impacts from other related projects. California Environmental Quality Act (CEQA) Guidelines Section 15355 defines cumulative impacts as "two or more individual effects which, when considered

together, are considerable or which compound or increase other environmental impacts." CEQA Guidelines Section 15130(b) states that "the discussion [of cumulative impacts] need not provide as great detail as is provided for the effects attributable to the project alone." Section 15130(b) further states that a cumulative impacts discussion "should be guided by standards of practicality and reasonableness."

Cumulative impacts can also occur from the interactive effects of a single project. For example, the combination of noise and dust generated during construction activities can be additive and can have a greater impact than either noise or dust alone. However, substantial cumulative impacts more often result from the combined effect of past, present, and future projects located in proximity to a proposed project. Thus, it is important for a cumulative impacts analysis to be viewed over time and in conjunction with other related past, present, and reasonably foreseeable future projects, the impacts of which might compound or interrelate with those of the project under review.

As provided by CEQA Guidelines Section 15130(b), the following elements are necessary to an adequate discussion of cumulative impacts:

- Either: (A) a list of past, present, and reasonably anticipated future projects producing related or cumulative impacts, including those projects outside the control of the agency; or (B) a summary of projections contained in an adopted general plan or related planning document that is designed to evaluate regional or area wide conditions. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency.
- A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available.
- A reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable options for mitigating or avoiding any significant cumulative effects of the proposed projects.

For the analysis of cumulative impacts associated with the Project, a cumulative project list was developed through consultation with the City staff and the City's Traffic Engineer in August and September 2023. Table 3-1 provides a list of these cumulative projects and their associated land use. Cumulative project locations are shown in Figure 3-8, Cumulative Projects.

Table 3-1. Cumulative Projects

Map ID	Plan Case No.	Parcel	Zone Status	Date
Commercial				
1	PLAN23-00005	City of Victorville	In Process	2/16/2023
Description: A Title 16 Municipal Code Amendment with and Environmental Exemption to allow for the establishment of operational standards for vending within the public right-of-way and other public properties.				
2	ADMN23-00025	3091-411-10 12587 Hesperia Rd. Option One Solar	C-2 General Commercial Approved w/Conditions	4/18/2023
Description: A minor site plan with an environmental exemption to allow for installation of a new carport with a roof mounted photovoltaic system on a property zoned general commercial (C-2) located at 12587 Hesperia Road.				
3	ADMN23-00007	3093-091-11 12450 Amargosa Rd. Nadel	C-2 General Commercial Approved w/Conditions	2/13/2023
Description: Minor site plan with a categorical exemption to allow for the modification of an existing structure at a property zoned general commercial C-2 located at 12450 Amargosa Road.				
4	ADMN23-00037	3092-311-09 12970 Mariposa Rd. Kimley-Horn	C-2 General Commercial Corrections Required	5/08/2023
Description: A minor site plan modification to ADN22-00136 to allow for building reconfiguration associated with a Maverik fueling station development located on C-2 General Commercial zoned property at the northwest corner of Nisqualli Road and Mariposa Road. (REF: Plan21-00004)				
5	ADMN23-00032	0396-022-22 14821 Palmdale Rd. Jasper Auto Group Inc.	C-1 Neighborhood Service Commercial Corrections Required	4/13/2023
Description: A minor site plan with a categorical exemption to allow for the expansion of an existing car dealership and service center on a property zoned C-1 General Commercial located at 14821 Palmdale Road (REF: PSUB23-00025)				
6	ADMN23-00029	0478-246-04 15691 First St. 5 Star mufflers and automotive Inc	SP Specific Plan Corrections Required	3/27/2023
Description: A minor conditional use permit with an environmental exemption to allow for an auto repair shop on a property zoned MUS (Mixed-Use Service) of the Old Town Specific Plan located at 15691 First Street.				

Table 3-1. Cumulative Projects

Map ID	Plan Case No.	Parcel	Zone Status	Date
7	ADMN23-00026	3072-331-01 13720 Bear Valley Rd. Eukon Group	R-1 Single Family Incomplete Application	3/27/2023
Description: A minor site plan with an environmental exemption to allow for modifications to an existing wireless communications facility mounted to an SCE tower at 13279 Bear Valley Road.				
8	ADMN23-00049	3095-241-62 13720 Bear Valley Rd. DGB + Line	C-2 General Commercial Incomplete Application	6/13/2023
Description: A site plan with an environmental exemption to allow for the conversion of an existing 18,900 square foot commercial building into three separate suites within a C-2 zone district located at 13720 Bear Valley Road.				
9	ADMN23-0014	3093-211-15 14812 Bear Valley Rd. CEI	Approved w/Conditions	3/17/2023
Description: A minor site plan modification to Plan19-00034 to allow for the addition of one pay station lane and relocated trash and vacuum enclosures associated with a quick n clean carwash development on C-2 General Commercial zoned property located at 14812 Bear Valley Road.				
10	ADMN23-00042	0396-235-23 14281 Seventh St. Moses House Ministries	C-2 General Commercial Approved w/Conditions	6/21/2023
Description: A minor interim use permit with an environmental exemption to allow for a family services organization to occupy an existing building zoned C-2 (General Commercial) located at 14281 Seventh Street. (REF: BSLC-000740-2023).				
11	ADMN23-00010	0478-391-05 15366 Eleventh St. #A Reliant Land Services	C-1 Administrative Professional Office Approved w/Conditions	3/17/2023
Description: A minor site plan with an environmental exemption to allow for the collation and modifications to an existing AT&T Wireless Communications Facility on a property zoned C-A (Administrative Professional Offices) located at 15366 Eleventh Street Unit #A.				
12	ADMN23-00006	3091-261-28 12454 Industrial Center Dr. Alan Behrse	C-M Commercial Manufacturing Assigned	01/10/2023
Description: Zoning Verification Letter- Confirm address and zoning type				

Table 3-1. Cumulative Projects

Map ID	Plan Case No.	Parcel	Zone Status	Date
13	ADMN23-0051	3092-321-23 15425 Dos Palmas Rd. Steeno Design Studio Inc.	Approved w/Conditions	7/21/2023
Description: A minor site plan with an environmental exemption to allow for an expansion of an autobody shop addition including an approximately 1,200 square foot building addition at an existing Chevrolet Auto Dealership located at 15425 Dos Palmas Road. (REF: PSUB23-00053)				
14	ADMN23-00009	0477-121-26 14746 Seventh St. The Derna Group	C-2 General Commercial Approved w/Conditions	3/02/2023
Description: A minor site plan with an environmental exemption to allow for the modification of an existing wireless communication facility on a C-2 (General Commercial) zoned property located at 14746 Seventh Street.				
15	ADMN23-00030	3104-231-17 15182 El Evado Rd. Triad Group	SP Specific Plan In Review	4/26/2023
Description: A minor site plan with an environmental exemption to allow for modifications to an existing Verizon Wireless Communications Facility on a property located at 15182 El Evado Road.				
16	PLAN23-00010	3103-561-20 0000 No Address Martinez + Okamoto Architects, Inc	C-1 Neighborhood Service Commercial Corrections Required	4/03/2023
Description: A site plan and condition use permit with a proposed mitigated negative declaration to allow for the development of a 30,840 square foot medical office on a vacant parcel zoned C-1 (Neighborhood Service) located along the north side of Palmdale Road and approximately 500 feet east of Cantina Street.				
17	ADMN23-00038	3091-281-05 12241 Industrial Blvd #102 Brock Baziak	C-M Commercial Manufacturing Assigned	5/11/2023
Description: A minor conditional use permit with exemption to allow for a medical office in Suite 102 on Property zoned C-M (Commercial Manufacturing) located at 12241 Industrial.				
18	ADMN23-00024	3097-191-13 17477 Nisqualli Rd. Bureau Veritas Technical Assessments LLC	M-2 Heavy Industrial Complete Application	3/15/2023
Description: Zoning Verification Letter for: Goodyear				

Table 3-1. Cumulative Projects

Map ID	Plan Case No.	Parcel	Zone Status	Date
19	PLAN23-00008	0396-101-01 13721 Park Ave. Richard Design Associates Inc.	C-2 General Commercial Corrections Required	5/10/2023
Description: A site plan with conditional use permit and environmental exemption to allow for the expansion of an existing car dealership providing an approximate 18,000 square foot maintenance facility on a property zoned C-2 (General Commercial) and suspension of the requirement to underground existing overhead utility lines on property located at 13721 Park Avenue.				
20	ADMN23-00011	3093-182-03 12475 Mariposa Rd. Plancom Inc.	C-2 General Commercial Approved w/Conditions	4/05/2023
Description: A wireless communication facility modification with an environmental exemption to allow for changes to an existing slimline monopole and associated equipment on property zoned C-2 located at 13574 Sixth Avenue.				
21	ADMN23-00005	3090-041-02 13574 Sixth Ave. SBA Communications	C-2 General Commercial Incomplete Application	01/09/2023
Description: A wireless communication facility modification with an environmental exemption to allow for changes to an existing slimline monopole and associated equipment on property zoned C-2 located at 13574 Sixth Avenue.				
22	ADMN23-00033	3072-231-67 00000 No Address GK Pierce Architects Inc.	Incomplete Application	5/01/2023
Description: A revision to a site plan to allow for a retail shopping center on a vacant property zoned C-2 within the Dunia Plaza Shopping Center at the southwest corner of Bear Valley Road and Amargosa Road (REF: PSUB23-0023, PLN16-00029 Resolution No. P-17-008 & P-17-009)				
23	ADMN23-00020	3128-581-03 15655 US Highway 395 #1 Steeno Design Studio Inc	Approved w/Conditions	04/19/2023
Description: A minor site plan with an environmental exemption to allow for exterior modifications to an existing truck stop on a parcel zoned M-1 (Light Industrial) at the property located at 15655 US Highway 395.				
Industrial				
24	ADMN23-00039	0459-041-41 18580 Gateway Dr. Katherine Kiphuis/Oltmans/ Oltmans Construction	Corrections Required	8/02/2023

Table 3-1. Cumulative Projects

Map ID	Plan Case No.	Parcel	Zone Status	Date
Description: A minor site plan with a categorical exemption to allow for the expansion of an existing truck parking court and site modifications to an existing industrial warehouse/distribution center on a parcel zoned Industrial within the SCLA Specific Plan located at 18580 Gateway Drive.				
25	ADMN23-00023	3128-581-06 12403 Cactus Rd. Steeno Design Studio Inc.	Approved	5/05/2023
Description: A lot merger with an environmental exemption to combine assessor's parcel numbers 3128-581-05 and 3128-581-06 into one single parcel located south of an abutting Cactus Road and approximately 1,200 east of HWY 395.				
26	ADMN23-00034	3091-281-05 12241 Industrial Blvd. #102 Brock Baziak	C-M Commercial Manufacturing Assigned	6/21/2023
Description: A minor conditional use permit with an environmental exemption to allow for an outpatient medical office and surgery center located at 12241 Industrial Boulevard Suites 101, 102 and 107.				
27	ADMN23-00045	3091-281-08 12250 Ridgecrest Rd. Zoning-Info, Inc	M-1 Light Industrial Corrections Required	4/20/2023
Description: Zoning Letter for Property located at 12250 Ridgecrest Road				
28	PLAN23-00011	3090-571-04 17486 Nisqualli Rd. Link Logistics	M-2 Heavy Industrial Corrections Required	4/20/2023
Description: A site plan with an environmental impact report to allow for the development of tractor-trailer parking lot expansion associated with an existing Church & Dwight warehouse facility on an approximately 10 acre undeveloped M-2 (Heavy Industrial) zoned parcel located east of and abutting Enterprise Way, and approximately 1,000' north of Nisqualli Road.				
29	ADMN23-00021	0472-181-71 17080 Stoddard Wells Rd. Burrtec Waste Industries Inc.	SP Specific Plan Corrections Required	3/06/2023
Description: A minor site plan with an environmental exemption to allow for the development of a compressed natural gas (CNG) fueling system for Burrtec's collection fleet on a property zoned LI (Light Industrial) of the Desert Gateway Specific Plan located at 17080 Stoddard Wells Road.				
30	PLAN23-00006	3091-191-17 00000 No Address JW Faherty Inc.	M-2 Heavy Industrial Incomplete Application	2/21/2023

Table 3-1. Cumulative Projects

Map ID	Plan Case No.	Parcel	Zone Status	Date
Description: A site plan and conditional use permit with an environmental exemption to allow for the development of a multitenant industrial building with uses including an emergency response facility on property zoned M-2 Heavy Industrial located south of Nisqualli Road, west of and abutting the end of Production Place.				
31	PLAN23-00002	3128-631-02 00000 No Address Covington Group	Submitted	1/19/2023
Description: Sewer feasibility study for the development of an industrial business park on several non-contiguous parcels zoned M-1 and C-2 south of Hopland Street, north of Mojave Drive, and east of HWY 395 (REF: PSUB22-00167).				
32	PLAN23-00003	3128-581-05 12403 Cactus Rd. Steeno Design Studio Inc	Corrections Required	1/30/2023
Description: A site plan and conditional use permit with a proposed mitigated negative declaration to allow for the development of an approximately 400,000 square foot warehouse on two vacant M-2 (Heavy Industrial) zoned parcels of land totaling approximately 18 acres located at the southwest corner of the logical extensions of Cactus Road and Mesa Linda Avenue.				
33	PLAN23-00018	3091-191-27 Tritech Engineering Group	Corrections Required	6/27/2023
Description: A site plan and conditional use permit with a mitigated negative declaration to allow for the development of a pet treat manufacturing facility on property zoned M-2 (Heavy Industrial) located at the southeast corner of Hesperia Road and Nisqualli Road.				
Land Subdivision				
34	PLAN23-00015	3103-381-05 00000 No Address United Engineering Group-California, Inc	R-1 Single Family Incomplete Application	6/12/2023
Description: A three-year extension of time for a vesting tentative tract map with an addendum to the previously adopted mitigated negative declaration to allow for the creation of 132 single-family residential lots within two phases from 1 existing 36 acre property zoned R-1 single-family residential on property located at the northeast corner of Braceo St. and Dos Palmas (TTM 20122).				
35	PLAN23-00014	3096-421-03 00000 No Address Rodeo Credit Enterprises LLC	SP Specific Plan Corrections Required	6/6/2023

Table 3-1. Cumulative Projects

Map ID	Plan Case No.	Parcel	Zone Status	Date
Description: A tentative tract map with a proposed mitigated negative declaration to allow for the creation of 83 single-family residential lots zoned medium-low density residential within the Talon Ranch Specific Plan located at the southwest corner of Dos Palmas Road and Topaz Road (REF: PSUB21-00048).				
36	PLAN23-00009	0394-161-12 00000 No Address United Engineering Group-California Inc.	R-1 Single Family Incomplete Application	3/20/2023
Description: A vesting tentative tract map with proposed mitigated negative declaration to allow for the creation of 109 single family lots from 2 existing 18 acre vacant lots located north of Hopland Street and west of the logical extension of Cordova Road.				
37	ADMN23-00013	0396-013-06 Hariya Inc – Surveying, Civil Engineering and Project Management Company	In Review	2/06/2023
Description: A lot line adjustment with an environmental exemption to relocate the property line between parcels 0396-013-05 and 0396-013-06.				
Mixed Use / Other				
38	PLAN23-00012	0396-181-05 14343 Civic Dr. City of Victorville	P-C Public & Civic Submitted	4/25/2023
Description: Municipal Code Update- Steet Vending Ordinance				
39	PLAN23-00017	0396-181-05 14343 Civic Dr. City of Victorville	P-C Public & Civic Assigned	6/16/2023
Description: An amendment to the Victorville Municipal Code with an environmental exemption introducing various updates to Title 16 including but not limited to standards for off-street parking facilities for recreational vehicle parking and parking stalls abutting obstructions and updates to accessory dwelling unit standards and the addition of junior accessory dwelling allowances in accordance with state law.				
Multi-Family Residential				
40	PLAN23-00013	0473-163-06 00000 No Adress SRI Commercial	PUD Planned Unit Development In review	6/5/2023
Description: A development agreement amendment to update the term of the existing agreement and allow for an additional one-year extension of time for tentative tract map 14525, a 319-lot single family residential subdivision that was previously approved and environmentally assessed on property located west of and abutting Stoddard Wells Road, south of Interstate 15, and approximately 2000 feet north of D Street.				

Table 3-1. Cumulative Projects

Map ID	Plan Case No.	Parcel	Zone Status	Date
41	PLAN23-00004	0473-163-02 00000 No address City of Victorville	Assigned	2/09/2023
Description: An approximate 12.5 acre tentative tract map previously environmentally addressed to allow for the creation of size lots including public right-of-way dedication and street vacation located on city-owned land zoned RM (Residential Medium Density) within the Old Town Specific Plan located east of and abutting the Mojave River generally north-east of the terminus of First Street and River Street.				
42	ADMN23-00044	0477-141-11 15010 Culley St #A Armanda Analytics	R-2 Multi Family (8 du/ac) Assigned	5/18/2023
Description: Zoning Verification Letter				
43	PLAN23-00007	0396-013-20 14195 Macart Ln. PA Design Associates Inc.	C-2 General Commercial Corrections Required	2/24/2023
Description: A site plan with a categorical exemption to allow for the creation of a 24 unit multifamily complex on an approximately 1 acre parcel zoned Civic Commons within the Civic Center Specific Plan located 1,100 feet north of Palmdale Road and west of and abutting Mcart Road				
44	ADMN23-00003	3090-471-01 16980 Nisquialli Rd. Armada Analytics Inc.	R-3 Multi Family (15 du/ac) Submitted	1/04/2023
Description: Zoning Verification Letter for Casa Bella Apartments, 16980 Nisqualli Road				
Single Family Residential				
45	ADMN23-00008	0395-042-08 Richard Bettess	Approved w/Conditions	5/03/2023
Description: A minor site plan with an environmental exemption to allow for the construction of a new scattered sing-family residence on R-1 B ½ zoned property located west of and abutting Figueroa Road and approximately 493’ southwest of Zuni Lane.				
46	ADMN23-00041	3092-201-16 00000 No Address Daniel	R-1 Single Family Approved w/Conditions	6/16/2023
Description: A minor site plan with an environmental exemption to allow for the development of a new scattered single-family residence on an R-1 B ½ zoned property located south of and abutting La Brisa Road and approximately 315’ east of El Evado Road.				

Table 3-1. Cumulative Projects

Map ID	Plan Case No.	Parcel	Zone Status	Date
47	ADMN23-00036	0477-323-13 00000 Jaime Campos	Approved w/Conditions	6/08/2023
Description: A minor site plan with an environmental exemption to allow for the development of a new single family residence on a .21 acre parcel zoned R-1 located approximately 200 feet west of Avalon Road and north and abutting Molina Drive.				
48	ADMN23-00027	3134-431-18 12811 Via Posada Way Todd Dondelinger Associates	R-1 Single Family Approved W/Conditions	4/19/2023
Description: A minor site plan with an environmental exemption to allow for the development of 638 SF Detached ADU on an R-1 zoned property located at 12811 via Posada Way.				
49	ADMN23-00019	0478-341-10 00000 No Address Carrillo Design & Associates Inc.	R-1 Single Family Approved w/Conditions	4/04/2023
Description: A minor site plan with an environmental exemption to allow for the development of a new scattered single-family residence and detached accessory dwelling unit on an R-1 zoned property located approximately 375 feet southeast of the Puesta Del Sol Drive and Pepper Tree Drive intersection.				
50	ADMN23-00035	3094-231-48 13015 Spelman Dr Creative Concepts Construction Company	R-1 Single Family Approved w/Conditions	5/17/2023
Description: A minor site plan with an environmental exemption to allow for the development of a detached accessory dwelling unit on a property zoned R-1 located at 13015 Spelman Drive.				
51	ADMN23-00028	3096-132-42 12236 Andrea Dr Joe Magdaleno	SP Specific Plan Incomplete Application	3/27/2023
Description: A minor site plan with an environmental exemption to allow for the development of a detached accessory dwelling unit on a property zoned R-1 (Single Family Residential) located at 12236 Andrea Drive.				
52	ADMN23-00002	3090-201-27 00000 No Address Oscar Benites	Corrections Required	1/04/2023

Table 3-1. Cumulative Projects

Map ID	Plan Case No.	Parcel	Zone Status	Date
Description: A minor site plan with an environmental exemption to allow for the construction of a new scattered single-family residence on R-1 zoned property located approximately 240' southeast of the intersection of Dean Avenue and Grant Street.				
53	ADMN23-00016	0478-258-05 15647 Gazelle St. Sergio Garibay	R-1 Single Family Incomplete Application	2/24/2023
Description: A minor site plan with and environmental exemption to allow for the development of an accessory dwelling unit on a property zoned R-1 located at 15647 Gazaelle Street.				
54	ADMN23-00050	3072-041-09 13314 Sequoia St. Eden Gurevitch	R-1 Single Family Incomplete Application	620/2023
Description: A minor site plan with an environmental exemption to allow for the conversion of an existing attached three-car garage into an accessory dwelling unit on a property zoned R-1 TB1 located at 13314 Sequoia Street.				
55	ADMN23-00031	0478-351-02 00000 No Address Carlos Lloveras	Approved w/Conditions	4/28/2023
Description: A minor site plan with an environmental exemption to allow for the development of a new scattered single-family residence on an R-1 zoned property located approximately 72 feet south of Tawney Ridge Lane and approximately 374 east of Sueno Lane.				
56	ADMN23-00040	0394-144-02 14429 Joaquin Way Self	R-1 Single Family In Review	6/22/2023
Description: A minor site plan with an environmental exemption to allow for the development of a 600 square foot detached ADU on and R-1 zoned property located a 14429 Joaquin Way.				
57	ADMN23-00018	3093-593-34 00000 No Address Pride Investments Corporation	R-1 Single Family Incomplete Application	2/28/2023
Description: A minor site plan with an environmental exemption to allow for the development of the new single-family residence with an accessory dwelling unit in the rear within an R-1 (Single-Family Residential) zone located south of Lindero Street and west of Seventh Street.				
58	ADMN23-00046	3093-491-09 00000 No Address Francisco J Aguirre	Incomplete Application	5/31/2023

Table 3-1. Cumulative Projects

Map ID	Plan Case No.	Parcel	Zone Status	Date
Description: A minor site plan with an environmental exemption to allow for the development of a new scattered single-family residence on an undeveloped parcel zoned mixed-density residential located south of Tokay Street and approximately 330' east of Balsam Road.				
59	ADMN23-00001	3095-181-15 12693 Amethyst Rd. Julio Segura	R-1 Single Family Approved w/Conditions	2/16/2023
Description: A minor site plan with an environmental exemption to allow for a new 1,200 SQ. FT. accessory dwelling unit on R-1 B1/2 zoned property located at 12693 Amethyst Road.				
60	ADMN23-00015	3094-251-16 13309 Berkely CIR Eden Gurevitch	R-1 Single Family Incomplete Application	2/13/2023
Description: A minor site plan with an environmental exemption to allow for the conversion of a two car garage to a junior ADU at an existing single family residence located at 13309 Berkely Circle				
Other Project Provided by City's Public Works Department/Engineering				
61	Description: 406k warehouse at the SWC of Cactus Road and Mesa Linda Ave.			
62	Description: 176K warehouse at the NWC of Cactus and Mesa Linda Ave.			
63	Description: 79 single family at the SEC of Mojave Dr. and Onyx Rd.			
64	Description: 112 single family at the NEC of Mojave Drive and Amethyst Rd.			
65	Mojave 68 - 1,097,300- square-foot industrial building on 66.4 acres; APNs 3128-621-02, 3128-621-03, 3128- 621-04, 3128-621-05, and 3128-621-06			

3.3 Project Objectives

CEQA Guidelines Section 15124 requires an EIR to include a statement of objectives sought by the Project. The objectives assist the City in developing a reasonable range of alternatives to be evaluated in the EIR. The Project objectives also aid decision makers in preparing Findings of Fact and a Statement of Overriding Considerations, if necessary. The statement of objectives also is to include the underlying purpose of a project and may discuss a project's benefits.

Purpose and Need

The High Desert/Victor Valley region has long been identified as an area having a low jobs–housing ratio (i.e., an area that has more potential workers living in a community than there are jobs for them),[1] resulting in high numbers of residents commuting out of the region for work. It is estimated that approximately 70% of workers residing in the City of Victorville commute out of the area to places such as San Bernardino and Ontario or Los Angeles and San Diego (City of Hesperia 2016). Although these conditions can be attributed to a number of factors, the most notable variable in the jobs–housing ratio is the lack of jobs growth in the region. From 2010 to 2015, the region's job growth rate was 12.1% compared to a population growth rate of 46.7%. A low jobs–housing ratio can result in adverse environmental and economic effects on local communities. Long-distance commutes result in increased traffic and air quality and greenhouse gas emissions, and out-of-region commuters often take a share of their purchasing power with them when they make purchases away from home.

Recognizing these trends, community leaders and officials have long sought to stimulate economic development within the High Desert region and provide residents with local employment opportunities. One strategy that community leaders and planners have used is to attract development of warehousing and distribution centers, which can provide hundreds of jobs per million square feet of development. Conventional and e-commerce retailers are continuing to embrace the strategy of creating and staffing large regional fulfillment centers, with the goal of quickly responding to online consumers. Because of its available land and infrastructure for large logistics facilities, many companies are locating their regional operations to the High Desert area.

As such, the Project would help meet the needs of the growing logistics sector while producing new jobs in a region that is typically viewed as housing rich and jobs poor.

Project Objectives

Consistent with the Project's purpose and need, the primary objectives sought by the Project are as follows:

- **Objective 1:** Develop large-format industrial warehouse, along a City truck route, in an industrial zoned area, to meet the existing and growing demand for large-format logistics and warehouse buildings in the region.
- **Objective 2:** Develop a new fiscally sound, jobs-producing, and tax-generating warehouse in northwest Victorville to help reduce the need of local workforce to travel outside the City for employment.

[1] A jobs–housing ratio is a commonly used economic metric used to determine whether or not a community or region provides a sufficient number of jobs for its residents. The metric is calculated by finding the relationship between where people work ("jobs") and where they live ("housing"). As of 2015, the City had a jobs/housing ratio of 0.73, well off of regional targets ranging from 1.25–1.50 (City of Hesperia 2016).

- **Objective 3:** Concentrate warehouse development on industrial zoned land near existing roadways, highways, and freeways in an effort to isolate and reduce any potential environmental impacts related to truck traffic congestion, air emissions, industrial noise, and biological resources to the greatest extent feasible.
- **Objective 4:** Create a project that takes advantage of and enhances existing infrastructure, including the proximity to Interstate 15, which is defined in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) as a Major Freight Highway Corridor, Main Line Rail, and other similar infrastructure.

3.4 Project Characteristics

3.4.1 Project Components

The Project would include construction of three industrial/warehouse buildings and associated improvements on approximately 81.1 acres of vacant land (see Figure 3-9, Site Plan). Building 1, the southeast corner, would be approximately 100,300 square feet; Building 2 on the southwest corner would be approximately 91,100 square feet; and Building 3 on the north center portion would be approximately 1,1610,000 square feet. In total, the Project would provide 1,351,400 square feet of industrial/warehouse space and associated improvements, including loading docks, tractor-trailer stalls, passenger vehicle parking spaces, and landscape area. No cold storage is proposed as part of this Project.

Buildings 1 would have a maximum building height of 46 feet, measured from the finished floor to the top of building parapets; Building 2 would have a maximum building height of 43 feet; and Building 3 would have a maximum building height of 52 feet. Building 1 would have a maximum coverage of 37.06%, Building 2 would have a maximum coverage of 36.62%, and Building 3 would have a maximum coverage of 43.62%.

The Project would include improvements along Onyx Road, Mojave Drive, Cactus Road/Tawney Ridge Lane, and Topaz Road, including frontage landscaping and pedestrian improvements. A variety of trees, shrubs, plants, and land covers would be planted within the Project frontage's landscape setback area, as well as within the landscape areas found around the proposed industrial/warehouse buildings and throughout the Project site. The Project would also involve the off-site construction of the west half of Topaz Road, east half of Onyx Road, and south half of Cactus Road, and the Project would widen Mojave Drive from east of Topaz Road to west of Onyx Road. Additionally, the Project would extend Cactus Road, a collector, from Onyx Road to east of Highway 395. This would be a public road once constructed.

To account for the maximum potential disturbance associated with all on-site and off-site improvements, a maximum disturbance footprint has been developed. Specific, known improvements are depicted on Figure 3-9; Figure 3-10, Proposed Utilities; and Figure 3-11, Proposed Street Layout, which detail areas in which lateral utility connections may occur or where other roadway and pedestrian improvements may be necessary. Together, these off-site improvements are referred to as the Off-Site Street and Utility Improvements.

The Project site currently has a General Plan Land Use designation of Light Industrial (LI) and zoning of Light Industrial (M-1). Per section 16-3.070-010 of the Victorville Code of Ordinances, warehouse/storage facilities are a permitted use in a M-1 zone.

Site Access, Circulation, and Parking

Site Access

Access to the Project site would be provided by seven driveways along Mojave Drive, Topaz Road, and Onyx Road. In addition to the proposed signalized intersection, the Project site would be served by seven driveways (Figure 3-12, Internal Vehicular Circulation and Access Plan):

Building 1

- Driveway A via Mojave Drive – 30 feet wide, full access (passenger cars) driveway with stop sign
- Driveway B via Topaz Road – 40 feet wide, full access (trucks and passenger cars) driveway with stop sign and gate

Building 2

- Driveway A via Mojave Drive – 30 feet wide, full access (passenger cars) driveway with stop sign
- Driveway C via Onyx Road – 40 feet wide, right-in/right-out (trucks and passenger cars) driveway with gate

Building 3

- Driveway D via Onyx Road – 45 feet wide, right-in/right-out (trucks and passenger cars) driveway with gate
- Driveway E via Onyx Road – 45 feet wide, full access (trucks only) driveway with gate
- Driveway F via Onyx Road – 30 feet wide, full access (passenger cars only) driveway with stop sign
- Driveway G via Topaz Road – 45 feet wide, right-in/right-out (trucks and passenger cars) driveway with gate

Paved passenger vehicle parking areas would be provided within areas south of Building 3, southeast of Building 1 along Mojave Drive and Topaz Road, and southwest of Building 2 along Mojave Drive and Onyx Road. Tractor-trailer stalls and loading docks would be located to the south of all three buildings, with additional tractor-trailer stalls located west and east of Building 3. In total, the Project would provide approximately 229 loading dock positions, approximately 580 tractor-trailer stalls, and approximately 851 passenger vehicle parking spaces. Parking areas would include designated areas for electric vehicles and these spaces would be equipped with automobile electric vehicle (EV) charging stations with Level 2 or faster chargers.

Building 1

- 119 standard parking stalls
- 6 ADA parking stalls
- 35 EV parking stalls
- 15 dock loading zones
- 0 trailer parking stalls
- 52,500 square feet of landscaping

Building 2

- 139 standard parking stalls
- 6 ADA parking stalls
- 35 EV parking stalls
- 14 dock loading zones
- 0 trailer parking stalls
- 52,300 square feet of landscaping

Building 3

- 398 standard parking stalls
- 11 ADA parking stalls
- 102 EV parking stalls
- 200 dock loading zones
- 580 trailer parking stalls
- 375,000 square feet of landscaping

Street Improvements

Given the vacant, undeveloped nature of the surrounding area of the Project, the Project would anticipate street improvements along Onyx Road, Topaz Road, Mojave Road, and Cactus Road. These street improvements are described in detail below and on Figure 3-11.

- Widen Mojave Drive from east of Topaz Road to west of Onyx Road (approximately 34 feet widening along approximately 1,900 feet)
- Extend east half of Onyx Road from Mojave Drive to Cactus (approximately 50 feet wide along approximately 2,650 feet)
- Extend west half of Topaz Road from Mojave Drive to Cactus (approximately 70 feet wide along approximately 2,650 feet)
- Extend south half of Cactus Road from Topaz to Onyx (approximately 70 feet along approximately 1,350 feet)
- Extend two lane road along Cactus from Onyx to east of Highway 395 (approximately 40 feet wide along approximately 3,550 feet)

Utility Improvements

Given the vacant, undeveloped nature of the Project site, both wet and dry utilities, including domestic water, sanitary sewer, and electricity, would need to be extended onto the Project site (see Figure 3-10 and Figure 3-13, Conceptual Grading Plan). These utilities are described in detail below.

Domestic Water

Domestic water service would be provided by Victorville Water District – ID1 (VWD- ID1). The Project would receive water via an existing 12-inch main tie-in within Mojave Drive. The water main would be extended within the new segments of Topaz Road, Onyx Road, and Cactus Road that would be constructed as part of the Project. Lateral

water connections would be made to the existing and proposed water mains. In addition, there would be a 5-foot-wide trench, 48-inch depth of bury along the following roads:

- Mojave Drive from Diamond Road to Onyx Road (approximately 2,680 feet)
- Onyx Road from Mojave Drive to Cactus Road (approximately 2,650 feet)
- Cactus Road from Onyx Road to Topaz Road (approximately 1,285 feet)
- Topaz Road from Mojave Drive to Cactus Road (approximately 2,650 feet)

Sanitary Sewer

Sanitary sewer service would be provided by the City of Victorville Public Works Department. A proposed 8-inch diameter sanitary sewer line would be located within Topaz Road. The Project would connect to this existing line and proposes to construct a sanitary sewer line within the new segments of Topaz Road, Onyx Road, and Cactus Road. Additionally, sewer improvements would be anticipated with 20-foot-wide disturbance, which would be 8 to 15 feet deep made along the following roads:

- Cactus Road from east of Diamond Road to Onyx Road (approximately 3,900 feet)
- Topaz Road from Cactus Road to south of Mojave Drive (approximately 2,500 feet)

Storm Drainage

A new engineered stormwater drainage system would be constructed on the Project site to collect and treat on-site stormwater (Figure 3-9). Post-development, the Project's stormwater system involves capturing, treating, and infiltrating stormwater on site and conveying flows that exceed the capacity of the stormwater system off site, on Onyx Road. Additionally, the construction of storm drain improvements would anticipate a 20-foot-wide disturbance, 8 to 15 feet deep, along the following roads:

- Mojave Drive from east of Topaz Road to west of Onyx Road (approximately 2,750 feet)
- Cactus Road from Diamond Road to Onyx Road (approximately 2,750 feet)
- Onyx Road from Cactus Road to north of Mojave Drive (approximately 2,500 feet)
- Topaz Road from Cactus Road to north of Mojave Drive (approximately 2,500 feet)

On-Site Capture, Treatment, and Infiltration of Stormwater

Stormwater flows would fall throughout the Project site onto the building's roof, paved areas, landscaped surfaces, and aboveground stormwater detention basins. Stormwater flowing onto the building's roofs would flow on the roof structure towards roof drains and downspouts that would drain to paved areas. These flows, along with flows falling onto paved surfaces, would flow towards a series of gutters and catch basins. Catch basins would include best management practice (BMP) features that would treat stormwater and filter trash and debris and separate oils from water. Catch basins would be connected via underground storm drains to a series of aboveground and underground detention basins throughout the Project site. These basins would feature amended soils and bases to allow for stormwater to infiltrate and recharge the underlying groundwater basin. The on-site stormwater drainage system would capture and attenuate stormwater consistent with City and County stormwater requirements, including requirements in the San Bernardino County Hydrology Manual and Mojave Watershed Technical Guidance. Consistent with these requirements, the stormwater system would treat flows collected under a 2-year design storm and would attenuate flows for a 100-year design storm. For storms above the 2-year design storm, during which the proposed infiltration

basins reach their capacity, excess flows would be routed via an underground storm drain line that would extend under Tawney Ridge Lane, north of the Project site. A riprap feature would be installed where this storm drain line terminates to reduce the velocity of flows. For additional information, refer to Section 4.9, Hydrology and Water Quality.

Gas, Electric, and Telecommunication Facilities

Upgrades would be required with respect to electric power, natural gas, and telecommunication facilities (i.e., cable television services). Electric power and natural gas services would be provided by the Southern California Edison and Southwest Gas Corporation, respectively. These utilities would be part of a dry utility package that would be installed on site.

Architecture

The Project's design employs a variety of architectural strategies to create a contemporary, unified, and high-quality business park campus environment. Building elevations include vertical and horizontal elements that would break up the overall massing of the buildings (Figures 3-14a through 3-14c, Conceptual Elevations). Building façades would feature a complementary neutral color palette and a variety of building materials, similar to other industrial development located throughout the City and region.

In an effort to ensure that current and future development within the City is designed and constructed to conform to existing visual character and quality of the surrounding built environment, the City of Victorville Development Code (Title 16 of the City's Municipal Code) includes design standards related to building size, height, floor area ratio, and setbacks, as well as landscaping, signage, and other development standards that have an effect on visual considerations. These design standards help adjacent land uses to be visually consistent with one another and their surroundings and reduces the potential for aesthetic conflict. The design specifications of all development proposals submitted to the City are reviewed for compliance with all applicable provisions set forth by the Development Code. As part of the City's development review process, the Project's architectural plans are reviewed by City staff and the Planning Commission to determine whether Project design conforms to the Development Code and promotes the visual character and quality of the surrounding area.

Landscaping and Lighting Improvements

As depicted in Figure 3-15, Conceptual Landscape Plan, landscaping is proposed for the passenger vehicle parking areas, around the portions of the buildings visible from off-site areas, as well as the site's frontages. The landscaping materials along the Project frontages incorporate a layering concept to provide different height trees and border or accent shrubs and low ground cover. Plant material is selected for low water and low maintenance. Landscaping is designed to be consistent with Section 16-3.24.030 of the City's Municipal Code, which contains landscape standards for industrial developments (City of Victorville 2021).

Project lighting would feature a mix of pole-mounted and wall-mounted lighting fixtures. Consistent with Section 16-3.11.060 of the City's Municipal Code, lighting shall be used only for the functional requirements of safety, security, and identification and light standards shall blend architecturally with buildings, pedestrian areas, and other hardscape elements (City of Victorville 2021).

Operational Characteristics

Tenants have not been identified for the three industrial warehouse buildings. Notwithstanding, based on the Project Applicant's experience developing, owning, and operating similar warehouse buildings, business operations would be expected to be conducted within the enclosed buildings, with the exception of the ingress and egress of trucks and passenger vehicles accessing the site, passenger and truck parking, the 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. Cold storage would not be permitted in any of the proposed buildings.

Because an end user of the three buildings has not yet been identified, specific details regarding future operational activities on the Project site are not yet available. However, for the purposes of CEQA and to ensure full disclosure on all potential allowable uses on the Project site, this EIR assumes development of a blend of industrial uses. Thus, the modeling assumptions used for the air quality, health risk assessment, greenhouse gas, energy, and traffic impact analyses summarized in subsequent chapters of this Draft EIR assume Buildings 1 and 2 would be warehouse uses and Building 3 would be a blend of "high-cube" warehouse and general light industrial uses. Under this modeling scenario, approximately 191,000 square feet of the development would be warehouse use, 753,350 square feet would be high-cube fulfillment center use, and 405,650 square feet would be general light industrial land use.

Development Agreement

A Development Agreement is contemplated as part of the Project approvals. The Development Agreement does not contemplate any additional physical improvements, other than those already identified in the Project description, analysis, and proposed mitigation for the Project. Its effect and intent are to provide sufficient time for the development of the Project by locking in development standards and extending applicable vesting periods for the Project's entitlements.

3.4.2 Project Construction

Construction is estimated to commence in October 2024 and last approximately 12 months. On-site facility development and off-site improvements were accounted for within this schedule. The analysis contained herein is based on the following assumptions (duration of phases is approximate):

- Site preparation: October 2024
- Mass grading: October 2024–November 2024
- Building construction: November 2024–August 2025
- Paving: August 2025–September 2025
- Architectural coating: September 2025–October 2025

Construction activities would include site preparation (e.g., vegetation clearing, grubbing, tree removal, discing), grading, building construction, paving, and architectural coating. Based on the Conceptual Grading Plan for the Project, it is assumed a total of 14,546 CY of material will be exported from the site. Table 3-2 shows a breakdown for the estimated earthwork volumes for Building 1, Building 2, and Building 3.

Table 3-2. Estimated Earthwork Volumes

	Cut (CY)	Fill (CY)
Building 1		
Raw	12,654	7,380
After Adjustments*	26,640	24,374
	Net Import Expected	*2,267 CY*
Building 2		
Raw	28,908	1,181
After Adjustments*	41,744	16,677
	New Import Expected	*25,066 CY*
Building 3		
Raw	253,599	199,544
After Adjustments*	418,099	433,560
	New Import Expected	*15,461 CY*

Note:
* After Adjustments including overage, shrinkage, subsidence, etc.

Site Preparation

Project Site

Site Preparation generally refers to the removal of debris, organic materials, deleterious materials, and loose and unusable soils from a site prior to grading. During the site preparation phase, construction crews would use tractors/mowers, loaders, backhoes, and rubber-tired dozers to uproot and remove vegetation. Removed vegetation would be chipped/mulched and would be loaded into trucks that would transport the organic waste to an approved disposal facility. These activities would occur throughout the entirety of the Project site.

Off-Site Street and Utility Improvements

The same site preparation activities described above would occur. It is assumed these activities would occur within the full extent of the public right-of-way. Given that the majority of these areas are already dirt roads, site preparation activities would largely be limited to removing vegetation and debris on the edges of the existing roadways, up to the edge of the public right-of-way.

Grading

Project Site

Following the site preparation phase, grading would occur. Grading generally refers to the process of using heavy machinery to alter the surface of a site to obtain a specified slope. Grading would involve the use of several pieces of heavy machinery, including bulldozers, track-hoe excavators, front-end loaders, dump trucks, motor graders, water trucks, and rollers for compaction. All grading would be done in accordance with a formal stormwater pollution prevention plan for the Project, which would employ best management practices, such as using hay bales and diversion ditches, to control stormwater runoff during construction.

Off-Site Street and Utility Improvements

For the areas where off-site roadways and utilities would be constructed, the same grading activities described above for the Project site would occur directly within the footprint of proposed roadway improvements. All grading activities would occur within the footprint of areas that have already been disturbed as part of the site preparation phase.

Grading would not be necessary for the off-site utility alignments that would not be covered by a proposed roadway.

Building Construction/Utility Installation

Project Site

After the site has been graded, underground utility lines would be installed and the buildings would be constructed. Installation of lateral utility lines would involve trenching using a backhoe, the placement of pipelines using a crane or tractors/loaders/backhoes, and the backfilling of the trenches. Subsequently, the building foundations would be poured and the buildings would be constructed. The proposed buildings would be constructed with a tilt-up construction method. With tilt up construction, slabs of concrete, which comprise load-bearing sections of a building envelope or elevation, are cast horizontally on a concrete slab-on-ground. The slabs are then lifted (tilted) with a crane after the concrete has reached sufficient strength. The crane sets the panels, most often in a vertical orientation, on prepared foundations, thus forming the desired wall line from a series of consecutive panels standing next to each other. Roof structures and other internal features would subsequently be installed.

Off-Site Street and Utility Improvements

All off-site utilities would be installed within the footprints of existing and planned roadways. These utilities would be installed in the same manner as the utilities on the Project site.

Paving

Project Site

Following building construction, roadways and pavement surfaces would be constructed using pavers, paving equipment, and rollers. Lanes and parking spaces would be striped.

Off-Site Street and Utility Improvements

During this phase, the off-site roadway surfaces would be constructed in the same manner as those roadway surfaces on the Project site. Where paving occurred, existing roadways would be restriped. Traffic control devices would be installed, including a traffic signal at the intersection of Onyx Road and Mojave Drive.

Architectural Coating

Project Site

Architectural coatings would be applied to the Project site using paint sprayers powered by compressors. Coatings would be applied manually by construction crews. Landscaping would also be installed during this phase.

Off-Site Street and Utility Improvements

Architectural coatings would not be applied for this phase/area. Off-site landscaping is not proposed.

3.5 Standard Requirements and Conditions of Approval

The Project has been reviewed in detail by City staff. Various City departments and divisions are responsible for reviewing land use applications for compliance with City codes and regulations. These departments and divisions were also responsible for reviewing this EIR for technical accuracy and compliance with CEQA. The following City departments and divisions were responsible for technical review:

- City of Victorville, Public Works Department/Engineering
- City of Victorville, Planning Commission
- City of Victorville, City Council

This review of the Project by the City departments and divisions listed above resulted in a comprehensive set of draft Conditions of Approval that will be available for public review prior to consideration of the Project by the City of Victorville Planning Commission and City of Victorville City Council. These conditions will be considered by the Planning Commission and City Council in conjunction with its consideration of the Project. If approved, the Project will be required to comply with all imposed Conditions of Approval.

Where applicable, Conditions of Approval and other applicable regulations, codes, and requirements to which the Project is required to comply and that result in the reduction or avoidance of an environmental impact are specified in each subsection of Chapter 4, Environmental Analysis, of this EIR. In addition, the Project is required by state law to comply with the California Building Standards Code and its California Green Building Standards (CALGreen) component (Title 24), which includes mandatory building standards aimed at reducing energy use.

3.6 Requested Actions

3.6.1 City of Victorville

The City has primary approval responsibility for the Project. As such, the City is serving as the lead agency for this EIR, pursuant to CEQA Guidelines Section 15050. According to Victorville Municipal Code Section 16.02.010, the Planning Commission is the reviewing body with the responsibility to review design of the Project. According to Victorville Municipal Code Section 16-3.01.060, the Planning Commission is authorized to approve or deny applications for design review and to impose conditions upon such approval. According to Victorville Municipal Code Section 16-2.05.010, the City is authorized to enter into Development Agreements.

The following discretionary and ministerial actions under the jurisdiction of either the City of Victorville or a responsible or trustee agency would be required. This EIR covers all federal, state, and local government and quasi-government approvals that may be needed to implement the Project, whether or not they are explicitly listed herein or elsewhere in this EIR (14 CCR 15124[d]).

Discretionary Approvals

Planning Commission

- **Project Site Plan Review.** A review by the Planning Commission is held in order to review the Project, including all requested entitlements. The Planning Commission will make a final decision on the site plan review, absent an appeal to the City Council.
- **Deviation Request.** Requesting a deviation for the height of Building 3 to be greater than 50 feet with a 10-foot-high screening fence. The Planning Commission will make a final decision on the deviation request.
- **Certification of EIR.** The Planning Commission will review the EIR and make a final decision to certify or reject this EIR, along with appropriate CEQA Findings and the mitigation monitoring and reporting program.

City Council

- **Development Agreement.** A Development Agreement may be considered between the City and the Project Applicant pursuant to Section 16 of the Victorville Municipal Code. The Development Agreement would provide sufficient time for the development of the Project by locking in development standards and extending applicable vesting periods for the Project's entitlements. The Development Agreement does not contemplate any additional physical improvements, other than those already identified in the Project description, analysis, and proposed mitigation for the Project.

Ministerial Approvals

City of Victorville Subsequent Implementing Approvals

- Approvals for water and sewer infrastructure
- Remove and relocate on-site protected native desert plants
- Issue grading permits
- Issue building permits
- Issue encroachment permits

3.6.2 Other Agency Approvals

In addition to the approvals required by the City to implement the Project, the Project would also require permits from other agencies. The following permits are anticipated to be required, but this list may not be exhaustive and may be refined throughout the Project planning process.

- **California Department of Fish and Wildlife.** An Incidental Take Permit from the California Department of Fish and Wildlife (CDFW) would be required to remove western Joshua trees that are present on the Project site. A Lake and Streambed Alteration Agreement from CDFW would also be required to modify existing drainages that are present on the Project site.
- **Regional Water Quality Control Board.** A Waste Discharge Requirements Permit from the Regional Water Quality Control Board (RWQCB) would be required to modify existing drainages that are present on the Project site.
- **Mojave Desert Air Quality Management District.** Issuance of appropriate construction related permits would be required for the Project.

3.7 References

City of Hesperia. 2016. *High Desert Workforce Report*. April 4, 2016. Accessed October 11, 2021. https://www.cityofhesperia.us/DocumentCenter/View/13786/HD-Workforce-Report-April-2016?bidId=.

City of Victorville. 2021. Landscape Standards. Updated March 02, 2021. Accessed August 2023. https://library.municode.com/ca/victorville/codes/code_of_ordinances?nodeId=TIT16DECO_CH3ZOLAUSRE_ART24GEDEREEX_S16-3.24.030LAST

City of Victorville. 2022. General Plan Land Use. Updated September 1, 2022. https://www.victorvilleca.gov/home/showpublisheddocument/11657/638022987876370000.

City of Victorville. 2023. Victorville GIS Interactive Map. Accessed June 2023. https://victorville.maps.arcgis.com/apps/webappviewer/index.html?id=e68816661cb64d69ae6556d47bb22797

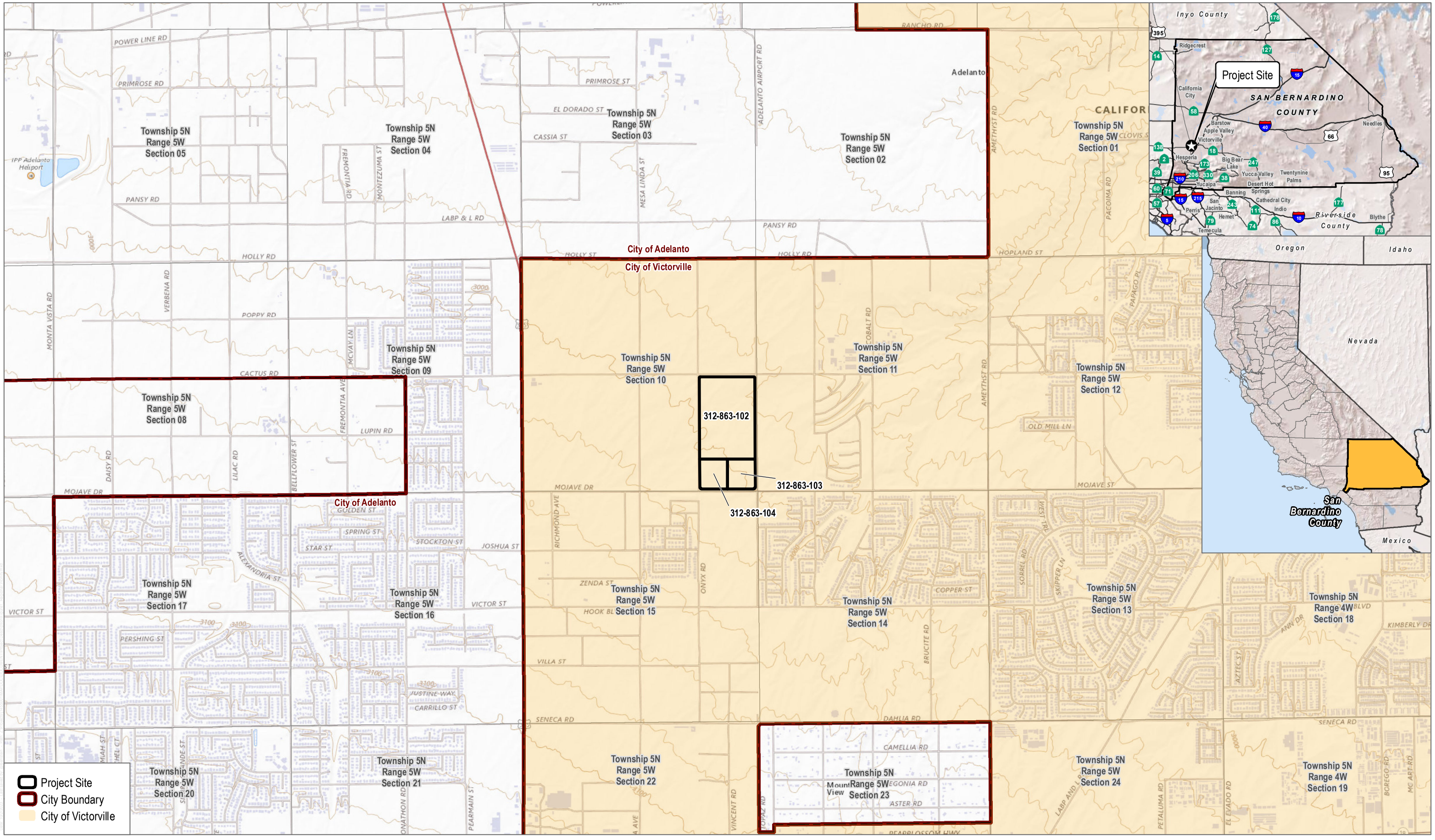

FIGURE 3-1

Regional Vicinity

Mojave Industrial Park Project

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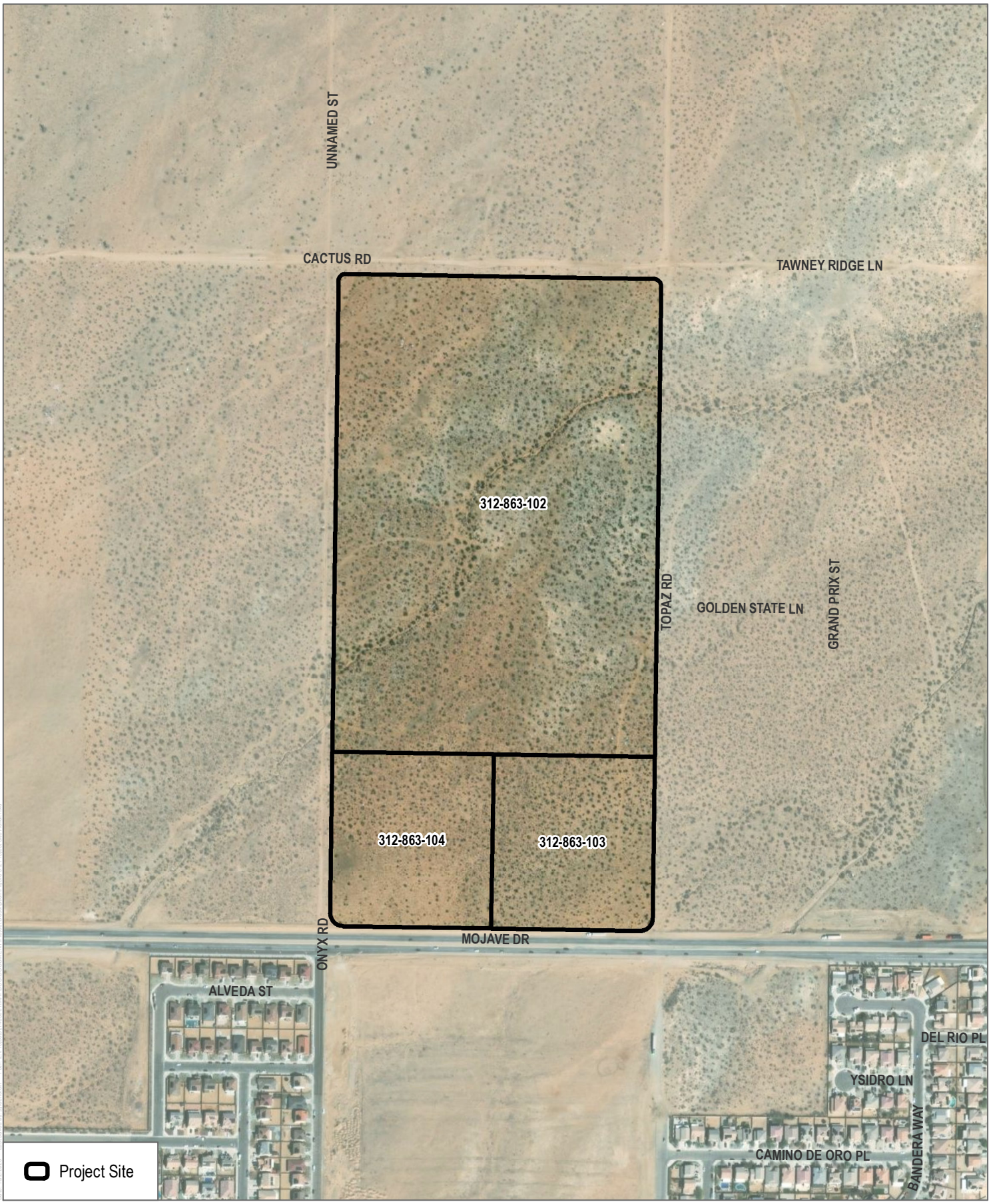

SOURCE: Maxar 2022; Open Street Maps 2023

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0 250 500 Feet

FIGURE 3-2

Project Site Aerial

Mojave Industrial Park Project

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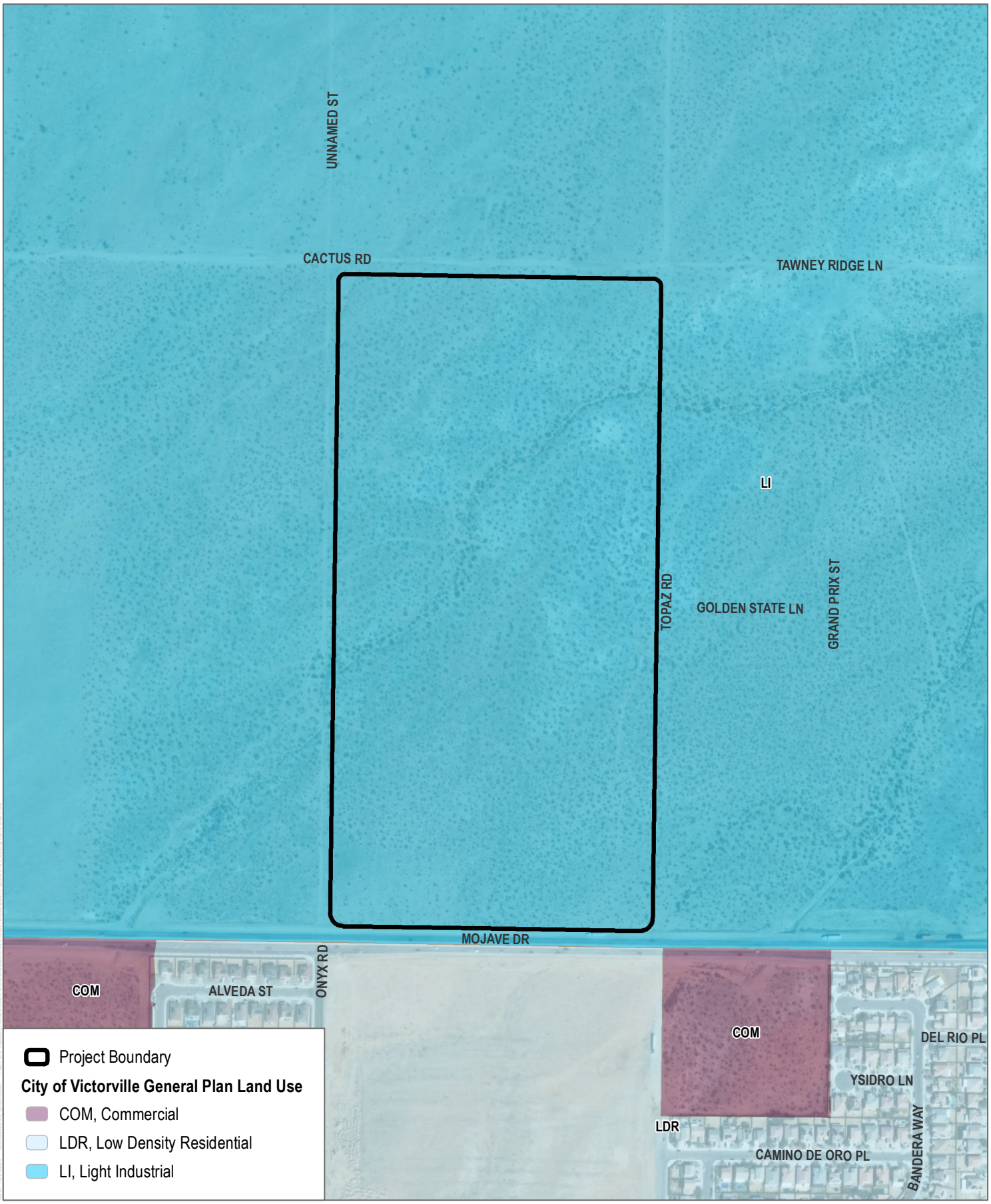

SOURCE: Maxar 2023; County of San Bernardino 2023; City of Victorville 2023

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FIGURE 3-3

Existing Land Use Designations

Mojave Industrial Park Project

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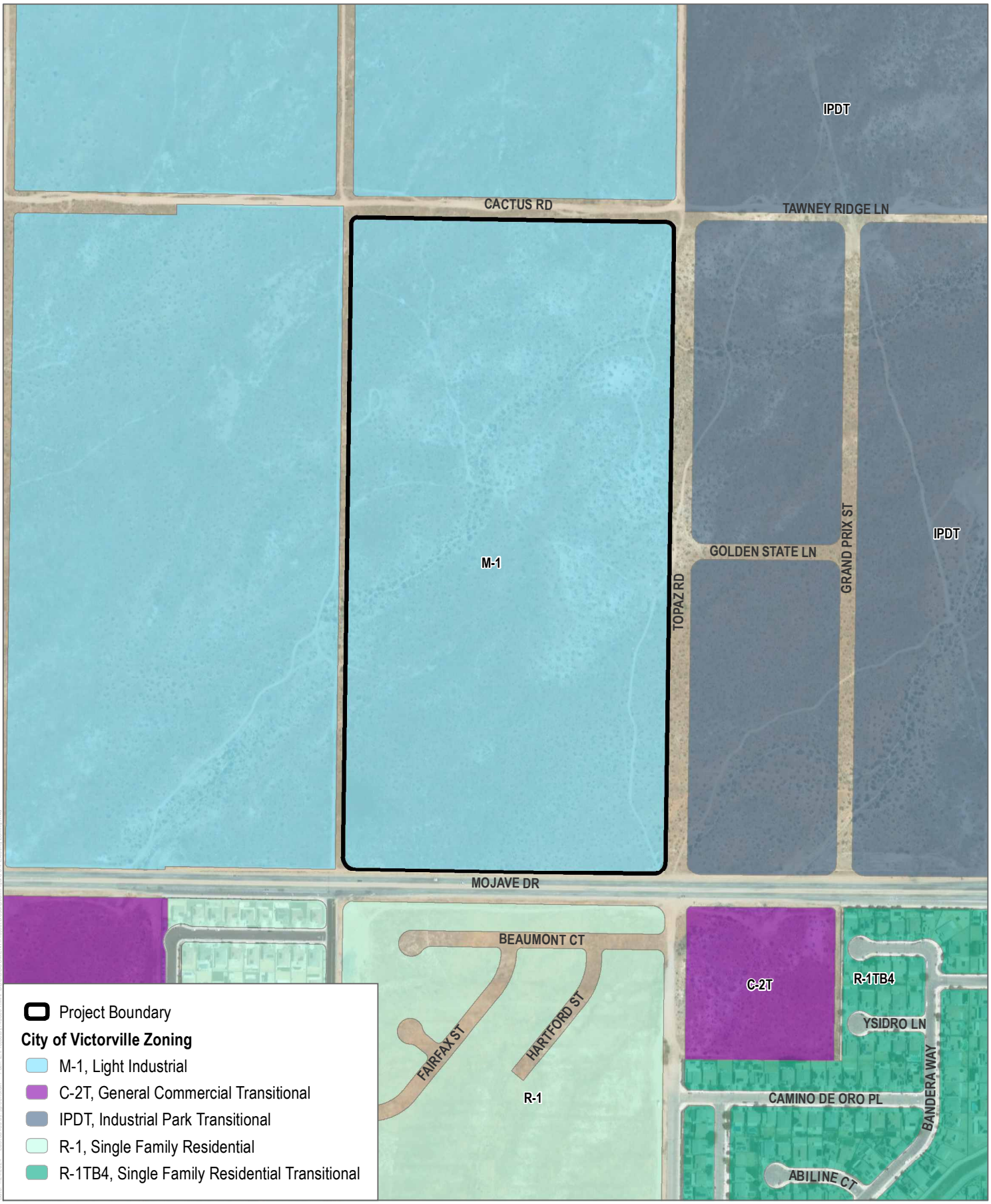

SOURCE: Maxar 2022; County of San Bernardino 2023; City of Victorville 2023

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0 250 500 Feet

FIGURE 3-4

Existing Zoning Designations

Mojave Industrial Park Project

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Photo 1. Facing south-southwest from the northeast corner of the subject parcels toward creosote bush scrub.

Photo 2. Facing south-southeast from the northwest corner of the subject parcels toward creosote bush scrub.

Photo 3. Facing north-northeast from the southwest corner of the subject parcels toward creosote bush scrub.

Photo 4. Facing north-northwest from the southeast corner of the subject parcels toward creosote bush scrub.

FIGURE 3-5a

Site Photos

Mojave Industrial Park Project

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Photo 5. Facing north from the southern boundary of the subject parcels toward creosote bush scrub.

Photo 6. Facing west from the eastern extent of the off-site utility improvement areas along Cactus Road/Tawney Ridge Lane, east of the on-site portion of the site.

Photo 7. Facing east from the eastern portion of the off-site road improvement areas along Cactus Road/Tawney Ridge Lane, west of the on-site portion of the site.

Photo 8. Facing east from the western extent of the off-site road improvement areas along Cactus Road/Tawney Ridge Lane.

FIGURE 3-5b

Site Photos

Mojave Industrial Park Project

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Photo 9. Facing west from the eastern extent of the off-site utility improvement areas along Mojave Drive.

Photo 10. Facing east from the western extent of the off-site utility improvement areas along Mojave Drive.

FIGURE 3-5c

Site Photos

Mojave Industrial Park Project

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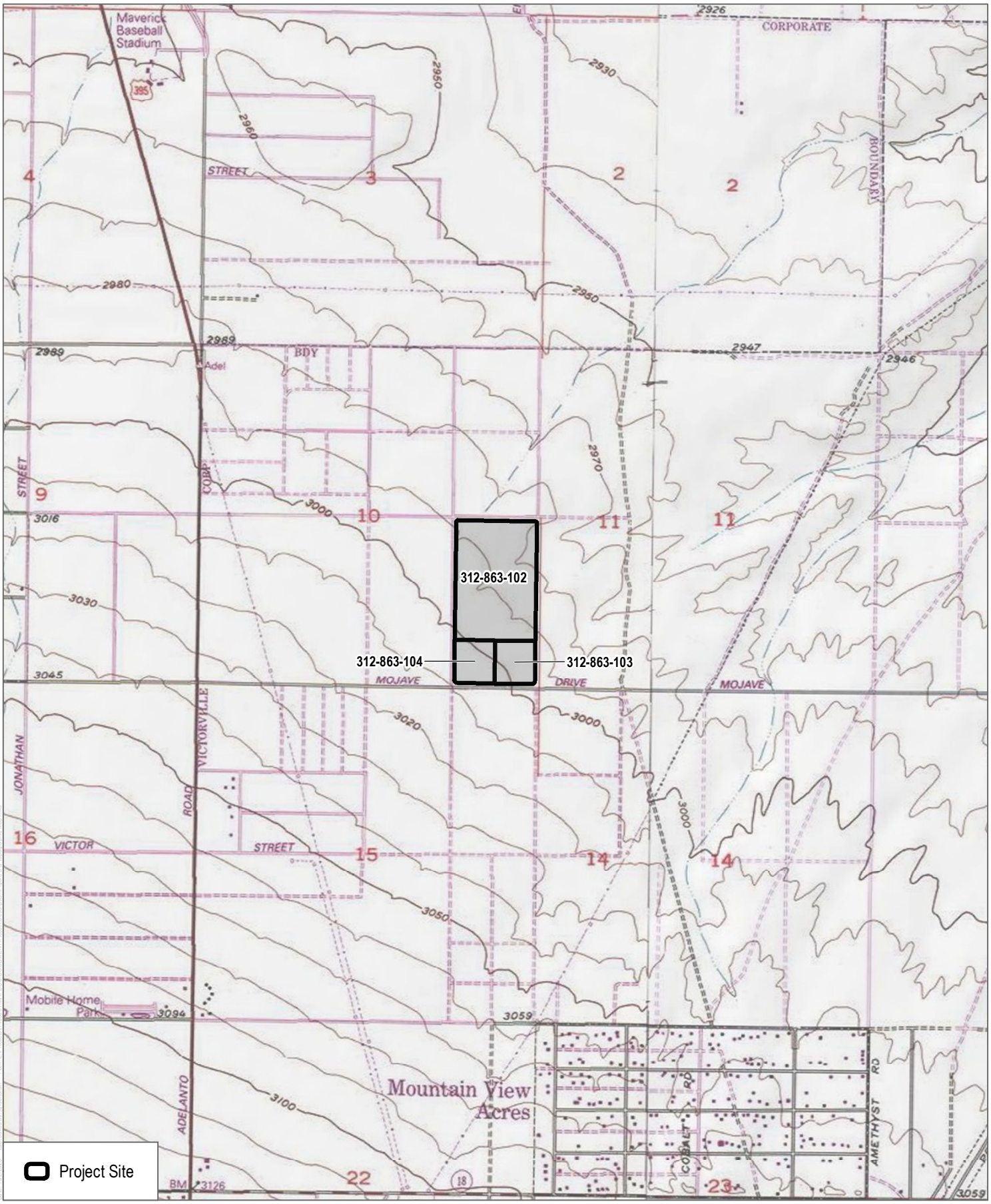

SOURCE: USGS 7.5 min Adelanto Quadrangle

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0 1,000 2,000 Feet

FIGURE 3-6

Topographic Map

Mojave Industrial Park Project

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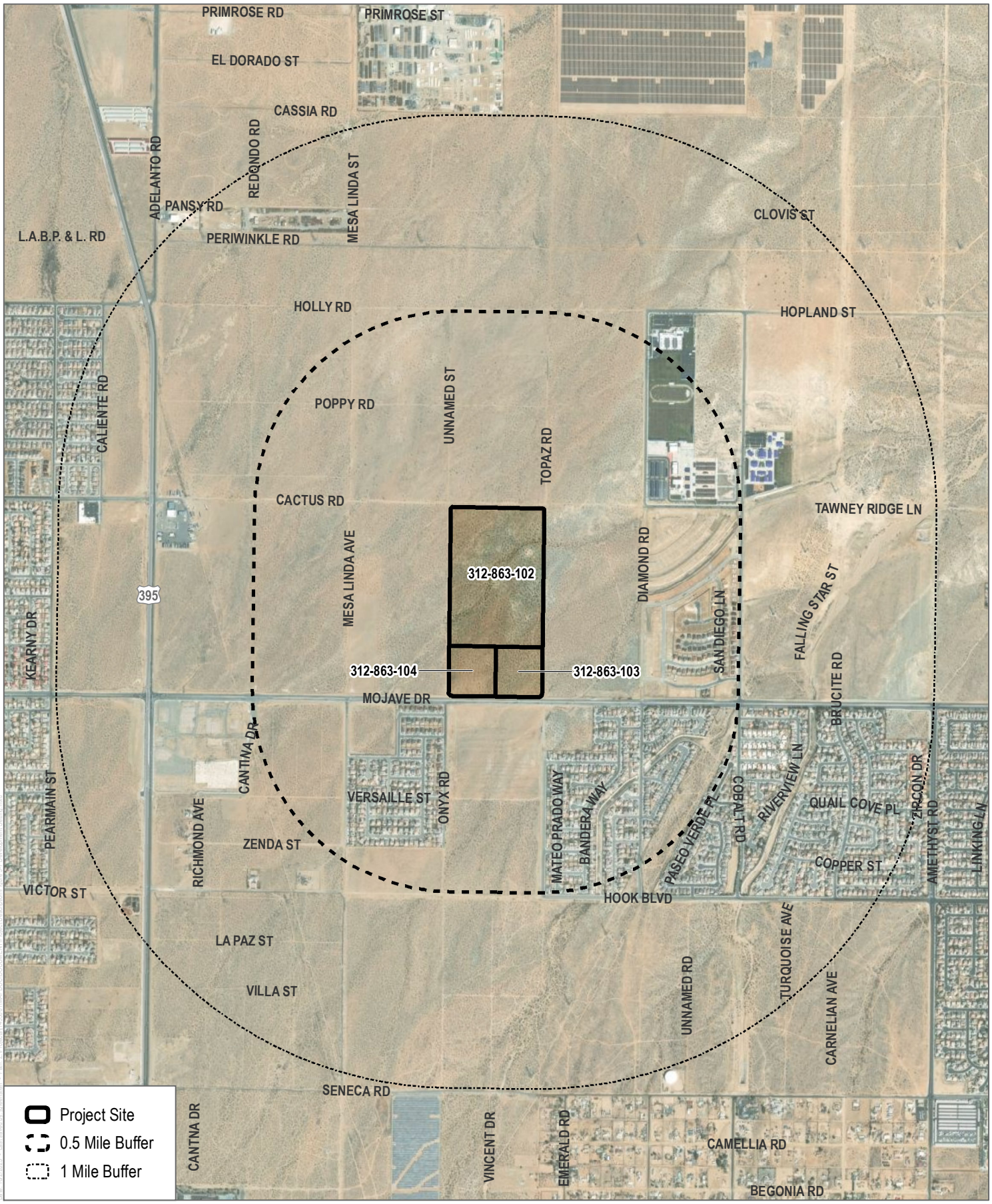

SOURCE: Maxar 2022; County of San Bernardino 2023

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0 1,000 2,000 Feet

FIGURE 3-7

Development Setting

Mojave Industrial Park Project

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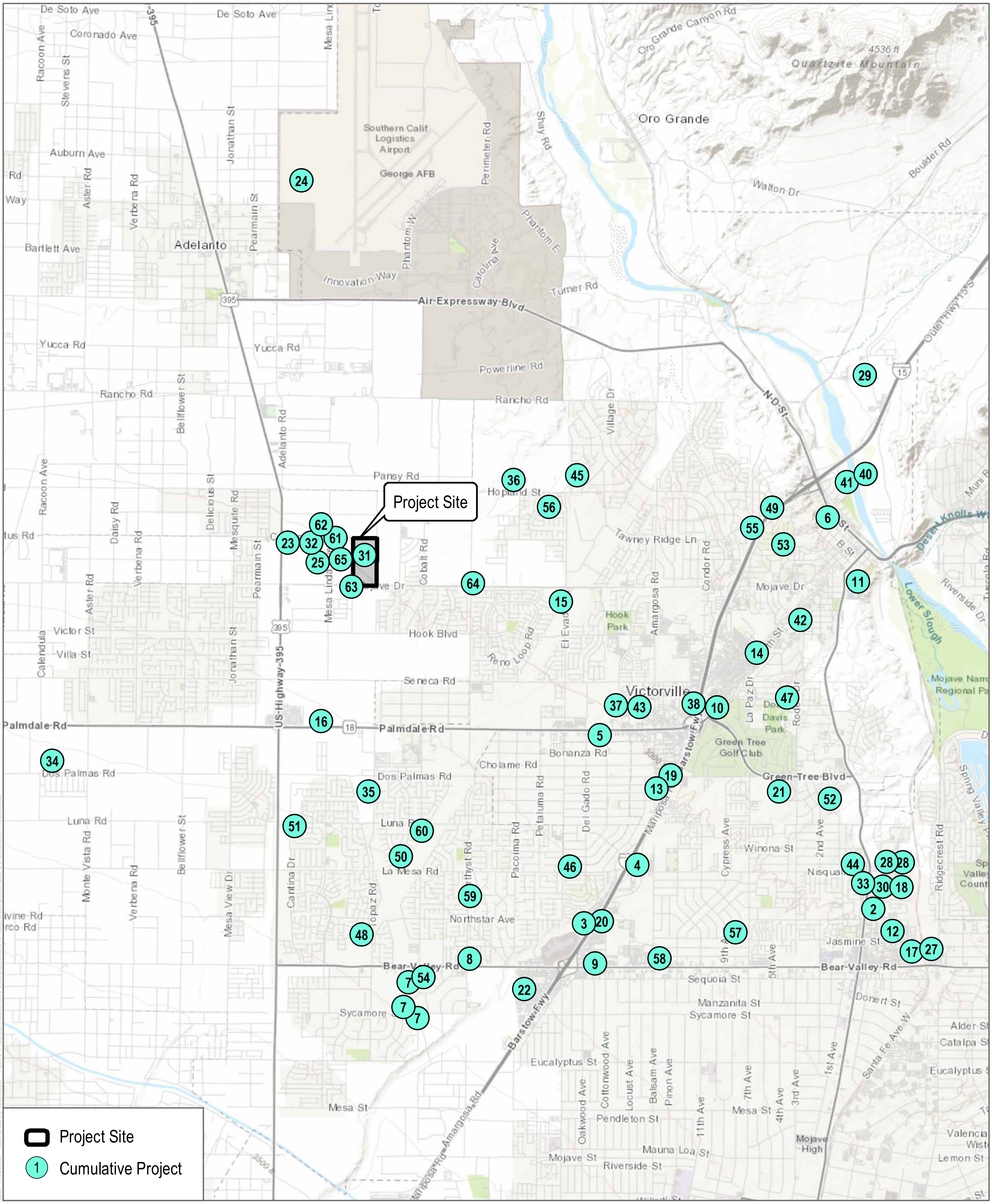

SOURCE: ESRI, HERE, Garmin 2023

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0 0.5 1 Miles

FIGURE 3-8

Cumulative Projects

Mojave Industrial Park Project

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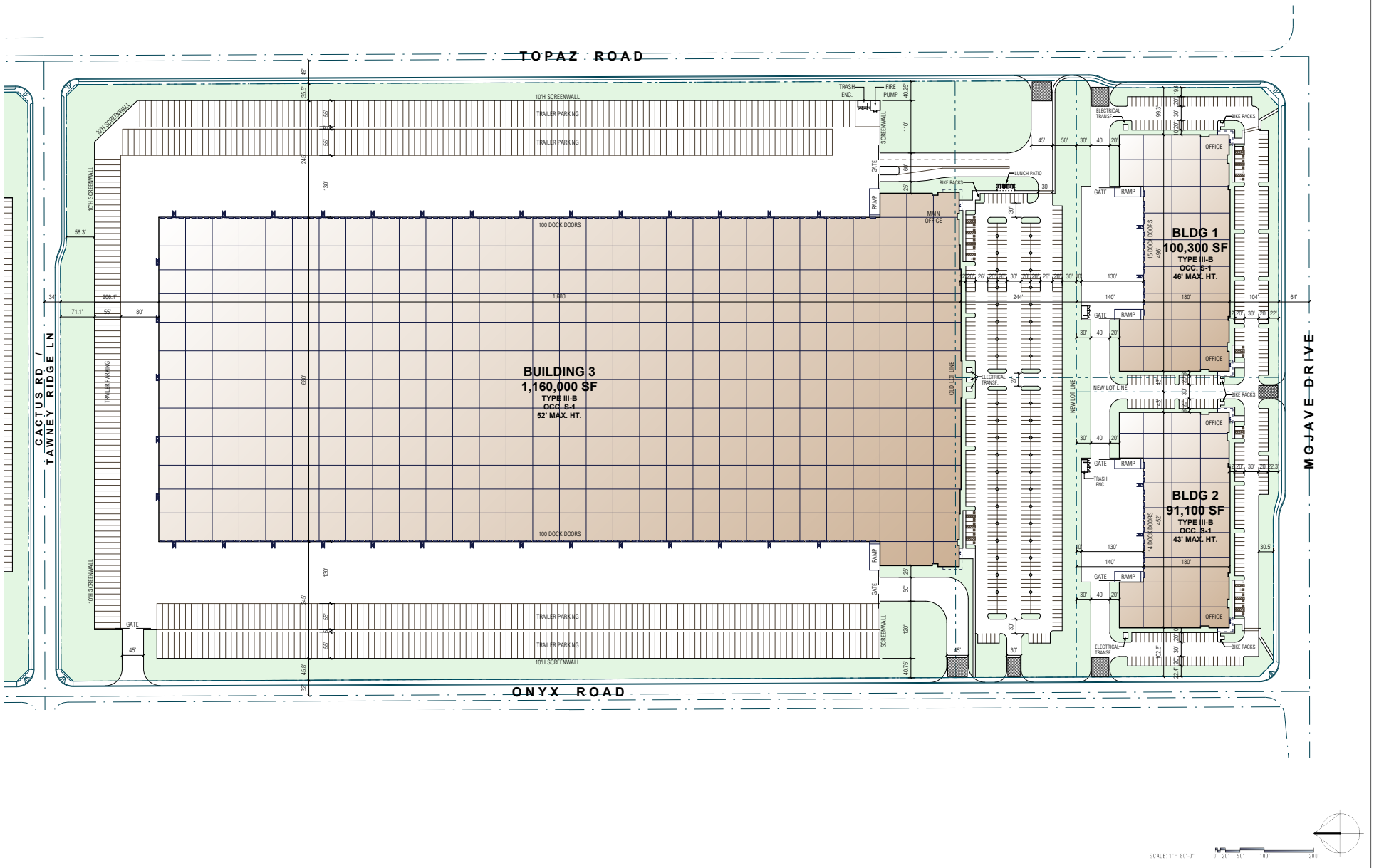

SOURCE: RGA 2023; Covington Development Partners 2023

FIGURE 3-9

Site Plan

Mojave Industrial Park Project

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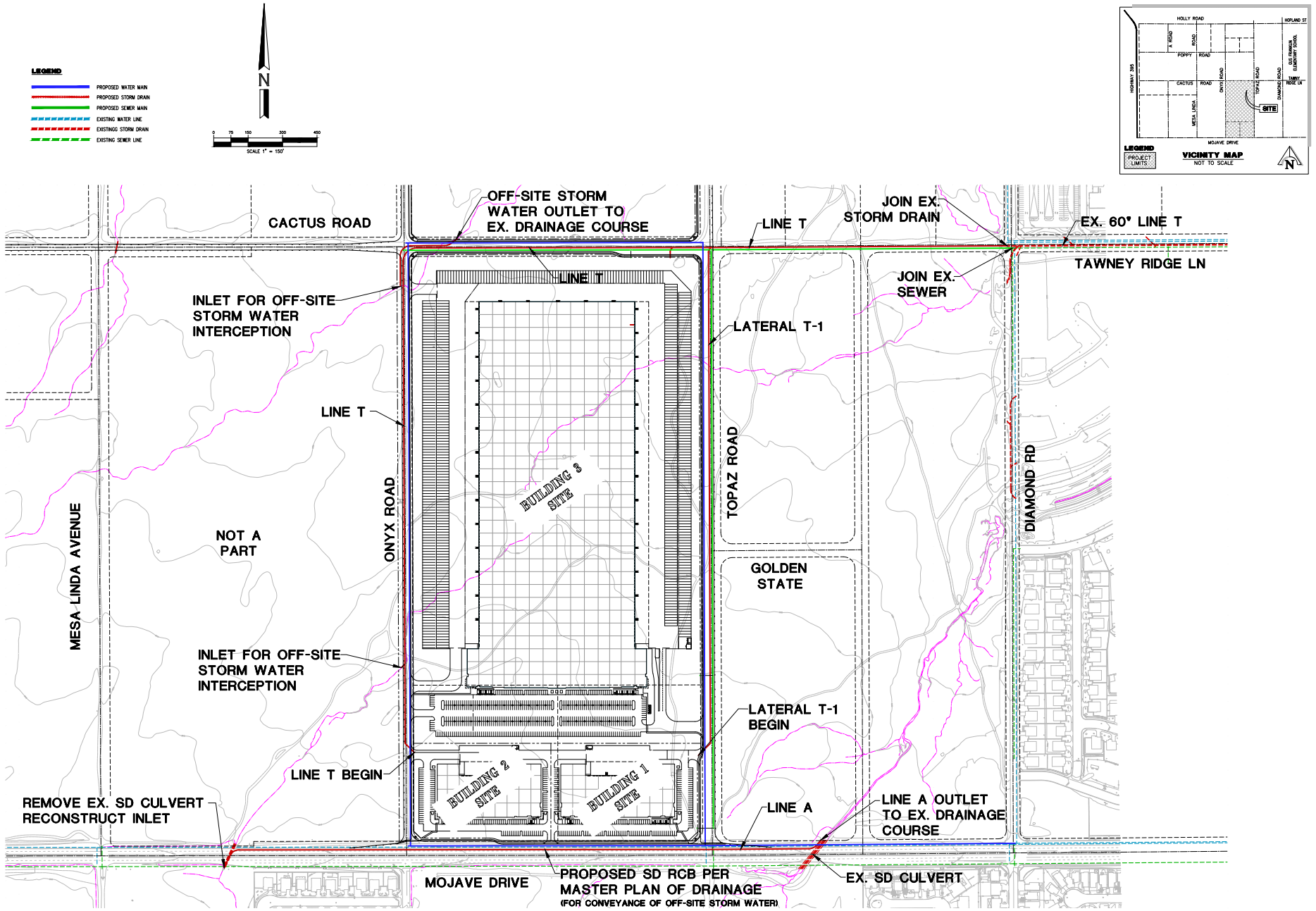

SOURCE: Huitt Zollars 2023

FIGURE 3-10

Proposed Utilities

Mojave Industrial Park Project

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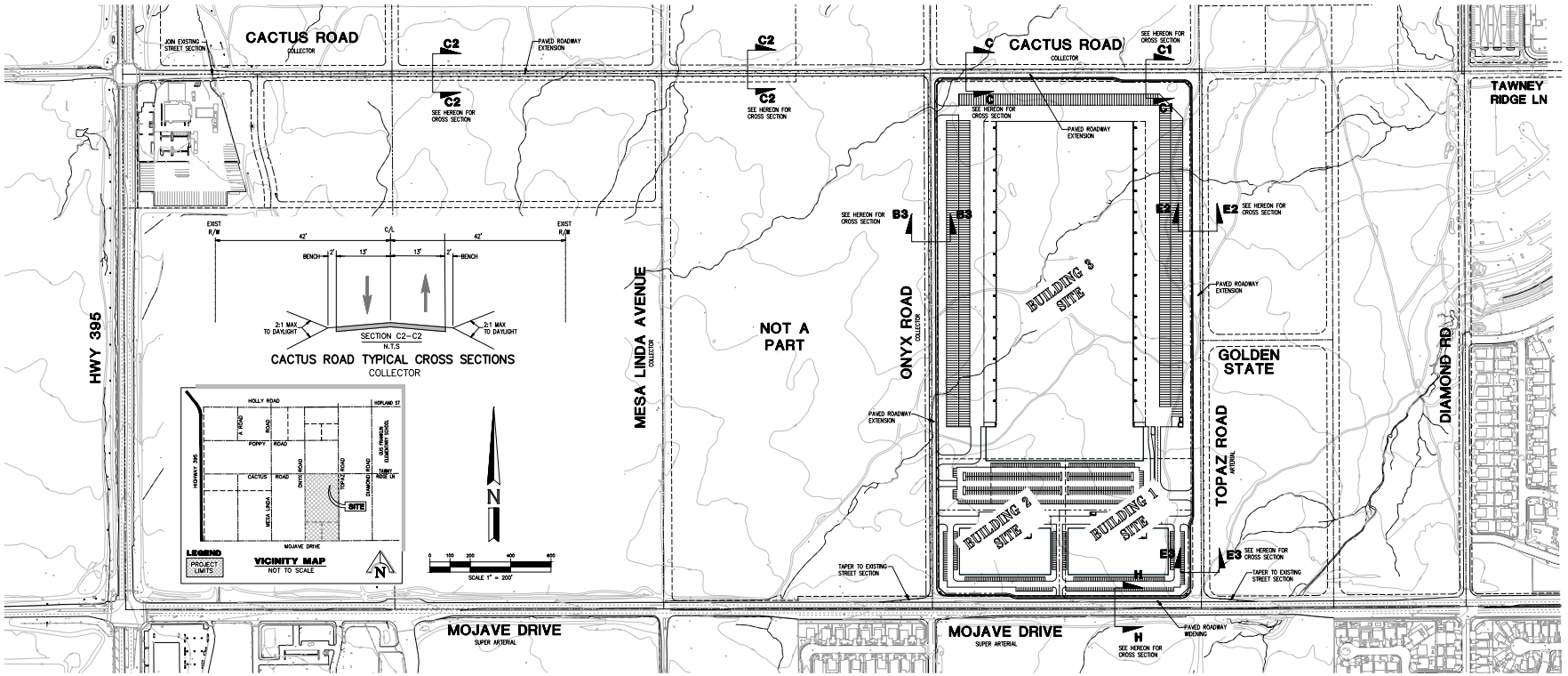
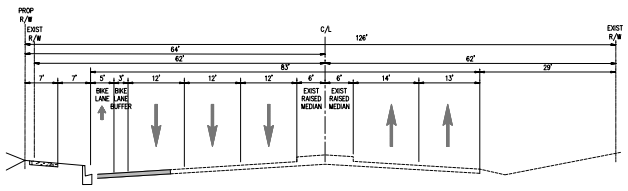
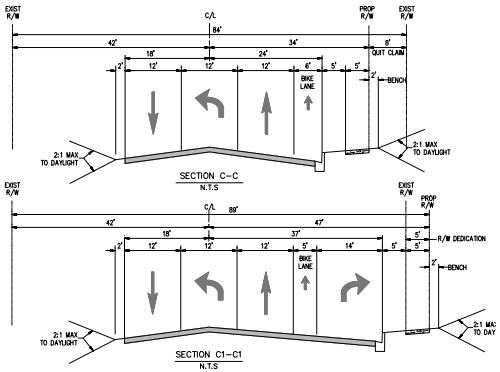
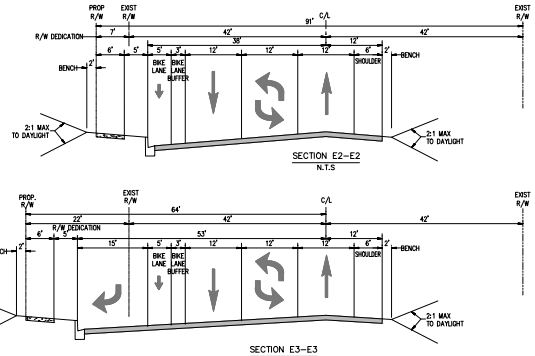




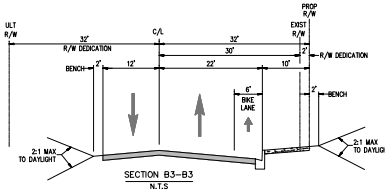
MOJAVE DRIVE TYPICAL CROSS SECTION
SUPER ARTERIAL



CACTUS ROAD TYPICAL CROSS SECTIONS
COLLECTOR



TOPAZ ROAD TYPICAL CROSS SECTIONS
SUPER ARTERIAL



ONYX ROAD TYPICAL CROSS SECTIONS
COLLECTOR RETROFIT SECTION

CACTUS ROAD TYPICAL CROSS SECTIONS
COLLECTOR

DEVELOPER
COVINGTON DEVELOPMENT PARTNERS, LLC
3 CORPORATE PLAZA, SUITE 230
NEWPORT BEACH, CA 92660
PHONE: (949) 514-0274
CONTACT: DANA WHITMER

CIVIL ENGINEER
HUITT–ZOLLARS, INC.
3990 CONCOURSE, SUITE 330
ONTARIO, CALIFORNIA 91764
PHONE: (909) 941–7799
CONTACT: JOHNNY MURAD

LEGEND
EXISTING PROPERTY LINE
PROPOSED PROPERTY LINE
CENTER LINE

SOURCE: Huitt Zollars 2023

FIGURE 3-11
Proposed Street Layout
Mojave Industrial Park Project

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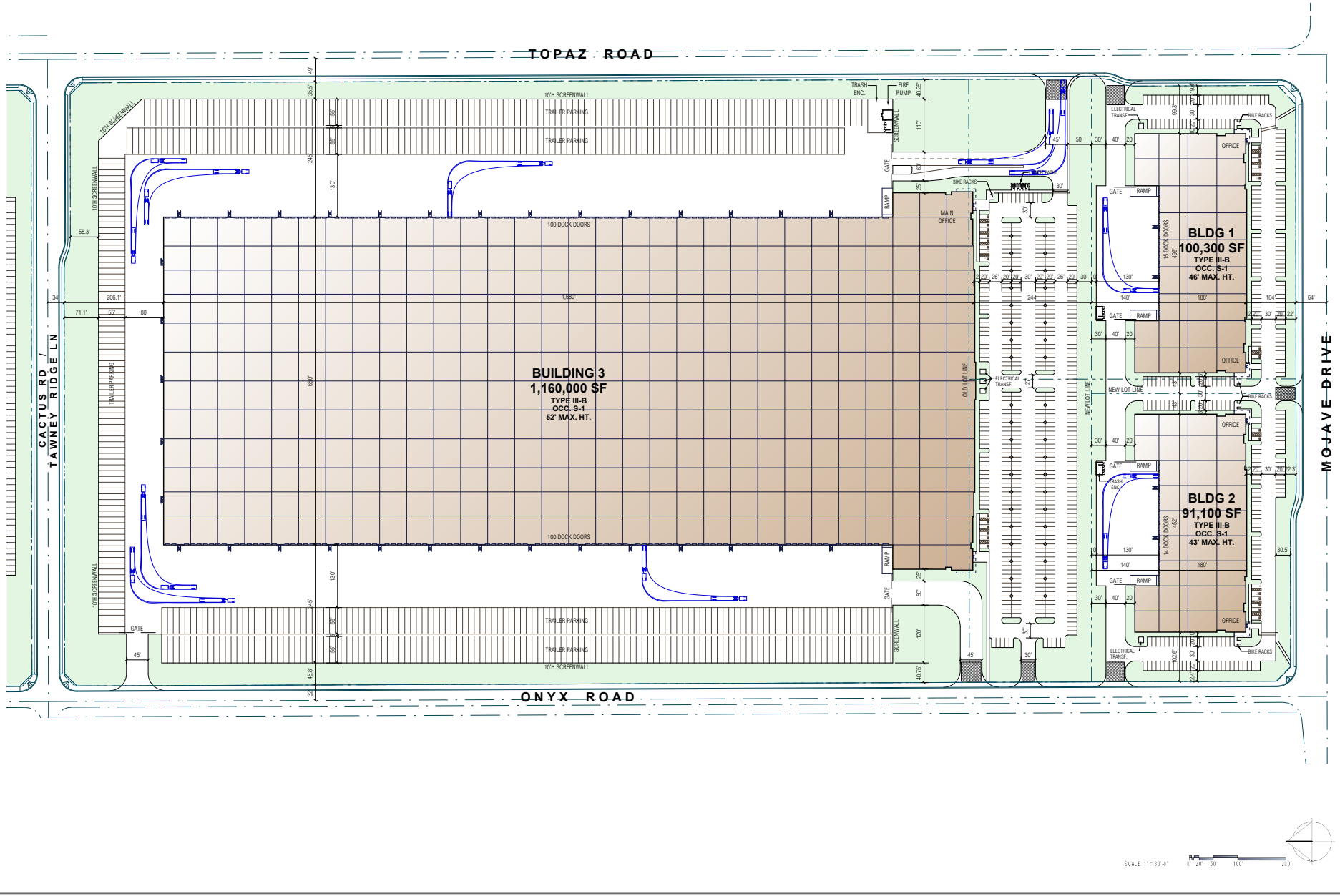

SOURCE: RGA 2023; Covington Development Partners 2023

FIGURE 3-12

Internal Vehicular Circulation and Access Plan

Mojave Industrial Park Project

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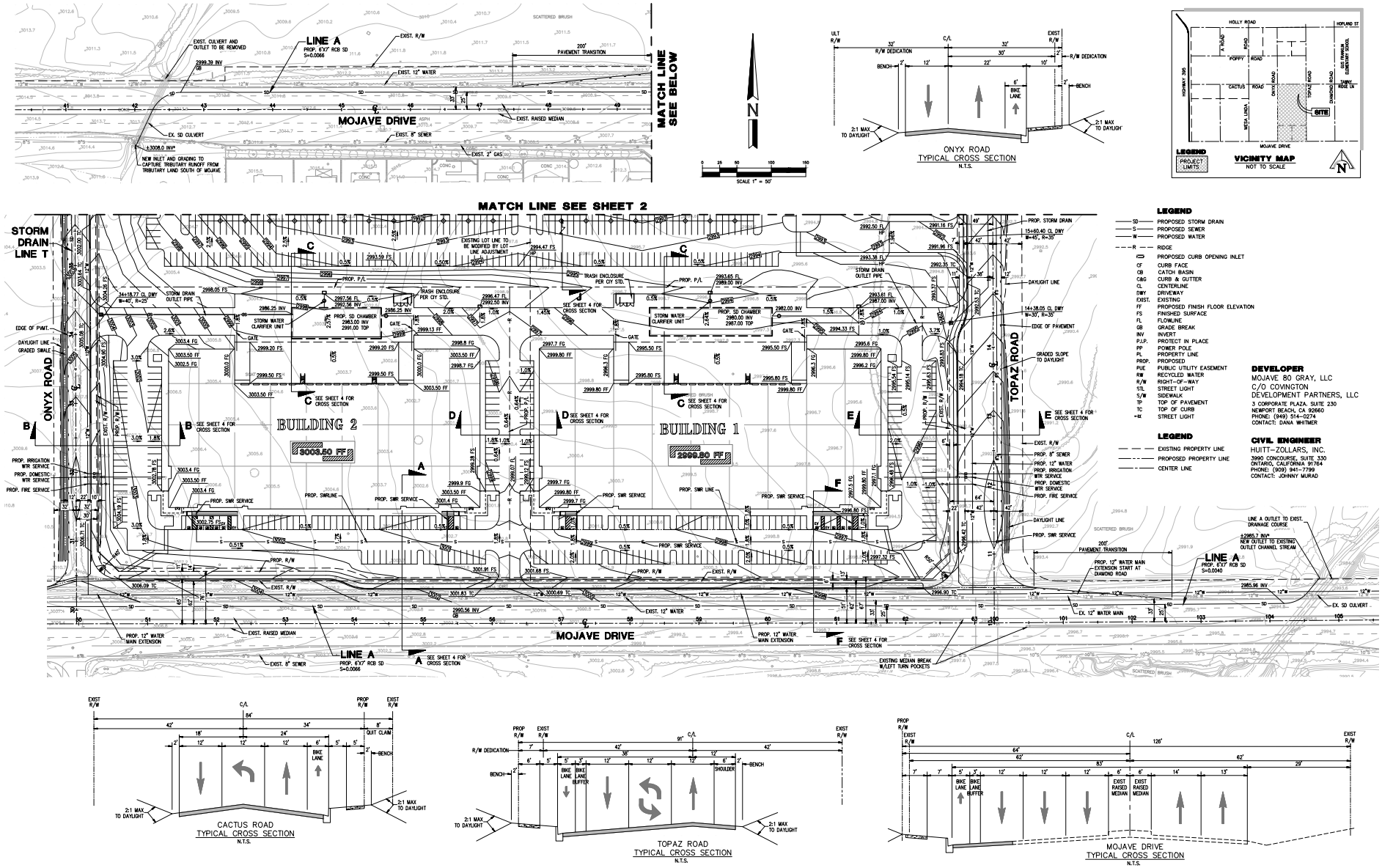

SOURCE: Huitt Zollars 2023

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FIGURE 3-13

Conceptual Grading Plan

Mojave Industrial Park Project

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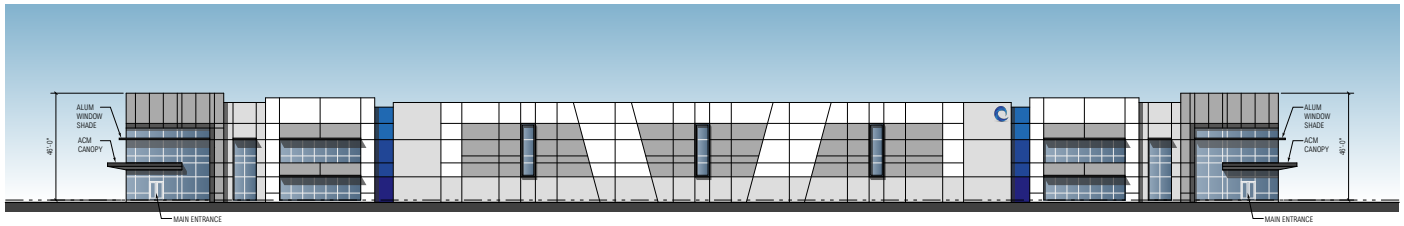
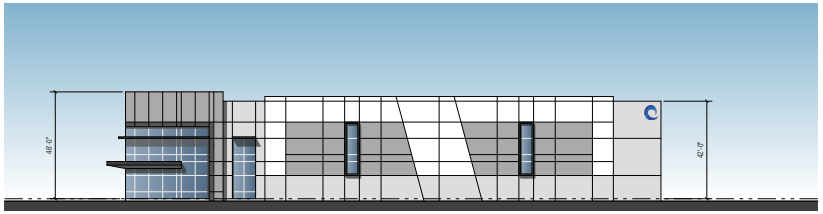
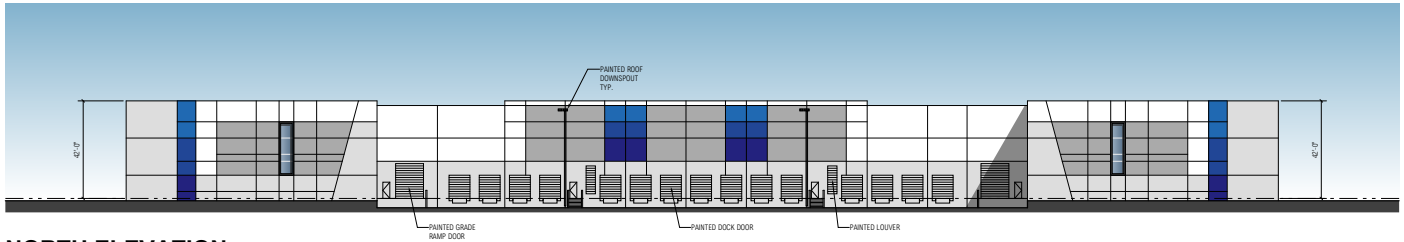


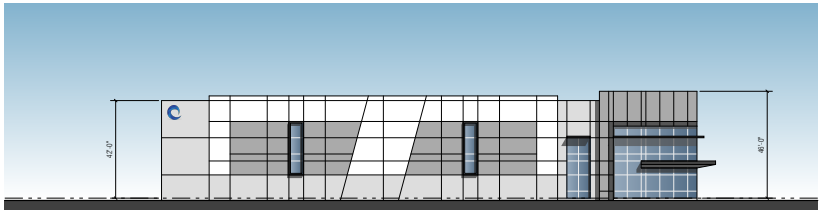
SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION

SOURCE: RGA 2023

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FIGURE 3-14a

Conceptual Elevations

Mojave Industrial Park Project

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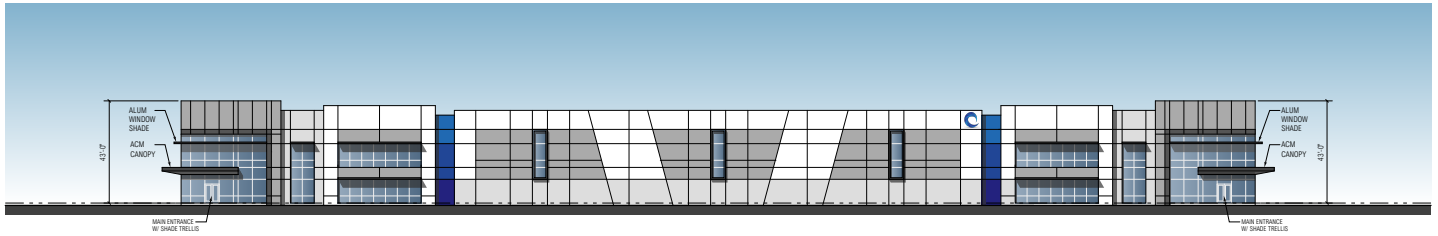
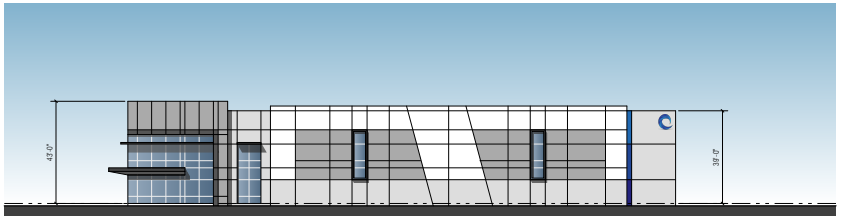
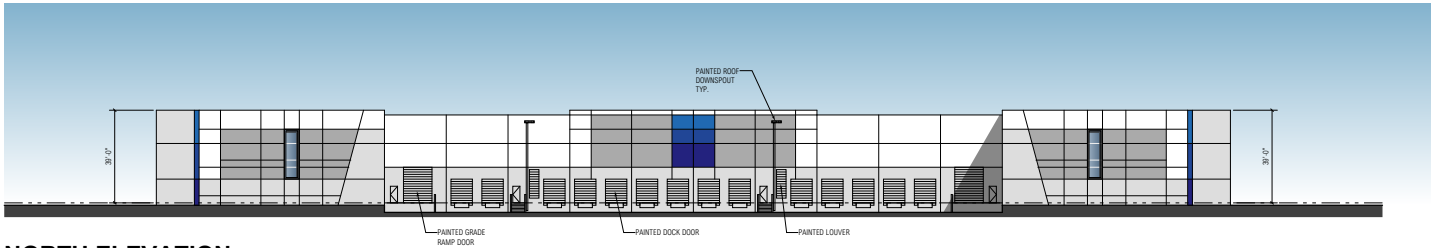


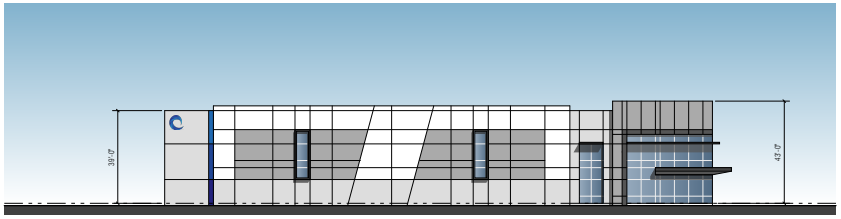
SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION

SOURCE: RGA 2023

DUDEK

FIGURE 3-14b

Conceptual Elevations

Mojave Industrial Park Project

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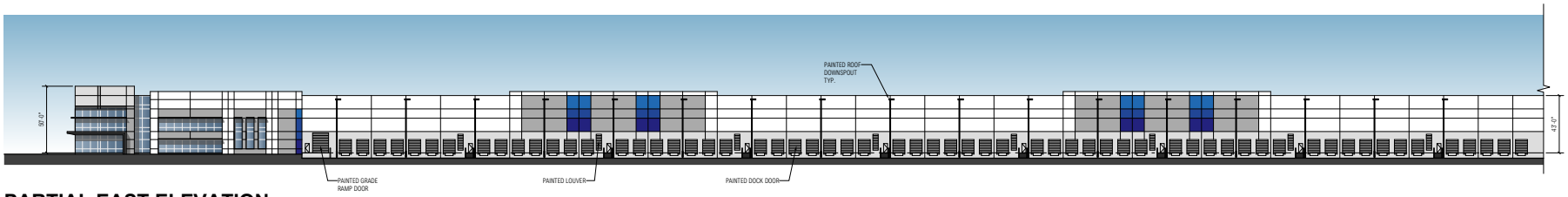
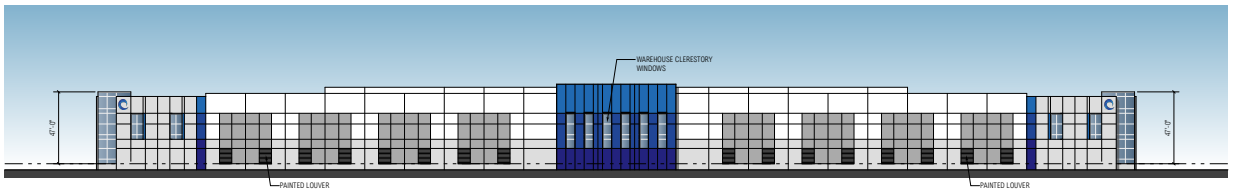
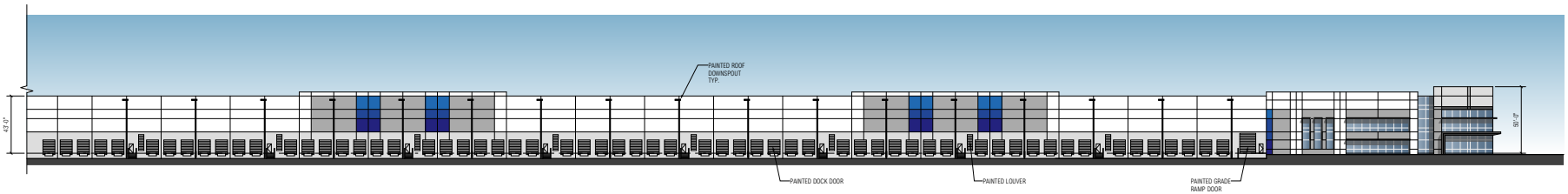
SOUTH ELEVATION



PARTIAL EAST ELEVATION



NORTH ELEVATION



PARTIAL WEST ELEVATION

SOURCE: RGA 2023

FIGURE 3-14c

Conceptual Elevations

Mojave Industrial Park Project

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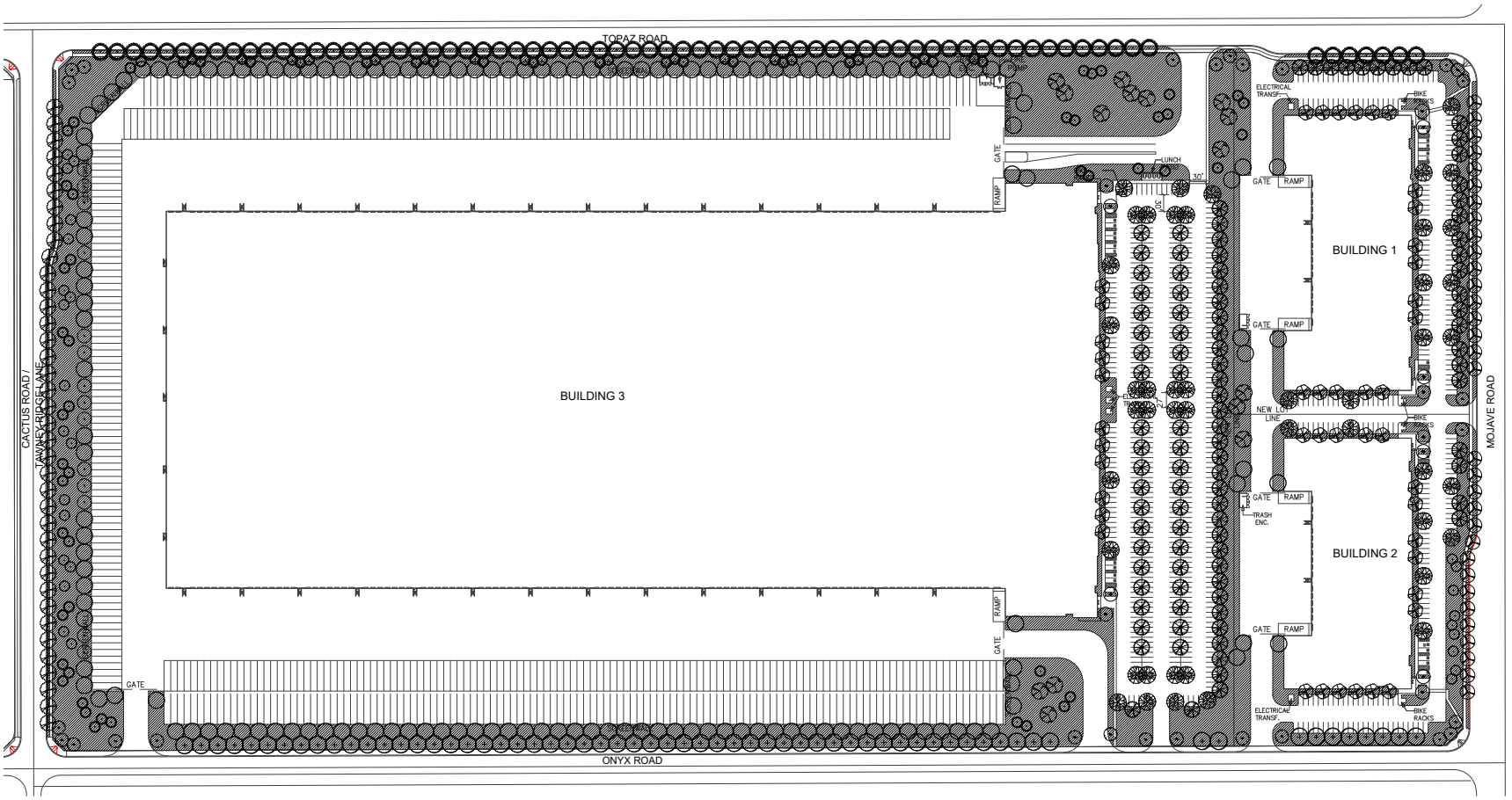


PLANTING LEGEND

TREES

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Arbutus unedo Strawberry Tree	24" Box	27	L	Multi
	Brachychiton populneus Bottle Tree	15 Gal	45	M	Standard
	Cercidium 'Desert Museum' Blue Palo Verde	36" Box	12	L	Multi
	Chilopsis linearis Desert Willow	24" Box	83	L	Multi
	Quercus ilex Holly Oak	24" Box	46	L	Standard
	Olea europaea Olive	36" Box	27	L	Multi
	Pinus canariensis Canary Island Pine	24" Box	14	M	Standard
	Pinus coulteri Coulter Pine	24" Box	151	M	Standard
	Prosopis chilensis Chilean Mesquite	24" Box	102	L	Multi
	Schinus molle California Pepper	24" Box	15	L	Multi
	Fraxinus a. 'Raywood' Raywood Ash	24" Box	32	M	Standard
	Geijera parviflora Australian willow	24" Box	38	M	Standard
	Gleditsia tricanthos Honey Locust	24" Box	71	M	Standard
	Pistacia chinensis Chinese Pistache	24" Box	63	L	Standard

SHRUBS

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	SPACING
	Baccharis p. 'Centenial' Coyote Bush	5 Gal	633	L	4' OC
	Juniperus c. 'Spartan' Spartan Juniper	5 Gal	758	M	4' OC
	Juniperus c. 'Pfitzeriana' Pfitzer Juniper	5 Gal	758	M	4' OC
	Leucophyllum frutiscens Texas Ranger	5 Gal	1660	L	4' OC
	Muhlenbergia capillaris Pink Muhly	5 Gal	132	M	4' OC
	Perovskia atriplicifolia Russian Sage	5 Gal	137	L	3' OC
	Salvia greggii Autumn Sage	5 Gal	1101	L	3' OC

NOTES:

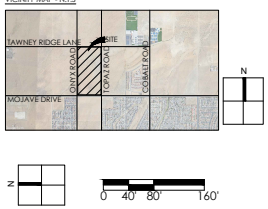
1. ALL TREES WITHIN 5' OF HARDSCAPE SHALL LINEAR ROOT BARRIER.
2. A MINIMUM 2-INCH LAYER OF GRAVEL SHALL BE APPLIED ON ALL PLANTING AREAS.
3. THESE PLANS WILL COMPLY WITH THE CITY'S WATER EFFICIENT LANDSCAPE ORDINANCE 13.60 AND TITLE 16.

ACCENTS

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Agave americana Century Plant	5 Gal	37	L	
	Agave 'Blue Glow Blue Glow Agave	5 Gal	14	L	
	Agave parryi Parry's Agave	5 Gal	236	L	
	Dasylerion wheeleri Desert Spoon	5 Gal	161	L	
	Hesperaloe parviflora Red Yucca	5 Gal	285	L	
	Pachycereus marginatus Mexican Fence Post	5 Gal	4	L	

GROUNDCOVER

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Acacia redolens 'Low Boy' Dwarf Acacia	1 Gal	990	L	6' OC
	Baccharis p. 'Pigeon Point' Dwarf Coyote Bush	1 Gal	930	L	3' OC
	Rosmarinus o. 'Huntington Carpet' Prostrate Rosemary	1 Gal	758	L	3' OC



SOURCE: Hunter Landscape 2032

FIGURE 3-15

Conceptual Landscape Plan

Mojave Industrial Park Project

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4 Environmental Analysis

The purpose of this environmental impact report (EIR) is to evaluate the potential environmental effects of the Mojave Industrial Project (Project). The City of Victorville (City) circulated a notice of preparation (NOP) beginning on November 17, 2023, with the public review period ending on December 18, 2023. The NOP was transmitted to the State Clearinghouse, responsible agencies, other affected agencies, and other public and private potential stakeholders to solicit feedback regarding the scope of the environmental analysis to be addressed in the Project's EIR. The NOP, initial study, and comment letters received are contained in Appendix A of this EIR.

Sections 4.1 through 4.16 of this EIR contain the potential environmental impacts analysis associated with implementation of the Project, and focus on the following issues:

- Section 4.1, Aesthetics
- Section 4.2, Air Quality
- Section 4.3, Biological Resources
- Section 4.4, Cultural and Tribal Cultural Resources
- Section 4.5, Energy
- Section 4.6, Geology, Soils, and Paleontological Resources
- Section 4.7, Greenhouse Gas Emissions
- Section 4.8, Hazards, Hazardous Materials, and Wildfire
- Section 4.9, Hydrology and Water Quality
- Section 4.10, Land Use and Planning
- Section 4.11, Mineral Resources
- Section 4.12, Noise
- Section 4.13, Population and Housing
- Section 4.14, Public Services
- Section 4.15, Transportation
- Section 4.16, Utilities and Service Systems

The Project proposes the development of three industrial/warehouse buildings totaling 1,351,400 square feet on approximately 81.1 gross acres of undeveloped, vacant land currently located in the City of Victorville (City), within San Bernardino County (County). This EIR only evaluates the construction and operation of the proposed Project based on what is allowed under the land use designations and zoning.

Implementation of the proposed Project must be generally consistent with the City's General Plan and goals and policies, Municipal Code, and all applicable regulations such as California Building Code standards. Therefore, such policies and standards are not identified as mitigation, and compliance with relevant goals, policies, and federal, state, or City requirements is instead described within the impact analysis.

Technical Studies

A number of technical studies were prepared for the proposed Project and are included in the technical appendices. Studies prepared include Air Quality and Greenhouse Gas Emission Estimates (Appendix B-1), Health Risk Assessment (Appendix B-2), Attorney General's Recommended Measures Applicability Table (Appendix B-3), Biological Resources Technical Report (Appendix C), Cultural Resources Technical Report (Appendix D), Energy Assessment Calculations (Appendix E), Geotechnical Reports (Appendices F-1 and F-2), Water Supply Assessment (Appendix G), Water Quality Management Plans (Appendix H), Preliminary Hydrology Report (Appendix I), Noise Technical Report (Appendix J), Transportation Impact Analysis and Supplemental VMT Analysis (Appendix K), and Sewer Study (Appendix L).

Environmental Setting

According to Section 15125(a) of the California Environmental Quality Act (CEQA) Guidelines, an EIR must include a description of the existing physical environmental conditions in the vicinity of the project as they exist at the time when the NOP is published. This "environmental setting" will normally constitute the "baseline condition" against which project-related impacts are compared. Therefore, the baseline conditions for this EIR, unless noted otherwise, are based on conditions that existed in November 2023, when the NOP was published and circulated. The CEQA Guidelines recognize that the data for establishing an environmental baseline cannot be rigid. Because physical environmental conditions may vary over a range of time, the use of environmental baselines that differ from the date of the NOP is reasonable and appropriate in certain circumstances when doing so results in a more accurate or conservative environmental analysis.

Analysis Format

The EIR assesses how the Project would impact each of the above-listed resource areas. Each environmental issue addressed in this EIR is presented in terms of the following subsections:

- **Existing Conditions:** Provides information describing the existing setting on and/or surrounding the Project site that may be subject to change as a result of implementation of the Project. This setting discussion describes the conditions that existed when the NOP was sent to responsible agencies and the State Clearinghouse.
- **Relevant Regulations, Plans, Policies, and Ordinances:** Provides a discussion of federal, state, regional, and local regulations, plans, policies, and ordinances applicable to the Project.
- **Thresholds of Significance:** Provides criteria for determining the significance of Project impacts for each environmental issue.
- **Impact Analysis:** Provides a discussion of the characteristics of the Project that may have an impact on the environment, analyzes the nature and extent to which the Project is expected to change the existing environment, and indicates whether the Project's impacts would meet or exceed the levels of significance thresholds.
- **Mitigation Measures and Level of Significance After Mitigation:** Identifies mitigation measures to reduce significant adverse impacts to the extent feasible and provides a discussion of significant adverse environmental impacts that cannot be feasibly mitigated or avoided, significant adverse environmental impacts that can be feasibly mitigated or avoided, adverse environmental impacts that are not significant, and beneficial impacts.
- **Cumulative Impacts:** Provides an analysis of cumulative impacts, based on impacts of the proposed Project combined with the impacts associated with past, present, and reasonably foreseeable projects.
- **References:** Lists the sources cited during preparation of the EIR.

Cumulative Setting

This Draft EIR assesses potential cumulative impacts of the Project in combination with other projects anticipated to occur by the year 2040.[1] The cumulative impacts analysis in this Draft EIR utilizes a combined "list" and "projections" method, pursuant to CEQA Guidelines Section 15130(b)(1). The list incorporates available information about existing and reasonably foreseeable development in the vicinity of the Project site, including implementation of the draft North Apple Valley Industrial Specific Plan. The projections are regional projections regarding anticipated changes in population and employment.

The geographic scope of the Draft EIR's analysis varies by topic, depending on the nature of potential impacts and where physical changes would occur. Impacts have been assessed at a level of specificity based on available information for each. Cumulative projects analyzed in the Draft EIR are identified in Section 3.2, Environmental Setting, of this EIR.

Significance Determinations

In accordance with CEQA, specifically California Public Resources Code Section 21068, a "significant effect on the environment" means a substantial or potentially substantial adverse change in the environment. The significance thresholds used for each environmental resource topic are presented in each section of this chapter immediately before the discussion of impacts. For each impact described, one of the following significance determinations is made:

- **No Impact.** This determination is made if there is no potential that the Project could affect the resource at issue.
- **Less-than-Significant Impact.** This determination applies if there is a potential for some limited impact on a resource, but the impact is not significant in accordance with the significance standard.
- **Less-than-Significant Impact with Mitigation.** This determination applies if there is the potential for a substantial adverse impact in accordance with the significance standard, but mitigation is available to reduce the impact to a less-than-significant level.
- **Significant and Unavoidable Impact.** This determination applies to impacts that are significant and for which there appear to be no feasible mitigation available to substantially reduce the impact.

[1] This EIR uses the 2040 traffic volume forecasts method by using the countywide transportation model of the San Bernardino County Transit Authority San Bernardino County Transportation Analysis Model and existing traffic volumes, which reflect past, present, and future developments expected by year 2040. (Additional detail provided in Section 4.15, Transportation.) Cumulative land use, population, and employment assumptions rely on the Southern California Association of Government's Connect SoCal projections for year 2040.

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4.1 Aesthetics

This section describes the existing conditions related to aesthetics of the Project site and vicinity, identifies associated regulatory requirements, evaluates potential project and cumulative impacts, and identifies mitigation measures for any significant or potentially significant impacts related to implementation of the Mojave Industrial Park Project (Project).

Information contained in this section is based on publicly available data and reports from the City of Victorville (City) including the City's General Plan and Municipal Code, as well as Project site reconnaissance, site plans, and mapping/visual resource analysis tools. Other sources consulted are listed in Section 4.1.7, References, of this section.

One comment letter was received from the Sierra Club, San Gorgonio Chapter – Mojave Group in response to the notice of preparation, which included concerns regarding landscaping, lighting, and glare. All of the concerns raised are addressed in this section. A copy of the notice of preparation and comments received is provided in Appendix A.

4.1.1 Existing Conditions

Regional Setting

The approximately 81.1-acre (gross acres) Project site is located in the western part of the City of Victorville (City), which is within the Victor Valley/High Desert Region of San Bernardino County (County) (see Figure 3-1, Regional Vicinity, in Chapter 3, Project Description). The City is located within the Mojave Desert, which is a region containing desert plains, dry lakebeds, and scattered mountains. The region contains open space with a variety of topographical features and vegetation communities, including the Mojave River to the west, San Bernardino Mountains and San Gabriel to the south, rolling foothills, and the surrounding desert landscape within the Victor Valley. Surrounding mountains and ridgelines are the most prominent features of the landscape. Other features that shape the visual environment and provide both physical and visual relief include the natural desert terrain that spreads across the flat valley floor, natural vegetation, natural drainage patterns and watercourses (i.e., Bell Mountain Wash and Desert Knolls Wash), and surrounding open space, habitat areas, and recreation areas.

Areas of high visual sensitivity within or adjacent to the City include the Mojave River, the rocky bluffs of the Mojave Narrows, and the Mojave Narrows Regional Park. The City lies primarily on the broad surface of a large alluvial fan (the Cajon Fan or Victorville Fan). The most notable topographic feature of the City is the Mojave River, a perennial desert river that runs along the fan's eastern margin. Joshua trees (*Yucca brevifolia*) are another notable feature of the City, distributed on gentle slopes and on valley floors of upper bajadas and sandy areas (City of Victorville 2022).

Project Setting

The Project site primarily consists of vacant and undeveloped land, with low to moderate densities of native brush and shrub growth, with occasional juniper and Joshua trees located throughout the site (see Figure 3-2, Project Site Aerial, and Figure 3-5a through 3-5c, Site Photos). Surrounding land uses and elements that form the visual environment in the Project area are described as follows:

- **North:** Cactus Road and vacant land
- **East:** Topaz Road, vacant land, and single-family homes

- **South:** Mojave Drive, vacant land, and single-family homes
- **West:** Onyx Road and vacant land

Scenic Vistas

Scenic vistas are typically broad views of scenic resources such as landforms and waterways that are visible from publicly accessible viewpoints. The City of Victorville Initial Study for the General Plan Update does not designate any scenic vistas within the City. However, areas of high visual sensitivity in the City include the Mojave River, the rocky bluffs of the Mojave Narrows, and the Mojave Narrows Regional Park. The Mojave Narrows is a unique topographic and visual point of interest that separates the City of Victorville from the Town of Apple Valley to the east (City of Victorville 2022). The Mojave River is located approximately 20 miles to the southeast of the Project site and the Mojave Narrows Regional Park is located approximately 10 miles southeast of the Project site.

Undisturbed areas of the natural desert environment and sprawling valley surround the Project site. The Project site and the surrounding area are composed of mostly natural desert landscape; however, existing development such as a single-family homes and Melva Davis Academy of Excellence are visible in the vicinity of the Project site.

The mountainous terrain of the Quartzite Mountain range, which rises to approximately 4,025 feet above sea level and which is located approximately 5 miles to the northeast, exists in the background view along the public roadways; the foothills and elevated terrain within the San Gabriel and San Bernardino Mountains are located between approximately 13 miles to the southwest and approximately 20 miles to the southeast, respectively.

Several washes and natural water courses traverse the City and are identified in the City's General Plan. These include the Bell Mountain Wash, Ossom Wash, West Fork Ossom Wash, and Oro Grande Wash. The nearest wash area to the Project site are the Ossom Wash and West Fork Ossom Wash, which both drain a large portion of the City according to the City's General Plan. The Ossom Wash and West Fork Ossom Wash are both located west of I-15 and flow into the Mojave River. Given that these watercourses are below the grade of the general topography and consists of intervening vegetation, views of these water courses are not available from the Project site.

Scenic Routes

There are no existing or proposed officially designated scenic roads or highways within the City. According to the California Department of Transportation (Caltrans), there is one officially designated state scenic highway in the County and 11 eligible scenic highways (Caltrans 2019). Route 38, the County's only designated scenic highway, is located approximately 40 miles southeast of the Project site in the San Bernardino National Forest. There are no eligible scenic highways located within City limits. Routes 138 and Route 247 are the closest eligible scenic highways to the Project site, located approximately 14 miles south and 25 miles south of the Project site, respectively (Caltrans 2018). The County's officially designated or eligible scenic highways are not visible from the Project site, nor is the Project site visible from the highways.

Light and Glare

The Project site does not currently support any existing sources of light or glare. Existing sources of light and glare in the Project site include vehicular headlights, streetlights, and exterior building lights in existing residences and school campuses.

Viewshed and Visibility

Due to the relatively flat nature of the Project site and surrounding area, the site is visible from surrounding roads and land uses, including vacant land and existing residential uses. Views of the Project site from surrounding public vantage points consist of undeveloped land within a flat valley characterized as a desert landscape with disturbed soils where dirt roads and trails cross the Project site, scattered Joshua and Juniper trees, and moderate vegetation cover consisting of native brush and shrub growth.

Viewer groups afforded views to the Project site include motorists traveling on nearby highways and roads and those frequenting the nearby residential and educational areas. Viewer groups in the Project area are further described below.

Viewer Groups

The Project site can be seen from the immediately surrounding areas due to the relatively flat topography of the area. Viewers of the Project site include motorists traveling on the adjacent roadways, users of the nearby educational facilities, and residents that live near the Project site.

4.1.2 Relevant Regulations, Plans, Policies, and Ordinances

Federal

There are no federal regulations, plans, policies, or ordinances regarding aesthetics that would be applicable to the proposed Project.

State

California Scenic Highway Program

California's Scenic Highway Program was created by the state legislature in 1963. This program's purpose is to "preserve and protect scenic highway corridors from change that would diminish the aesthetic value of lands adjacent to highways" (Caltrans 2008). The state laws governing the Scenic Highway Program are found in the California Streets and Highways Code, Section 260 et seq. The California Scenic Highway System includes a list of highways that are officially designated as scenic highways or eligible for designation as scenic highways. As discussed in Section 4.1.1, Existing Conditions, there are no state-designated or eligible state scenic highways within the viewshed of the Project site.

California Code of Regulations

Title 24 – California Building Standards Code

Title 24, California Building Standards Code, consists of regulations to control building standards throughout the state. The following components of Title 24 include standards related to lighting.

Title 24, Part 1 – California Building Code / Title 24, Part 3 – California Electrical Code

The California Building Code (Title 24, Part 1) and the California Electrical Code (Title 24, Part 3) stipulate minimum light intensities for pedestrian pathways, circulation ways, parking lots, and paths of egress.

Title 24, Part 6 – California Energy Code

The California Energy Code (CEC) (Title 24, Part 6) stipulates allowances for lighting power and provides lighting control requirements for various lighting systems, with the aim of reducing energy consumption through efficient and effective use of lighting equipment. Section 130.2 sets forth requirements for Outdoor Lighting Controls and Luminaire Cutoff requirements. All outdoor luminaires rated above 150 watts shall comply with the backlight, up light, and glare (BUG) ratings in accordance with IES TM-15-11, Addendum A, and shall be provided with a minimum of 40% dimming capability activated to full on by motion sensor or other automatic control. This requirement does not apply to streetlights for the public right of way, signs, or building facade lighting.

Section 140.7 establishes outdoor lighting power density allowances in terms of watts per area for lighting sources other than signage. The lighting allowances are provided by the Lighting Zone, as defined in Section 10-114 of the CEC. Under Section 10-114, all urban areas within California are designated as Lighting Zone 3. Additional allowances are provided for Building Entrances or Exits, Outdoor Sales Frontage, Hardscape Ornamental Lighting, Building Facade Lighting, Canopies, Outdoor Dining, and Special Security Lighting for Retail Parking and Pedestrian Hardscape.

Section 130.3 stipulates sign lighting controls with any outdoor sign that is on during both day and nighttime hours must include a minimum 65% dimming at night. Section 140.8 of the CEC sets forth lighting power density restrictions for signs.

Title 24, Part 11 – California Green Building Standards Code

The California Green Building Standards Code (CALGreen) (Title 24, Part 24) stipulates maximum allowable light levels, efficiency requirements for lighting, miscellaneous control requirements, and light trespass requirements for electric lighting and daylighting. Paragraph 5.1106.8 Light Pollution Reduction, specifies that all non-residential outdoor lighting must comply with the following:

- The minimum requirements in the CEC for Lighting Zones 1-4 as defined in Chapter 10 of the California Administrative Code; and
- BUG ratings as defined in the Illuminating Engineering Society of North America's Technical Memorandum on Luminaire Classification Systems for Outdoor Luminaires (IESNA TM-15-07); and
- Allowable BUG ratings not exceeding those shown in Table A5.106.8 in Section 5.106.8 of the CALGreen Code; or
- Comply with a local ordinance lawfully enacted pursuant to Section 101.7, whichever is more stringent.

IESNA Recommended Practices

Illuminating Engineering Society of North American (IESNA) recommends illumination standards for a wide range of building and development types. These recommendations are widely recognized and accepted as best practices and are a consistent predictor of the type and direction of illumination for any given building type. For all areas not stipulated by the regulatory building code, municipal code or specifically defined requirements, the IESNA standards are used as the basis for establishing the amount and direction of light for the Project. The IESNA provides recommendations for pre-curfew and post-curfew light levels to limit light trespass. Pre-curfew is from dusk until 11:00 p.m. local time, when the area being illuminated is more likely to be in use. Post-curfew is from 11:00 p.m. to 7:00 a.m. local time (NLPIP 2007).

California Vehicle Code

Chapter 2, Article 3 of the California Vehicle Code stipulates limits to the location of light sources that may cause glare and impair the vision of drivers:

> Article 3. Offenses Relating to Traffic Devices [21450–21468] (Article 3 enacted by Stats. 1959, Ch. 3.), Section 21466.5. No person shall place or maintain or display, upon or in view of any highway, any light of any color of such brilliance as to impair the vision of drivers upon the highway.

Local

City of Victorville General Plan

The City's General Plan contains the following goals and policies applicable to aesthetics, visual resources, and the visual quality and character of the Project and the surrounding area (City of Victorville 2008).

Land Use Element

Goal 1 Balanced Land Uses – provide for a balanced community with residential, commercial, and industrial development.

Objective 1.1 Plan new develop that complements surrounding land uses and minimizes environmental impacts.

Policy 1.1.1 Encourage development that does not conflict with or adversely affect other existing or potential developments.

Implementation Measures 1.1.1.1 Continue to required the review of new industrial development by the zoning administrator and/or the Planning Commission and when necessary, apply appropriate conditions to the project so that it does not adversely affect other existing or potential developments.

Implementation Measures 1.1.1.4 Continue to develop design guidelines for all categories of development to ensure compatibility and quality projects within the City.

Goal 4 Beautify Victorville – provide for an aesthetically pleasing community.

Objective 4.1 Enhance the appearance of the Victorville community to increase its desirability as an attractive place to live, work and play.

Policy 4.1.1 Promote high quality development.

Implementation Measures 1.1.1.4 Continually monitor and upgrade the design guidelines for all types of development.

City of Victorville Municipal Code

The City Municipal Code Title 16, Chapter 3, Article 11 – Industrial Districts, establishes the development code for industrial zones including the M-1, Light Industrial district. As described therein, the purposes of the M-1 district is:

> The M-1 (Light Industrial) district is intended to provide appropriately located areas for the establishment of industrial uses and directly related activities which will foster a mutually beneficial and compatible pattern of industrial land uses. The regulations of use and standards of development set forth for the M-1 district are those deemed necessary to provide the environment for the efficient and desirable use of light industrial land, and to provide the proper safeguards to protect nearby nonindustrial district uses, and to exclude any use which by reason of its nature or manner of operation would be objectionable or detrimental to adjacent properties by reason of noise, smoke, dust, noxious gases, vibrations, glare, heat, fire hazard or the discharge of industrial wastes emanating from the use. This zone district will allow for uses from the industrial park district so long as the commission finds that those uses will not adversely affect the ability to develop other uses identified in the M-1 zone district.

Section 16-3.11.020 of the Municipal Code establishes development standards for the M-1 zone. Wall requirements are established in Section 16-3.11.030 of the Municipal Code. Sections 16-3.11.040 and 16-3.11.060 provide Other Development Requirements (related to asphalt roof shingles, rooftop mechanical equipment, and signage) and Design Guidelines, which include requirements related to site planning and design, building design, utility and mechanical equipment, lighting, and signage.

Table 4.1-1 summarizes the lot coverage, lot size, lot dimension, setbacks, parking and landscaping requirements.

Table 4.1-1. City of Victorville Development Standards for M-1 Zone

City of Victorville Development Standards for M-1 Zone
Maximum Lot Coverage: 60% **Minimum Lot Size:** 10,000 sq ft (0.23 acres) **Off-street Parking:** Off-street Parking standards shall be provided pursuant to Article 21 in Section 16-3 of the Municipal Code **Minimum Landscaping:** (1) All landscaping shall be in accord with Section 13.60 of the municipal code and installed with a permanent irrigation system. (2) All landscaped areas shall be maintained in a neat, clean, orderly and healthful condition. (3) All areas landscaped with decorative rock, pea gravel or decomposed granite (DG) shall include an unexposed permanent weed barrier. (4) All front yard areas installed with drought tolerant landscaping or those converted from water intensive landscaping to drought tolerant landscaping, must permanently remain drought tolerant in accord with Section 13.60 of the municipal code.
Minimum Width: 75 feet **Minimum Depth:** N/A
Minimum Front Yard Setback: 10 feet **Minimum street side and rear setback:** 10 feet **Minimum interior side setback:** N/A **Minimum interior rear setback:** N/A **Minimum setback from Residential District:** 30 feet **Maximum Building Height:** 50 feet

Table 4.1-1. City of Victorville Development Standards for M-1 Zone

City of Victorville Development Standards for M-1 Zone
Maximum Fence/Wall Height: 4 feet for front and side yard; 8 feet for rear and side yards

Source: City of Victorville Municipal Code.
Note: M-1 = Light Industrial

The City provides landscaping guidelines and regulations through Chapter 16-3, Zoning and Land Use Requirements (Article 11, Industrial Districts and Article 24 General Development Requirements and Exceptions), of the Municipal Code. The purpose of these sections is to provide landscape development standards and guidelines that will promote the general welfare of the City's residents by creating a responsible outdoor environment. The landscape regulations aim to achieve a diversity of drought-tolerant landscaping that is appropriate to the high-desert environment and creates aesthetically pleasing views and vistas along public streets.

The City of Victorville has established sign regulation in Chapter 16-3.22, Signs, of the Municipal Code. Section 16-3.22.140, Signs Permitted in Industrial Districts, describes the signs permitted in all industrial districts within the City. As such, the Project would be required to adhere to this regulation.

4.1.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to aesthetics are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to aesthetics would occur if the Project would:

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, 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.
E. Result in cumulatively considerable impacts with regard to aesthetics.

Methodology

Aesthetic/Visual Character Analysis

The aesthetic/visual character analysis considers whether implementation of the proposed Project would represent a potentially significant impact on the visual setting of the City. The assessment of aesthetic impacts is more of a qualitative evaluation and not a discrete set of quantifiable parameters. Site photos and City's General Plan documents have been used to complete the analysis.

Light and Glare Analysis

The light and glare analysis identifies the existing light and glare sources in the Project site and describes the light and glare sources under the proposed Project and qualitatively evaluates whether the proposed Project would result in a substantial increase in the Project's temporary and permanent light and glare sources.

4.1.4 Impacts Analysis

Threshold A: Would the Project have a substantial adverse effect on a scenic vista?

Less-than-Significant Impact. The City's General Plan does not designate scenic vistas within the City. As described in Section 4.1.1, areas of high visual sensitivity in the City include the Mojave River, the rocky bluffs of the Mojave Narrows, and the Mojave Narrows Regional Park. The Mojave River is located approximately 5 miles to the east of the Project site and the Mojave Narrows Regional Park is located approximately 5.5 miles southeast of the Project site. The Project site and surrounding area contains a variety of natural desert vegetation, including scattered native bush scrub. The surrounding area also consists of existing residential. Given that existing scenic resources are outside of the Project's disturbance footprint and are located between approximately 28 and 50 miles away from the Project site, the Project would not result in any physical modifications to scenic resources that comprise a scenic vista. Accordingly, the Project is not visible from the areas of high visual sensitivity; therefore, the Project would not interfere with scenic resources by physically blocking or screening the scenic vista from view, or by impeding or blocking access to a formerly available viewing position. Further, development would comply with the design recommendations set forth by the City through the development review process, and would adhere to the City's design principles and zoning requirements.

A project could also have a potential indirect impact on a scenic vista if it results in a significant loss of viewing opportunities from publicly available viewpoints. Due to the relatively flat topography of the Project area, views of the Turtle Mountains, Black Mountains, Fairview Mountains, Sidewinder Mountains, and San Gabriel and San Bernardino Mountains are available to viewer groups in the vicinity of the Project site, including motorists traveling on nearby roads and highways, as well as employees and visitors of the nearby commercial and light industrial areas. These viewers are provided intermittent background views of mountain ridgelines under optimal atmospheric conditions and when not obstructed by existing development in the area.

Development of the Project's proposed buildings would result in obstruction of these views where they are currently available from publicly accessible areas when viewed across the Project site. However, the presence of existing development, major roadways, and other man-made elements lowers viewer expectations of unobstructed views and precludes the significance of views of the mountains from the Project vicinity. While views of these features would be restored as viewers move throughout the Project area, higher quality, less-obstructed views are available in the greater Project area as viewers move throughout and outside of the City. Therefore, impacts associated with scenic vistas would be less than significant.

Threshold 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. There are no officially designated scenic roads or highways within City boundaries. The nearest official scenic highway, Route 38, is located approximately 50 miles southeast of the Project. In addition, the nearest eligible scenic highways, Route 138 and Route 247 are located approximately 14 miles south and 25 miles east of the Project site, respectively (Caltrans 2018). Due to distance and intervening terrain, vegetation,

and development, the official and eligible scenic highways are not visible from the Project site, nor is the Project site visible from these highways. Therefore, no impacts associated with scenic resources within a state scenic highway would occur.

Threshold 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?

Less-than-Significant Impact. California Public Resources Code Section 21071 defines an "urbanized area" as "an incorporated city that meets either of the following criteria: (1) Has a population of at least 100,000 persons, or (2) Has a population of less than 100,000 persons if the population of that city and not more than two contiguous incorporated cities combined equals at least 100,000 persons." The City's population in July 2023 was approximately 137,221 people (U.S. Census Bureau 2022). Thus, the Project site is considered to be within an urbanized area and the following analysis considers whether the Project would conflict with applicable zoning or other regulations governing scenic quality.

To ensure current and future development within the City is designed and constructed to conform to existing the visual character and quality, the City of Victorville Development Code (Title 16 of the City's Municipal Code) includes design standards related to building size, height, floor area ratio, and setbacks, as well as landscaping, signage, and other visual considerations. These design standards help adjacent land uses to be visually consistent with one another and their surroundings and reduces the potential for conflicting visual elements. More specific to the Project site, Section 16-3.11.020 (Industrial Districts - Development Standards) of the City's Municipal Code sets forth development standards for industrial development. The design specifications for the Project would be reviewed by the City for compliance with all applicable provisions set forth by the City's Development Code. As part of the City's development review process, the Project's architectural plans are reviewed by City staff and the Planning Commission to determine whether Project design conforms to the Development Code and promotes the visual character and quality of the surrounding area. Table 4.1-2 provides a consistency analysis with the development standards for the M-1 Zone (Title 16 Development Code).

Table 4.1-2. Project Consistency with Development Standards for M-1 Zone

City of Victorville Development Standards for M-1 Zone	Project Design
Maximum Lot Coverage: 60% **Minimum Lot Size:** 10,000 sq ft (0.23 acres) **Off-street Parking:** 1 space per 1,000 square feet of the first 40,000 sq. ft. and 1 space per 4,000 sq. ft. for the portion over 40,000 sq. ft. 1 space for each 300 sq. ft. of administrative area **Minimum Landscaping:** (1) All landscaping shall be in accord with Section 13.60 of the municipal code and installed with a permanent irrigation system. (2) All landscaped areas shall be maintained in a neat, clean, orderly and healthful condition. (3) All areas landscaped with decorative rock, pea gravel or decomposed granite (DG) shall include an unexposed permanent weed barrier.	***Consistent:*** the three buildings are consistent with these standards, as detailed below. Lot Coverage: Lot size: 81.1-acre **Building 1:** Off-street parking: 160 spaces (minimum 92 required) Landscaping: 52,500 square feet **Building 2:** Off-street parking: 180 spaces (minimum 90 required) Landscaping: 52,300 square feet

Table 4.1-2. Project Consistency with Development Standards for M-1 Zone

City of Victorville Development Standards for M-1 Zone	Project Design
(4) All front yard areas installed with drought tolerant landscaping or those converted from water intensive landscaping to drought tolerant landscaping, must permanently remain drought tolerant in accord with Section 13.60 of the municipal code.	**Building 3:** Off-street parking: 511 spaces (minimum 397 required) Landscaping: 375,000 square feet
Minimum Width: 75 feet **Minimum Depth:** N/A	***Consistent.*** The building width for the buildings 1 and 2 would be 180 feet and Building 3 would be 680 feet.
Minimum Front Yard Setback: 10 feet **Minimum street side and rear setback:** 10 feet **Minimum interior side setback:** N/A **Minimum interior rear setback:** N/A **Minimum setback from Residential District:** 30 feet **Maximum Building Height:** 50 feet	***Consistent***. **Building 1:** ▪ Front yard setback: 22 feet ▪ Side street and rear setback: 19.4 feet ▪ Setback from residential district: N/A ▪ Building height: 46 feet **Building 2:** ▪ Front yard setback: 22.3 feet ▪ Side street and rear setback: 22.4 feet ▪ Setback from residential district: N/A ▪ Building height: 43 feet **Building 3:** ▪ Front yard setback: 58.3 feet ▪ Side street and rear setback: 35.5 feet ▪ Setback from residential district: N/A ▪ Building height: 52 feet (would be consistent with approval of a deviation request)
Maximum Fence/Wall Height: 4 feet for front and side yard; 8 feet for rear and side yards	***Consistent.*** The Project included 10-foot-tall fences around the sides of the buildings (would be consistent with approval of a deviation request).

As provided in Table 4.1-2, the Project would be consistent with the development standards of the M-1 zone with approval of a deviation request.

Due to the size and scale of industrial buildings, it is important to consider design to ensure compatibility with other parts of the community. Title 16 Development Code provides in-depth information regarding design standards and guidelines for industrial development. In accordance with the Development Code design guidelines, all setback areas would be landscaped, and building orientation, siting and entrances would be designed to minimize conflicts with the surrounding visual environment. In addition, landscaping and vegetation is incorporated into the site plan to provide visual screening and building facades would feature a complementary neutral color palette and a variety of building materials.

Buildings would include materials such as concrete, metal, aluminum, entry framing, and glass. Building elevations would include vertical and horizontal elements that would break up the overall massing of the buildings and provide visual interest (see Figures 3-14a through 3-14c, Conceptual Elevations).

The visual setting surrounding the Project site currently consists of a natural desert landscape and existing residential. Development in the area includes vacant land, existing residential uses and Melva Davis Academy of Excellence. Undeveloped areas consist of flat desert terrain with sparse vegetation. As a result, the Project site and surrounding area can be characterized as low density industrial and commercial development within a desert landscape setting. The Project would result in the development of vacant, undeveloped land with industrial buildings that would feature of contemporary architecture landscaping, and streetscape improvements that would achieve development goals set forth in the General Plan. The Project would also eliminate the illegal uses such as trespassing and illegal dumping.

In summary, the Project would not conflict with applicable zoning or other regulations governing scenic quality and the Project would be consistent with the visual character of the surrounding area. Therefore, compliance with the City's Development Code, the City's General Plan guidelines, and implementation of site-specific landscaping would ensure that the Project would not conflict with applicable zoning or other regulations governing scenic quality with the approval of the proposed deviation request. Therefore, impacts related to the site's existing visual character and quality would be less than significant.

Threshold D: Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less-than-Significant Impact. The Project site is currently undeveloped and does not support any existing sources of light or glare. The majority of construction activities associated with the Project would occur during daytime hours consistent with standard industry practices. In the event that work is required outside the standard construction hours (to reduce traffic or other impacts), lighting would be focused directly on work activity areas and would be temporary. As such, nighttime construction lighting impacts would be less than significant.

Development of the Project would introduce new sources of light and glare to the Project site. Upon Project implementation, new sources of nighttime lighting would include parking lot and loading area lighting, as well as building mounted lights. The Project would include a variety of exterior building light fixtures and parking lot lighting fixtures, including building mounted and pole mounted light fixtures. As depicted in Figures 3-14a through 3-14c, building materials would primarily include concrete, metal, aluminum, and glass windows. These features could result in light trespass, light pollution, and glare. Therefore, the Project could potentially result in significant adverse light and glare impacts on nighttime views due to the addition of building and parking lot lighting.

The Project would be required to minimize light and glare impacts to sensitive land uses through the incorporation of setbacks, site planning, and other design techniques. The Project would comply with Section 16-3.11.060, Design Guidelines, of the City's Municipal Code, which contains general lighting standards related to light design, glare, and signage associated with development in the City. The lightening standards would be designed to complement the overall architectural main structure or theme of the building, appropriately sized in accordance with the building's scale, and all building entrances should be well lighted, and lighting should be used to provide illumination for the security and safety of on-site areas such as parking, loading, shipping, receiving, pathways and working areas. The Project would be required to comply with the City's Municipal Code development standards to minimize light and glare impacts.

While the Project would not be located adjacent to any residential districts or lots, the Project's lighting would be designed such that lighting is directed on site and away from neighboring parcels. Lighting associated with streetlights would be designed consistent with City standards for safety and proper roadway illumination, consistent with other streetlights throughout the City. In addition, as part of the final engineering and site plan

check phase, a photometric plan will be prepared by City planning staff prior to the finalization of site plans. During this process, City staff would ensure that Project lighting would not result in glare on adjacent properties.

In addition, all light fixtures would be consistent with the CALGreen Code for illumination. CALGreen sets forth minimum requirements based on Lighting Zones, as defined in Chapter 10 of the California Administrative Code. The requirements are designed to minimize light pollution to maintain dark skies and ensure new development reduces backlight, uplight, and glare (BUG) from exterior light sources. The Project would be required to comply with the CALGreen BUG rating for Lighting Zone 3, which is determined as an urban area. Further, all lights would be shielded and directed downward, and the proposed lighting plan does not include blinking, flashing, or oscillating light sources.

The industrial warehouse buildings would incorporate a variety of building materials, including but not limited to concrete, metal, aluminum, and glass windows. Metal canopy overhands for shading would be include above building entrances, and aluminum entrance fronts would include glass and metal attachments. Blue reflective glazing and high gloss paint is proposed for the entrance fronts and canopies. Glass windows would consist of tempered vision insulated glass with a solarban 60 rating, which has a low exterior reflectance percentage to maximize daylighting opportunities to interior building spaces. Although metallic materials and glass have been incorporated into Project design, Project setbacks and proposed landscaping would provide screening to such Project elements from view, and all paint finishes would be flat (with the exception of the high gloss proposed for entrance fronts and canopies). As such, building materials would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. Therefore, impacts associated with light and glare would be less than significant.

Threshold E: Would the Project result in cumulatively considerable impacts with regard to aesthetics?

Less-than-Significant Impact. The Project is located within the City of Victorville; therefore, it would be designed and constructed according to the design guidelines and standards outlined in the City's Development Code and General Plan for industrial development. These guidelines and standards aim to respect the community vision while responding to changes in the market and the City over time. All related projects located within the Light Industrial Zoning would be subject to these design guidelines and standards, which include recommendations to provide for the character of new buildings while maximizing harmony of natural features and neighboring land uses. All related projects located within the City would be subject to these design guidelines and standards, which include recommendations for the architectural character of new buildings to maximize views of the landscape while taking inspiration from surrounding natural elements.

The development and design standards provide the framework for the desired aesthetic and visual environment. Other development projects in the area will incorporate development standards, design guidelines, and other strategies outlined in the Development Code. In addition, the Project's proposed building colors shall be reviewed to incorporate the colors and tones that match or complement the natural desert environment such that color contrasts with the surrounding cumulative environment would be minimized. Thus, cumulative impacts related to the visual quality and character of the Project area would not be cumulatively considerable, assuming that related Projects would implement the same mandatory design standards set forth in the City's Development Code and General Plan to which the Project must adhere.

Projects located in the vicinity of the Project site include the Mojave 68 Project (PLAN23-00003), located adjacent to the Project site to the west, and other cumulative projects listed in Table 3-1, Cumulative Projects. Related development in the City and surrounding areas would introduce new sources of light in a setting that includes

large areas of undeveloped land. However, Project lighting would comply with existing requirements (i.e., lighting would be directed downward, shielded, and focused on the Project site) to ensure lighting has a minimal effect on the overall night sky and reduce the potential for glare. Other projects located throughout the City would similarly be required to comply with these regulations. Therefore, compliance with these regulations would ensure that lighting and glare impacts would be less than significant.

4.1.5 Mitigation Measures and Level of Significance After Mitigation

No mitigation measures would be required. The Project would have **less-than-significant** impacts associated with aesthetics.

4.1.6 Cumulative Impacts

Projects contributing to a cumulative aesthetic impact include those within the Project viewshed. The viewshed encompasses the geographic area within which the viewer is most likely to observe the proposed Project and surrounding uses. Typically, this is delineated based on topography, as elevated vantage points, such as from scenic vistas, offer unobstructed views of expansive visible landscapes.

Cumulative aesthetic impacts would occur if projects combined to result in substantial adverse impacts to the visual quality of the environment and/or increase sources of substantial lighting and glare. The Project site is located within the City of Victorville; therefore, it would be designed and constructed according to the design guidelines and standards outlined in the City's Development Standards, General Plan, Zoning Ordinance, and other development regulations. All projects located within the City would be subject to these design guidelines and standards, which include recommendations for the architectural character of new buildings to maximize views of the landscape while taking inspiration from surrounding natural elements.

Related development in the City and surrounding areas would introduce new sources of light in a setting that includes large areas of undeveloped land. However, Project lighting would comply with existing requirements (i.e., lighting would be consistent with the City standards for safety and proper roadway illumination and consistent with other streetlights throughout the City to ensure lighting has a minimal effect on the overall night sky and reduces the potential for glare). Other projects located throughout the City would similarly be required to comply with these regulations. Therefore, compliance with these regulations would ensure that lighting and glare impacts would be less than cumulatively considerable.

4.1.7 References

Caltrans (California Department of Transportation). 2008. Scenic Highway Guidelines. https://dot.ca.gov/-/media/dot-media/programs/design/documents/scenic-hwy-guidelines-04-12-2012.pdf

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NLPIP (National Lighting Product Information Program). 2007. Lighting Answers. https://www.lrc.rpi.edu/programs/nlpip/lightinganswers/lightpollution/environmentalZones.asp

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4.2 Air Quality

This section describes the existing air quality conditions of the Mojave Industrial Park Project (Project) site and vicinity, identifies associated regulatory requirements, evaluates potential air quality impacts, and identifies mitigation measures related to implementation of the Project.

In addition to the documents incorporated by reference (see Section 2.7 of Chapter 2, Introduction, of this environmental impact report [EIR]), the following analysis is based, in part, on the following sources:

- Air Quality and GHG Emission Estimates, prepared by Dudek in December 2023 (Appendix B-1).
- Health Risk Assessment, prepared by Dudek in December 2023 (Appendix B-2).
- California Attorney General's Recommended Measures Applicability Table, prepared by Dudek in February 2024 (Appendix B-3).
- Mojave Industrial Park Transportation Impact Study, prepared by Dudek in February 2024 (Appendix K).
- Mojave Industrial Park Supplemental VMT Study, prepared by Urban Crossroads in December 2023 (Appendix K).

Comments received by CARE CA in response to the Notice of Preparation included recommendations for clearly articulating the assumptions regarding the type and mix of warehouse that would likely occupy the site because of differing characteristics pertaining to truck and vehicle trips and health risks. Comments also recommended incorporation of design strategies to minimize emissions. In addition, comments received from the Sierra Club, San Gorgonio Chapter – Mojave Group in response to the Notice of Preparation stated that Project related emissions should be minimized to the highest degree possible. Comments received by the Office of the Attorney General – Department of Justice in response to the Notice of Preparation include a request for the consideration and incorporation of the Attorney General Office's Bureau of Environmental Justice's best practices and mitigation measures for warehouse projects document. All the concerns raised are addressed in this section. A copy of the Notice of Preparation and comments received is provided in Appendix A.

4.2.1 Existing Conditions

Meteorological and Topographical Conditions

The Project site is located within the Mojave Desert Air Basin (MDAB).[1] The MDAB includes the desert portions of Los Angeles, Kern, San Bernardino, and Riverside Counties. Most of this area is commonly referred to as the high desert because elevations range from approximately 2,000 to 5,000 feet above mean sea level. The MDAB is generally above the regional inversion layer and experiences relatively good dispersion conditions.

The MDAB is separated from Southern California coastal regions and Central California valley regions by mountains extending up to 10,000 feet above mean sea level. As a result, the Mojave Desert is removed from the cooling effects of the Pacific Ocean and is characterized by extreme temperatures. The MDAB consists of an assemblage of mountain ranges interspersed with valleys that often contain dry lakes. Lower-elevation mountains scattered throughout the basin

[1] The description of the MDAB climate and topography is based on the Mojave Desert Air Quality Management District (MDAQMD) 2020 CEQA and Federal Conformity Guidelines (MDAQMD 2020a). The description of the Western Mojave Desert ozone (O_3) nonattainment area is based the MDAQMD Federal 8-Hour Ozone Attainment Plan for the Western Mojave Desert Non-Attainment Area (MDAQMD 2008).

are generally 1,000 feet to 4,000 feet high. Mountain passes form channels for air masses flowing from the west and southwest, and the prevailing winds from the west and southwest are caused by the proximity of the MDAB to coastal and central regions and to the blocking effect of the Sierra Nevada to the north.

This MDAB region is characterized by hot, dry summers and cool winters, with little precipitation. During the summer, the MDAB is generally influenced by a Pacific subtropical high-pressure cell that resides off the coast of California. This high-pressure cell prevents cloud formation and engenders daytime solar heating. The MDAB is rarely influenced by the cold air masses that move south from Canada and Alaska, as these frontal systems diffuse by the time they reach the MDAB. Most moisture arrives in frequent warm, moist, unstable air masses from the south. The MDAB averages between 3 and 7 inches of precipitation per year (from 16 to 30 days with at least 0.01 inches of precipitation). The Victorville California Irrigation Management Information System station recorded an average annual precipitation of 7.96 inches of precipitation between September 2022 and August 2023 (CIMIS 2023). The MDAB is classified as a dry–hot desert climate, with portions classified as dry–very hot desert, to indicate at least 3 months have maximum average temperatures over 100.4°F (MDAQMD 2008).

The Project is also located within the Mojave Desert Air Quality Management District (MDAQMD) portion of the Western Mojave Desert ozone (O_3) nonattainment area (MDAQMD 2008), which includes the following San Bernardino County communities: Phelan, Hesperia, Adelanto, Victorville, Apple Valley, Barstow, Joshua Tree, Yucca Valley, and Twentynine Palms (the southwestern portion of the MDAQMD).

Pollutants and Effects

Criteria Air Pollutants

Criteria air pollutants are defined as pollutants for which the federal and state governments have established minimum ambient air quality standards (AAQS), or criteria, for outdoor pollutant concentrations in order to protect public health. The federal and state standards have been set, with an adequate margin of safety, at levels above which concentrations could be harmful to human health and welfare. These standards are designed to protect the most sensitive persons from illness or discomfort. Pollutants of concern include ozone (O_3), nitrogen dioxide (NO_2), carbon monoxide (CO), sulfur dioxide (SO_2), particulate matter with an aerodynamic diameter less than or equal to 10 microns (PM_{10}), particulate matter with an aerodynamic diameter equal to or less than 2.5 microns ($PM_{2.5}$), and lead (Pb). These pollutants, as well as toxic air contaminants (TACs), are discussed below.[2] In California, sulfates, vinyl chloride, hydrogen sulfide, and visibility-reducing particles are also regulated as criteria air pollutants.

Ozone. O_3 is a strong-smelling, pale blue, reactive, toxic chemical gas consisting of three oxygen atoms. It is a secondary pollutant formed in the atmosphere by a photochemical process involving the sun's energy and O_3 precursors. These precursors are mainly oxides of nitrogen (NO_x) and volatile organic compounds (VOCs) (also referred to as reactive organic gases). The maximum effects of precursor emissions on O_3 concentrations usually occur several hours after they are emitted and many miles from the source. Meteorology and terrain play major roles in O_3 formation, and ideal conditions occur during summer and early autumn on days with low wind speeds or stagnant air, warm temperatures, and cloudless skies. O_3 exists in the upper atmosphere O_3 layer (stratospheric O_3) and at Earth's surface in the lower atmosphere (tropospheric O_3).[3] The O_3 that the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) regulate as a criteria air pollutant is produced close to ground level, where people live, exercise, and breathe.

[2] The descriptions of the criteria air pollutants and associated health effects are based on the U.S. Environmental Protection Agency's "Criteria Air Pollutants" website (EPA 2021), as well as the California Air Resources Board's "Glossary" (CARB 2021a).

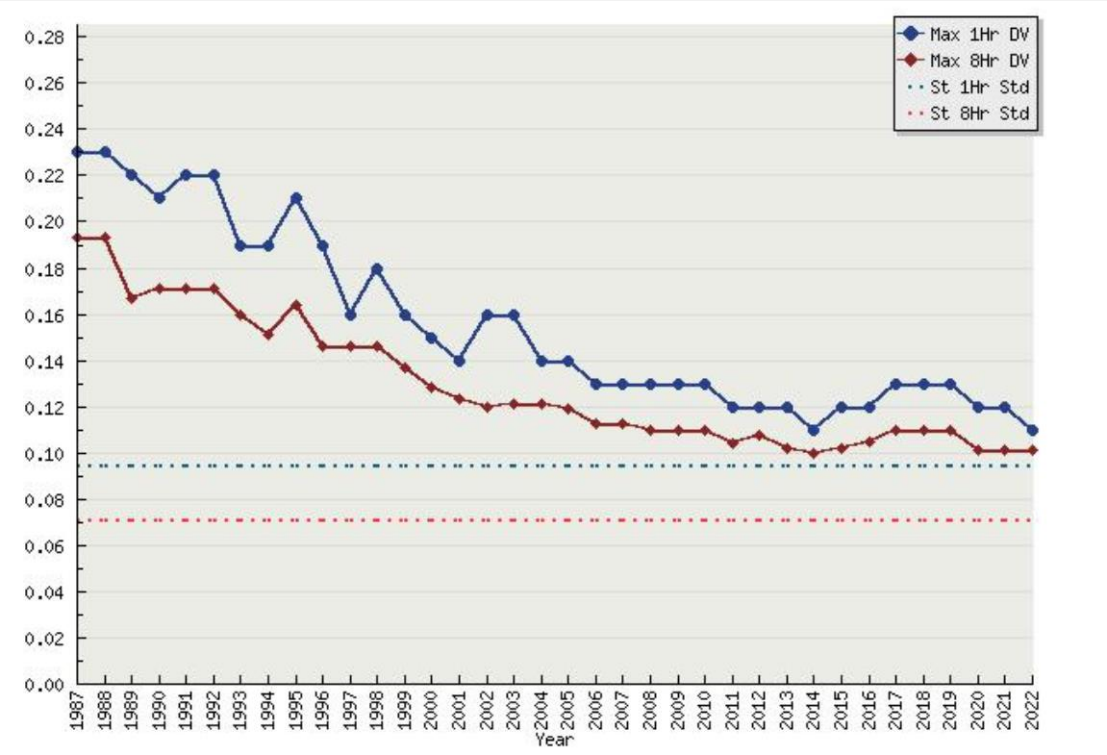
[3] The troposphere is the layer of Earth's atmosphere nearest to the surface of Earth, extending outward approximately 5 miles at the poles and approximately 10 miles at the equator.

Ground-level O_3 is a harmful air pollutant that causes numerous adverse health effects and is thus considered "bad" O_3. Stratospheric, or "good," O_3 occurs naturally in the upper atmosphere, where it reduces the amount of ultraviolet light (i.e., solar radiation) entering the Earth's atmosphere. Without the protection of the beneficial stratospheric O_3 layer, plant and animal life would be seriously harmed.

Adverse Health Effects: O_3 in the troposphere causes numerous adverse health effects; short-term exposures (lasting for a few hours) to O_3 can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes (EPA 2020). Inhalation of O_3 causes inflammation and irritation of the tissues lining human airways, causing and worsening a variety of symptoms. Exposure to O_3 can reduce the volume of air that the lungs breathe in and can cause shortness of breath. O_3 in sufficient doses increases the permeability of lung cells, rendering them more susceptible to toxins and microorganisms. The occurrence and severity of health effects from O_3 exposure vary widely among individuals, even when the dose and the duration of exposure are the same. Research shows adults and children who spend more time outdoors participating in vigorous physical activities are at greater risk from the harmful health effects of O_3 exposure. While there are relatively few studies of O_3's effects on children, the available studies show that children are no more or less likely to suffer harmful effects than adults. However, there are a number of reasons why children may be more susceptible to O_3 and other pollutants. Children and teens spend nearly twice as much time outdoors and engaged in vigorous activities as adults. Children breathe more rapidly than adults and inhale more pollution per pound of their body weight than adults. Also, children are less likely than adults to notice their own symptoms and avoid harmful exposures. Further research may be able to better distinguish between health effects in children and adults. Children, adolescents, and adults who exercise or work outdoors, where O_3 concentrations are the highest, are at the greatest risk of harm from this pollutant (CARB 2021b).

Air quality in the MDAB has generally improved since the inception of air pollutant monitoring. This improvement is mainly a result of lower-polluting on-road motor vehicles, more stringent regulation of industrial sources, and the implementation of emission reduction strategies by the MDAQMD and nearby air districts including the South Coast Air Quality Management District (SCAQMD) and the San Joaquin Valley Air Pollution Control District (SJVAPCD), as well as CARB and EPA (MDAQMD 2023). This general trend toward cleaner air within the state, including the MDAB, has occurred in spite of continued population growth. Exhibit 4.2-1, State Ozone Trend – Mojave Desert Air Basin, demonstrates the reduction in O_3 over time.

Exhibit 4.2-1. State Ozone Trend – Mojave Desert Air Basin



Source: CARB 2023a, iADAM Trends Summary. Units = parts per million (ppm).

Nitrogen Dioxide. NO_2 is a brownish, highly reactive gas that is present in all urban atmospheres. The major mechanism for the formation of NO_2 in the atmosphere is the oxidation of the primary air pollutant nitric oxide (NO), which is a colorless, odorless gas. NO_x, which includes NO_2 and NO, plays a major role, together with VOC, in the atmospheric reactions that produce O_3. NO_x is formed from fuel combustion under high temperature or pressure. In addition, NO_2 is an important precursor to acid rain and may affect both terrestrial and aquatic ecosystems. The two major emissions sources are transportation and stationary fuel combustion sources (such as electric utility and industrial boilers).

Adverse Health Effects: A large body of health science literature indicates that exposure to NO_2 can induce adverse health effects. The strongest health evidence, and the health basis for the AAQS for NO_2, results from controlled human exposure studies that show that NO_2 exposure can intensify responses to allergens in allergic asthmatics. In addition, a number of epidemiological studies have demonstrated associations between NO_2 exposure and premature death, cardiopulmonary effects, decreased lung function growth in children, respiratory symptoms, emergency room visits for asthma, and intensified allergic responses. Infants and children are particularly at risk because they have disproportionately higher exposure to NO_2 than adults due to their greater breathing rate for their body weight and their typically greater outdoor exposure duration. Several studies have shown that long-term NO_2 exposure during childhood, the period of rapid lung growth, can lead to smaller lungs at maturity in children with higher compared to lower levels of exposure. In addition, children with asthma have a greater degree of airway

responsiveness compared with adult asthmatics. In adults, the greatest risk is to people who have chronic respiratory diseases, such as asthma and chronic obstructive pulmonary disease (CARB 2021c).

Carbon Monoxide. CO is a colorless, odorless gas formed by the incomplete combustion of hydrocarbon, or fossil fuels. CO is emitted almost exclusively from motor vehicles, power plants, refineries, industrial boilers, ships, aircraft, and trains. In urban areas, automobile exhaust accounts for the majority of CO emissions. CO is a nonreactive air pollutant that dissipates relatively quickly; therefore, ambient CO concentrations generally follow the spatial and temporal distributions of vehicular traffic. CO concentrations are influenced by local meteorological conditions—primarily wind speed, topography, and atmospheric stability. CO from motor vehicle exhaust can become locally concentrated when surface-based temperature inversions are combined with calm atmospheric conditions, which is a typical situation at dusk in urban areas from November to February. The highest levels of CO typically occur during the colder months of the year, when inversion conditions are more frequent.

Adverse Health Effects: CO is harmful because it binds to hemoglobin in the blood, reducing the ability of blood to carry oxygen. This interferes with oxygen delivery to the body's organs. The most common effects of CO exposure are fatigue, headaches, confusion and reduced mental alertness, light-headedness, and dizziness due to inadequate oxygen delivery to the brain. For people with cardiovascular disease, short-term CO exposure can further reduce their body's already compromised ability to respond to the increased oxygen demands of exercise, exertion, or stress. Inadequate oxygen delivery to the heart muscle leads to chest pain and decreased exercise tolerance. Unborn babies whose mothers experience high levels of CO exposure during pregnancy are at risk of adverse developmental effects. Unborn babies, infants, elderly people, and people with anemia or with a history of heart or respiratory disease are most likely to experience health effects with exposure to elevated levels of CO (CARB 2021d).

Sulfur Dioxide. SO_2 is a colorless, pungent gas formed primarily from incomplete combustion of sulfur-containing fossil fuels. The main sources of SO_2 are coal and oil used in power plants and industries; as such, the highest levels of SO_2 are generally found near large industrial complexes. In recent years, SO_2 concentrations have been reduced by the increasingly stringent controls placed on stationary source emissions of SO_2 and limits on the sulfur content of fuels.

Adverse Health Effects: Controlled human exposure and epidemiological studies show that children and adults with asthma are more likely to experience adverse responses with SO_2 exposure, compared with the non-asthmatic population. Effects at levels near the 1-hour standard are those of asthma exacerbation, including bronchoconstriction accompanied by symptoms of respiratory irritation such as wheezing, shortness of breath, and chest tightness, especially during exercise or physical activity. Also, exposure at elevated levels of SO_2 (above 1 part per million [ppm]) results in increased incidence of pulmonary symptoms and disease, decreased pulmonary function, and increased risk of mortality. The elderly and people with cardiovascular disease or chronic lung disease (such as bronchitis or emphysema) are most likely to experience these adverse effects (CARB 2021e).

SO_2 is of concern both because it is a direct respiratory irritant and because it contributes to the formation of sulfate and sulfuric acid in particulate matter (NRC 2005). People with asthma are of particular concern, both because they have increased baseline airflow resistance and because their SO_2-induced increase in airflow resistance is greater than in healthy people, and it increases with the severity of their asthma (NRC 2005). SO_2 is thought to induce airway constriction via neural reflexes involving irritant receptors in the airways (NRC 2005).

Particulate Matter. Particulate matter pollution consists of very small liquid and solid particles floating in the air, which can include smoke, soot, dust, salts, acids, and metals. Particulate matter can form when gases emitted from industries and motor vehicles undergo chemical reactions in the atmosphere. $PM_{2.5}$ and PM_{10} represent fractions

of particulate matter. Coarse particulate matter (PM_{10}) is about 1/7 the thickness of a human hair. Major sources of PM_{10} include crushing or grinding operations; dust stirred up by vehicles traveling on roads; wood-burning stoves and fireplaces; dust from construction, landfills, and agriculture; wildfires and brush/waste burning; industrial sources; windblown dust from open lands; and atmospheric chemical and photochemical reactions. Fine particulate matter ($PM_{2.5}$) is roughly 1/28 the diameter of a human hair. $PM_{2.5}$ results from fuel combustion (e.g., from motor vehicles, power generation, and industrial facilities), residential fireplaces, and woodstoves. In addition, $PM_{2.5}$ can be formed in the atmosphere from gases such as sulfur oxides, NO_x, and VOCs.

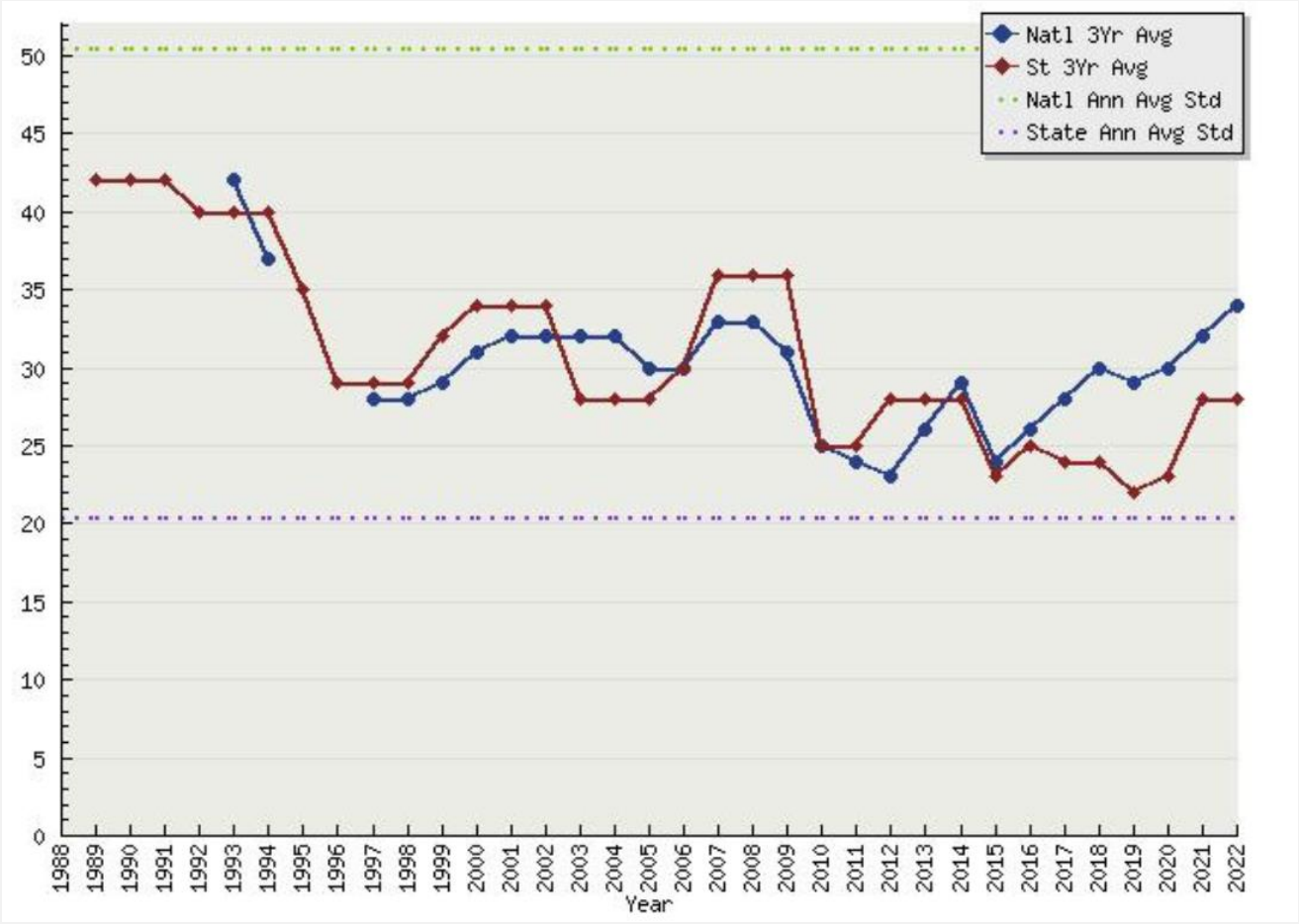
Adverse Health Effects: $PM_{2.5}$ and PM_{10} pose a greater health risk than larger-size particles. When inhaled, these tiny particles can penetrate the human respiratory system's natural defenses and damage the respiratory tract. $PM_{2.5}$ and PM_{10} can increase the number and severity of asthma attacks, cause or aggravate bronchitis and other lung diseases, and reduce the body's ability to fight infections. Very small particles of substances such as lead, sulfates, and nitrates can cause lung damage directly or be absorbed into the bloodstream, causing damage elsewhere in the body. Additionally, these substances can transport adsorbed gases such as chlorides or ammonium into the lungs, also causing injury. Whereas PM_{10} tends to collect in the upper portion of the respiratory system, $PM_{2.5}$ is so tiny that it can penetrate deeper into the lungs and damage lung tissue. Suspended particulates also damage and discolor surfaces on which they settle and produce haze and reduce regional visibility.

A number of adverse health effects have been associated with exposure to both $PM_{2.5}$ and PM_{10}. For $PM_{2.5}$, short-term exposures (up to 24-hour duration) have been associated with premature mortality, increased hospital admissions for heart or lung causes, acute and chronic bronchitis, asthma attacks, emergency room visits, respiratory symptoms, and restricted activity days. These adverse health effects have been reported primarily in infants, children, and older adults with preexisting heart or lung diseases. In addition, of all of the common air pollutants, $PM_{2.5}$ is associated with the greatest proportion of adverse health effects related to air pollution, both in the United States and worldwide based on the World Health Organization's Global Burden of Disease Project. Short-term exposures to PM_{10} have been associated primarily with worsening of respiratory diseases, including asthma and chronic obstructive pulmonary disease, leading to hospitalization and emergency department visits (CARB 2021f).

Long-term exposure (months to years) to $PM_{2.5}$ has been linked to premature death, particularly in people who have chronic heart or lung diseases, and reduced lung function growth in children. The effects of long-term exposure to PM_{10} are less clear, although several studies suggest a link between long-term PM_{10} exposure and respiratory mortality. The International Agency for Research on Cancer published a review in 2015 that concluded that particulate matter in outdoor air pollution causes lung cancer (CARB 2021f).

As discussed for Ozone, air quality in the MDAB has generally improved since the inception of air pollutant monitoring including PM_{10} ambient concentrations. Exhibit 4.2-2, National and State 3-Year Average PM10 Statistics – Mojave Desert Air Basin, demonstrates the reduction in PM_{10} trend over time.

Exhibit 4.2-2. National and State 3-Year Average PM_{10} Statistics – Mojave Desert Air Basin



Source: CARB 2023a, iADAM Trends Summary. Units = micrograms per cubic meter.

Lead. Lead in the atmosphere occurs as particulate matter. Sources of lead include leaded gasoline; the manufacturing of batteries, paints, ink, ceramics, and ammunition; and secondary lead smelters. Prior to 1978, mobile emissions were the primary source of atmospheric lead. Between 1978 and 1987, the phase out of leaded gasoline reduced the overall inventory of airborne lead by nearly 95%. With the phase out of leaded gasoline, secondary lead smelters, battery recycling, and manufacturing facilities are becoming lead-emissions sources of greater concern.

Adverse Health Effects: Prolonged exposure to atmospheric lead poses a serious threat to human health. Health effects associated with exposure to lead include gastrointestinal disturbances, anemia, kidney disease, and, in severe cases, neuromuscular and neurological dysfunction. Of particular concern are low-level lead exposures during infancy and childhood, because children are highly susceptible to the effects of lead. Such exposures are

associated with decrements in neurobehavioral performance, including intelligence quotient performance, psychomotor performance, reaction time, and growth (CARB 2021g).

Sulfates. Sulfates are the fully oxidized form of sulfur, which typically occur in combination with metals or hydrogen ions. Sulfates are produced from reactions of SO_2 in the atmosphere.

Adverse Health Effects: Sulfates can result in respiratory impairment, as well as reduced visibility (CARB 2023b).

Vinyl Chloride. Vinyl chloride is a colorless gas with a mild, sweet odor, which has been detected near landfills, sewage plants, and hazardous waste sites, due to the microbial breakdown of chlorinated solvents.

Adverse Health Effects: Short-term exposure to high levels of vinyl chloride in air can cause nervous system effects, such as dizziness, drowsiness, and headaches. Long-term exposure through inhalation can cause liver damage, including liver cancer (CARB 2023c).

Hydrogen Sulfide. Hydrogen sulfide is a colorless and flammable gas that has a characteristic odor of rotten eggs. Sources of hydrogen sulfide include geothermal power plants, petroleum refineries, sewers, and sewage treatment plants.

Adverse Health Effects: Exposure to hydrogen sulfide can result in nuisance odors, as well as headaches and breathing difficulties at higher concentrations (CARB 2023d).

Visibility-Reducing Particles. Visibility-reducing particles are any particles in the air that obstruct the range of visibility. Sources of visibility-reducing particles are the same as for $PM_{2.5}$ described above.

Adverse Effects: Effects of reduced visibility can include obscuring the viewshed of natural scenery, reducing airport safety, and discouraging tourism (CARB 2023e).

Volatile Organic Compounds. Hydrocarbons are organic gases that are formed from hydrogen and carbon and sometimes other elements. Hydrocarbons that contribute to formation of O_3 are referred to and regulated as VOCs. Combustion engine exhaust, oil refineries, and fossil-fueled power plants are the main sources of hydrocarbons. Other sources of hydrocarbons include evaporation from petroleum fuels, solvents, dry cleaning solutions, and paint.

Adverse Health Effects: The primary health effects of VOCs result from the formation of O_3 and its related health effects. High levels of VOCs in the atmosphere can interfere with oxygen intake by reducing the amount of available oxygen through displacement. Carcinogenic forms of hydrocarbons, such as benzene, are considered TACs. There are no separate health standards for VOCs as a group (EPA 2023a).

Non-Criteria Air Pollutants

Toxic Air Contaminants. A substance is considered toxic if it has the potential to cause adverse health effects in humans, including increasing the risk of cancer upon exposure, or acute and/or chronic noncancer health effects. A toxic substance released into the air is considered a TAC. TACs are identified by federal and state agencies based on a review of available scientific evidence. In California, TACs are identified through a two-step process that was established in 1983 under the Toxic Air Contaminant Identification and Control Act. This two-step process of risk identification and risk management and reduction was designed to protect residents from the health effects of toxic substances in the air. In addition, the California Air Toxics "Hot Spots" Information and Assessment Act, Assembly Bill (AB) 2588, was enacted by the legislature in 1987 to address public concern over the release of TACs into the atmosphere. The law requires facilities emitting toxic substances to provide local air pollution control districts with

information that will allow an assessment of the air toxics problem, identification of air toxics emissions sources, location of resulting hotspots, notification of the public exposed to significant risk, and development of effective strategies to reduce potential risks to the public over 5 years.

Examples of TACs include certain aromatic and chlorinated hydrocarbons, certain metals, and asbestos. TACs are generated by a number of sources, including stationary sources, such as dry cleaners, gas stations, combustion sources, and laboratories; mobile sources, such as automobiles; and area sources, such as landfills.

Adverse Health Effects: Adverse health effects associated with exposure to TACs may include carcinogenic (i.e., cancer-causing) and noncarcinogenic effects. Noncarcinogenic effects typically affect one or more target organ systems and may be experienced on either short-term (acute) or long-term (chronic) exposure to a given TAC (CARB 2023f).

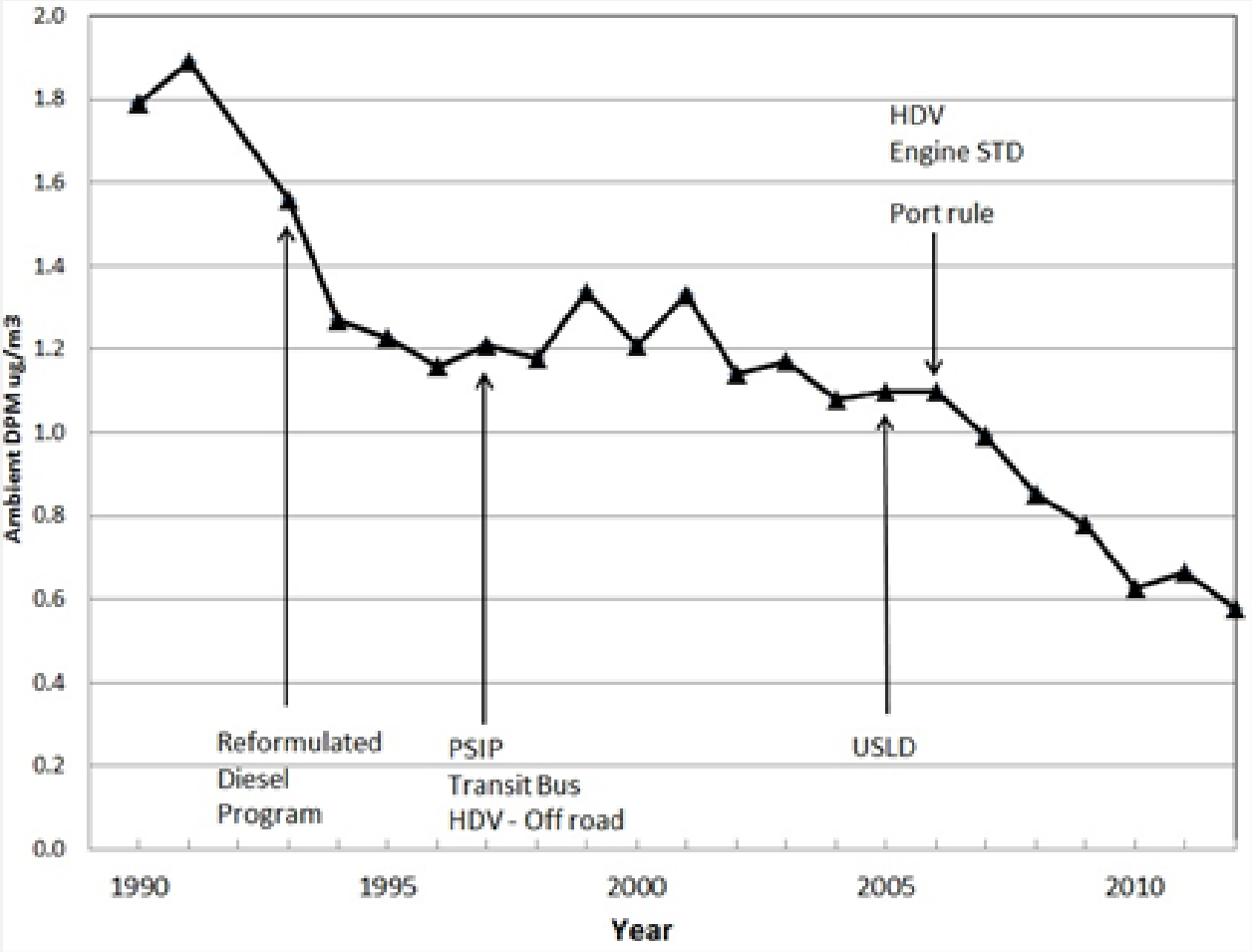
Diesel Particulate Matter. Diesel particulate matter (DPM) is part of a complex mixture that makes up diesel exhaust. Diesel exhaust is composed of two phases, gas and particle, both of which contribute to health risks. More than 90% of DPM is less than 1 micrometer in diameter (about 1/70 the diameter of a human hair), and thus is a subset of $PM_{2.5}$. DPM is typically composed of carbon particles (soot, also called black carbon) and numerous organic compounds, including over 40 known carcinogenic organic substances. Examples of these chemicals include polycyclic aromatic hydrocarbons, benzene, formaldehyde, acetaldehyde, acrolein, and 1,3-butadiene (CARB 2021h). In August 1998, CARB classified "particulate emissions from diesel-fueled engines" (i.e., DPM) (17 CCR 93000) as a TAC. DPM is emitted from a broad range of diesel engines: on-road diesel engines of trucks, buses, and cars and off-road diesel engines including locomotives, marine vessels, and heavy-duty construction equipment, among others (CARB 2023f).

Adverse Health Effects: Approximately 70% of all airborne cancer risk in California is associated with DPM (CARB 2000). To reduce the cancer risk associated with DPM, CARB adopted a diesel risk reduction plan in 2000 (CARB 2000). Because it is part of $PM_{2.5}$, DPM also contributes to the same noncancer health effects as $PM_{2.5}$ exposure. These effects include premature death; hospitalizations and emergency department visits for exacerbated chronic heart and lung disease, including asthma; increased respiratory symptoms; and decreased lung function in children. Several studies suggest that exposure to DPM may also facilitate development of new allergies. Those most vulnerable to noncancer health effects are children, whose lungs are still developing, and the elderly, who often have chronic health problems (CARB 2023f).

CARB regulations of diesel engines and fuels have had a dramatic effect on DPM concentrations. As shown in Exhibit 4.2-3, Statewide DPM Concentration, since 1990, DPM levels have decreased by 68%. The figure also shows which regulations have had the greatest impact on DPM.

DPM levels are expected to continue declining as additional controls are adopted, and the number of new technology diesel vehicles increases.

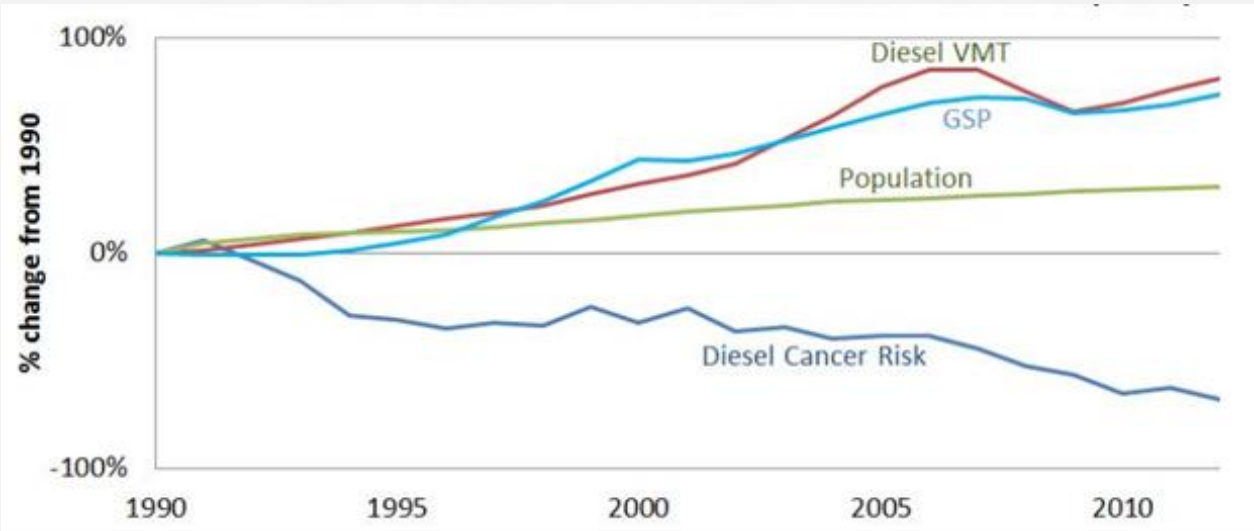
Exhibit 4.2-3. Statewide DPM Concentration



Source: CARB 2021h.
Notes: HDV Engine STD = Heavy-duty diesel truck engine standard; HDV - Off road = Heavy-duty off-road diesel engines; Port rule = Port (drayage) trucks; PSIP = Periodic self-inspection program; Transit bus = Urban transit buses; ULSD = Clean diesel fuel

Exhibit 4.2-4 shows that despite the increased number of vehicle miles traveled (VMT) and despite increases in statewide population and gross state product, CARB's regulatory programs led to a decline in statewide cancer risk (CARB 2021h).

Exhibit 4.2-4. California Population, Gross State Product, Diesel Cancer Risk, Diesel VMT



Source: CARB 2021h.
Notes: GSP = Gross State Product; VMT = Vehicle Miles Traveled by Diesel Vehicles

According to CARB, estimated that emissions of DPM in 2035 will be less than half those in 2010, further reducing statewide cancer risk and non-cancer health effects (CARB 2021h).

Odorous Compounds. Odors are generally regarded as an annoyance rather than a health hazard. Manifestations of a person's reaction to odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). The ability to detect odors varies considerably among the population and overall is quite subjective. People may have different reactions to the same odor. An odor that is offensive to one person may be perfectly acceptable to another (e.g., coffee roaster). An unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. In a phenomenon known as odor fatigue, a person can become desensitized to almost any odor, and recognition may only occur with an alteration in the intensity. The occurrence and severity of odor impacts depend on the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of receptors (SMAQMD 2016).

Valley Fever. Coccidioidomycosis, more commonly known as "Valley Fever," is an infection caused by inhalation of the spores of the *Coccidioides immitis* fungus, which grows in the soils of the southwestern United States. The ecologic factors that appear to be most conducive to survival and replication of the spores are high summer temperatures, mild winters, sparse rainfall, and alkaline, sandy soils. San Bernardino County is not considered a highly endemic region for Valley Fever (i.e., highly endemic meaning more than 20 cases annually of Valley Fever per 100,000 people) based on the incidence rates reported through 2021. The California Department of Public

Health reported 250 cases of Valley Fever in 2021 in San Bernardino County, or 11.4 cases per 100,000 people (CDPH 2023).

Sensitive Receptors

Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. People most likely to be affected by air pollution include children, the elderly, athletes, and people with cardiovascular and chronic respiratory diseases. Facilities and structures where these air pollution-sensitive people live or spend considerable amounts of time are known as sensitive receptors. Land uses where air pollution-sensitive individuals are most likely to spend time include schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential communities (sensitive sites or sensitive land uses) (CARB 2005). The MDAQMD identifies sensitive receptors as residences, schools, playgrounds, childcare centers, and medical facilities (MDAQMD 2020a).

Local Ambient Air Quality

Mojave Desert Air Basin Attainment Designation

Pursuant to the 1990 federal Clean Air Act amendments, the EPA classifies air basins (or portions thereof) as "attainment" or "nonattainment" for each criteria air pollutant, based on whether the National Ambient Air Quality Standards (NAAQS) have been achieved. Generally, if the recorded concentrations of a pollutant are lower than the standard, the area is classified as "attainment" for that pollutant. If an area exceeds the standard, the area is classified as "nonattainment" for that pollutant. If there is not enough data available to determine whether the standard is exceeded in an area, the area is designated as "unclassified" or "unclassifiable." The designation of "unclassifiable/attainment" means that the area meets the standard or is expected to meet the standard despite a lack of monitoring data. Areas that achieve the standards after a nonattainment designation are re-designated as maintenance areas and must have approved maintenance plans to ensure continued attainment of the standards. The California Clean Air Act, like its federal counterpart, called for the designation of areas as "attainment" or "nonattainment," but based on California Ambient Air Quality Standards (CAAQS) rather than the NAAQS. Table 4.2-1 depicts the current attainment status of the Project area with respect to the NAAQS and CAAQS. Notably, the MDAB has experienced a substantial reduction in maximum 8-hour concentrations of O_3 over time, as well as reductions in PM_{10}, from strategies including implementation of Reasonable Available Control Technology, vehicle emission standards, and other measures, as described in the respective MDAQMD O_3 attainment plan (MDAQMD 2023) and PM_{10} attainment demonstration and maintenance plan (MDAQMD 1995).

Table 4.2-1. Mojave Desert Air Basin Attainment Classification

Pollutant	Designation/Classification[a]	
	Federal Standards	State Standards
O_3 – 1 hour	No federal standard	**Nonattainment**
O_3 – 8 hours	**Severe nonattainment[b]**	**Nonattainment**
NO_2	Unclassifiable/attainment	Attainment
CO	Unclassifiable/attainment	Attainment
SO_2	Unclassifiable/attainment	Attainment
PM_{10}	**Moderate nonattainment[c]**	**Nonattainment**
$PM_{2.5}$	Unclassifiable/attainment	Attainment[d]

Table 4.2-1. Mojave Desert Air Basin Attainment Classification

Pollutant	Designation/Classification[a]	
	Federal Standards	State Standards
Lead	Unclassifiable/attainment	Attainment
Hydrogen sulfide	No federal standard	Unclassified[e]
Sulfates	No federal standard	Attainment
Visibility-reducing particles	No federal standard	Unclassified
Vinyl chloride	No federal standard	No designation

Sources: EPA 2023b (federal); CARB 2023g (state).
Notes: O_3 = ozone; NO_2 = nitrogen dioxide; CO = carbon monoxide; SO_2 = sulfur dioxide; PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter.
[a] Designations/classifications in **bold** type indicate nonattainment.
[b] West Mojave Desert portion of the MDAB, where the Project is located, is designated severe nonattainment. The Kern County portion of the MDAB is designated moderate nonattainment, and the remaining areas of the MDAB are designated unclassifiable/attainment.
[c] The Project is located in an area designated moderate nonattainment in the MDAB.
[d] The Project is located in an area designated attainment in the MDAB.
[e] The entire MDAB is designated unclassified, except for the Searles Valley portion of the basin, which is designated nonattainment.
Definitions: attainment = meets the standards; attainment/maintenance = achieve the standards after a nonattainment designation; nonattainment = does not meet the standards; unclassified or unclassifiable = insufficient data to classify; unclassifiable/attainment = meets the standard or is expected to be meet the standard despite a lack of monitoring data.

In summary, the Project is located in an area of the MDAB that is designated as a nonattainment area for federal and state O_3 standards and federal and state PM_{10} standards, and unclassifiable/attainment for all other criteria air pollutants (EPA 2023b; CARB 2023g).

Despite the current nonattainment status for O_3 and PM_{10}, air quality in the MDAB has generally improved since the inception of air pollutant monitoring as discussed previously and presented in Exhibit 4.2-1 and Exhibit 4.2-2, for O_3 and PM_{10}, respectively.

The MDAQMD is downwind of the Los Angeles basin, and to a lesser extent, is downwind of the San Joaquin Valley. Prevailing winds transport O_3 and O_3 precursors from both regions into and through the MDAB during the summer O_3 season and these transport couplings have been officially recognized by CARB. While local MDAQMD emissions contribute to exceedances of both the NAAQS and CAAQS for O_3, because the MDAQMD is overwhelmingly impacted by O_3 transported from the South Coast Air Basin (SCAB) and to a lesser extent from the San Joaquin Valley Air Basin (SJVAB), the MDAB would likely be in attainment of O_3 standards without the influence of this transported air pollution from upwind regions (MDAQMD 2023). The meteorology, terrain, distribution of emissions, and transport mechanisms are the key factors driving the ozone nonattainment challenge. Although transport is the dominant cause of the air quality problem, the MDAB continues to make progress in reducing ozone precursor emissions. Between 2000 and 2020, total NOx emissions in Western Mojave declined by 65% and total ROG emissions declined by 40%. Large emission reductions also occurred during the same 2000-2020 timeframe in the SCAB with decreases of 68% for NOx and 56%t for ROG (MDAQMD 2023). Ozone precursor emissions are expected to continue to decline between 2020 and the 2032 attainment year, with NO_x decreasing by an additional 13% and ROG decreasing by an additional 11%. Similar reductions are also expected in the major upwind emission sources areas, based on currently adopted control measures, with NOx and ROG decreasing by 36% and 13%, respectively, in the SCAB, and 48%and 8%, respectively, in SJVAB. Further reductions in emissions from the current modeled estimates are expected in the future with the implementation of additional control measures in MDAB, SCAB, and SJVAB (MDAQMD 2023).

Regarding PM, which is a primary and secondary pollutant, the MDAQMD believes that local sources contribute to PM_{10} concentrations in the Mojave Desert Planning Area as the monitoring sites are located in and around

anthropogenic sources of dust (e.g., primary PM); however, O_3 precursor transport from upwind air basins (i.e., SCAB) include some nitrate and sulfate aerosol or secondary particulates, which contribute to PM concentrations. Because the Mojave Desert Planning Area contains relatively limited NO_x and sulfur sources, transport contributions are estimated as half of the measured total nitrate and sulfate content, which contribute to overall PM concentrations (MDAQMD 1995).

Accordingly, it is important to note that the SCAQMD, which has jurisdiction over the SCAB, has also experienced an improvement in air quality over the last few decades. The SCAQMD implements air quality plans, such as the 2022 Air Quality Management Plan, which is a comprehensive document that outlines their air pollution control program for attaining all CAAQS and NAAQS. Specifically, the SCAQMD 2022 Air Quality Management Plan addresses attainment of the 2015 8-hour O_3 standard (70 parts per billion) for the SCAB and the Coachella Valley. PM_{10} levels have declined almost 50% since 1990 within the SCAB, and $PM_{2.5}$ levels have also declined 50% since measurements began in 1999. Similar improvements are observed with O_3 within the SCAB, although the rate of O_3 decline has slowed in recent years (SCAQMD 2013). Despite great strides in cleaning the air over the past several decades, the Los Angeles area still has the highest levels of O_3 in the nation and meeting the O_3 standards within the SCAB will require federal action and zero- and low-emission technologies to reduce NO_x (SCAQMD 2022). Overall, improvements within the SCAB will also result in improvements within the MDAB. Lastly, the MDAQMD continues to implement available control technologies and rules and regulations to further reduce sources of O_3 and PM within their jurisdictional boundaries including attainment plans and rule development.

Local Ambient Air Quality Conditions

CARB, air districts, and other agencies monitor ambient air quality at approximately 250 air quality monitoring stations across the state. The MDAQMD monitors local ambient air quality in the Project area. Air quality monitoring stations usually measure pollutant concentrations 10 feet above ground level; therefore, air quality is often referred to in terms of ground-level concentrations. The most recent background ambient air quality data from 2020 to 2022 are presented in Table 4.2-2. The Victorville monitoring station, located at 14306 Park Avenue, Victorville, California, is the nearest air quality monitoring station to the Project site, and is located approximately 3.7 miles southeast of the Project. The data collected at this station are considered representative of the air quality experienced in the Project vicinity. Air quality data for O_3, NO_2, CO, SO_2, PM_{10}, and $PM_{2.5}$ from the Victorville monitoring station are provided in Table 4.2-2. The number of days exceeding the AAQS is also shown in Table 4.2-2.

Table 4.2-2. Local Ambient Air Quality Data

Monitoring Station	Unit	Averaging Time	Agency/ Method	Ambient Air Quality Standard	Measured Concentration by Year			Exceedances by Year		
					2020	2021	2022	2020	2021	2022
Ozone (O_3)										
Victorville	ppm	Maximum 1-hour concentration	State	0.09	0.112	0.112	0.100	4	8	3
	ppm	Maximum 8-hour concentration	State	0.070	0.095	0.098	0.090	38	35	49
			Federal	0.070	0.094	0.098	0.090	35	34	44
Nitrogen Dioxide (NO_2)										
Victorville	ppm		State	0.18	0.059	0.056	0.053	0	0	0

Table 4.2-2. Local Ambient Air Quality Data

Monitoring Station	Unit	Averaging Time	Agency/ Method	Ambient Air Quality Standard	Measured Concentration by Year			Exceedances by Year		
					2020	2021	2022	2020	2021	2022
		Maximum 1-hour concentration	Federal	0.100	0.059	0.057	0.054	0	0	0
	ppm	Annual concentration	State	0.030	0.012	0.012	0.012	—	—	—
			Federal	0.053	0.013	0.013	0.013	—	—	—
Carbon Monoxide (CO)										
Victorville	ppm	Maximum 1-hour concentration	State	20	—	—	—	—	—	—
			Federal	35	1.6	1.5	—	0	0	—
	ppm	Maximum 8-hour concentration	State	9.0	—	—	—	—	—	—
			Federal	9	1.4	1.0	—	0	0	—
Sulfur Dioxide (SO_2)										
Victorville	ppm	Maximum 1-hour concentration	Federal	0.075	0.004	0.003	—	0	0	—
	ppm	Maximum 24-hour concentration	Federal	0.14	0.002	0.002	—	0	0	—
	ppm	Annual concentration	Federal	0.030	0.001	0.001	—	0	0	—
Coarse Particulate Matter (PM_{10})[a]										
Victorville	µg/ m^3	Maximum 24-hour concentration	State	50	—	—	—	—	—	—
			Federal	150	261.4	591.6	372.1	2	1	2
	µg/ m^3	Annual concentration	State	20	—	—	—	—	—	—
Fine Particulate Matter ($PM_{2.5}$)[a]										
Victorville	µg/ m^3	Maximum 24-hour concentration	Federal	35	48.4	87.1	24.6	4	1	0
	µg/ m^3	Annual concentration	State	12	10.4	10.3	9.0	—	—	—
			Federal	12.0	9.7	10.2	8.9	—	—	—

Sources: CARB 2023h; EPA 2023c.

Notes: ppm = parts per million; µg/m^3 = micrograms per cubic meter; — = not available.

Data taken from CARB iADAM (CARB 2023h) and EPA AirData (EPA 2023c) represent the highest concentrations experienced over a given year.

Exceedances of federal and state standards are only shown for O_3 and particulate matter. Daily exceedances for particulate matter are estimated days because PM_{10} and $PM_{2.5}$ are not monitored daily. All other criteria pollutants did not exceed federal or state standards during the years shown. There is no federal standard for 1-hour ozone, annual PM_{10}, or 24-hour SO_2, nor is there a state 24-hour standard for $PM_{2.5}$.

[a] Measurements of PM_{10} and $PM_{2.5}$ are usually collected every 6 days and every 1 to 3 days, respectively. Number of days exceeding the standards is a mathematical estimate of the number of days concentrations would have been greater than the level of the standard had each day been monitored. The numbers in parentheses are the measured number of samples that exceeded the standard.

4.2.2 Relevant Regulations, Plans, Policies, and Ordinances

Federal

Criteria Air Pollutants

The federal Clean Air Act, passed in 1970 and last amended in 1990, forms the basis for the national air pollution control effort. The EPA is responsible for implementing most aspects of the Clean Air Act, including setting NAAQS for major air pollutants; setting hazardous air pollutant (HAP) standards; approving state attainment plans; setting motor vehicle emission standards; issuing stationary source emission standards and permits; and establishing acid rain control measures, stratospheric O_3 protection measures, and enforcement provisions. Under the Clean Air Act, NAAQS are established for the following criteria pollutants: O_3, CO, NO_2, SO_2, PM_{10}, $PM_{2.5}$, and lead.

The NAAQS describe acceptable air quality conditions designed to protect the health and welfare of the public. The NAAQS (other than for O_3, NO_2, SO_2, PM_{10}, $PM_{2.5}$, and those based on annual averages or arithmetic mean) are not to be exceeded more than once per year. NAAQS for O_3, NO_2, SO_2, PM_{10}, and $PM_{2.5}$ are based on statistical calculations over 1- to 3-year periods, depending on the pollutant. The Clean Air Act requires the EPA to reassess the NAAQS at least every 5 years to determine whether adopted standards are adequate to protect public health based on current scientific evidence. States with areas that exceed the NAAQS must prepare a state implementation plan that demonstrates how those areas will attain the standards within mandated time frames.

Hazardous Air Pollutants

The 1977 federal Clean Air Act amendments required the EPA to identify national emission standards for HAPs to protect public health and welfare. HAPs include certain volatile organic chemicals, pesticides, herbicides, and radionuclides that present a tangible hazard, based on scientific studies of exposure to humans and other mammals. Under the 1990 federal Clean Air Act amendments, which expanded the control program for HAPs, 189 substances and chemical families were identified as HAPs.

State

Criteria Air Pollutants

The federal Clean Air Act delegates the regulation of air pollution control and the enforcement of the NAAQS to the states. In California, the task of air quality management and regulation has been legislatively granted to CARB, with subsidiary responsibilities assigned to air quality management districts and air pollution control districts at the regional and county levels. CARB, which became part of the California Environmental Protection Agency in 1991, is responsible for ensuring implementation of the California Clean Air Act of 1988, responding to the federal Clean Air Act, and regulating emissions from motor vehicles and consumer products.

CARB has established the CAAQS, which are generally more restrictive than the NAAQS. As stated previously, an ambient air quality standard defines the maximum amount of a pollutant averaged over a specified period of time that can be present in outdoor air without harm to the public's health. For each pollutant, concentrations must be below the relevant CAAQS before a basin can attain the corresponding CAAQS. Air quality is considered “in attainment” if pollutant levels are continuously below the CAAQS and violate the standards no more than once each year. The CAAQS for O_3, CO, SO_2 (1-hour and 24-hour), NO_2, PM_{10}, and $PM_{2.5}$ and visibility-reducing particles are values that are not to be exceeded. All others are not to be equaled or exceeded.

California air districts have based their thresholds of significance for California Environmental Quality Act (CEQA) purposes on the levels that scientific and factual data demonstrate that the air basin can accommodate without affecting the attainment date for the NAAQS or CAAQS. Since an ambient air quality standard is based on maximum pollutant levels in outdoor air that would not harm the public's health, and air district thresholds pertain to attainment of the ambient air quality standard, this means that the thresholds established by air districts are also protective of human health. The NAAQS and CAAQS are presented in Table 4.2-3.

Table 4.2-3. Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards[a]	National Standards[b]	
		Concentration[c]	Primary[c,d]	Secondary[c,e]
O_3	1 hour	0.09 ppm (180 µg/m³)	—	Same as primary standard[f]
	8 hours	0.070 ppm (137 µg/m³)	0.070 ppm (137 µg/m³)[f]	
NO_2[g]	1 hour	0.18 ppm (339 µg/m³)	0.100 ppm (188 µg/m³)	Same as primary standard
	Annual arithmetic mean	0.030 ppm (57 µg/m³)	0.053 ppm (100 µg/m³)	
CO	1 hour	20 ppm (23 mg/m³)	35 ppm (40 mg/m³)	None
	8 hours	9.0 ppm (10 mg/m³)	9 ppm (10 mg/m³)	
SO_2[h]	1 hour	0.25 ppm (655 µg/m³)	0.075 ppm (196 µg/m³)	—
	3 hours	—	—	0.5 ppm (1,300 µg/m³)
	24 hours	0.04 ppm (105 µg/m³)	0.14 ppm (for certain areas)[g]	—
	Annual	—	0.030 ppm (for certain areas)[g]	—
PM_{10}[i]	24 hours	50 µg/m³	150 µg/m³	Same as primary standard
	Annual arithmetic mean	20 µg/m³	—	
$PM_{2.5}$[i]	24 hours	—	35 µg/m³	Same as primary standard
	Annual arithmetic mean	12 µg/m³	12.0 µg/m³	15.0 µg/m³
Lead[j,k]	30-day average	1.5 µg/m³	—	—
	Calendar quarter	—	1.5 µg/m³ (for certain areas)[k]	Same as primary standard
	Rolling 3-month average	—	0.15 µg/m³	
Hydrogen sulfide	1 hour	0.03 ppm (42 µg/m³)	—	—
Vinyl chloride[j]	24 hours	0.01 ppm (26 µg/m³)	—	—
Sulfates	24 hours	25 µg/m³	—	—

Table 4.2-3. Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards[a]	National Standards[b]	
		Concentration[c]	Primary[c,d]	Secondary[c,e]
Visibility reducing particles	8 hours (10:00 a.m. to 6:00 p.m. PST)	Insufficient amount to produce an extinction coefficient of 0.23 per kilometer due to the number of particles when the relative humidity is less than 70%	—	—

Source: CARB 2016.

Notes: O_3 = ozone; ppm = parts per million by volume; μg/m³ = micrograms per cubic meter; NO_2 = nitrogen dioxide; CO = carbon monoxide; mg/m³= milligrams per cubic meter; SO_2 = sulfur dioxide; PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter; PST = Pacific Standard Time.

a California standards for O_3, CO, SO_2 (1-hour and 24-hour), NO_2, suspended particulate matter (PM_{10}, $PM_{2.5}$), and visibility-reducing particles are values that are not to be exceeded. All others are not to be equaled or exceeded. CAAQS are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

b National standards (other than O_3, NO_2, SO_2, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once per year. The O_3 standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over 3 years, is equal to or less than the standard. For PM_{10}, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 μg/m³ is equal to or less than 1. For $PM_{2.5}$, the 24-hour standard is attained when 98% of the daily concentrations, averaged over 3 years, are equal to or less than the standard.

c Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based on a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

d National primary standards: The levels of air quality necessary, with an adequate margin of safety, to protect the public health.

e National secondary standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

f On October 1, 2015, the national 8-hour O_3 primary and secondary standards were lowered from 0.075 to 0.070 ppm.

g To attain the national 1-hour standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 parts per billion (ppb). Note that the national 1-hour standard is in units of ppb. California standards are in units of ppm. To directly compare the national 1-hour standard to the California standards, the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.

h On June 2, 2010, a new 1-hour SO_2 standard was established, and the existing 24-hour and annual primary standards were revoked. To attain the national 1-hour standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until 1 year after an area is designated for the 2010 standard, except that in areas designated nonattainment of the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.

i On December 14, 2012, the national annual $PM_{2.5}$ primary standard was lowered from 15 μg/m³ to 12.0 μg/m³. The existing national 24-hour $PM_{2.5}$ standards (primary and secondary) were retained at 35 μg/m³, as was the annual secondary standard of 15 μg/m³. The existing 24-hour PM_{10} standards (primary and secondary) of 150 μg/m³ were also retained. The form of the annual primary and secondary standards is the annual mean averaged over 3 years.

j CARB has identified lead and vinyl chloride as TACs with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

k The national standard for lead was revised on October 15, 2008, to a rolling 3-month average. The 1978 lead standard (1.5 μg/m³ as a quarterly average) remains in effect until 1 year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

Toxic Air Contaminants

The state Air Toxics Program was established in 1983 under AB 1807 (Tanner). The California TAC list identifies more than 200 pollutants, of which carcinogenic and noncarcinogenic toxicity criteria have been established for a subset of these pollutants pursuant to the California Health and Safety Code. In accordance with AB 2728, the state

list includes the (federal) HAPs. In 1987, the Legislature enacted the Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588) to address public concern over the release of TACs into the atmosphere. AB 2588 law requires facilities emitting toxic substances to provide local air pollution control districts with information that will allow an assessment of the air toxics problem, identification of air toxics emissions sources, location of resulting hotspots, notification of the public exposed to significant risk, and development of effective strategies to reduce potential risks to the public over 5 years. TAC emissions from individual facilities are quantified and prioritized. "High-priority" facilities are required to perform a health risk assessment (HRA), and if specific thresholds are exceeded, the facility operator is required to communicate the results to the public in the form of notices and public meetings.

In 2000, CARB approved a comprehensive Diesel Risk Reduction Plan to reduce diesel emissions from both new and existing diesel-fueled vehicles and engines (CARB 2000). The regulation is anticipated to result in an 80% decrease in statewide diesel health risk in 2020 compared with the diesel risk in 2000. Research published in 2021, found that California achieved an 82% reduction in excess deaths from heart and lung disease linked to diesel pollution (UCLA 2021). Additional regulations apply to new trucks and diesel fuel, including the On-Road Heavy Duty Diesel Vehicle (In-Use) Regulation, the On-Road Heavy Duty (New) Vehicle Program, the In-Use Off-Road Diesel Vehicle Regulation, and the New Off-Road Compression-Ignition (Diesel) Engines and Equipment Program. These regulations and programs have timetables by which manufacturers must comply and existing operators must upgrade their diesel-powered equipment. There are several Airborne Toxic Control Measures that reduce diesel emissions, including In-Use Off-Road Diesel-Fueled Fleets (13 CCR 2449 et seq.) and In-Use On-Road Diesel-Fueled Vehicles (13 CCR 2025).

California Health and Safety Code Section 41700

Section 41700 of the California Health and Safety Code states that a person shall not discharge from any source whatsoever quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or that endanger the comfort, repose, health, or safety of any of those persons or the public; or that cause, or have a natural tendency to cause, injury or damage to business or property. This section also applies to sources of objectionable odors.

Local

Mojave Desert Air Quality Management District

The MDAQMD is the regional agency responsible for the regulation and enforcement of federal, state, and local air pollution control regulations in the San Bernardino County portion of the MDAB, where the Project is located. The MDAQMD operates monitoring stations in the MDAB, develops rules and regulations for stationary sources and equipment, prepares emissions inventory and air quality management planning documents, and conducts source testing and inspections. The MDAQMD's air quality management plans include control measures and strategies to be implemented to attain state and federal AAQS in the MDAB. The MDAQMD then implements these control measures as regulations to control or reduce criteria pollutant emissions from stationary sources or equipment. The MDAQMD's most recent air quality plans are the PM_{10} attainment demonstration and maintenance plan (MDAQMD 1995) and the O_3 attainment plan (MDAQMD 2008).

Applicable Rules. Emissions that would result from mobile, area, and stationary sources during construction and operation of the Project are subject to the rules and regulations of the MDAQMD. The MDAQMD rules applicable to the Project may include, but are not limited to, the following:

- **Rule 219 – Equipment Not Requiring a Permit:** The rule identifies equipment exempt from permit requirements of District Rules 201 and 203. District permit required for Internal combustion engines with manufacturer's maximum continuous rating greater than or equal to 50 brake horsepower.
- **Rule 401 – Visible Emissions:** This rule establishes the limit for visible emissions from stationary sources.
- **Rule 402 – Nuisance:** This rule prohibits the discharge of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any such persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property.
- **Rule 403 – Fugitive Dust Control for the Mojave Desert Planning Area:** This rule ensures that the NAAQS for PM_{10} will not be exceeded due to anthropogenic sources of fugitive dust within the Mojave Desert Planning Area and implements the control measures contained in the Mojave Desert Planning Area Federal PM_{10} Attainment Plan. Rule 403 includes requirements for a Dust Control Plan, signage and fencing requirements, as well as surface watering and stabilization with chemicals, gravel and asphaltic pavement to eliminate visible fugitive dust from vehicular travel and wind erosion.
- **Rule 431 – Sulfur Content of Liquid Fuels:** The purpose of this rule is to limit the sulfur content in diesel and other liquid fuels for the purpose of reducing the formation of SO_x and particulates during combustion and of enabling the use of add-on control devices for diesel-fueled internal combustion engines. The rule applies to all refiners, importers, and other fuel suppliers such as distributors, marketers, and retailers, as well as to users of diesel, low-sulfur diesel, and other liquid fuels for stationary-source applications in the MDAQMD. The rule also affects diesel fuel supplied for mobile sources.
- **Rule 442 – Usage of Solvents:** The purpose of this rule is to reduce VOC emissions from VOC-containing materials or equipment that is not subject to limits of any rule found in District Regulation XI – Source Specific Standards.
- **Rule 1113 – Architectural Coatings.** This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories.

Southern California Association of Governments

The Southern California Association of Governments (SCAG) is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino, and Imperial Counties and serves as a forum for regional issues relating to transportation, the economy, community development, and the environment. SCAG serves as the federally designated metropolitan planning organization for the Southern California region and is the largest metropolitan planning organization in the United States.

With respect to air quality planning and other regional issues, SCAG has developed Connect SoCal, the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), which is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. Connect SoCal charts a path toward a more mobile, sustainable, and prosperous region by making connections between transportation networks, planning strategies, and the people whose collaboration can improve the quality of life for Southern Californians. Connect SoCal embodies a collective vision for the region's future and is developed with input from local governments, county transportation commissions, tribal governments,

non-profit organizations, businesses, and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. SCAG's 2020–2045 RTP/SCS was adopted on September 3, 2020 (SCAG 2020). The SCAQMD 2022 AQMP applies the updated SCAG growth forecast in the 2020–2045 RTP/SCS.

SCAG released its Draft Connect SoCal 2024 in November 2023 with the public comment ending in January 2024. The Draft Connect SoCal 2024 outlines a vision for a more resilient and equitable future, with policies and strategies for achieving the region's shared goals through 2050. The plan includes guidance for local agencies and direction for SCAG to address 22 topic areas, such as Complete Streets, Housing, Climate Resilience and Workforce Development. The Draft Connect SoCal 2024 plan estimates that the average daily traffic delay per capita will decrease from 17.9 minutes in 2019 to 16.8 minutes in 2050 and average daily VMT per capita will decrease from 22.8 miles in 2019 to 21.7 miles in 2050 under the plan scenario (SCAG 2023). The plan demonstrates how the region will sustainably accommodate jobs and needed housing, while reducing greenhouse gas emissions from passenger vehicles by 19% by 2035. The plan forecasts that the region will have 2 million new people, 1.6 million new households and 1.3 million new jobs by 2050, and that 61% of the planned development will be in priority areas, which are locations that have existing or planned transit, high-quality bike facilities or are within disadvantaged communities. The plan also includes more than 4,000 projects that will provide more travel options and less congestion for the region, such as 869 new miles of regional express lane network, 181,200 new miles of bike lanes and 2,000 new miles of transit revenue service (SCAG 2023).

City of Victorville General Plan

The City of Victorville adopted their General Plan in 2008. The general plan consists of 7 elements including Land Use, Circulation, Housing, Noise, Safety, Open Space, and Conservation (City of Victorville 2008). The Natural Resources element includes the following goal, objectives, and policies that pertain to Air Quality:

Goal #6: Promote clear air with low pollutant concentrations that do not adversely affect respiratory health.

Objective 6.1: Contribute to regional air quality plan attainment.

Policy 6.1.1: Encourage planning and development activities, that reduce the number and length of single occupant automobile trips.

Objective 3.2: Reduce health risks associated with air pollution.

Policy 6.2.1: Encourage compliance with the California Air Resources Board (CARB) "Air Quality and Land Use Handbook: A Community Health Perspective", which provides guidelines for siting new sensitive land uses in proximity to air pollutant emitting sources.

4.2.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to air quality are based on CEQA Guidelines Appendix G. According to CEQA Guidelines Appendix G, a significant impact related to air quality would occur if the Project would:

A. Conflict with or obstruct implementation of the applicable air quality plan.
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.
E. Result in cumulatively considerable air quality impacts.

CEQA Guidelines Appendix G (14 CCR 15000 et seq.) indicates that, where available, significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to determine whether the Project would have a significant impact on air quality. As outlined in the MDAQMD's CEQA and Federal Conformity Guidelines (MDAQMD 2020), a project would result in a significant environmental impact if it:

1. Would generate total emissions (direct and indirect) in excess of the established significance thresholds (presented as Table 4.2-4).
2. Would generate a violation of any ambient air quality standard when added to the local background.
3. Does not conform with the applicable attainment or maintenance plan.
4. Would expose sensitive receptors to substantial pollutant concentrations, including those resulting in a cancer risk greater than or equal to 10 in a million (10×10^{-6}) and/or a hazard index (noncarcinogenic) greater than or equal to 1.

Residences, schools, daycare centers, playgrounds, and medical facilities are considered sensitive receptor land uses. The following project types proposed for sites within the specified distance to an existing or planned sensitive receptor land use must be evaluated using Threshold 4:

- any industrial project within 1,000 feet
- a distribution center (40 or more trucks per day) within 1,000 feet
- a major transportation project (50,000 or more vehicles per day) within 1,000 feet
- a dry cleaner using perchloroethylene within 500 feet
- a gasoline dispensing facility within 300 feet

The MDAQMD CEQA Air and Federal Conformity Guidelines, as revised in 2020, sets forth quantitative emission significance thresholds for criteria air pollutants below which a project would not have a significant impact on ambient air quality (MDAQMD 2020). The quantitative air quality analysis provided herein applies to the thresholds identified in Table 4.2-4 to determine the potential for the Project to result in a significant impact under CEQA.

Table 4.2-4. Mojave Desert Air Quality Management District Daily Air Quality Significance Thresholds

Pollutant	Daily Threshold (pounds per day)
VOC	137
NO_x	137
CO	548
SO_x	137
PM_{10}	82
$PM_{2.5}$	65
Hydrogen sulfide[a]	54
Lead[a]	3

Source: MDAQMD 2020.

Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter.

[a] The Project includes typical equipment and on-road vehicles, which result in negligible (if any) emissions of hydrogen sulfide and lead. Therefore, these pollutants are not discussed in this analysis.

Regarding localized CO, although the MDAQMD does not have screening levels for intersection traffic that could result in potential CO hotspots, several other air districts have established these levels, which are described below to provide context of the magnitude of hourly volumes that could result in significant localized CO:

- The SCAQMD conducted CO modeling for its 2003 Air Quality Management Plan (SCAQMD 2003) for the four worst-case intersections in the South Coast Air Basin. At the time the 2003 Air Quality Management Plan was prepared, the intersection of Wilshire Boulevard and Veteran Avenue was the most congested intersection in Los Angeles County, with an average daily traffic volume of approximately 100,000 vehicles per day. Using CO emission factors for 2002, the peak modeled CO 1-hour concentration was estimated to be 4.6 ppm at the intersection of Wilshire Boulevard and Veteran Avenue. Accordingly, CO concentrations at congested intersections would not exceed the 1-hour or 8-hour CO CAAQS unless projected daily traffic would be at least more than 100,000 vehicles per day.
- The Bay Area Air Quality Management District determined that projects would result in a less-than-significant impact to localized CO concentrations if (1) project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour, or (2) project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway) (BAAQMD 2023).

Based on the Project's proximity to the South Coast Air Basin, the SCAQMD screening criterion of 100,000 vehicles per day has been applied to this Project as a metric to evaluate CO hotspots.

Neighboring Air Districts

During operation, it is likely that the Project's truck traffic would traverse through neighboring air districts (i.e., those adjacent to MDAQMD), including San Joaquin Valley Air Pollution Control District (SJVAPCD), Eastern Kern Air Pollution Control District (EKAPCD), Antelope Valley Air Quality Management District (AVAQMD), and SCAQMD. As such, truck emissions within these neighboring districts were also considered and evaluated against the respective Air District significance thresholds. Table 4.2-5 summarizes the thresholds of significance of the neighboring air districts for which the proportion of truck emissions during Project operation was compared. Truck emissions above the respective Air District thresholds would result in a potentially significant impact.

Table 4.2-5. Air Quality Significance Thresholds for Neighboring Air Districts

Pollutant	Threshold			
	SJVAPCD (tons per year)	EKAPCD (tons per year)	AVAQMD (pounds per day)	SCAQMD (pounds per day)
VOC	10	25	137	55
NO_x	10	25	137	55
CO	100	N/A	548	550
SO_x	27	N/A	137	150
PM_{10}	15	15	82	150
$PM_{2.5}$	15	N/A	65	55

Table 4.2-5. Air Quality Significance Thresholds for Neighboring Air Districts

Pollutant	Threshold			
	SJVAPCD (tons per year)	EKAPCD (tons per year)	AVAQMD (pounds per day)	SCAQMD (pounds per day)
Lead	N/A	N/A	3	3

Sources: SJVAPCD 2015a; EKAPCD 1999; AVAQMD 2016; SCAQMD 2023.
Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter; N/A = not applicable because no threshold is established.

4.2.4 Methodology

Emissions from construction and operation of the Project and existing land uses were estimated using the California Emissions Estimator Model (CalEEMod) Version 2022.1[4] input parameters, including the Project land use type and size and construction schedule, were based on information provided by the Project Applicant, or default model assumptions if Project specifics were unavailable.

Construction

For the purpose of estimating Project emissions, construction was modeled beginning in October 2024 and concluding at the beginning of October 2025,[5] lasting approximately 12 months. On-site facility development and off-site improvements were accounted for in the modeling. The analysis contained herein is based on the following schedule assumptions (duration of phases is approximate):

On-Site Construction:

- Site preparation (on site): October 2024
- Mass grading (on site): October 2024 – November 2024
- Building construction (on site): November 2024 – August 2025
- Paving (on site): August 2025 – September 2025
- Architectural coating (on site): September 2025 – October 2025

Off-Site Construction:

- Road removal/utility install (off site): November 2024 – June 2025
- Paving (continual and final) (off site): November 2024 – September 2025
- Architectural coating (striping) (off site): November 2024 – September 2025
- Testing (off site): September 2025 – October 2025

4 CalEEMod is a statewide computer model developed in cooperation with air districts throughout the state to quantify criteria air pollutant emissions associated with the construction and operational activities from a variety of land use projects, such as residential, commercial, and industrial facilities.

5 The analysis assumes a construction start date of October 2024, which represents the earliest date construction would initiate. Assuming the earliest start date for construction represents the worst-case scenario for criteria air pollutant and greenhouse gas emissions, because equipment and vehicle emission factors for later years would be slightly less due to more stringent standards for in-use off-road equipment and heavy-duty trucks, as well as fleet turnover replacing older equipment and vehicles in later years.

Construction modeling assumptions for equipment and vehicles are provided in Table 4.2-6. For on-site and off-site development, it was assumed that approximately 84,103 cubic yards and 2,288 cubic yards of soil would be exported, respectively. For the analysis, it was generally assumed that heavy-duty construction equipment would be operating at the site 5 days per week.

Table 4.2-6. Construction Scenario Assumptions

Construction Phase	One-Way Vehicle Trips			Equipment		
	Average Daily Worker Trips	Average Daily Vendor Truck Trips	Average Haul Truck Trips	Equipment Type	Quantity	Daily Usage Hours
On-Site Construction						
Site Preparation	20	4	182	Crawler Tractors	1	8
				Tractors/ Loaders/ Backhoes	1	8
Mass Grading	30	8	178	Excavators	2	8
				Graders	1	8
				Rubber Tired Dozers	1	8
				Scrapers	4	8
				Tractors/ Loaders/ Backhoes	2	8
Building Construction	406	478	0	Aerial Lifts	3	7
				Cranes	1	7
				Forklifts	7	8
				Generator Sets	3	8
				Tractors/ Loaders/ Backhoes	9	7
				Welders	2	8
Paving	70	50	0	Pavers	10	8
				Paving Equipment	10	8
				Rollers	15	8
Architectural Coating	230	0	0	Aerial Lifts	3	6
				Air Compressors	3	6
Off-Site Improvements						
Road Removal/ Utility Install	48	6	22	Concrete/ Industrial Saws	3	8
				Excavators	3	8
				Pumps	3	8
				Tractors/ Loaders/ Backhoes	3	8
Paving (Continual and Final)	24	6	0	Pavers	3	8
				Paving Equipment	3	8
				Rollers	3	8

Table 4.2-6. Construction Scenario Assumptions

Construction Phase	One-Way Vehicle Trips			Equipment		
	Average Daily Worker Trips	Average Daily Vendor Truck Trips	Average Haul Truck Trips	Equipment Type	Quantity	Daily Usage Hours
Architectural Coating (Striping)	12	6	0	Air Compressors	3	8
Testing	18	0	0	Generator Sets	3	8

Source: Appendix B-1.

Because the Project would involve non-residential construction on more than 5 acres, the Project would be required to comply with MDAQMD Rule 403 to control dust emissions from construction. MDAQMD Rule 403 requires the Project Applicant or their contractor to obtain and maintain an MDAQMD-approved Dust Control Plan (DCP). The DPC requires implementation of best available fugitive dust control measures, which include, but are not limited to, maintaining stability of soil through pre-watering of site prior to clearing, grubbing, cut and fill, and earth-moving activities; stabilizing soil during and immediately after clearing, grubbing, cut and fill, and other earth-moving activities; stabilizing backfill during handling and at completion of activity; and pre-watering material prior to truck loading and ensuring that freeboard exceeds 6 inches. While MDAQMD Rule 403 requires fugitive dust control beyond watering control measures, compliance with Rule 403 is represented in CalEEMod by assuming twice daily watering of active sites (61% reduction in PM_{10} and $PM_{2.5}$ [CAPCOA 2022]).

Operation

Emissions from the operational phase of the Project were estimated using CalEEMod. Operational year 2026, the first full year following construction, was assumed consistent with the assumptions in the EIR's transportation analysis (Appendix K).

Area Sources

CalEEMod was used to estimate operational emissions from area sources, including emissions from consumer product use, architectural coatings, and landscape maintenance equipment. The Project does not include woodstoves or fireplaces (wood or natural gas); therefore, area source emissions associated with hearths were not included.

Consumer products are chemically formulated products used by household and institutional consumers, including detergents; cleaning compounds; polishes; floor finishes; cosmetics; personal care products; home, lawn, and garden products; disinfectants; sanitizers; aerosol paints; and automotive specialty products. Other paint products, furniture coatings, or architectural coatings are not considered consumer products (CAPCOA 2022). Consumer product VOC emissions were estimated in CalEEMod based on the floor area of buildings and default factor of pounds of VOC per building square foot per day. The CalEEMod default values for consumer products were assumed.

VOC off-gassing emissions result from evaporation of solvents contained in surface coatings, such as in paints and primers used during building maintenance. CalEEMod calculates the VOC evaporative emissions from the application of surface coatings based on the VOC emission factor, the building square footage, the assumed fraction of surface area, and the reapplication rate. The VOC emissions factor is based on the VOC content of the surface

coatings, and MDAQMD Rule 1113, Architectural Coatings, governs the VOC content for interior and exterior coatings. This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories. CalEEMod default values were assumed, including the surface area to be painted, the VOC content of architectural coatings, and the reapplication rate of 10% of area per year.

Landscape maintenance includes fuel combustion emissions from equipment such as lawn mowers, rototillers, shredders/grinders, blowers, trimmers, chainsaws, and hedge trimmers. The emissions associated with landscape equipment use were estimated based on CalEEMod default values for emission factors (grams per square foot of building space per day) and number of summer days (when landscape maintenance would generally be performed) and winter days.

Mobile Sources

The Project would generate criteria pollutant emissions from mobile sources (vehicular traffic) as a result of the employee passenger vehicles (workers) and truck traffic associated with the operation of the warehouse.

Emissions from the mobile sources during operation of the Project were estimated in CalEEMod. Vehicle emissions occur during startup, operation (running), and idling, as well as from evaporative losses when the engines are resting. The emissions factors for trucks and passenger vehicles were determined using CalEEMod.

The maximum daily trip rates, taken from the EIR's transportation analysis (Appendix K), were 3,669 primary trips per day total, of which 2,546 trips would be passenger vehicles and 1,123 trips would be trucks, both of which were assumed 7 days per week. The passenger vehicle trip lengths were assumed to be CalEEMod default trip length of 18.5 miles for commercial-work trips (i.e., trips made by someone who is employed by the warehouse land use).

Heavy-Duty Truck Trip Lengths

To identify an appropriate trip length assumption for heavy-duty truck trips, three different methods of estimation were evaluated: (1) project-specific EMFAC-based estimate, (2) SCAQMD recommendations, and (3) Mojave Industrial Park Supplemental VMT Analysis (Appendix K).

For method 1, to determine an average operational truck trip distance, EMFAC data and the distance to the Port of Long Beach was examined. The Port of Long Beach was evaluated since it is the nearest major maritime cargo hub to the Project and potential origin/destination for haulage outside the MCAB. EMFAC data was queried for San Bernardino County for operational year 2026 for light-heavy duty (LHDT1 and LHDT2),[6] medium heavy duty (MHDT), and heavy-heavy duty trucks (HHDT) for total VMT and number of vehicle trips. Based on the EMFAC data it is estimated that MHDTs average 4.31 miles per trip and HHDTs average 9.74 miles per trip in San Bernardino County. LHDT1 and LHDT2s have a shorter EMFAC trip distance compared to MHDT, therefore, as a conservative assumption, LHDT1 and LHDT2 were assumed to have the same trip distance as MHDTs. The estimated trip distance from the Port of Long Beach to the Project was estimated to be 104 miles. Based on the EIR's transportation analysis, HHDT make up 51.3% of the total truck trips for the Project and LHDT1, LHDT2, and MHDTs make up 48.7% of truck trips. Conservatively assuming all HHDTs originate from the Port of Long Beach, then 50% of HHDT truck trips, arrival trips, are assumed to be of a distance of 104 miles. The other 50% making up the HHDT departure from the Project are assumed to have trip distance equal to the average EMFAC San Bernardino County trip distance of 9.74 miles. To

[6] LHDT1 and LHDT2 categories based on weight classes. Specifically, LHDT1 = 8,501 to 10,000 pounds and LHDT2 = 10,001 to 14,000 pounds.

determine an average total truck distance for use in CalEEMod, HHDT trips are averaged with the other 48.7% of the trucks (and LHDT1, LHDT2, and MHDTs) to determine an overall weighted average truck trip distance, which equates to about 31 miles. See Table 4.2-7 for calculation details.

Table 4.2-7. EMFAC-Based Operational Truck Trip Distance

Vehicle	Percent of Trucks Trips (%)[1]	EMFAC Data			Trip Distance
		EMFAC Truck Classification	County-wide VMT per Year	County-wide Vehicle Trips per Year	VMT per Trip
2-3 Axle Trucks (Arriving and Departing)	48.7	LHDT1, LHDT2, and MHDT	731,360[2]	230,179[2]	4.31
4+ Axle Trucks (Arriving from Port)	25.6 (50% of total HHDT Trips[4])	HHDT	N/A	N/A	104[3]
4+ Axle Trucks (Departing)	25.6 (50% of total HHDT Trips[4])	HHDT	2,771,006	284,511	9.74
				Weighted Average (All Truck Trips)	*31.25*

Notes:

1 Based on Project traffic impact analysis, Appendix K.

2 LHDT1, LHDT2, and MHDT conservatively based on EMFAC VMT and Trip data for MHDT.

3 Based on the distance from the Project site to the Port of Long Beach.

4 Percent of truck trips represents arrival and departure trips, therefore 50% of trips (arrival) conservatively assumed to originate at the Port of Long Beach. 50% of trips assumed to depart the Project facility and estimated truck trip distance is based on EMFAC county-wide average HHDT truck VMT per trip.

For method 2, the truck trip lengths would be based on the SCAQMD recommendation of 40 miles and assumed to be 100% of primary trips.[7]

For method 3, the average trip length information was obtained from the San Bernardino Traffic Analysis Model (SBTAM) for passenger cars and StreetLight Data's Truck Volume Metrics for medium heavy-duty trucks (MDT) (2 and 3 axle trucks) and heavy heavy-duty trucks (HDT) (4+ axle trucks) StreetLight Data's Truck Volume Metrics rely on five linked machine-learning models to estimate vehicle volume and trip length for various vehicle classes and total vehicles. These metrics cover data from 2019 through 2021. Truck travel characteristics were obtained from an existing industrial area near the proposed Project near the I-15 Freeway. This area was chosen due to its proximity to the Project and anticipated operational similarities. The data for this survey includes information on Medium Heavy-Duty Trucks (MDT) and Heavy Heavy-Duty Trucks (HDT) that either originated, ended, or passed through the surveyed area during the most recent consecutive 12-month period available from StreetLight Data for truck travel volume metrics. Using the above parameters, average daily zone traffic[8] of MDT vs. HDT, average trip

7 The average trip length for heavy-duty trucks were based on implementation of the Facility-Based Mobile Source Measures adopted in the SCAQMD's 2016 AQMP. SCAQMD's "Preliminary Warehouse Emission Calculations"in its Proposed Rule 2305 Board Package assumed a heavy-heavy-duty truck trip length of 39.9 miles (SCAQMD 2021), and the default commercial-nonwork trip length for trucks in CalEEMod is 6.6 miles. Therefore, the conservatively assumed trip length of 40 miles is used for this analysis.

8 Average daily zone traffic was used to calculate % of total aggregated trucks for each disaggregate.

length by vehicle class, and distance bins[9] of per-trip length in miles was obtained from StreetLight Data. Total average trip length for MDT and HDT was calculated by multiplying the disaggregated data's average trip length with its' respective percentage of total aggregated trucks (effectively calculating a weighted mean using percentages as weights) and then summing the amounts. As shown in Table 4.2-8, based on traffic monitoring data collected for the most recent 12-month period of complete data available from StreetLight Data the average weighted trip length was calculated as 62.1 miles.

Table 4.2-8. Streetlight-Based Operational Truck Trip Distance

Location	Average Trip Length by Vehicle Type				
	MDT Avg Trip Length	MDT% of Total	HDT Avg Trip Length	HDT% of Total	Weighted Average Trip Length
Apple Valley*	47.2	75.3%	105.8	24.7%	62.1

Note: The proxy project is located in Apple Valley at an existing industrial area near the proposed Project near the I-15 Freeway.
Source: Appendix K.

Because method 3 uses StreetLight data and truck travel characteristics for a similar use in the same geographic area and yields a higher weighted average trip length compared to both methods 1 and 2, the 62.1 miles is conservatively applied in this analysis to estimate mobile source emissions.

Project truck idling would be limited to 5 minutes in accordance with CARB's adopted Airborne Toxic Control Measure; however, for modeling purposes, it was conservatively assumed that the trucks would idle for a total of 15 minutes: idling which occurs while the trucks are waiting to pull up to the loading dock, at the loading dock, and prior to entering and exiting the site.

Mobile Sources in Neighboring Air Districts

This EIR assumes all mobile source emissions are included in the Project's criteria air pollutant emissions inventory prior to comparing emissions to the MDAQMD thresholds and that all truck trips assigned to the Project are "new" trips when in fact this is likely not the case. Because of the 62.1 mile assumed trip length for Project trucks that is set forth in this EIR, portions of truck trips and associated mobile source emissions could possibly occur outside of the MDAQMD jurisdictional boundaries and within other air district boundaries. To provide a good faith analysis, a Mojave Industrial Park Supplemental VMT Analysis memorandum was prepared (Appendix K) to estimate the proportion of potential traffic in the neighboring air district jurisdictions. As described in the memorandum, Streetlight Data's Truck Volume Metrics for medium-duty trucks (MDT 2 and 3 axle trucks) and heavy-duty trucks (HDT) (4+ axle trucks) was compiled for the Project area to determine the portion of truck activity occurring outside the MDAQMD. Table 4.2-9 shows the percentage of truck activity occurring in neighboring air districts. The truck activity percentage was applied to the mobile source emissions for trucks to estimate emissions within the other air districts and compared to their respective thresholds.

[9] Distance bins were defaulted to 0-1, 1-2, 2-5, 5-10, 10-20, 20-30, 30-40, 40-50, 50-60, 60-70, 70-80, 80-90, 90-100, and 100+ in miles.

Table 4.2-9. Truck Activity by Air District

Air District	Truck Activity
Antelope Valley Air Quality Management District	1%
Eastern Kern County Air Pollution Control District	14%
San Joaquin Valley Air Pollution Control District	6%
South Coast Air Quality Management District	72%

Source: Appendix K.

Energy Source Emissions

As represented in CalEEMod, energy sources include emissions associated with building electricity and natural gas usage. Electricity use would contribute indirectly to criteria air pollutant emissions; however, the emissions from electricity use are only quantified for greenhouse gas emissions in CalEEMod, since criteria pollutant emissions would occur at the site of power plants, which are not on the Project site. However, natural gas combustion would occur at the Project site itself, in association with equipment that uses natural gas. The emissions associated with natural gas use were calculated using CalEEMod default parameters, which assume compliance with the 2019 Title 24 Building Energy Efficiency Standards.

Off-Road Equipment

It is common for industrial buildings to require cargo handling equipment to move empty containers and empty chassis to and from the various pieces of cargo handling equipment that receive and distribute containers. The most common type of cargo handling equipment are forklifts, pallet jacks, and yard trucks, which are designed for moving cargo containers. Yard trucks are also known as yard goats, utility tractors, hustlers, yard hostlers, and yard tractors. For this particular Project, based on the maximum square footage of building space permitted by the Project, on-site modeled operational equipment includes a total of 164 forklifts (forklifts and pallet jacks, with a mix of 50% diesel and 50% electric) and 5 diesel-fueled yard tractors operating at 24 hours a day for 365 days of the year. See Appendix B-1 for detailed calculations.

Stationary Sources (Emergency Generators)

The Project would potentially operate three diesel-fueled 500-horsepower (hp). These generators were assumed to operate one-hour a day for up to 50-hours a year for routine testing and maintenance.

Health Risk Assessments

Construction Health Risk Assessment

An HRA was performed to evaluate potential health risk associated with construction of the Project. The following discussion summarizes the dispersion modeling and HRA methodology; supporting construction HRA documentation, including detailed assumptions, is presented in Appendix B-2.

For risk assessment purposes, PM_{10} in diesel exhaust is considered DPM, originating mainly from off-road equipment operating at a defined location for a given length of time at a given distance from sensitive receptors. Less-intensive, more-dispersed emissions result from on road vehicle exhaust (e.g., heavy-duty diesel trucks).

The air dispersion modeling methodology was based on MDAQMD's generally accepted modeling practices (MDAQMD 2020). Air dispersion modeling was performed using the EPA's American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) Version 22112 modeling system (computer software) with the Lakes Environmental Software implementation/user interface, AERMOD View Version 11.0.1. The HRA followed the Office of Environmental Health Hazard Assessment (OEHHA) 2015 guidelines (OEHHA 2015) and MDAQMD guidance to calculate the health risk impacts at all proximate receptors as further discussed below. The dispersion modeling included the use of standard regulatory default options. AERMOD parameters were selected consistent with the MDAQMD and EPA guidance and identified as representative of the Project site and Project activities. Principal parameters of this modeling are presented in Table 4.2-10.

Table 4.2-10. American Meteorological Society/Environmental Protection Agency Regulatory Model Principal Parameters

Parameter	Details
Meteorological Data	AERMOD-specific meteorological data for the Barstow-Daggett Airport air monitoring station (KDAG) was used for the dispersion modeling based on the recommendation of the MDAQMD. A meteorological data set from 2015 through 2020 was obtained from the CARB in a preprocessed format suitable for use in AERMOD.
Urban versus Rural Option	The rural dispersion option was selected due to the undeveloped nature of the Project area.
Terrain Characteristics	Digital elevation data were imported into AERMOD and elevations were assigned to receptors and emission sources, as necessary. Digital elevation data were obtained through the AERMOD View in the U.S. Geological Survey's National Elevation Dataset format with a resolution of 1 arc-second resolution.
Source Release Characterizations	Air dispersion modeling of DPM emissions was conducted assuming the off-road equipment and trucks would operate in accordance with the modeling scenario estimated in CalEEMod (Appendix B-1), based on the best information available at the time of analysis: ▪ Off-road equipment and diesel trucks were modeled as a line of adjacent volume sources across the Project site with a release height of 5 meters, a plume height of 10 meters, and plume width of 9 meters.
Receptors	Discrete receptors were placed at the nearest receptor locations in all directions to the Project site.

Notes: AERMOD = American Meteorological Society/Environmental Protection Agency Regulatory Model; MDAQMD = Mojave Desert Air Quality Management District; DPM = diesel particular matter; CalEEMod = California Emissions Estimator Model.
See Appendix B-2.

The health risk calculations were performed using the Hotspots Analysis and Reporting Program Version 2 (HARP2) Air Dispersion and Risk Tool (ADMRT, Version 22118). AERMOD was run with all sources emitting unit emissions (1 gram per second) to obtain the necessary input values for HARP2. The line of volume sources was partitioned evenly based on the 1 gram per second emission rate. The ground-level concentration plot files were then used to estimate the long-term cancer health risk to an individual, and the non-cancer chronic health indices. There is no reference exposure level for acute health impacts from DPM, and, thus, acute risk was not evaluated.

Operational Heath Risk Assessment

For the operational health risk, the operation year 2026 was assumed consistent with completion of Project construction. Emissions from the operation of the Project include truck trips, truck idling emissions, off-road diesel-fueled equipment, and routine testing and maintenance of the diesel emergency generators. Truck idling

would be limited to 5 minutes in accordance with CARB's adopted Airborne Toxic Control Measure; however, truck idling was conservatively assumed to idle for 15 minutes.[10] Therefore, the analysis conservatively overestimates DPM emissions from idling. Deliveries would occur 7 days per week.

Dudek evaluated the Project's potential cancer and noncancer health impacts using exposure periods appropriate to evaluate long-term emission increases (third trimester of pregnancy to 30 years). Emissions dispersion of DPM was modeled using AERMOD, then cancer risk and noncancer health impacts were subsequently calculated using the CARB HARP2. The health risk results were then compared to MDAQMD thresholds to assess Project significance. Principal parameters of this modeling are presented in Table 4.2-11.

Table 4.2-11. Operational Health Risk Assessment American Meteorological Society/U.S. Environmental Protection Agency Regulatory Model Operational Principal Parameters

Parameter	Details
Meteorological Data	AERMOD-specific meteorological data for the Barstow-Daggett Airport air monitoring station (KDAG) was used for the dispersion modeling based on the recommendation of the MDAQMD. A meteorological data set from 2015 through 2020 was obtained from the CARB in a preprocessed format suitable for use in AERMOD.
Urban versus Rural Option	The rural dispersion option was selected due to the undeveloped nature of the Project area.
Terrain Characteristics	Digital elevation data were imported into AERMOD and elevations were assigned to receptors and emission sources, as necessary. Digital elevation data were obtained through the AERMOD View in the U.S. Geological Survey's National Elevation Dataset format with a resolution of 1 arc-second resolution.
Source Release Characterizations	The following operational source modeling parameters were based on the best information available at the time of analysis: ▪ Diesel truck travel was modeled as a line of adjacent volume sources arriving and departing to the Project site from/to: east (30%), west (45%), southwest (10%), and south (15%) with a release height of 3.4 meters, a plume height of 6.8 meters, and plume width of 9 meters. ▪ Truck idling was modeled as a line of adjacent volume sources along each side of the warehouse building with loading docks, with a release height of 3.4 meters, a plume height of 6.8 meters, and plume width of 3.7 meters. ▪ Diesel yard trucks were modeled as a line of adjacent volume sources along each side of the warehouse buildings with loading docks, with a release height of 3.4 meters, a plume height of 6.8 meters, and plume width of 9 meters. ▪ Diesel forklifts were modeled as a line of adjacent volume sources along each side of the warehouse buildings with loading docks, with a release height of 3.4 meters, a plume height of 6.8 meters, and a plume width of 9 meters. ▪ Emergency generators were modeled as point sources and located adjacent to the respective buildings. The 500-hp generators were each assumed to have vertical stacks with a height of 2.50 meters, inside stack diameter of 13.46 centimeters, gas exhaust temperature of 931 degrees Fahrenheit, and gas exit flow rate of 1,829 cubic meters per minute. (SBAPCD 2018)

[10] Although the Project is required to comply with CARB's idling limit of 5 minutes, on-site idling emissions was estimated for 15 minutes of truck idling, which would take into account on-site idling while the trucks are waiting to pull up to the loading dock, idling at the loading dock, and idling during check-in and check-out.

Table 4.2-11. Operational Health Risk Assessment American Meteorological Society/U.S. Environmental Protection Agency Regulatory Model Operational Principal Parameters

Parameter	Details
Receptors	Discrete receptors were placed at the nearest receptor locations in all directions to the Project site.

Source: See Appendix B-2.
Note: AERMOD = American Meteorological Society/Environmental Protection Agency Regulatory Model; MDAQMD = Mojave Desert Air Quality Management District; SCAQMD = South Coast Air Quality Management District; EPA = U.S. Environmental Protection Agency.

4.2.5 Impacts Analysis

Threshold A: Would the Project conflict with or obstruct implementation of the applicable air quality plan?

Significant and Unavoidable Impact. The Federal Particulate Matter Attainment Plan and Ozone Attainment Plan for the Mojave Desert set forth a comprehensive set of programs that will lead the MDAB into compliance with federal and state air quality standards. The control measures and related emission reduction estimates within the Federal Particulate Matter Attainment Plan and Ozone Attainment Plan are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. A project is non-conforming with an air quality plan if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable MDAQMD rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan). Zoning changes, specific plans, general plan amendments and similar land use plan changes that do not increase dwelling unit density, do not increase vehicle trips, and do not increase vehicle-miles traveled (VMT) are also deemed to comply with the applicable air quality plan (MDAQMD 2023).

The Project would be required to comply with all applicable MDAQMD Rules and Regulations, including, but not limited to Rules 401 (Visible Emissions), 402 (Nuisance), and 403 (Fugitive Dust Control for the Mojave Desert Planning Area). The Victorville General Plan designates the Project site as Light Industrial (LI) and the Project site is zoned Light Industrial (M-1). According to the General Plan, the Light Industrial land use designation "is characterized by industrial development either located in industrial and/or business parks or in mixed-use areas. The main feature of industrial activities in this category is that they do not require any significant site or structure requirements that are so specialized that would limit future use of the structures and/or site by another industrial activity." Therefore, the Project would be consistent with the site's existing land use designation. Regarding the zoning of the Project site, pursuant to Section 16-3.070-010 of the Victorville Code of Ordinances, warehouse/storage facilities are a permitted use in the M-1 zone. The Project's potential to result in unplanned growth was evaluated in this Draft EIR in Section 4.13, Population and Housing. It was determined that the Project's temporary and permanent employment requirements could be met by the City's existing labor force without people needing to relocate into the Project region, and that the Project would not stimulate population growth or a population concentration above what is assumed in local and regional land use plans. In summary, the proposed Project would be consistent with the land use plan and growth forecasts used to create the air quality plan.

As discussed below, Project construction-source emissions would not exceed applicable MDAQMD regional thresholds for any criteria air pollutant. However, Project operational-source air pollutant emissions would result in exceedances of the regional threshold for emissions of NO_x and PM_{10}, even after implementation of **Mitigation Measure (MM) AQ-2** (Haul Trucks), **MM-AQ-3** (Zero-Emissions Off-Road Equipment). **MM-AQ-4** (Stationary

Source Equipment), **MM-AQ-5** (Provision of Information), **MM-AQ-6** (Electric Vehicle Infrastructure and Zero Emission Vehicles), **MM-AQ-7** (Operational Measures), **MM-GHG-1** (Building Design), **MM-GHG-2** (Rooftop Solar), **MM-GHG-3** (Water Conservation), and **MM-GHG-4** (Solid Waste Reduction). As such, NO_x and PM_{10} operational emissions are considered potentially significant and unavoidable, and the Project would have the potential to increase the frequency or severity of a violation in the federal or state ambient air quality for on-going Project operations. The health effects of criteria air pollutants are discussed in depth under the next impact criterion.

Based on the preceding considerations, the Project would conform to local land use plans and would comply with all applicable all MDAQMD Rules and Regulations. However, even with implementation of mitigation, Project operational-source emissions have the potential to increase the frequency or severity of a violation in the federal or state ambient air quality standards. On this basis, the Project is considered to potentially conflict with the Federal Particulate Matter Attainment Plan and Ozone Attainment Plan for the MDAB. Therefore, impacts associated with a potential conflict with the MDAQMD air quality plans would be significant and unavoidable.

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

Significant and Unavoidable Impact. Construction and operation of the Project would result in emissions of criteria air pollutants from mobile, area, and stationary sources, which may cause exceedances of federal and state AAQS or contribute to existing nonattainment of AAQS. The following discussion identifies potential short-term construction and long-term operational impacts that would result from implementation of the Project.

Air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development, and the MDAQMD develops and implements plans for future attainment of AAQS. Although the area of the MDAB where the Project is located is currently designated a nonattainment area for federal and state O_3 standards and federal and state PM_{10} standards, the MDAB has experienced a substantial reduction in maximum 8-hour concentrations of O_3 over the past 30 years, as well as reductions in PM_{10} over time, as described in the respective MDAQMD O_3 and PM_{10} attainment plans. CEQA thresholds are established at levels that the air basin can accommodate without affecting the attainment date for the AAQS. Based on these considerations, Project-level thresholds of significance for criteria pollutants are relevant in the determination of whether a project's individual emissions would have a cumulatively significant impact on air quality.

Short-Term Construction Impacts

Construction of the Project would result in the temporary addition of pollutants to the local airshed caused by on-site sources (i.e., off-road construction equipment, soil disturbance, and VOC off-gassing from architectural coatings) and off-site sources (i.e., on-road haul trucks, vendor trucks, and worker vehicle trips). Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and for dust, the prevailing weather conditions. Therefore, such emission levels can only be approximately estimated with a corresponding uncertainty in precise ambient air quality impacts.

As discussed in the Methodology – Construction subsection of Section 4.2.4, Methodology, criteria air pollutant emissions associated with temporary construction activity were quantified using CalEEMod. CalEEMod calculates maximum daily emissions for summer and winter periods. The estimated maximum daily construction emissions without mitigation are summarized in Table 4.2-12. Detailed construction model outputs are presented in Appendix B-1.

Table 4.2-12. Estimated Maximum Daily Construction Criteria Air Pollutant Emissions - Unmitigated

Year	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
	Pounds Per Day					
Summer						
2024	N/A	N/A	N/A	N/A	N/A	N/A
2025	56.24	71.12	115.18	0.24	13.27	4.84
Winter						
2024	36.01	97.06	105.18	0.25	13.57	6.15
2025	49.73	72.37	101.94	0.24	13.27	4.84
Maximum Daily Emissions	**56.24**	**97.06**	**115.18**	**0.25**	**13.57**	**6.15**
MDAQMD Threshold	*137*	*137*	*548*	*137*	*82*	*65*
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Appendix B-1.
Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter; N/A = Not Applicable; MDAQMD = Mojave Desert Air Quality Management District.
Includes compliance with MDAQMD Rule 403 for fugitive dust control.

As depicted in Table 4.2-12, emissions resulting from the Project construction would not exceed criteria pollutant thresholds established by the MDAQMD. This impact would be less than significant without mitigation.

The proposed Project will incorporate **MM-AQ-1** (Construction Measures), which require all generators, and all diesel-fueled off-road construction equipment greater than 75 horsepower to be zero-emissions or equipped with CARB Tier 4-compliant engines, which would further reduce NOx and PM emissions. The effectiveness of **MM-AQ-1** (Construction Measures) is quantified in the mitigated emissions estimate in Table 4.2-13.

Table 4.2-13. Estimated Maximum Daily Construction Criteria Air Pollutant Emissions – With Mitigation

Year	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
	Pounds Per Day					
Summer						
2024	N/A	N/A	N/A	N/A	N/A	N/A
2025	26.30	45.66	119.17	0.24	12.14	3.81
Winter						
2024	18.59	48.67	109.02	0.25	12.22	3.97
2025	22.86	46.91	105.93	0.24	12.14	3.81
Maximum Daily Emissions	**26.30**	**48.67**	**119.17**	**0.25**	**12.22**	**3.97**
MDAQMD Threshold	*137*	*137*	*548*	*137*	*82*	*65*
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Appendix B-1.
Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter; N/A = Not Applicable; MDAQMD = Mojave Desert Air Quality Management District;
Includes implementation of **MM-AQ-1**.

After implementation of MM-AQ-1 (Construction Measures), regional construction emissions would be further reduced and do not exceed the applicable MDAQMD thresholds of significance for any criteria pollutant. Construction emissions would be less than significant.

Long-Term Operational Impacts

Operation of the Project would generate criteria pollutant emissions from area sources (consumer products, architectural coatings, landscaping equipment), energy sources (natural gas combustion for space and water heating), mobile sources (vehicular traffic), off-road equipment (diesel-fueled forklifts and yard trucks), and stationary sources (emergency diesel generator testing and maintenance). Table 4.2-14 summarizes the unmitigated maximum daily operational emissions associated with the Project. Detailed operational model outputs are presented in Appendix B-1.

Table 4.2-14. Estimated Maximum Daily Operation Criteria Air Pollutant Emissions - Unmitigated

Emissions Source	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
	Pounds per Day					
Summer						
Mobile	12.09	183.19	114.22	1.85	82.67	24.55
Area	40.52	0.49	58.77	<0.01	0.10	0.08
Energy	0.52	9.50	7.98	0.06	0.72	0.72
Offroad Equipment	22.56	208.12	279.20	0.45	9.67	8.89
Stationary	2.46	6.88	6.28	0.01	0.36	0.36
Total Daily Summer Emissions	**78.15**	**408.19**	**466.45**	**2.37**	**93.53**	**34.61**
Winter						
Mobile	11.26	192.70	93.70	1.82	82.67	24.55
Area	30.87	N/A	N/A	N/A	N/A	N/A
Energy	0.52	9.50	7.98	0.06	0.72	0.72
Offroad Equipment	22.56	208.12	279.20	0.45	9.67	8.89
Stationary	2.46	6.88	6.28	0.01	0.36	0.36
Total Daily Winter Emissions	**67.68**	**417.21**	**387.16**	**2.34**	**93.42**	**34.53**
Maximum Daily Emissions	**78.15**	**417.21**	**466.45**	**2.37**	**93.53**	**34.61**
MDAQMD Threshold	*137*	*137*	*548*	*137*	*82*	*65*
Threshold Exceeded?	**No**	**Yes**	**No**	**No**	**Yes**	**No**

Source: See Appendix B-1 for complete results.
Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter; MDAQMD = Mojave Desert Air Quality Management District; <0.01 = reported value less than 0.01.

As shown in Table 4.2-14, the Project would exceed the numerical thresholds of significance established by the MDAQMD for emissions of NO_x and PM_{10}. This impact would be potentially significant without mitigation.

Most criteria air pollutants associated with the Project are generated by diesel-fueled off-road cargo handling equipment and on-road vehicles The proposed Project proposes mitigation to reduce operational criteria air pollutants from those two sources. Specifically, **MM-AQ-2** (Haul Trucks) and **MM-AQ-3** (Zero-Emissions Off-Road Equipment) would reduce criteria air pollutant emissions through the provision of cleaner than average hauling trucks and zero-emissions cargo handling equipment, respectively. In addition, **MM-AQ-4** (Stationary Source Equipment) would require Tier 4 emergency generators, which would result in lower NO_x and PM emissions.

The mitigated emissions estimate is shown in Table 4.2-15.

Table 4.2-15. Estimated Maximum Daily Operation Criteria Air Pollutant Emissions – With Mitigation

Emissions Source	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
	Pounds per Day					
Summer						
Mobile	12.09	183.09	114.20	1.84	82.63	24.54
Area	39.49	N/A	N/A	N/A	N/A	N/A
Energy	0.52	9.50	7.98	0.06	0.72	0.72
Offroad Equipment	0	0	0	0	0	0
Stationary	0.12	0.63	6.28	0.01	0.02	0.02
Total Daily Summer Emissions	**42.57**	**193.22**	**128.46**	**1.91**	**83.38**	**25.29**
Winter						
Mobile	11.26	192.60	93.68	1.82	82.63	24.54
Area	29.84	N/A	N/A	N/A	N/A	N/A
Energy	0.52	9.50	7.98	0.06	0.72	0.72
Offroad Equipment	0	0	0	0	0	0
Stationary	0.12	0.63	6.28	0.01	0.02	0.02
Total Daily Winter Emissions	**42.57**	**202.73**	**107.94**	**1.89**	**83.38**	**25.29**
Maximum Daily Emissions	**42.57**	**202.73**	**128.46**	**1.91**	**83.38**	**25.29**
MDAQMD Threshold	*137*	*137*	*548*	*137*	*82*	*65*
Threshold Exceeded?	**No**	**Yes**	**No**	**No**	**Yes**	**No**

Source: See Appendix B-1 for complete results.
Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter; MDAQMD = Mojave Desert Air Quality Management District; <0.01 = reported value less than 0.01; N/A = Not Applicable. Includes incorporation of **MM-AQ-2**, **MM-AQ-3**, and **MM-AQ-4**.

After implementation of mitigation the Project would still exceed the MDAQMD thresholds for NO_x and PM_{10}. No feasible mitigation measures or project design features beyond those already identified exist that would reduce these emissions to levels that are less than significant. Therefore, even with the incorporation of mitigation, long-term impacts associated with a cumulatively considerable net increase of criteria pollutants for which the Project region is non-attainment would be significant and unavoidable.

Mobile Source Emissions in Neighboring Air Districts

As noted above in Section 4.2.4, the Project's truck emissions have the potential to occur in neighboring air districts. Table 4.2-9 provided the estimated truck activity by air district. The activity percentage was applied to the truck mobile source emissions to estimate potential air impacts within those air districts. Table 4.2-16 provides an estimate of the mobile source emissions within the neighboring air districts and compares those emissions to the respective district thresholds to determine the Project's air quality impact.

Table 4.2-16. Estimated Truck Mobile Source Criteria Air Pollutant Emissions by Air District With Mitigation

Emissions Source	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
	Pounds per Day					
Summer						
Mojave Desert Air Quality Management District	5.70	179.52	42.51	1.67	64.93	20.04
Antelope Valley Air Quality Management District	0.06	1.80	0.43	0.02	0.65	0.20
South Coast Air Quality Management District	4.11	129.25	30.60	1.20	46.75	14.43
Winter						
Mojave Desert Air Quality Management District	5.58	188.67	42.39	1.67	64.93	20.04
Antelope Valley Air Quality Management District	0.06	1.89	0.42	0.02	0.65	0.20
South Coast Air Quality Management District	4.02	135.84	30.52	1.20	46.75	14.43
AVAQMD Threshold	*137*	*137*	*548*	*137*	*82*	*65*
MDAQMD Threshold	*137*	*137*	*548*	*137*	*82*	*65*
SCAQMD Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Threshold Exceeded?	**No**	**Yes MDAQMD SCAQMD**	**No**	**No**	**No**	**No**
Annual	**Tons per year**					
Mojave Desert Air Quality Management District	1.03	34.86	7.69	0.30	11.84	3.65
Eastern Kern County Air Pollution Control District	0.14	4.88	1.08	0.04	1.66	0.51
San Joaquin Valley Air Pollution Control District	0.06	2.09	0.46	0.02	0.71	0.22
SJVAPCD Thresholds	**10**	**10**	**100**	**27**	**15**	**15**
EKAPCD Thresholds	**25**	**25**	**N/A**	**N/A**	**15**	**N/A**
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Source: See Appendix B-1 for complete results.
Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter; MDAQMD = Mojave Desert Air Quality Management District; <0.01 = reported value less than 0.01; N/A = Not Applicable

As shown in Table 4.2-16, even with implementation of mitigation, the Project would result in exceedances of NO_x air district thresholds in the SCAQMD resulting in a potentially significant impact.

Health Effects of Criteria Air Pollutants

Construction of the Project would result in emissions that would not exceed the MDAQMD thresholds for any criteria air pollutants. Operation of the Project, however, would result in emissions that would exceed the MDAQMD thresholds for NO_x, even after implementation of mitigation.

As discussed in Section 4.2.1, Existing Conditions, under the heading Pollutants and Effects, health effects associated with O_3 include respiratory symptoms, worsening of lung disease leading to premature death, and damage to lung tissue. VOCs and NO_x are precursors to O_3, for which the MDAB is designated as nonattainment with respect to the NAAQS and CAAQS. The contribution of VOCs and NO_x to regional ambient O_3 concentrations is the result of complex photochemistry. The increases in O_3 concentrations in the MDAB due to O_3 precursor emissions tend to be found downwind of the source location because of the time required for the photochemical reactions to occur. Further, the potential for exacerbating excessive O_3 concentrations would also depend on the time of year that the VOC emissions would occur, because exceedances of the O_3 NAAQS and CAAQS tend to occur between April and October when solar radiation is highest. Due to the lack of quantitative methods to assess this complex photochemistry, the holistic effect of a single project's emissions of O_3 precursors is speculative. That being said, because the Project would exceed the MDAQMD NO_x threshold during Project operations, the Project contribute to health effects associated with O_3.

Health effects associated with NO_x and NO_2 (which is a constituent of NO_x) include lung irritation and enhanced allergic responses (see Section 4.2.1). Although Project-related NO_x emissions would exceed the MDAQMD construction mass daily thresholds, because the MDAB is a designated attainment area for NO_2 (and NO_2 is a constituent of NO_x) and the existing NO_2 concentrations in the area are well below the NAAQS and CAAQS standards,[11] it is not anticipated that the Project would cause an exceedance of the NAAQS and CAAQS for NO_2 or result in potential health effects associated with NO_2 and NO_x. However, because the Project would exceed the MDAQMD NO_x threshold during Project operations, the Project could contribute to health effects associated with NO_x and NO_2.

Health effects associated with CO include chest pain in patients with heart disease, headache, light-headedness, and reduced mental alertness (see Section 4.2.1). CO tends to be a localized impact associated with congested intersections. The potential for CO hotspots is discussed under the subsequent impact criterion below and determined to be less than significant. Thus, the Project's CO emissions would not contribute to significant health effects associated with CO.

Health effects associated with PM_{10} include premature death and hospitalization, primarily for worsening of respiratory disease (see Section 4.2.1). Operation of the Project would exceed the MDAQMD threshold for PM10. As such, the Project would potentially contribute to exceedances of the NAAQS and CAAQS for particulate matter and obstruct the MDAB from coming into attainment for these pollutants. Because the Project exceeds the MDAQMD PM10 threshold during operations even after implementation of mitigation, the Project could contribute to significant health effects associated with PM_{10}.

[11] See Table 4.2-2, which shows that ambient concentrations of NO_2 at the Victorville monitoring station have not exceeded the NAAQS or CAAQS between 2020 and 2022.

The California Supreme Court's *Sierra Club v. County of Fresno* (2018) 6 Cal. 5th 502 decision (referred to herein as the Friant Ranch decision; issued on December 24, 2018), addresses the need to correlate mass emission values for criteria air pollutants to specific health consequences, and contains the following direction from the California Supreme Court: "The Environmental Impact Report (EIR) must provide an adequate analysis to inform the public how its bare numbers translate to create potential adverse impacts or it must explain what the agency *does* know and why, given existing scientific constraints, it cannot translate potential health impacts further" (italics original). Currently, MDAQMD, CARB, and EPA have not approved a quantitative method to reliably, meaningfully, and consistently translate the mass emission estimates for the criteria air pollutants resulting from the Project to specific health effects. In addition, there are numerous scientific and technological complexities associated with correlating criteria air pollutant emissions from an individual project to specific health effects or potential additional nonattainment days.

In connection with the judicial proceedings culminating in issuance of the Friant Ranch decision, the SCAQMD and the San Joaquin Valley Air Pollution Control District (SJVAPCD) filed amicus briefs attesting to the extreme difficulty of correlating an individual project's criteria air pollutant emissions to specific health impacts. Both the SJVAPCD and the SCAQMD have among the most sophisticated air quality modeling and health impact evaluation capabilities of the air districts in the state. The key, relevant points from the SCAQMD and SJVAPCD briefs are summarized herein.

In requiring a health impact type of analysis for criteria air pollutants, it is important to understand how O_3 and PM is formed, dispersed, and regulated. The formation of O_3 and PM in the atmosphere, as secondary pollutants,[12] involves complex chemical and physical interactions of multiple pollutants from natural and anthropogenic sources. The O_3 reaction is self-perpetuating (or catalytic) in the presence of sunlight because NO_2 is photochemically reformed from nitric oxide (NO). In this way, O_3 is controlled by both NO_x and VOC emissions (NRC 2005). The complexity of these interacting cycles of pollutants means that incremental decreases in one emission may not result in proportional decreases in O_3 (NRC 2005). Although these reactions and interactions are well understood, variability in emission source operations and meteorology creates uncertainty in the modeled O_3 concentrations to which downwind populations may be exposed (NRC 2005). Once formed, O_3 can be transported long distances by wind and due to atmospheric transport, contributions of precursors from the surrounding region can also be important (EPA 2008). Because of the complexity of O_3 formation, a specific tonnage of VOCs or NO_X emitted in a particular area does not equate to a particular concentration of O_3 in that area (SJVAPCD 2015b). PM can be divided into two categories: directly emitted PM and secondary PM. Secondary PM, like O_3, is formed via complex chemical reactions in the atmosphere between precursor chemicals such as SO_x and NO_x (SJVAPCD 2015b). Because of the complexity of secondary PM formation, including the potential to be transported long distances by wind, the tonnage of PM-forming precursor emissions in an area does not necessarily result in an equivalent concentration of secondary PM in that area (SJVAPCD 2015b). This is especially true for individual projects, like the Project, where Project-generated criteria air pollutant emissions are not derived from a single "point source," but from construction equipment and mobile sources (passenger cars and trucks) driving to, from and around the Project site.

Another important technical nuance is that health effects from air pollutants are related to the concentration of the air pollutant that an individual is exposed to, not necessarily the individual mass quantity of emissions associated with an individual project. For example, health effects from O_3 are correlated with increases in the ambient level of O_3 in the air a person breathes (SCAQMD 2015). However, it takes a large amount of additional precursor emissions to cause a modeled increase in ambient O_3 levels over an entire region (SCAQMD 2015). The lack of link between the tonnage of precursor pollutants and the concentration of O_3 and $PM_{2.5}$ formed is important because it is not necessarily the tonnage of precursor pollutants that causes human health effects; rather, it is the concentration of resulting O_3 that causes these effects (SJVAPCD 2015b). Indeed, the ambient air quality standards, which are

[12] Air pollutants formed through chemical reactions in the atmosphere are referred to as secondary pollutants.

statutorily required to be set by EPA at levels that are requisite to protect the public health, are established as concentrations of O_3 and $PM_{2.5}$ and not as tonnages of their precursor pollutants (EPA 2018a). Because the ambient air quality standards are focused on achieving a particular concentration region-wide, the tools and plans for attaining the AAQS are regional in nature. For CEQA analyses, project-generated emissions are typically estimated in pounds per day or tons per year and compared to mass daily or annual emission thresholds. While CEQA thresholds are established at levels that the air basin can accommodate without affecting the attainment date for the AAQS, even if a project exceeds established CEQA significance thresholds, this does not mean that one can easily determine the concentration of O_3 or PM that will be created at or near the Project site on a particular day or month of the year, or what specific health impacts will occur (SJVAPCD 2015b).

Regarding regional concentrations and air basin attainment, the SJVAPCD emphasized that attempting to identify a change in background pollutant concentrations that can be attributed to a single project, even one as large as the entire Friant Ranch Specific Plan, is a theoretical exercise. The SJVAPCD brief noted that it "would be extremely difficult to model the impact on NAAQS attainment that the emissions from the Friant Ranch Project may have" (SJVAPCD 2015b). The situation is further complicated by the fact that background concentrations of regional pollutants are not uniform either temporally or geographically throughout an air basin but are constantly fluctuating based upon meteorology and other environmental factors. SJVAPCD noted that the currently available modeling tools are equipped to model the impact of all emission sources in the San Joaquin Valley Air Basin on attainment (SJVAPCD 2015b). The SJVAPCD brief then indicated that, "Running the photochemical grid model used for predicting O_3 attainment with the emissions solely from the Friant Ranch Project (which equate to less than one-tenth of one percent of the total NOx and VOC in the Valley) is not likely to yield valid information given the relative scale involved" (SJVAPCD 2015b).

SCAQMD and SJVAPCD have indicated that it is not feasible to quantify project-level health impacts based on existing modeling (SCAQMD 2015; SJVAPCD 2015b). Even if a metric could be calculated, it would not be reliable because the models are equipped to model the impact of all emission sources in an air basin on attainment and would likely not yield valid information or a measurable increase in O_3 concentrations sufficient to accurately quantify O_3-related health impacts for an individual project.

Nonetheless, following the Supreme Court's Friant Ranch decision, some EIRs where estimated criteria air pollutant emissions exceeded applicable air district thresholds have included a quantitative analysis of potential project-generated health effects using a combination of a regional photochemical grid model (PGM)13 and the EPA Benefits Mapping and Analysis Program (BenMAP or BenMAP–Community Edition [CE]).14 The publicly available health impact assessments (HIAs) typically present results in terms of an increase in health incidences and/or the increase in background health incidence for various health outcomes resulting from a project's estimated increase in concentrations of O_3 and $PM_{2.5}$.[15]. To date, the five publicly available HIAs reviewed have concluded that the

[13] The first step in the publicly available HIAs includes running a regional PGM, such as the Community Multiscale Air Quality (CMAQ) model or the Comprehensive Air Quality Model with extensions (CAMx) to estimate the increase in concentrations of O_3 and $PM_{2.5}$ as a result of project-generated emissions of criteria and precursor pollutants. Air districts use photochemical air quality models for regional air quality planning. These photochemical models are large-scale air quality models that simulate the changes of pollutant concentrations in the atmosphere using a set of mathematical equations characterizing the chemical and physical processes in the atmosphere (EPA 2017).

[14] After estimating the increase in concentrations of O_3 and $PM_{2.5}$, the second step in the five examples includes use of BenMAP or BenMAP-CE to estimate the resulting associated health effects. BenMAP estimates the number of health incidences resulting from changes in air pollution concentrations (EPA 2018b). The health impact function in BenMAP-CE incorporates four key sources of data: (i) modeled or monitored air quality changes, (ii) population, (iii) baseline incidence rates, and (iv) an effect estimate. All of the five example HIAs focused on O_3 and $PM_{2.5}$.

[15] The following CEQA documents included a quantitative HIA to address Friant Ranch: (1) California State University Dominguez Hills 2018 Campus Master Plan EIR (CSUDH 2019), (2) March Joint Powers Association K4 Warehouse and Cactus Channel.

evaluated projects' health effects associated with the estimated project-generated increase in concentrations of O_3 and $PM_{2.5}$ represent a small increase in incidences and a very small percentage of the number of background incidences, indicating that these health impacts are negligible and potentially within the models' margin of error. It is also important to note that while the results of the five available HIAs conclude that project emissions do not result in a substantial increase in health incidences, the estimated emissions and assumed toxicity is also conservatively inputted into the HIA and thus, overestimate health incidences, particularly for $PM_{2.5}$.

As explained in the SJVAPCD brief and noted previously, running the PGM used for predicting O_3 attainment with the emissions solely from an individual project like the Friant Ranch Project or the Project is not likely to yield valid information given the relative scale involved. The five examples reviewed support the SJVAPCD's brief contention that consistent, reliable, and meaningful results may not be provided by methods applied at this time. Accordingly, additional work in the industry and more importantly, air district participation, is needed to develop a more meaningful analysis to correlate project-level mass criteria air pollutant emissions and health effects for decision makers and the public. Furthermore, at the time of writing, no HIA has concluded that health effects estimated using the PGM and BenMAP approach are substantial provided that the estimated project-generated incidences represent a very small percentage of the number of background incidences, potentially within the models' margin of error.

In summary, operation of the Project could result in exceedances of the MDAQMD significance threshold for NO_x and PM_{10} after implementation of mitigation, thus the Project would potentially result in associated health effects for NOx and PM_{10}. Because construction of the Project would not exceed any MDAQMD thresholds, and operation of the Project would not exceed the MDAQMD thresholds for CO, SO_x or $PM_{2.5}$, and because the MDAQMD thresholds are based on levels that the MDAB can accommodate without affecting the attainment date for the AAQS and the AAQS are established to protect public health and welfare, the Project is not anticipated to result in health effects associated with CO, SO_x or $PM_{2.5}$.

Notably, there are numerous scientific and technological complexities associated with correlating criteria air pollutant emissions from an individual project to specific health effects or potential additional nonattainment days, and methods available to quantitatively evaluate health effects may not be appropriate to apply to emissions associated with the Project, which cannot be estimated with a high-level of accuracy. Notwithstanding, because operation of the Project could result in exceedances of MDAQMD significance thresholds for NO_x, and PM_{10} after implementation of mitigation, the potential associated health effects are conservatively considered significant and unavoidable.

Threshold C: Would the Project expose sensitive receptors to substantial pollutant concentrations?

Significant and Unavoidable Impact. The potential impact of Project-generated air pollutant emissions at sensitive receptors has been considered. Sensitive receptors can include uses such as long-term health care facilities, rehabilitation centers, and retirement homes. Residences, schools, playgrounds, child-care centers, and athletic facilities can also be considered as sensitive receptors.

Criteria Air Pollutant Emissions and Associated Pollutant Concentrations

As discussed above in Threshold B, because operation of the Project could result in exceedances of the MDAQMD significance thresholds for NO_x and PM_{10} after implementation of mitigation, the Project would potentially result in health effects associated with those pollutants. Construction of the Project would not exceed any MDAQMD thresholds., and operation of the Project would not exceed the MDAQMD thresholds for CO, SO_x or $PM_{2.5}$, and

because the MDAQMD thresholds are based on levels that the MDAB can accommodate without affecting the attainment date for the AAQS and the AAQS are established to protect public health and welfare, the Project is not anticipated to result in health effects associated with CO, SO_x, or $PM_{2.5}$.

Notably, there are numerous scientific and technological complexities associated with correlating criteria air pollutant emissions from an individual project to specific health effects or potential additional nonattainment days, and methods available to quantitatively evaluate health effects may not be appropriate to apply to emissions associated with the Project, which cannot be estimated with a high-level of accuracy. Notwithstanding, because operation of the Project could result in exceedances of MDAQMD significance thresholds for NO_x and PM_{10}, even after implementation of mitigation, the potential health effects associated with these criteria air pollutants are conservatively considered significant and unavoidable.

Local Carbon Monoxide Concentrations

Mobile source impacts occur on two scales of motion. Regionally, Project-related travel would add to regional trip generation and increase VMT within the local airshed and the MDAB. Locally, Project-generated traffic would be added to the roadway system near the Project site. If such traffic occurs during periods of poor atmospheric ventilation, is composed of a large number of vehicles "cold-started" and operating at pollution-inefficient speeds and operates on roadways already crowded with non-Project traffic, there is a potential for the formation of microscale CO hotspots in the area immediately around points of congested traffic. However, because of continued improvement in vehicular emissions at a rate faster than the rate of vehicle growth and/or congestion, the potential for CO hotspots in the MDAB is steadily decreasing.

The MDAQMD thresholds of significance for local CO emissions is the 1-hour and 8-hour CAAQS of 20 ppm and 9 ppm, respectively. By definition, these represent levels that are protective of public health. As noted previously, the MDAB is currently designated attainment for both state and national CO ambient air quality standards, and the Town of Apple Valley typically experiences low background CO concentrations.

As described in Section 4.2.3, to verify that the Project would not cause or contribute to a violation of the CO standard, a screening evaluation was conducted comparing the highest hourly traffic volumes at any studied intersection in proximity to the Project site to the 100,000 vehicles per day criterion from the SCAQMD Air Quality Management Plan (SCAQMD 2003a). As noted in the General Plan Update EIR (City of Victorville 2022). The County of San Bernardino did not identify any intersections that would exceed 44,000 vehicles per single hour for buildout of the entire County (County of San Bernardino 2019), therefore, implementation of the Victorville General Plan Update, would not result in a potential CO impact. The 44,000 vehicles per hour screening used by the County of San Bernardino and the City of Victorville is lower than the 100,000 vehicles per hour criterion used by the SCAQMD. Given that a City's General Plan update would have higher traffic volumes than a single project; the proposed Project would not have the potential to exceed 100,000 vehicles per hour. Therefore, impacts associated with CO hotspots would be less than significant.

Toxic Air Contaminant Exposure

Construction Health Risk

As discussed in Section 4.2.4, a construction HRA was performed to estimate the Maximum Individual Cancer Risk and the Chronic Hazard Index for residential receptors as a result of Project construction, on-site development and off-site improvements. Results of the construction HRA are presented in Table 4.2-17. Detailed operational model outputs are presented in Appendix B-2.

Table 4.2-17. Construction Health Risk Assessment Results – Unmitigated

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
Maximum Individual Cancer Risk – Residential	Per Million	8.07	10	Less than Significant
Chronic Hazard Index – Residential	Index Value	0.009	1.0	Less than Significant

Source: Appendix B-2.
Note: CEQA = California Environmental Quality Act.

As shown in Table 4.2-17, Project construction activities would result in a Maximum Individual Cancer Risk of 8.07 in 1 million at the nearest residence, which is less than the significance threshold of 10 in 1 million. Project construction would result in a Chronic Hazard Index of 0.009, which is below the 1.0 significance threshold. The Project construction TAC health risk impacts would be less than significant. Although not required to reduce the construction risk impact, **MM-AQ-1** (Construction Measures) would further reduce the Maximum Individual Cancer Risk and Chronic Hazard Index levels to 3.04 in 1 million and 0.003, respectively.

Operational Health Risk

As discussed in Section 4.2.4, an HRA was performed to estimate the Maximum Individual Cancer Risk and Chronic Hazard Index for residential receptors associated with Project operations. Results of the operational HRA are presented in Table 4.2-18. Detailed operational model outputs are presented in Appendix B-2.

Table 4.2-18. Operational Health Risk Assessment Results - Unmitigated

Impact Parameter	Units	Impact Level	CEQA Threshold	Level of Significance
Maximum Individual Cancer Risk – Residential	Per Million	169.17	10	**Potentially Significant**
Chronic Hazard Index – Residential	Index Value	0.039	1.0	Less than Significant.

Source: Appendix B-2.
Notes: CEQA = California Environmental Quality Act

As shown in Table 4.2-18, the DPM emissions from operation of the Project would result in a Maximum Individual Cancer Risk of 169 in 1 million and a Chronic Hazard Index of 0.039. The Chronic Hazard Index would be below the 1.0 significance threshold; however, the Project would exceed the cancer risk threshold of 10 in a million and would be potentially significant without mitigation.

The Project has incorporated mitigation to reduce DPM emissions from heavy duty trucks (**MM-AQ-2** [Haul Trucks]), cargo handling (**MM-AQ-3** [Zero-Emissions Off-Road Equipment]), and stationary source equipment (**MM-AQ-4** [Stationary Source Equipment]). Table 4.2-19 summarizes the mitigated operational health risk levels after incorporation of mitigation associated with the Project.

Table 4.2-19. Operational Health Risk Assessment Results - Mitigated

Impact Parameter	Units	Impact Level	CEQA Threshold	Level of Significance
Maximum Individual Cancer Risk – Residential	Per Million	2.90	10	Less than Significant.
Chronic Hazard Index – Residential	Index Value	<0.001	1.0	Less than Significant.

Source: Appendix B-2.
Notes: CEQA = California Environmental Quality Act

As shown in Table 4.2-19, mitigated Project operational activities would result in a Maximum Individual Cancer Risk of 2.90 in 1 million at the nearest residence, which is less than the significance threshold of 10 in 1 million. Mitigated Project operations would result in a Chronic Hazard Index of less than 0.001, which is below the 1.0 significance threshold. The Project operational TAC health risk impacts would be less than significant after mitigation.

Valley Fever

As discussed in Section 4.2.1 under the subsection Valley Fever, Valley Fever is not highly endemic to San Bernardino County with an incident rate of 11.4 cases per 100,000 people (CDPH 2023). In contrast, in 2021 the statewide annual incident rate was 20.1 per 100,000 people. The California counties considered highly endemic for Valley Fever include Kern (306.2 per 100,000), Kings (108.3 per 100,000), San Luis Obispo (61.0 per 100,000), Fresno (39.8 per 100,000), Tulare (65.8 per 100,000), Madera (23.6 per 100,000), and San Joaquin (15.1 per 100,000), and accounted for 54% of the reported cases in 2021 (CDPH 2023).

Even if present at the site, construction activities may not result in increased incidence of Valley Fever. Propagation of Valley Fever is dependent on climatic conditions, with the potential for growth and surface exposure highest following early seasonal rains and long dry spells. Valley Fever spores can be released when filaments are disturbed by earth-moving activities, although receptors must be exposed to and inhale the spores to be at increased risk of developing Valley Fever. Moreover, exposure to Valley Fever does not guarantee that an individual will become ill-approximately 60% of people exposed to the fungal spores are asymptomatic and show no signs of an infection (USGS 2000).

In order to reduce fugitive dust from the Project and minimize adverse air quality impacts, the Project would employ dust control measures in accordance with the MDAQMD Rules 401 and 403.2, which limit the amount of fugitive dust generated during construction. These requirements are consistent with California Department of Public Health recommendations for the implementation of dust control measures, including regular application of water during soil-disturbance activities, to reduce exposure to Valley Fever by minimizing the potential that the fungal spores become airborne (CDPH 2013). Further, regulations designed to minimize exposure to Valley Fever hazards are included in Title 8 of the California Code of Regulations and would be complied with during the Project's construction phase.

In summary, the Project would not result in a significant impact attributable to Valley Fever exposure based on its geographic location and compliance with applicable regulatory standards and dust control measures, which will serve to minimize the release of and exposure to fungal spores. Therefore, impacts associated with Valley Fever exposure for sensitive receptors would be less than significant.

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

Less-than-Significant Impact. Land uses most commonly associated with odor complaints generally include agricultural uses (livestock and farming), wastewater treatment plants, food-processing plants, chemical plants, composting operations, refineries, landfills, dairies, and fiberglass molding facilities. The Project does not include uses that would be substantive sources of objectionable odors. Potential temporary and intermittent odors may result from construction equipment exhaust, the application of asphalt, and architectural coatings. Temporary and intermittent construction-source emissions are controlled through existing requirements and industry Best Management Practices addressing proper storage of and application of construction materials.

The Project would also be required to comply with MDAQMD Rule 402 (Nuisance). Rule 402 provides that "[a] person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property" (MDAQMD 1976). Based on the preceding, the potential for the Project to create objectionable odors affecting a substantial number of people would be less than significant.

Threshold E: Would the Project result in cumulatively considerable air quality impacts?

Significant and Unavoidable Impact. Air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development, and the MDAQMD develops and implements plans for future attainment of ambient air quality standards. Based on these considerations, project-level thresholds of significance for criteria pollutants are relevant in the determination of whether a project's individual emissions would have a cumulatively significant impact on air quality. Individual projects that do not generate operational or construction emissions that exceed the MDAQMD's recommended daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the MDAB is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact.

The area of the MDAB in which the Project is located is a nonattainment area for O_3 and PM_{10} under the NAAQS and/or CAAQS. The poor air quality in the MDAB is the result of cumulative emissions from motor vehicles, off-road equipment, commercial and industrial facilities, and other emission sources. Projects that emit these pollutants or their precursors (i.e., VOC and NO_x for O_3) potentially contribute to poor air quality. As indicated in Table 4.2-12, daily construction emissions associated with the Project would not exceed the MDAQMD significance thresholds; implementation of **MM-AQ-1** (Construction Measures) would further reduce construction emissions as shown in Table 4.2-13. However, as presented in the preceding analysis, Project operational-source air pollutant emissions would result in exceedances of regional thresholds for emissions of NO_X and PM_{10}, even after implementation of **MM-AQ-2** through **MM-AQ-7**. In addition, the Project also results in exceedances of the SCAQMD NOx threshold because of truck travel through the South Coast Air Basin. Although mitigation would reduce operational emissions from on-road vehicles, cargo handling equipment, and stationary source equipment to the extent feasible, since neither the Project Applicant nor the City of Victorville have regulatory authority to control tailpipe emissions, no

feasible mitigation measures exist that would reduce these emissions to levels that are less-than-significant. As such, Project operational-source NO_X and PM_{10} emissions exceedances of applicable MDAQMD regional thresholds would be significant and unavoidable, and thus, cumulatively considerable. In addition, Project operational-source NOx emissions exceedances of SCAQMD regional thresholds would be significant and unavoidable, and similarly cumulatively considerable.

4.2.6 Mitigation Measures and Level of Significance After Mitigation

Threshold A: Would the Project conflict with or obstruct implementation of the applicable air quality plan?

The Project would result in potentially significant impacts with regard to conflicting with or obstructing implementation of an applicable air quality plan. Implementation of **MM-AQ-1** through **MM AQ-7**, included below, and **MM-GHG-1** through **MM-GHG-4** (see Section 4.7 for full text of the greenhouse gas mitigation measures) would reduce the Project's impacts; however, impacts would remain **significant and unavoidable**.

MM-AQ-1 Construction Measures. The Project shall implement the following measures to reduce construction air pollutant emissions to the extent feasible:

- On days when the hourly average wind speed for the City of Victorville exceeds 20 miles per hour, additional dust control measures shall be implemented, such as increased surface watering. Grading and excavation shall be prohibited when sustained wind speed exceeds 30 miles per hour.
- Require all generators, and all diesel-fueled off-road construction equipment greater than 75 horsepower, to be zero-emissions or equipped with California Air Resources Board (CARB) Tier 4 Final compliant engines (as set forth in Section 2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 of the Code of Federal Regulations) or better by including this requirement in applicable bid documents, purchase orders, and contracts with successful contractors. An exemption from these requirements may be granted by the City of Victorville in the event that the applicant documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment (for example, another piece of equipment can be replaced with a zero-emission equipment to offset the emissions associated with using a piece of equipment that does not meet Tier 4 Final standards). Before an exemption may be considered by the City, the applicant shall be required to demonstrate that at least two construction fleet owners/ operators in the San Bernadino Region were contacted and that those owners/operators confirmed Tier 4 Final or better equipment could not be located within the San Bernardino Region. To ensure that Tier 4 Final construction equipment or better would be used during the proposed Project's construction, the applicant shall include this requirement in applicable bid documents, purchase orders, and contracts. Successful contractors must demonstrate the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities.
- Provide infrastructure for zero-emission off-road construction equipment if the contractors selected to construct the Project plan to use zero-emission off-road construction equipment.

- Provide electrical hook ups to the power grid, rather than diesel-fueled generators, for contractors' electric construction tools, such as saws, drills and compressors. In applicable bid documents and contracts with contractors selected to construct the Project, include language requiring all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers, etc.) used during Project construction to be electric.
- Require construction equipment to be turned off when not in use.
- Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with Section 5.408.1 of the California Green Building Standards Code Part 11.
- Use paints, architectural coatings, and industrial maintenance coatings for all interior painting that have volatile organic compound levels of less than 10 grams per liter (g/L).
- The idling of heavy construction equipment for more than 5 minutes shall be prohibited. Signage shall be posted throughout the construction site informing construction personnel of the idling time limit. Idling time limits shall be noted in construction specifications. Subject to all other idling restrictions, heavy construction equipment shall not be left in the "on position" for more than 10 hours per day.
- All haul trucks entering the Project construction site during the grading and building construction phases shall meet California Air Resources Board model year 2014 engine emission standards. All heavy-duty haul trucks should also meet CARB's lowest optional low-oxides of nitrogen (NO_x) standard.
- The Project's construction manager shall maintain on the construction site construction logs detailing the following:
  - An inventory of construction equipment, maintenance records, and datasheets, including design specifications and emission control tier classifications
  - Verification that construction equipment operators have been advised of idling time limits and photographic evidence that signage with idling time limits have been posted around the construction site
  - Evidence that construction contractors have been provided with transit and ridesharing information for construction workers

  Construction logs shall be made available in the event that local, regional, or state officials (e.g., officials from the City of Victorville, Mojave Desert Air Quality Management District, or California Air Resources Board) conduct an inspection at the Project site.

MM-AQ-2 Haul Trucks. The Project shall implement the following measures in order to reduce operational mobile source air pollutant emissions to the extent feasible:

- Only haul trucks meeting California Air Resources Board (CARB) model year 2010 engine emission standards shall be used for the on-road transport of materials to and from the Project site.

MM-AQ-3 Zero-Emissions Off-Road Equipment. All outdoor cargo handling equipment (including yard trucks, hostlers, yard goats, pallet jacks, forklifts, and landscaping equipment) shall be zero-emission vehicles. The Project shall include the necessary charging stations or other

necessary infrastructure for cargo handling equipment. The building manager or their designee shall be responsible for enforcing these requirements.

MM-AQ-4 Stationary Source Equipment. All diesel-fueled emergency generators shall be equipped with California Air Resources Board (CARB) Tier 4 Final compliant engines (as set forth in Section 2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 of the Code of Federal Regulations) or better by including this requirement in applicable bid documents, purchase orders, and contracts with successful contractors.

MM-AQ-5 Provision of Information. Prior to tenant occupancy, the Project Applicant or successor in interest shall provide documentation to the City of Victorville demonstrating that the occupants of the Project site have been provided:

- Information regarding energy efficiency, energy-efficient lighting and lighting control systems, energy management, and existing energy incentive programs
- Information regarding and a recommendation to use cleaning products that are water-based or containing low quantities of volatile organic compounds.
- Information regarding and a recommendation to use electric or alternatively fueled sweepers with high efficiency particulate air (HEPA) filters.
- Documentation on funding opportunities, such as the Carl Moyer Program, that provide incentives for using cleaner-than-required engines and equipment.

MM-AQ-6 Electric Vehicle Infrastructure and Zero Emission Vehicles. The following shall be incorporated into the Project:

- Prior to certificate of occupancy, install conduit and infrastructure for Level 2 (or faster) electric vehicle charging stations on site for employees for the percentage of employee parking spaces commensurate with Title 24 requirements in effect at the time of building permit issuance plus additional charging stations equal to 5% of the total employee parking spaces in the building permit, whichever is greater. By 2030 install Level 2 (or faster) electric vehicle charging stations for 25% of the employee parking spaces required.
- Conduit shall be installed to tractor trailer parking areas in logical locations determined by the Project Applicant during construction document plan check, for the purpose of accommodating the future installation of electric truck charging stations at such time this technology becomes commercially available.
- In anticipation of a transition to zero emissions truck fleets during the lifetime of the Project, install at least four heavy-duty truck vehicle charging stations on site by 2030.
- Require all heavy-duty vehicles engaged in drayage to or from the Project site to be zero emission beginning in 2030, as feasible.
- Require tenants to use zero-emission light- and medium-duty vehicles as part of business operations, as feasible.

MM-AQ-7 Operational Measures. The following measures shall be incorporated into the Project:

- Provide meal options on site or shuttles between the facility and nearby meal destinations, as feasible.
- Post signs at every truck exit driveway providing directional information to the truck route.
- Improve and maintain vegetation and tree canopy for residents in and around the Project area in accordance with the approved landscaping plan.
- Include contractual language in tenant lease agreements requiring that any facility operator shall:
  - For occupants with more than 250 employees, require the establishment of a transportation demand management program to reduce employee commute vehicle emissions;
  - Place legible, durable, weather-proof signs at truck access gates, loading docks, and truck parking areas that identify applicable CARB anti-idling regulations. At a minimum, each sign shall include: (1) instructions for truck drivers to shut off engines when not in use; (2) instructions for drivers of diesel trucks to restrict idling to no more than 5 minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; and (3) telephone numbers of the building facilities manager and CARB to report violations. Prior to the issuance of an occupancy permit, the City of Victorville shall conduct a site inspection to ensure that the signs are in place;
  - Ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at CARB-approved courses (such as the free, one-day Course #512);
  - Be required to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks. The building manager or their designee shall be responsible for enforcing these requirements;
  - Be in, and monitor compliance with, all current air quality regulations for on-road trucks including CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation, Periodic Smoke Inspection Program (PSIP), and the Statewide Truck and Bus Regulation.
  - Train 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;
  - Enroll in the U.S. Environmental Protection Agency's SmartWay program, and if tenant owns, operates, or hires trucking carriers with more than 100 trucks to use carriers that are SmartWay carriers, as feasible.

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

Short-Term Construction Impacts

Construction of the Project would not result in a potentially significant cumulatively considerable net increase of criteria pollutants for which the Project region is non-attainment (VOCs and NO_x). **MM-AQ-1** (Construction Measures) would further reduce emissions, and Project impacts would be **less than significant**.

Long-Term Operational Impacts

Operation of the Project would result in a potentially significant cumulatively considerable net increase of criteria pollutants for which the Project region is non-attainment (i.e., NO_X and PM_{10}). Implementation of **MM-AQ-2** (Haul Trucks), **MM-AQ-3** (Zero-Emissions Off-Road Equipment), **MM-AQ-4** (Stationary Source Equipment), **MM-AQ-5** (Provision of Information), **MM-AQ-6** (Electric Vehicle Infrastructure and Zero Emission Vehicles), **MM-AQ-7** (Operational Measures), **MM-GHG-1** (Building Design), **MM-GHG-2** (Rooftop Solar), **MM-GHG-3** (Water Conservation), and **MM-GHG-4** (Solid Waste Reduction) would reduce the Project's impacts; however, impacts would remain **significant and unavoidable**.

Threshold C: Would the Project expose sensitive receptors to substantial pollutant concentrations?

Construction and operation of the Project would not expose sensitive receptors to substantial pollutant concentrations, including concentrations of CO emissions, toxic air contaminants, and spores of the *Coccidioides immitis* fungus (which can result in Valley Fever). Operation of the Project, however, would result in potentially significant cancer risk at the nearest residence. **MM-AQ-2** (Haul Trucks), **MM-AQ-3** (Zero-Emissions Off-Road Equipment), and **MM-AQ-4** (Stationary Source Equipment) would be implemented, and Project health risk impacts would be less than significant with mitigation incorporated. Finally, since the Project could also result in exceedances of MDAQMD significance thresholds for NO_x and PM_{10}, even after implementation of mitigation, the potential health effects associated with criteria air pollutants are conservatively considered **significant and unavoidable**.

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

The Project would result in **less-than-significant** impacts associated other emissions (such as those leading to odors) which could adversely affect a substantial number of people. No mitigation is required.

Threshold E: Would the Project result in cumulatively considerable air quality impacts?

As discussed in Threshold B, construction of the Project would result in a less-than significant cumulative air quality impact and implementation of **MM-AQ-1** would further reduce emissions; however, despite implementation of **MM-AQ-2** (Haul Trucks), **MM-AQ-3** (Zero-Emissions Off-Road Equipment), **MM-AQ-4** (Stationary Source Equipment), **MM-AQ-5** (Provision of Information), **MM-AQ-6** (Electric Vehicle Infrastructure and Zero Emission Vehicles), **MM-AQ-7** (Operational Measures), **MM-GHG-1** (Building Design), **MM-GHG-2** (Rooftop Solar), **MM-GHG-3** (Water Conservation), and **MM-GHG-4** (Solid Waste Reduction) operational-source NO_X and PM_{10} emissions exceedances of applicable MDAQMD regional thresholds would be **significant and unavoidable**, and thus, cumulatively considerable overall. In addition, truck travel within the SCAQMD would also result in exceedances of SCAQMD NO_x thresholds of significance, resulting in a significant and unavoidable and thus cumulatively considerable impact.

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4.3 Biological Resources

This section describes the existing biological resources conditions of the Mojave Industrial Park Project (Project) site and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Project.

In addition to the documents incorporated by reference (see Section 2.7 of Chapter 2, Introduction, of this environmental impact report [EIR]), this analysis is based, in part, on the following sources:

- Biological Resources Technical Report, prepared by Dudek in February 2024 (Appendix C)
- Mojave Industrial Park Aquatic Resources Delineation Report (Appendix C of Appendix C) prepared by Dudek in February 2024

The Biological Resources Technical Report and Aquatic Resources Delineation Report analyze the biological resources present within the approximately 98.5-acre Project area, specifically the 81.1-acre Project site and 17.4-acre off-site improvement areas, and a 100-foot buffer totaling 53.9 acres, resulting in the Biological Study Area (BSA), which encompasses 152.4 acres. These studies were prepared in compliance with the California Environmental Quality Act (CEQA) and other applicable environmental regulations. Furthermore, the analysis within this section involved the review of existing biological resources; technical data; and applicable laws, regulations, and guidelines to adequately assess potential impacts to biological resources.

One comment provided by the Sierra Club, San Gorgonio Chapter – Mojave Group in response to the Notice of Preparation stated that while the site is not generally considered to be in an area of high-quality habitation, surveys of wildlife activity must be included in the Draft EIR. All of the concerns raised are addressed in this section. A copy of the NOP and comments received is provided in Appendix A.

4.3.1 Existing Conditions

The following discussion summarizes the existing biological resources present within the BSA. A description of the existing vegetation communities, special-status species, and jurisdictional waters, including wetlands and wildlife corridors, are discussed below. Note that the Biological Technical Report and Aquatic Resources Delineation Report analyzed the entire BSA (152.4 acres); however, the Project impact calculations and impact table (Table 4.3-2) in Section 4.3.4 of this Draft EIR only analyzes the Project footprint (81.1-acre Project site and 17.4-acre off-site improvement areas) for direct impacts. The entire BSA was evaluated for indirect impacts.

4.3.1.1 Topography and Soils

The BSA is located in the City of Victorville (City) within the Victor Valley, which lies northeast the San Gabriel Mountains and northwest of the San Bernardino Mountains. The topography of the Project site and surrounding area is generally a flat plane, which slopes gently in a northeasterly direction. The Project is located approximately 3.6 miles southwest of the Mojave River and approximately 7.2 miles southeast of Quartzite Mountain (USGS 2015). Elevations within the BSA range from approximately 2,957 feet above mean sea level (amsl) in the northeastern portion to 3,014 feet amsl in the southwestern portion.

The on-site BSA is composed of undeveloped vacant lands and the off-site improvement areas include dirt and paved roadways (specifically Cactus Road/Tawney Ridge Lane, Onyx Road, Topaz Road, and Mojave Drive). The Project site is bound to the south by Mojave Drive, to the north by vacant land and Cactus Road/Tawney Ridge Lane (unpaved), to the west by vacant land and Onyx Road (unpaved), and to the east by vacant land and Topaz Road (unpaved). Surrounding land uses include vacant land, U.S. Highway 395, single-family residences, and the Melva Davis Academy of Excellence.

According to the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service Web Soil Survey (USDA 2023), the BSA consists of six soil mapping unit types: Bryman loamy fine sand, 2% to 5% slopes; Cajon sand, 0% to 2% slopes; Cajon sand, 2% to 9% slopes; Helendale loamy sand, 2% to 5% slopes; Lavic loamy fine sand; and Rosamond loam, saline-alkali. These soil types are presented in Figure 4.3-1, Soils.

4.3.1.2 Vegetation Communities and Land Covers

The BSA supports three vegetation communities or land cover types, as identified in Table 4.3-1 and Figure 4.3-2, Vegetation. Vegetation communities and land uses mapped within the BSA include creosote bush scrub, disturbed habitat, and urban/developed areas.

Methods for vegetation mapping followed California Department of Fish and Wildlife (CDFW) Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018) and the Survey of California Vegetation Classification and Mapping Standards (CDFW 2022). Where feasible, vegetation communities within the BSA were mapped using CDFW's List of Vegetation Alliances and Associations (or California Natural Community List) (CDFW 2023a), which is based on A Manual of California Vegetation, Second Edition (Sawyer et al. 2009) and A Manual of California Vegetation, Online Edition (CNPS 2023a). These classification systems focus on a quantified, hierarchical approach that includes both floristic (plant species) and physiognomic (community structure and form) factors as currently observed (as opposed to predicting climax or successional stages). Vegetation communities and land covers were delineated to the vegetation alliance level and, where appropriate, the association level. In cases where the vegetation classification standards from the CDFW Natural Communities List did not apply, classification standards from "Methods used to survey the vegetation of Orange County parks and open space areas and The Irvine Company property" and Draft Vegetation Communities of San Diego County (Jones & Stokes 1993; Oberbauer et al. 2008) were incorporated to accommodate the lack of conformity of conditions observed on site (e.g., developed/disturbed land cover types).

Table 4.3-1. Existing Vegetation Communities and Land Cover Types within the Biological Study Area

Vegetation Community or Land Cover Type[1]	Alliance	Association	Project Site (acres)	Off-Site Areas (acres)	100-foot Buffer (acres)	Total BSA (acres)[2]
Creosote Bush Scrub	*Larrea tridentata* Shrubland Alliance	*Larrea tridentata* Association	76.74	7.60	34.87	119.21
Disturbed Habitat	N/A	N/A	2.40	6.57	11.63	20.60
Urban/Developed	N/A	N/A	1.97	3.23	7.43	12.62
		Total[2]	**81.10**	**17.40**	**53.93**	**152.42**

Notes: BSA = biological study area; N/A = not applicable.
1 The spatial distribution of the vegetation communities and land covers are presented on Figure 4.3-2, Vegetation.
2 Total acreages may not sum exactly due to rounding.

Creosote Bush Scrub

Creosote bush scrub, or the Larrea tridentata shrubland alliance, is recognized by the CDFW Natural Community List. Communities in this alliance include creosote bush as the dominant shrub, exceeding all other shrubs in cover. If brittlebush (*Encelia farinosa*) is present, it is less than three times the cover of creosote bush, or if white bursage (*Ambrosia dumosa*) is present, it is less than two times the cover of creosote bush (CNPS 2023a). This alliance is found in a variety of desert landforms, including alluvial fans, upland slopes, and small intermittent washes on well-drained soils (CNPS 2023a).

Creosote bush scrub composes the majority of the BSA (Figure 4.3-2). Other shrub species observed in the community on site include Nevada joint-fir (*Ephedra nevadensis*), rubber rabbitbrush (*Ericameria nauseosa*), Mexican bladdersage (*Scutellaria mexicana*), Mojave cottonthorn (*Tetradymia stenolepis*), peach thorn (*Lycium cooperi*), and cheesebush (*Ambrosia salsola* var. *salsola*). Western Joshua trees (*Yucca brevifolia*) were scattered throughout the creosote bush scrub community within the BSA; however, they make up less than 1% absolute cover and therefore did not warrant its own community. with a high cover of bare ground. Western Joshua trees were scattered throughout the creosote bush scrub community within the BSA; however, western Joshua tree made up less than 1% absolute cover and therefore did not warrant its own community.

Creosote bush scrub is ranked as S5 and therefore is not considered a sensitive biological resource by CDFW under CEQA (CDFW 2023a).

Disturbed Habitat

Although not recognized by the CDFW Natural Community List (CDFW 2023a), disturbed habitat refers to areas that have had physical anthropogenic disturbance and, as a result, cannot be identified as a native or naturalized vegetation association. However, these areas do have a recognizable soil substrate. If vegetation is present, it is almost entirely composed of non-native vegetation, such as ornamentals or ruderal exotic species.

Within the BSA, disturbed habitat includes the existing dirt roads within the site and along the western and northern boundaries of the on-site portion of the BSA, as well as cleared areas bordering Mojave Drive and adjacent to the truck stop off of U.S. Highway 395 (Figure 4.3-2). Dirt roads within BSA, including the on-site areas, were observed during surveys to be frequently used by local residents and off-road vehicular motorists for commuting and recreation. Disturbed habitat is not considered a sensitive biological resource by CDFW under CEQA (CDFW 2023a).

Urban/Developed Land

Although not recognized by the CDFW Natural Community List (CDFW 2023a), urban/developed land represents areas that have been constructed upon or otherwise physically altered to an extent that native vegetation communities are not supported. This land cover type generally consists of semi-permanent structures, homes, parking lots, pavement or hardscape, and landscaped areas that require maintenance and irrigation (e.g., ornamental greenbelts). Typically, this land cover type is unvegetated or supports a variety of ornamental plants and landscaping.

Within the BSA, urban/developed land consists of the paved roads and lots associated with Mojave Drive Road along the southern boundary, the Diamond Road-Tawney Ridge Lane intersection located at the northeastern extent of the BSA, and the truck stop off of U.S. Highway 395 located at the western extent of the BSA (Figure 4.3-2). Urban/developed land is not considered a sensitive biological resource by CDFW under CEQA (CDFW 2023a).

4.3.1.3 Plants and Wildlife Observed

Biological field surveys, including biological reconnaissance surveys, aquatic resources delineation, western Joshua tree mapping, protocol Mojave desert tortoise (*Gopherus agassizii*) surveys, protocol burrowing owl (*Athene cunicularia*) surveys, protocol Mohave ground squirrel (*Xerospermophilus mohavensis*) surveys, and special-status plant surveys were conducted within the BSA from September 2022 through November 2023. All plant and wildlife species observed during the surveys were recorded.

Plants

A total of 73 plant species, 59 native and 14 non-native, were recorded within the BSA. A list of plant species observed is provided in Appendix E of Appendix C, Plant Compendium.

Wildlife

A total of 44 wildlife species, consisting of 40 native species and 4 non-native species, were recorded within the BSA or vicinity during surveys. A list of wildlife species observed is provided in Appendix G of Appendix C, Wildlife Compendium.

Avifauna comprised the majority of wildlife species detections with a total of 31 bird species due a detection bias for their mobility and diurnal activity. A few frequently observed common bird species include common raven (*Corvus corax*), horned lark (*Eremophila alpestris*), turkey vulture (*Cathartes aura*), mourning dove (*Zenaida macroura*), verdin (*Auriparus flaviceps*), lesser goldfinch (*Spinus psaltria*), and house finch (*Haemorhous mexicanus*). Six reptile species were observed: zebra-tailed lizard (*Callisaurus draconoides*), western fence lizard (*Sceloporus occidentalis*), common side-blotched lizard (*Uta stansburiana*), Great Basin tiger whiptail (*Aspidoscelis tigris tigris*), long-nosed leopard lizard (*Gambelia wislizenii*), and Mohave rattlesnake (*Crotalus scutulatus*). Six common mammal species were observed: coyote (*Canis latrans*), domestic dog (*Canis familiaris*), black-tailed jackrabbit (*Lepus californicus*), desert cottontail (*Sylvilagus audubonii*), kangaroo rats (Dipodomys sp.), and white-tailed antelope squirrel (*Ammospermophilus leucurus*). No amphibian species were observed due to lack of suitable aquatic habitat.

4.3.1.4 Special-Status Plants

Special-status plants are those considered endangered, rare, or threatened plant species as defined in CEQA Guidelines Section 15380(b) (14 CCR 15000 et seq.), and include (1) plant species listed or candidates for listing as endangered or threatened under the California Endangered Species Act (CESA) and the federal Endangered Species Act (FESA) (CDFW 2023b); and/or (2) plant species with a California Rare Plant Rank (CRPR) 1 and 2 as designated by the CNPS (2023b).

Dudek biologists performed a desktop review of literature, existing documentation, and geographical information system (GIS) data to evaluate the potential for special-status plant species to occur within the BSA. Each special-status plant species was assigned a rating of "not expected," "low," "moderate," or "high" potential to occur based on relative location to known occurrences, vegetation communities and soils present, as well as each species' known range, and elevation. Based on the results of the literature review and initial reconnaissance, seven special-status plant species were preliminarily determined to have potential to occur within vicinity of the BSA: Beaver Dam breadroot (*Pediomelum castoreum*), Booth's evening primrose (*Eremothera boothii* ssp. *boothii*), Latimer's woodland-gilia (*Saltugilia latimeri*), Mojave monkeyflower (*Diplacus mohavensis*), sagebrush *loeflingia* (*Loeflingia squarrosa* var. *artemisiarum*), short-joint beavertail (*Opuntia basilaris* var. *brachyclada*), and western Joshua tree. Therefore, focused surveys were conducted for these target species on April 20, 2023. In addition, desert native plants, in accordance with the California Desert Native Plants Act (CDNPA) were also considered target species.

Before conducting the surveys, Dudek botanists conducted reference population checks and a literature review to ensure the focal special-status plant species were in bloom and identifiable. White-bracted spineflower was observed in bloom on April 19, 2023, near Keenbrook Road within upper terrace of Cajon Wash (off of Cajon Blvd). Mojave monkeyflower was observed in bloom on April 18, 2023, south of Daggett, California in the Newberry Mountains. Beaver dam breadroot was observed in bloom north of Lucerne Dry Lake on April 18, 2023. Furthermore, Victorville received approximately 5.36 inches of precipitation from September 2022 to April 2023 (AgACIS 2023) as compared with the average annual precipitation is 5.52 inches (WRCC 2023); therefore, the area received average precipitation totals for the rain year thus far thereby asserting that surveys for special-status plant species adequately covered flora that are known to bloom within the vicinity.

One special-status plant species, western Joshua tree, was observed within the BSA. Western Joshua tree is further discussed below. No other listed species or non-listed CRPR 1 or CRPR 2 plants were observed during the focused surveys. Due to focused surveys being conducted during the appropriate blooming period, all other special-status plants are not expected to occur. In addition, there is no U.S. Fish and Wildlife Service (USFWS) designated critical habitat for listed plant species overlapping the BSA (USFWS 2023).

Western Joshua Tree

Western Joshua tree is a candidate for listing as a threatened species under CESA and afforded the protection of the act while the California Fish and Game Commission (Commission) decides if listing the species is warranted. This monocot tree in the asparagus family (*Agavaceae*) typically blooms between April and May but is a conspicuous tree identifiable at any time of year. It is found within Joshua tree woodland, Great Basin grassland and scrub, Mojavean desert scrub, pinyon and juniper woodland, Sonoran desert scrub, and valley and foothill grassland between 1,310 and 6,560 feet amsl (CNPS 2023a). This species occurs on desert flats and slopes in San Bernardino County and other southern and eastern counties of California (Calflora 2023; Jepson Flora Project 2023).

A total of 119 western Joshua tree individuals were observed within the Joshua Tree Survey Area (Project site, off-site improvement areas, and 50-foot buffer) (Figure 4.3-3, Floral and Faunal Resources). Of the 119 trees found within the Joshua Tree Survey Area, 101 western Joshua tree individuals are located within the Project site and off-site improvement areas, with the remaining 18 western Joshua tree individuals located within the 50-foot Joshua Tree Survey Area buffer. Further details on phenological data of western Joshua tree individuals observed is provided in Appendix A of Appendix C, Joshua Tree Preservation, Protection, and Relocation Plan (Joshua Tree Plan).

California Desert Native Plants

Other than western Joshua tree, two desert native plant species were mapped within the BSA (Figure 4.3-3). Specifically, one Wiggins' cholla (*Cylindropuntia echinocarpa*) individual and two buckthorn cholla (*Cylindropuntia acanthocarpa*) individuals were observed.

Although the CDNPA is codified in state law (California Food and Agricultural Code Division 23), enforcement powers and administrative responsibilities are given to the subject County commissioner, sheriff, and board of supervisors as stipulated in Chapter 4 of the CDNPA (Enforcement Powers and Administrative Responsibilities). Therefore, potential impacts to desert native plant species are analyzed in the context of Project consistency with local policies or ordinances.

4.3.1.5 Special-Status Wildlife

Special-status wildlife are those considered endangered, rare, or threatened wildlife species as defined in CEQA Guidelines, Section 15380(b) (14 CCR 15000 et seq.), and include (1) wildlife species listed or candidates for listing as endangered or threatened under CESA and FESA (CDFW 2023c); (2) California Species of Special Concern (SSC) as designated by CDFW (2023d); (3) mammals and birds that are fully protected species as described in the California Fish and Game Code, Sections 4700 and 3511 (CDFW 2023e); and (4) species designated by California Fish and Game Code Section 4000 as fur-bearing mammals.

Dudek biologists performed a desktop review of literature, existing documentation, and GIS data to evaluate the potential for special-status wildlife species to occur within the BSA. Each special-status wildlife species was assigned a rating of "not expected," "low," "moderate," or "high" potential to occur based on relative location to known occurrences, vegetation communities present, current site conditions, and each species' known range, habitat associations, and/or elevation. Based on the results of the literature review and database searches, 29 special-status wildlife species were reported in the CDFW California Natural Diversity Database (CNDDB) and USFWS databases as occurring in the vicinity of the BSA. Two special-status wildlife species were detected within the BSA during surveys for the Project: burrowing owl and desert kit fox (*Vulpes macrotis arsipus*). Two other special-status wildlife species have a moderate or high potential to occur due to presence of suitable habitat and site conditions: Crotch's bumble bee (*Bombus crotchii*) and loggerhead shrike (*Lanius ludovicianus*). These four special-status wildlife species are discussed in further detail below.

Although 2023 protocol survey results were negative for Mojave desert tortoise, in the abundance of caution and due to recent nearby CNDDB occurrences, this species is included and analyzed. In addition to focused surveys for burrowing owl and Mojave desert tortoise, focused protocol surveys were conducted for Mohave ground squirrel by Dipodomys Ecological Consulting (2023). This species and results of the focused wildlife surveys are also discussed below.

Burrowing Owl

Burrowing owl is a CDFW SSC. With a relatively wide-ranging distribution throughout the west, burrowing owls are considered to be habitat generalists (Lantz et al. 2004). In California, burrowing owls are yearlong residents of open, dry grassland and desert habitats, and in grass, forb and open shrub stages of pinyon–juniper and ponderosa pine habitats (Zeiner et al. 1990). Preferred habitat is generally typified by short, sparse vegetation with few shrubs, level to gentle topography, and well-drained soils (Haug et al. 1993).

The presence of burrows is the most essential component of burrowing owl habitat as they are required for nesting, roosting, cover, and caching prey (Coulombe 1971; Martin 1973; Green and Anthony 1989; Haug et al. 1993). In California, western burrowing owls most commonly live in burrows created by California ground squirrels (*Otospermophilus beecheyi*). Burrowing owls may occur in human-altered landscapes such as agricultural areas, ruderal grassy fields, vacant lots, and pastures if the vegetation structure is suitable (i.e., open and sparse); usable burrows are available; and foraging habitat occurs in close proximity (Gervais et al. 2008). Debris piles, riprap, culverts, and pipes can be used for nesting and roosting.

Focused surveys for burrowing owl were conducted between March 23, 2023, and July 18, 2023, in five passes. Dudek conducted an additional pass rather than the minimum four passes required by CDFW protocol in order to confirm the presence and location of burrowing owls incidentally sighted in the Project vicinity during Mohave ground squirrel surveys. One burrowing owl individual was observed flying over Project site after being flushed from its off-site burrow location on July 18, 2023 (Figure 4.3-3). The active burrow, at which breeding was confirmed with observations of a pair of adult owls and at least four owlets, is located approximately 150 feet east of the proposed Project (Figure 4.3-3). Although the burrowing owls were not nesting within the BSA, they are likely to use the Project site to forage due to their close proximity and the presence of suitable foraging habitat. The BSA contains suitable nesting or overwintering habitat for the species due to presence of open scrub vegetation and burrows of suitable size. Therefore, burrowing owl could use the site as overwintering habitat or for breeding in subsequent years.

Desert Kit Fox

Desert kit fox is considered a "fur-bearing mammal," protected from take under the Commission's Mammal Hunting Regulations (Subdivision 2, Chapter 5), which effectively protects it from hunting pressure. Desert kit fox is not listed under FESA or CESA, or under any other special-status designation. The desert kit fox lives in the open desert, on creosote bush flats, and amongst the sand dunes (NPS 2015). Desert kit fox was observed within the BSA via a camera trap deployed as part of the protocol-level Mohave ground squirrel surveys conducted in 2023. The BSA provides suitable creosote bush flats habitat for this species and burrows suitable for use as desert kit dens were observed north of the BSA (Figure 4.3-3).

Crotch's Bumblebee

Crotch's bumblebee is a candidate for listing as an endangered species under CESA. The Crotch's bumblebee is distributed in coastal California, east towards the Sierra-Cascade Crest, and is less commonly in western Nevada (Koch et al. 2012). It occurs in grassland and scrub communities that contain *Phacelia*, *Clarkia*, *Eriogonum*, *Eschscholzia*, and *Antirrhinum* species which have been identified as genera with preferred nectar sources.

Crotch's bumblebee has a moderate potential to occur within the BSA, as the study area contains open scrub communities with the preferred plant genera. The nearest CNDDB record is approximately 10 miles northeast of the BSA (CDFW 2023f).

Loggerhead Shrike

Loggerhead shrike is a CDFW SSC. This stocky, large-headed songbird is widespread at the lower elevations in California (Humple 2008). Preferred habitats for the species are open areas that include scattered shrubs, trees, posts, fences, utility lines, or other structures that provide hunting perches with views of open ground, as well as nearby spiny vegetation or man-made structures (such as the top of chain-link fences or barbed wire) that provide a location to impale prey items for storage or manipulation (Humple 2008). Nest sites are chosen based more on

the cover than the particular vegetation species and are usually constructed in a dense shrub or tree well below the crown and are well concealed (Yosef 2020). Although this species was not detected within the BSA, two loggerhead shrike detections were made approximately 580 feet and 0.3-mile north of the BSA on two separate site visits in 2023. Additionally, the BSA supports suitable foraging and nesting habitat (e.g., open desert scrub with scattered shrubs) for this species. Therefore, loggerhead shrike has a high potential to occur within the BSA.

Desert Tortoise

Desert tortoise is listed under FESA and CESA as a threatened species. The range of the Mohave population of the desert tortoise includes portions of the Mojave Desert and the Colorado Desert in Southern California (parts of Inyo, Kern, Los Angeles, San Bernardino, and Riverside Counties), southern Nevada (Clark, Esmeralda, Nye, and Lincoln Counties), northwestern Arizona (Mohave County), and southwestern Utah (Washington County).

Typical habitat for desert tortoise in the Mojave Desert is creosote bush scrub where precipitation ranges from 2 to 8 inches, with relatively high diversity of perennial plants and high productivity of ephemeral plants. Throughout most of the Mojave Desert, desert tortoises occur most commonly on gently sloping terrain with sandy gravel soils and where there is sparse cover of low-growing shrubs, which allows for the establishment of herbaceous plants. Soils must be friable enough for digging of burrows, but firm enough that burrows do not collapse (USFWS 2008). Although populations of desert tortoise are not generally known to inhabit elevations much above 4,000 feet amsl, they occur from below sea level to an elevation of 7,300 feet amsl. Occupied habitat varies from flats and slopes dominated by creosote bush scrub at low elevations to rocky slopes in blackbrush and juniper woodland ecotones at higher elevations (USFWS 2008).

Protocol surveys in 2023 resulted in no observations of active desert tortoise burrows, active desert tortoise sign (i.e., scat, drink basins, footprints, tortoise remains), or observations of individual desert tortoises. However, the BSA contains suitable sandy soils, ephemeral washes, and creosote scrub to support this species. In addition, nearest CNDDB occurrences from 2007 are mapped approximately 250 feet east and 0.25-mile north of the BSA (CDFW 2023f) and the BSA is located within CDFW's California Wildlife Habitat Relationships (CWHR) predicted habitat modeling for the species ranked with a high habitat suitability score (CDFW 2017). Therefore, this species is considered to have a low potential to occur within the BSA. Due to an abundance of caution and this species' federal and state listing status, impacts to this species are analyzed in Section 4.3.4, which discusses impacts to special-status species.

Mohave Ground Squirrel

Mohave ground squirrel is listed under CESA as a threatened species. The distribution range for this species is restricted to the Mojave Desert in San Bernardino, Los Angeles, Kern, and Inyo Counties (Zeiner et al. 1990).This species generally inhabits areas where the soil is friable and sandy or gravelly. Mohave ground squirrels occur in desert scrub habitats dominated by creosote bush and desert saltbush scrub at elevations between 1,800 and 5,000 feet amsl.

Although suitable habitat is present within the BSA, focused Mohave ground squirrel surveys conducted in accordance with CDFW survey guidelines were negative for the species. Therefore, CDFW survey guidelines indicate it can be determined that Mohave ground squirrel are currently absent from the BSA. Therefore, this species is not expected to occur within the BSA and is not further analyzed. More details of this species and the results of the protocol survey are provided in the Appendix B of Appendix C, Mohave Ground Squirrel Survey Report.

4.3.1.6 Jurisdictional Aquatic Resources

The jurisdictional aquatic resources delineation identified numerous ephemeral drainages within the BSA (Appendix C of Appendix C, Aquatic Resources Delineation Report). The results of the jurisdictional delineation concluded that there are approximately 1.02 acres of jurisdictional aquatic resources within the BSA (Figures 4.3-4A through 4.3-4C, Aquatic Resources). Of that total, 0.40 acres of non-wetland waters fall under Regional Water Quality Control Board (RWQCB) and CDFW jurisdiction. An additional 0.62 acres are solely jurisdictional streambed under CDFW. The ephemeral drainages present are not likely subject to U.S. Army Corps of Engineers (USACE) jurisdiction because these features are isolated and do not meet the relatively permanent standard as a water of the United States.

It is important to note that the ultimate decision on the amount and location of jurisdictional resources is made by the resource agencies (i.e., USACE, CDFW, and RWQCB), and, therefore, impacts to potential aquatic resources may increase or decrease. See Appendix C of Appendix C for further descriptions of these resources.

4.3.1.7 Wildlife Corridors and Habitat Linkages

Wildlife corridors are linear features that connect large patches of natural open space and provide avenues for the migration of animals. Wildlife corridors contribute to population viability by ensuring continual exchange of genes between populations, providing access to adjacent habitat areas for foraging and mating, and providing routes for recolonization of habitat after local extirpation or ecological catastrophes (e.g., fires). Habitat linkages are small patches that join larger blocks of habitat and help reduce the adverse effects of habitat fragmentation. Habitat linkages provide a potential route for gene flow and long-term dispersal of plants and animals and may also serve as primary habitat for smaller animals, such as reptiles and amphibians. Habitat linkages may be continuous habitat or discrete habitat islands that function as steppingstones for dispersal.

The BSA is not mapped as an essential connectivity area, natural landscape block, or linkage for the California Essential Habitat Connectivity Network nor the California Desert Linkage Network. Additionally, due to the undeveloped land on the BSA, there are opportunities for wildlife to move across the site when migrating through the region. However, the BSA does not currently function as a corridor or linkage between two larger habitat blocks. Although the BSA may function as local dispersal habitat for wildlife movement and/or foraging, the Project would not create a significant impediment to wildlife movement that would warrant a wildlife corridor study.

4.3.2 Relevant Plans, Policies, and Ordinances

Federal

Federal Endangered Species Act

The federal Endangered Species Act of 1973 (16 USC 1531 et seq.), as amended, is administered by USFWS for most plant and animal species, and by the National Oceanic and Atmospheric Administration National Marine Fisheries Service for certain marine species. This legislation is intended to provide a means to conserve the ecosystems upon which endangered and threatened species depend, and provide programs for the conservation of those species, thus preventing the extinction of plants and wildlife. FESA defines an endangered species as "any species that is in danger of extinction throughout all or a significant portion of its range." A threatened species is defined as "any species that is likely to become an endangered species within the foreseeable future

throughout all or a significant portion of its range." Under FESA, it is unlawful to "take" any listed species; "take" is defined as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct."

FESA allows for the issuance of Incidental Take Permits for listed species under Section 7, which is generally available for Projects that also require other federal agency permits or other approvals, and under Section 10, which provides for the approval of Habitat Conservation Plans on private property without any other federal agency involvement.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) prohibits the intentional and unintentional take of any migratory bird or any part, nest, or eggs of any such bird. Under the MBTA, "take" is defined as pursuing, hunting, shooting, capturing, collecting, or killing, or attempting to do so (16 USC 703 et seq.). Currently, the Migratory Birds Office considers nests that support eggs, nestlings, or juveniles to be active. Additionally, Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds, requires that any Project with federal involvement address impacts of federal actions on migratory birds with the purpose of promoting conservation of migratory bird populations (66 FR 3853–3856). Executive Order 13186 requires federal agencies to work with USFWS to develop a memorandum of understanding. USFWS reviews actions that might affect these species.

Clean Water Act

The Clean Water Act (CWA) provides guidance for the restoration and maintenance of the chemical, physical, and biological integrity of the nation's waters. Section 401 requires a project operator for a federal license or permit that allows activities resulting in a discharge to waters of the United States to obtain state certification, thereby ensuring that the discharge will comply with provisions of the CWA. The RWQCBs administer the certification program in California. Section 402 establishes a permitting system for the discharge of any pollutant (except dredged or fill material) into waters of the United States. Section 404 establishes a permit program administered by the USACE that regulates the discharge of dredged or fill material into waters of the United States, including wetlands. USACE implementing regulations are found at 33 Code of Federal Regulations (CFR) Parts 320 through 332. Guidelines for implementation are referred to as the Section 404(b)(1) Guidelines, which were developed by the U.S. Environmental Protection Agency (EPA) in conjunction with USACE (40 CFR 230). The guidelines allow the discharge of dredged or fill material into the aquatic system only if there is no practicable alternative that would have less adverse impacts.

Wetlands and Other Waters of the United States

The definition of waters of the United States establishes the geographic scope for authority under Section 404 of the CWA; however, the CWA does not specifically define waters of the United States, leaving the definition open to statutory interpretation and agency rulemaking. The definition of what constitutes "waters of the United States" (provided in 33 CFR Section 328.3[a]) has changed multiple times over the past few decades, starting with the *United States v. Riverside Bayview Homes Inc.* court ruling in 1985. Subsequent court proceedings, rule makings, and congressional acts in 2001 (*Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*), 2006 (*Rapanos v. United States*), 2015 (Clean Water Rule), 2018 (suspension of the Clean Water Rule), 2019 (formal repeal of the Clean Water Rule), 2020 (Navigable Waters Protection Rule), and 2021 (*Pasqua Tribe et al. v. EPA* resulting in remand and vacatur of the Navigable

Waters Protection Rule and a return to "the pre-2015 regulatory regime") have attempted to provide greater clarity to the term and its regulatory implementation.

On December 30, 2022, the agencies announced the final Revised Definition of "Waters of the United States" rule (Rule) (88 CFR 3004–3144). The Rule was published in the Federal Register on January 18, 2023, and became effective on March 20, 2023, restoring federal jurisdiction over waters that were protected prior to 2015 under the Clean Water Act for traditional navigable waters, the territorial seas, interstate waters, and upstream water resources that significantly affect those waters. The Rule re-expanded federal jurisdiction over certain water bodies and wetlands previously exempt pursuant to the 2020 Navigable Waters Protection Rule, reinstating the "Significant Nexus" test and adopting the "Relatively Permanent Standard" test. The Significant Nexus test refers to waters that either alone, or in combination with similarly situated waters in the region, significantly affect the chemical, physical, or biological integrity of traditional navigable waters, interstate waters, or the territorial seas (86 FR 69372-69450). The Significant Nexus test attempts to establish a scientific connection between smaller water bodies, such as ephemeral or intermittent tributaries, and larger, more traditional navigable waters such as rivers. Significant Nexus evaluations take into consideration hydrologic and ecologic factors including, but not limited to, volume, duration, and frequency of surface water flow in the resource and its proximity to a traditional navigable water, and the functions performed by the resource on adjacent wetlands. To meet the Relatively Permanent Standard, water bodies must be relatively permanent, standing, or continuously flowing and have a continuous surface connection to such waters.

On May 25, 2023, the Supreme Court issued its long-anticipated decision in Sackett v. EPA., in which it rejected the EPA's claim that "waters of the United States," as defined in the CWA, includes wetlands with an ecologically significant nexus to traditional navigable waters. The Supreme Court held that only those wetlands with a continuous surface water connection to traditional navigable waterways would be afforded federal protection under the CWA. Specifically, to assert jurisdiction over an adjacent wetland under the CWA, a party must establish that (1) the adjacent body of water constitutes water[s] of the United States (i.e., a relatively permanent body of water connected to traditional interstate navigable waters), and (2) the wetland has a continuous surface connection with that water, making it difficult to determine where the water ends and the wetland begins. On August 29, 2023, the EPA and USACE announced the final rule amending the 2023 definition of "waters of the United States", conforming with the Sackett v. EPA decision. Some of the key changes include removing the significant nexus test from consideration when identifying tributaries and other waters as federally protected and revising the adjacency test when identifying federally jurisdictional wetlands. Under the EPA's new definition, a "water of the United States" is a relatively permanent, standing, or continuously flowing body of water that has an apparent surface connection to a "traditionally navigable water" to fall within federal purview. The new rule applies to wetlands and streams throughout the U.S. Although the Sackett opinion did not specifically reference streams, the EPA's new rule extends the "continuous surface connection" standard to streams, thereby removing non-permanent, ephemeral streams that do not meet these standards from federal jurisdiction.

The term "wetlands" (a subset of waters of the United States) is defined in 33 CFR, Section 328.3(c)(16), as "areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas." In the absence of wetlands, the limits of USACE jurisdiction in non-tidal waters, such as intermittent streams, extend to the "ordinary high water mark," which is defined in 33 CFR 328.3(c)(7) as "that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the

bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas."

State

California Endangered Species Act

The California Endangered Species Act (California Fish and Game Code Sections 2050–2068) provides protection and prohibits the take of plant, fish, and wildlife species listed by the State of California. Unlike FESA, under CESA, state-listed plants have the same degree of protection as wildlife, but insects and other invertebrates may not be listed. Take is defined similarly to FESA and is prohibited for both listed and candidate species. Take authorization may be obtained by a project applicant from CDFW under CESA Section 2081, which allows take of a listed species for educational, scientific, or management purposes. In this case, private developers consult with CDFW to develop a set of measures and standards for managing the listed species, including full mitigation for impacts, funding of mitigation implementation, and monitoring of mitigation measures.

Western Joshua Tree

On October 21, 2019, the California Fish and Game Commission (Commission) received a petition from the Center for Biological Diversity to list western Joshua tree. On November 1, 2019, the Commission referred the petition to CDFW for evaluation. CDFW evaluated the scientific information presented in the petition and other relevant information possessed by CDFW at the time of review and prepared a report for submittal to the Commission (CDFW 2020). The report states that CDFW recommended that the Commission accept the petition for further consideration of western Joshua tree under the CESA. On September 22, 2020, the Commission accepted the candidacy proposal for western Joshua tree, effective October 9, 2020. When a plant or wildlife species is granted candidacy under the CESA, the species is given the same protection as a threatened or endangered species while the Commission evaluates whether formal listing as threatened or endangered under the CESA is warranted.

In listing western Joshua tree as a candidate species under CESA, the Commission directed CDFW staff to evaluate whether the species should be formally listed under CESA. In March 2022, CDFW staff presented its findings to the Commission and recommended against the listing, citing the species widespread distribution and lack of data regarding the extent to which climate changes are expected to affect the species. This information was presented to the Commission on June 15–16, 2022. The Commission voted on the proposed listing at this meeting, but the vote resulted in a 2–2 tie. The Commission discussed western Joshua tree's listing status at its October 12–13, 2022 meeting; however, it was decided at this meeting to extend Joshua tree's candidate status discussion until their February 23, 2023, meeting, which was anticipated to be the final meeting before a listing decision was made. On July 1, 2023, the Western Joshua Tree Conservation Act (WJTCA) was passed. While western Joshua tree is a candidate species, take for western Joshua tree can be received through payment of pre-determined mitigation fees.

The WJTCA introduces a streamlined permitting framework that applies to specific development activities and mandates the collection of mitigation fees. These fees are intended to facilitate the acquisition and preservation of western Joshua tree habitat, as well as to support conservation measures aimed at safeguarding the western Joshua tree. The underlying goal is to counterbalance the adverse impacts on western Joshua trees resulting from authorized projects and to promote species conservation on a landscape scale.

Under the WJTCA, CDFW is authorized to perform the following key functions:

- Issue permits for the trimming and removal of hazardous or deceased western Joshua trees.
- Grant permits for the incidental take of western Joshua trees, contingent upon the fulfillment of specific conditions.
- Establish agreements with counties or cities to delegate limited authority for the issuance of the aforementioned permits, provided that predetermined conditions are met.

Furthermore, the WJTCA instructs CDFW to develop a comprehensive conservation plan for the western Joshua tree by the conclusion of the year 2024.

The WJTCA institutes two categories of mitigation fees: reduced fees and standard fees, depending on the geographical location, as defined in the California Department of Fish and Game Code (Section 1927). It empowers the CDFW to issue permits for the incidental take of one or more western Joshua trees, subject to compliance with stipulated conditions. Permit holders may opt to remit specified fees in lieu of undertaking mitigation activities. Additionally, the WJTCA authorizes the CDFW to issue permits for the removal of deceased western Joshua trees and the trimming of live western Joshua trees under specific circumstances.

Notably, all in-lieu fees collected under the WJTCA are directed to the Western Joshua Tree Conservation Fund, with the explicit purpose of allocation to the CDFW. These funds are designated exclusively for the acquisition, conservation, and management of western Joshua tree conservation lands, as well as the execution of other initiatives designed to safeguard the western Joshua tree.

Permitting

The initial step in the Project permitting process necessitates the comprehensive survey and documentation of western Joshua trees located on the Project site as well as within a 50-foot radius surrounding the Project area. This census must adhere to precise specifications outlined on the CDFW’s official website.

Simultaneously, a permit application, available on the CDFW's website, must be completed. The application mandates that the applicant complies with the CEQA. Notably, there are no stipulated statutory deadlines governing the permitting process; however, CDFW is committed to expeditiously processing the applications upon receipt. Upon successful processing of the application by CDFW, the permittee will be issued an invoice for the mandatory mitigation fee. This fee is to be remitted via check or money order, with the invoice securely attached, following the precise instructions provided by CDFW.

California Fish and Game Code

Fully Protected Species

Sections 3511, 4700, 5050, and 5515 of the California Fish and Game Code outline protection for fully protected species of mammals, birds, reptiles, amphibians, and fish. Species that are fully protected by these sections may not be taken or possessed at any time. CDFW cannot issue permits or licenses that authorize the "take" of any fully protected species, except under certain circumstances, such as scientific research and live capture and relocation of such species pursuant to a permit for the protection of livestock. Furthermore, it is the responsibility of CDFW to maintain viable populations of all native species. Toward that end, CDFW has designated certain vertebrate species as Species of Special Concern, because declining population levels, limited ranges, and/or continuing threats have made them vulnerable to extinction.

Section 1600–1616

CDFW jurisdiction includes ephemeral, intermittent, and perennial watercourses (including dry washes) and lakes characterized by the presence of definable bed and banks, and existing fish or wildlife resources. CDFW takes jurisdiction to the top of bank of the stream or the limit of the adjacent riparian vegetation, which may include oak woodlands in canyon bottoms. Historical court cases have further extended CDFW jurisdiction to include watercourses that seemingly disappear but reemerge elsewhere. Under the CDFW definition, a watercourse need not exhibit evidence of an ordinary high-water mark (OHWM) to be claimed as jurisdictional. CDFW does not have jurisdiction over ocean or shoreline resources.

Under California Fish and Game Code Sections 1600–1616, CDFW has the authority to regulate work that will substantially divert or obstruct the natural flow of, or substantially change or use any material from, the bed, channel, or bank of any river, stream, or lake. CDFW also has the authority to regulate work that will deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake. This regulation takes the form of a requirement for a Lake or Streambed Alteration Agreement and is applicable to all Projects. Applications to CDFW must include a complete, certified CEQA document.

California Native Plant Protection Act

The Native Plant Protection Act of 1977 (Sections 1900 et seq. of the California Fish and Game Code) directed CDFW to carry out the Legislature's intent to "preserve, protect and enhance rare and endangered plants in this State." The Native Plant Protection Act gave the California Fish and Game Commission the power to designate native plants as "endangered" or "rare," and protect endangered and rare plants from take. CESA expanded on the original Native Plant Protection Act and enhanced legal protection for plants, but the Native Plant Protection Act remains part of the California Fish and Game Code. To align with federal regulations, the categories of "threatened" and "endangered" species were added to CESA. All "rare" animals in CESA were converted to "threatened," but this did not change for rare plants. Thus, there are three listing categories for plants in California: rare, threatened, and endangered. Because rare plants are not included in CESA, mitigation measures for impacts to rare plants are specified in a formal agreement between CDFW and Project proponents.

Nesting Birds

Section 3503 of the California Fish and Game Code states that it is unlawful to take, possess, or needlessly destroy the nests or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Section 3503.5 protects all birds of prey (raptors) and their eggs and nests. Section 3511 states that fully protected birds or parts thereof may not be taken or possessed at any time. Section 3513 states that it is unlawful to take or possess any migratory non-game bird as designated in the MBTA.

California Environmental Quality Act

CEQA requires identification of a Project's potentially significant impacts on biological resources, and ways that such impacts can be avoided, minimized, or mitigated. CEQA also provides guidelines and thresholds for use by lead agencies for evaluating the significance of proposed impacts.

The CEQA Guidelines Section 15380(b)(1) defines endangered animals or plants as species or subspecies whose "survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease, or other factors." A rare animal or plant is defined in CEQA Guidelines Section 15380(b)(2) as a species that, although not presently threatened with extinction, exists "in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens; or … [t]he species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range and may be considered 'threatened' as that term is used in the federal Endangered Species Act." Additionally, an animal or plant may be presumed to be endangered, rare, or threatened if it meets the criteria for listing, as defined further in CEQA Guidelines Section 15380(c).

CDFW has developed a list of "Special Species" as "a general term that refers to all of the taxa the California Natural Diversity Database (CNDDB) is interested in tracking, regardless of their legal or protection status." This is a broader list than those species that are protected under FESA, CESA, and other California Fish and Game Code provisions, and includes lists developed by other organizations, including, for example, the Audubon Watch List. Guidance documents prepared by other agencies, including the Bureau of Land Management Sensitive Species and USFWS Birds of Special Concern, are also included on this CDFW Special Species list. Additionally, CDFW has concluded that plant species listed as CRPR 1 and 2 by the California Native Plant Society (CNPS), and potentially some CRPR 3 plants, are covered by CEQA Guidelines Section 15380.

Section IV, Appendix G, Environmental Checklist Form, of the CEQA Guidelines requires an evaluation of impacts to "any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service."

Porter–Cologne Water Quality Control Act

Pursuant to provisions of the Porter–Cologne Act, the RWQCBs regulate discharging waste, or proposing to discharge waste, within any region that could affect a water of the state (California Water Code Section 13260[a]). The State Water Resources Control Board (SWRCB) defines a water of the state as "any surface water or groundwater, including saline waters, within the boundaries of the state" (California Water Code, Section 13050[e]). All waters of the United States are waters of the state. Waters of the state include wetlands, and the SWRCB definition of wetlands includes the following:

1. Natural wetlands.
2. Wetlands created by modification of a surface water of the state.

3. Artificial wetlands that meet any of the following criteria:
    a. Approved by an agency as compensatory mitigation for impacts to other waters of the state, except where the approving agency explicitly identifies the mitigation as being of limited duration.
    b. Specifically identified in a water quality control plan as a wetland or other water of the state.
    c. Resulted from historic human activity, is not subject to ongoing operation and maintenance, and has become a relatively permanent part of the natural landscape.
    d. Greater than or equal to 1 acre in size unless the artificial wetland was constructed and is currently used and maintained, primarily for one or more of the following purposes: industrial or municipal wastewater treatment or disposal; settling of sediment; detention, retention, infiltration, or treatment of stormwater runoff and other pollutants or runoff subject to regulation under a municipal, construction, or industrial permitting program; treatment of surface waters; agricultural crop irrigation or stock watering; fire suppression; industrial processing or cooling water; active surface mining – even if the site is managed for interim wetlands functions and values; log storage; treatment, storage, or distribution of recycled water; maximizing groundwater recharge (this does not include wetlands that have incidental groundwater recharge benefits); or fields flooded for rice growing.

Wetlands that may not meet all of USACE's wetland delineation criteria are considered wetland waters of the state if, "under normal circumstances, (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area's vegetation is dominated by hydrophytes or the area lacks vegetation" (SWRCB 2019). Additionally, aquatic resources that USACE determines to not be waters of the United States because they lack a significant nexus to a traditional navigable water or are above the OHWM limit of federal jurisdiction, may also be considered waters of the state. If a CWA Section 404 permit is not required for a Project, the RWQCB may still require a permit (waste discharge requirements) for impacts to waters of the state under the Porter–Cologne Act.

California Native Desert Plants Act

The purpose of the CDNPA is to protect certain species of California desert native plants from unlawful harvesting on both public and privately owned lands. The CDNPA only applies within the boundaries of Imperial, Inyo, Kern, Los Angeles, Mono, Riverside, San Bernardino, and San Diego Counties. Within these counties, the CDNPA prohibits the harvest, transport, sale, or possession of specific native desert plants unless a person has a valid permit or wood receipt, and the required tags and seals. The appropriate permits, tags, and seals must be obtained from the sheriff or commissioner of the county where collecting will occur, and the county will charge a fee. More information on the CDNPA, including the species protected under the law, is available by reading the provisions of the law.

Local

San Bernardino County General Plan and Development Code

The County of San Bernardino General Plan (County General Plan) contains the goals and policies that guide future development within San Bernardino County (County of San Bernardino 2007a). San Bernardino County is broken into three distinct geographic planning regions: the Valley, the Mountains, and the Desert. The Project site occurs within the Desert Planning Region of San Bernardino County. The Desert Planning Region has two goals

and policies: (1) to preserve open lands by working with Bureau of Land Management (BLM) and (2) to ensure that off-highway vehicle use is managed to protect environmentally sensitive resources.

The Project would also need to comply with the Development Code. The San Bernardino County Development Code (County of San Bernardino 2007b) implements the goals and policies of the County General Plan. Chapter 88.01.060, Desert Native Plant Protection, of the San Bernardino County Development Code is a subset of the Plant Protection and Management Code (Chapter 88.01 of the Development Code) and focuses on the conservation of specified desert tree species. This code ensures coordination with CNDPA and requires issuance of a Tree or Plant Removal Permit in compliance with Section 88.01.050 for the following species:

(1) The following desert native plants 6 feet or greater in height or with stems 2 inches or greater in diameter:
(2) Smoke tree (*Psorothamnus spinosus* [Synonym: *Dalea spinosa*])
(3) All species of the genus *Prosopis* (mesquites)
(4) All species of the family Agavaceae (century plants, nolinas, yuccas)
(5) Creosote (*Larrea tridentata*) rings, 10 feet or greater in diameter
(6) All western Joshua trees
(7) Any part of the following species, whether living or dead:
    a. desert ironwood (Olneya tesota)
    b. All species of the genus Prosopis (mesquites)
    c. All species of the genera Cercidium or Parkinsonia (palos verdes)

City of Victorville General Plan

The City's Resource Element (City of Victorville 2008) addresses biological resources in Goal #4 (Conservation of Important Habitat), wherein objectives and policies are set forth to achieve the goal of preserving native vegetation that provides habitat for rare, threatened, and/or endangered plant and wildlife species. The following objectives and policies pertain to biological resources and are relevant to the Project:

Objective 4.1. Preservation of natural communities that support rare, threatened, and or endangered plant and wildlife species throughout the planning area.

Policy 4.1.1. Encourage natural habitat that supports rare, threatened, or endangered plants and wildlife (i.e., "sensitive" species), or require restoration of the same type of impacted habitat within an existing, planned, or potential conservation area.

Policy 4.1.2. Support and participate in the West Mojave Plan.

Objective 4.2. Permanent Conservation of Mojave River Corridor Ecological Values.

Policy 4.2.1. Generally, prohibit private or public development projects or major infrastructure facilities on land within the Mojave River Corridor, where biological surveys have determined there is habitat that supports rare, threatened, and/or endangered plants or wildlife. Allow minor encroachments into such habitat for critical public facilities and recreational trails, where reliable assurances are provided that no loss of sensitive species would occur.

City of Victorville Municipal Code

The City of Victorville Municipal Code provides some protections for western Joshua tree in Chapter 13.33 of the Code of Ordinances, titled Preservation and Removal of Joshua Trees.

Per Chapter 13.3 of the Victorville Municipal Code, it is determined by the City council that proper and necessary steps be taken to protect and preserve, to the greatest extent possible, Joshua trees in all areas of the City to preserve the unique natural desert environment throughout the City and for the health, safety, and welfare of the community (Victorville Municipal Code 13.33.010). The Victorville Municipal Code continues to state that it is unlawful for any person to cut, damage, destroy, dig up, or harvest any Joshua tree without the prior written consent of the Director of Parks and Recreation or their designee (Victorville Municipal Code 13.33.040).

Furthermore, Section 16-5.02.060 of the Victorville Municipal Code states the following regarding western Joshua trees and as a requirement of the grading and permit requirements of Article 2, Grading Regulations Victorville Municipal Code:

> All Joshua trees, as per Chapter 13.33 of the Victorville Municipal Code, shall be indicated by showing the exact center of its trunk as established by a licensed surveyor. Its tag number, trunk diameter and height must be indicated. The health and proposed disposition of the tree must be indicated. Where a tree or trees are to be removed, the applicant shall meet all current requirements and standards as set forth by the California Department of Fish and Wildlife, and proof shall be submitted to the Building Department prior to issuance of a permit. Alternatively, the Applicant may provide a detailed report, from a licensed Arborist or Biologist, for protecting and preserving, the tree or trees in accordance with applicable California Department of Fish and Wildlife standards, which may be affected by the proposed grading.

4.3.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to biological resources are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to biological resources would occur if the Project would:

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 CDFW and Game or USFWS.
B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or USFWS.
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.

4.3.4 Impacts Analysis

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

Less-than-Significant Impact with Mitigation Incorporated. The following section evaluates the Project's potential direct and indirect effects on plant and wildlife species identified as candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.

One listed special-status plant species (i.e., western Joshua Tree) and two special-status wildlife species (i.e., burrowing owl and desert kit fox) were detected within the Project's BSA (Project footprint plus a 100-foot buffer). Additionally, two special-status wildlife species (i.e., loggerhead shrike, Crotch's bumble bee) have a moderate or high potential to occur within the BSA due to presence of suitable habitat and site conditions. Although 2023 protocol survey results were negative for Mojave desert tortoise, in the abundance of caution and due to recent nearby CNDDB occurrences, this listed species is considered to have a low potential to occur. The Project would have significant impacts on special-status species absent mitigation or avoidance. Impacts to these species and proposed mitigation measures are discussed below.

No non-listed special-status plant species were observed or have a high or moderate potential to occur within the BSA; therefore, the Project would have no direct impacts to non-listed special-status plant species. Plant species that are not considered special-status but are protected under the locally enforced CDNPA (i.e., Wiggins' cholla, buckthorn cholla) are discussed below in the context of consistency with local policies and ordinances.

In addition, the BSA does not occur within federally designated critical habitat for any special-status species, and there would be no direct impacts to critical habitat.

Special-Status Plant Species

Direct Impacts

Western Joshua Tree

Western Joshua tree, a candidate for state listing under CESA, was observed and would be directly impacted by the Project. Based on the site plan, implementation of the Project would result in direct impacts to 101 western Joshua trees. All ground-disturbing activities are considered permanent impacts to western Joshua trees. Direct impacts to western Joshua tree would be significant absent mitigation under CEQA.

Based on the WJTCA, Fish and Game Code Section 1927.3 requires the applicant to mitigate by paying the statutorily prescribed fees. Trees located in the area described in Fish and Game Code Section 1927.3(e) are in the reduced fee area; therefore, impacts to western Joshua tree can be mitigated on a per-tree basis as follows:

- 5 meters or greater in height - $1,000
- 1 meter or greater but less than 5 meters in height - $200
- less than 1 meter in height - $150

The Project would result in direct impacts to 2 Joshua trees that are 5 meters or greater in height, 74 trees 1 meter or greater but less than 5 meters in height, and 25 trees less than 1 meter in height.

As required by **Mitigation Measure (MM) BIO-1** (Western Joshua Tree Fee Payment), mitigation for direct impacts to 101 individuals would be fulfilled through conservation of western Joshua trees through a payment of fees consistent with the Western Joshua Tree Conservation Act or through payment to a CDFW approved mitigation bank.

Furthermore, the implementation of **MM-BIO-3** (Designated Biologist Authority) gives the Project's designated biologist the authority to stop work if construction is not compliant with this CEQA document. **MM-BIO-4** (Compliance Monitoring) requires that an experienced biologist oversee compliance with the protective measures, including limiting impacts to the Project footprint. **MM-BIO-5** (Education Program) would provide construction personnel with training related to special-status plants that could potentially occur on or adjacent to the impact footprint. **MM-BIO- 6** (Construction Monitoring Notebook) provides for documentation that the education program was administered to applicable personnel. **MM-BIO-7** (Delineation of Property Boundaries) requires that impacts occur within the fenced, staked, or flagged area that is clearly delineated within the Project impact footprint. The construction crew would be responsible for unauthorized impacts from construction activities to special-status plants that are outside the permitted Project footprint.

Therefore, implementation of **MM-BIO-1** (Western Joshua Tree Fee Payment), **MM-BIO-3** (Designated Biologist Authority), **MM-BIO-4** (Compliance Monitoring), **MM-BIO-5** (Education Programs), **MM-BIO-6** (Construction Monitoring Notebook), and **MM-BIO-7** would reduce potential direct impacts to western Joshua trees to less than significant.

Indirect Impacts

No non-listed special-status plant species were observed or have a high or moderate potential to occur within the 50-foot buffer outside of the Project footprint; therefore, the Project would have no indirect impacts to non-listed special-status plant species.

In total, 18 western Joshua trees were mapped within the 50-foot buffer outside of the Project footprint. Although these trees would not be directly impacted, implementation of the Project may result in indirect impacts to these western Joshua trees.

Western Joshua Tree

Construction-related, short-term indirect impacts may include dust accumulation on Joshua trees, stormwater erosion and sedimentation, chemical spills, increased wildfire risk, and inadvertent spillover impacts outside of the construction footprint. Potential long-term (post-construction) indirect impacts from operation and maintenance activities may include effects of herbicides, changes in water quality, increased wildfire risk, induced demand of the surrounding area, increased traffic and vehicle emissions, and accidental chemical spills. Indirect impacts to Joshua trees would be significant absent mitigation.

To reduce fugitive dust resulting from Project construction and to minimize adverse air quality impacts, the Project would employ dust mitigation measures in accordance with the Mojave Desert Air Quality Management District's (AQMDs) Rules 401 and 403.2, which limit the amount of fugitive dust generated during construction.

A Stormwater Pollution Prevention Plan (SWPPP) would be prepared and implemented to prevent all construction pollutants from contacting stormwater during construction activities, with the intent of keeping sediment and any other pollutants from moving off site and into receiving waters. Best management practice (BMP) categories employed on site would include erosion control, sediment control, and non-stormwater good housekeeping. Preparation and implementation of a SWPPP would help to avoid and minimize the potential effects of stormwater erosion during construction.

Implementation of low-impact-development features and BMPs would, to the maximum extent practicable, reduce the discharge of pollutants into receiving waters, including inadvertent release of pollutants (e.g., hydraulic fluids and petroleum); the improper management of hazardous materials, trash, and debris; and the improper management of portable restroom facilities (e.g., regular service) in accordance with all relevant local and state development standards. In addition, in accordance with California Green Building Standards Code (CALGreen) requirements (CCR, Title 24, Part 11), Project source controls to improve water quality would be provided for outdoor material storage areas, outdoor trash storage/waste handling areas, and outdoor loading/unloading areas. Therefore, impacts to special-status plants due to changes in water quality would be avoided and minimized through implementation of low-impact-development features and BMPs.

Construction of the Project would introduce potential ignition sources to the Project site, including the use of heavy machinery and the potential for sparks during welding activities or other hot work. However, the Project would be required to comply with City and state requirements for fire safety practices to reduce the possibility of fires during construction activities. Further, vegetation would be removed from the site prior to the start of construction. Adherence to City and state regulatory standards during Project construction would reduce the risk of wildfire ignition and spread during construction activities. Therefore, short-term construction impacts involving wildland fires would be less than significant.

Upon completion of Project construction, the Project would not facilitate wildfire spread or exacerbate wildfire risk due to the low ignitability of the proposed structures and implementation of fire-resistant and irrigated landscaping. Further, given that surrounding off-site fuels consist of moderately spaced vegetation, wildfires in the immediate surrounding area are not common, and it is unlikely that the Project site would be exposed to the uncontrolled spread of a wildfire. It is not anticipated that the Project, due to slope, prevailing winds, and other factors, would exacerbate wildfire risks or the uncontrolled spread of a wildfire; thus, long-term indirect impacts to special-status plants associated with increased wildlife risk are not expected to occur.

Additionally, **MM-BIO-8** (Hazardous Waste) would ensure that a prompt and effective response to any accidental chemical spills would be implemented, and that repair and clean-up of any hazardous waste occurs. Implementation of **MM-BIO-9** (Herbicides) would limit herbicide use to instances where hand or mechanical efforts are infeasible and would only be applied when wind speeds are less than 7 miles per hour to prevent drift into off-site special-status plants. Thus, implementation of **MM-BIO-8** (Hazardous Waste) and **MM-BIO-9** (Herbicides) would help to avoid and minimize indirect impacts to special-status plants from any construction-related chemical spills or improper application of herbicides.

Furthermore, the implementation of **MM-BIO-3** (Designated Biologist Authority) gives the Project's designated biologist the authority to stop work if construction is not compliant with this CEQA document. **MM-BIO-4** (Compliance Monitoring) requires that an experienced biologist oversee compliance with the protective measures, including limiting impacts to the Project footprint. **MM-BIO-5** (Education Program) would provide construction personnel with training related to special-status plants that could potentially occur on or adjacent to the impact footprint. **MM-BIO-6** (Construction Monitoring Notebook) provides for documentation that the education program

was administered to applicable personnel. **MM-BIO-7** (Delineation of Property Boundaries) requires that impacts occur within the fenced, staked, or flagged area that is clearly delineated within the Project impact footprint. The construction crew would be responsible for unauthorized impacts from construction activities to special-status plants that are outside the permitted Project footprint. Thus, implementation of **MM-BIO-3** through **MM-BIO-7** would help to avoid and minimize inadvertent spillover impacts outside of the approved impact footprint.

Lastly, the Joshua Tree Plan provide measures for protecting the remaining western Joshua trees, such as establishment of a tree protected zone (crown/canopy plus 6 feet), protective fencing and signage, pre-construction meetings, measures for protection and maintenance during construction, and procedures for maintenance after construction.

Accordingly, implementation of the Joshua Tree Plan, **MM-BIO-3** (Designated Biologist Authority), **MM-BIO-4** (Compliance Monitoring), **MM-BIO-5** (Education Program), **MM-BIO-6** (Construction Monitoring Notebook), **MM-BIO-7** (Delineation of Property Boundaries), **MM-BIO-8** (Hazardous Waste), and **MM-BIO-9** (Herbicides) would reduce potential indirect impacts to western Joshua tree to less than significant.

Special-Status Wildlife Species

Direct Impacts

Direct impacts can potentially occur to special-status wildlife species from impacts to habitat and impacts to the species from injury or mortality of individuals from construction activities. The Project could result in significant, direct impacts to four special-status wildlife species that were observed or have a moderate to high potential to occur within the BSA: burrowing owl, loggerhead shrike, Crotch's bumble bee, and desert kit fox. Additionally, potential significant direct impacts to one special-status species that has a low potential to occur, desert tortoise, are analyzed due its federal and state listing status. Potential direct impacts to these five special status species are detailed below. Focused surveys conducted for Mohave ground squirrel were negative; therefore, impacts to these species are not expected to occur and will not be analyzed further.

Burrowing Owl

Burrowing owl was observed within the BSA. Specifically, an individual was flushed from a burrow located out of the BSA and was observed briefly flying into the Project site. The individual was part of a family of burrowing owls that were occupying a burrow approximately 50 feet outside of the BSA. Although burrowing owls were not nesting within the BSA for the 2023 breeding season, they were likely using the Project site to forage due to the presence of suitable open scrub habitat and its close proximity to the active burrow. The BSA also contains suitable nesting and overwintering habitat for burrowing owl with a few suitable burrows. Therefore, burrowing owl could breed or overwinter within the BSA at the start of construction.

While home ranges vary widely, burrowing owl have been found to primarily forage within 600 meters of nest burrows (Haug and Oliphant 1990; Gervais et al. 2003; Rosenberg and Haley 2004). As such, implementation of the Project would result in the loss of approximately 76.47 acres of occupied breeding habitat for burrowing owl (i.e., directly impacted creosote bush scrub occurring within 600 meters of the occupied nest burrow). These potential direct impacts to burrowing owls are considered significant absent mitigation under CEQA. **MM-BIO-10** (Pre-Construction Surveys for Burrowing Owl Avoidance) requires mitigation for the loss of occupied breeding habitat, which would be fulfilled through conservation of burrowing owl habitat with purchase of credits at a

minimum of 1:1 in-kind habitat replacement. Accordingly, **MM-BIO-10** (Pre-Construction Burrowing Owl Survey and Avoidance) would reduce direct impacts due to loss of suitable burrowing habitat to less than significant.

Direct impacts could occur to burrowing owl if nesting or overwintering individuals occur within the BSA during construction. Construction activities could cause disruptions to breeding activities and mortality or injury to individuals in burrows if present within the disturbance footprint during construction. Harm to or loss of individuals as a result of construction activities would be significant absent mitigation under CEQA. Pursuant to the California Fish and Game Code and MBTA, a pre-construction survey in compliance with the Staff Report on Burrowing Owl Mitigation (CDFW 2012) would be necessary to reevaluate the locations of potential burrowing owl burrows within the Project limits so take of owls or active owl nests can be avoided. **MM-BIO-10** (Pre-Construction Burrowing Owl Survey and Avoidance) would require pre-construction surveys for burrowing owl shall be conducted in areas supporting potentially suitable habitat with the first survey no less than 14 days prior to the start of construction activities, and the second within 24 hours of start of construction. A Burrowing Owl Relocation Plan has been prepared to facilitate implementation of this mitigation measure and is attached to this report as Appendix I of Appendix C. In addition, implementation of **MM-BIO-3** (Designated Biologist Authority), **MM-BIO-4** (Compliance Monitoring), **MM-BIO-5** (Education Programs), and **MM-BIO-6** (Construction Monitoring Notebook) would reduce potential direct impacts to less than significant.

Accordingly, implementation of **MM-BIO-3** (Designated Biologist Authority), **MM-BIO-4** (Compliance Monitoring), **MM-BIO-5** (Education Programs), **MM-BIO-6** (Construction Monitoring Notebook), **MM-BIO-10** (Pre-Construction Burrowing Owl Survey and Avoidance) would reduce potential direct impacts to burrowing owl to less than significant.

Loggerhead Shrike

The BSA supports suitable loggerhead shrike foraging and nesting habitat (e.g., open desert scrub with scattered shrubs). Additionally, two loggerhead shrike detections were made in close proximity to the BSA. Therefore, loggerhead shrike has a high potential to occur within the BSA.

Implementation of the proposed Project could result in direct impacts to loggerhead shrike through the removal of potentially suitable habitat. However, this impact would be adverse, but not significant due to abundant suitable habitat present in the Project region. These areas will continue to provide habitat opportunities for this species. As a result, the loss of suitable habitat would not substantially reduce the habitat for the species and would not cause the species population to drop below self-sustaining levels. Additionally, as required by **MM-BIO-1** (Western Joshua Tree Fee Payment), mitigation for direct impacts to western Joshua trees would be fulfilled through a payment of fees consistent with the WJTCA or through payment to a CDFW approved mitigation bank. Conservation efforts for western Joshua tree will focus on the conservation of large, interconnected Joshua tree woodlands on lands where edge effects are limited, versus lands in urban settings that are subject to habitat fragmentation and edge effects, such as the Project site. Thus, mitigation for impacts to western Joshua tree would ensure conservation of suitable habitat for loggerhead shrike, which use similar habitat. Therefore, direct impacts resulting from the loss of habitat for loggerhead shrike would be less than significant.

To avoid potential direct impacts to nesting loggerhead shrike, vegetation removal activities would be conducted outside the general bird nesting season (February 1 through August 31). If vegetation cannot be removed outside the bird nesting season, a pre-construction nesting bird survey by a qualified biologist is required prior to vegetation removal. This requirement is outlined in **MM-BIO-11** (Pre-Construction Nesting Bird Survey and Avoidance).

Accordingly, implementation of **MM-BIO-1** (Western Joshua Tree Fee Payment) and **MM-BIO-11** (Pre-Construction Nesting Bird Survey and Avoidance) would reduce potential direct impacts to loggerhead shrike to less than significant.

Crotch's Bumble Bee

Crotch's bumble bee is a generalist forager and could forage anywhere within the BSA where suitable floral resources are present Therefore, this species has a moderate potential to occur in open scrub where preferred plant genera occurs in the herbaceous layer. There is also potential for the Project to support nesting sites for bumble bee colonies, including Crotch's bumble bee, which are primarily located underground in abandoned holes made by ground squirrels, mice, and rats, but may be aboveground in abandoned bird nests or empty cavities (Williams et al. 2014).

Implementation of the proposed Project could result in direct impacts to Crotch's bumble bee through the removal of potentially suitable habitat. However, this impact would be adverse, but not significant due to abundant suitable habitat present in the Project region. These areas will continue to provide habitat opportunities for this species. As a result, the loss of suitable habitat would not substantially reduce the habitat for the species and would not cause the species population to drop below self-sustaining levels. Additionally, as required by **MM-BIO-1** (Western Joshua Tree Fee Payment), mitigation for direct impacts to western Joshua trees would be fulfilled through a payment of fees consistent with the WJTCA or through payment to a CDFW approved mitigation bank. Conservation efforts for western Joshua tree will focus on the conservation of large, interconnected Joshua tree woodlands on lands where edge effects are limited, versus lands in urban settings that are subject to habitat fragmentation and edge effects, such as the Project site. Thus, mitigation for impacts to western Joshua tree would ensure conservation of suitable habitat for Crotch's bumble bee, which use similar habitat. Therefore, direct impacts resulting from the loss of habitat for Crotch's bumble bee would be less than significant.

Because Crotch's bumble bee typically nests underground, individuals if present at a given work location in the BSA would also be highly vulnerable to injury and mortality during construction. Harm to or the loss of individuals during construction could be significant, absent mitigation. Implementation of **MM-BIO-12** (Pre-Construction Crotch's Bumble Bee Survey and Avoidance) would require pre-construction habitat assessments and focused surveys to identify any Crotch's bumble bee nest(s) present within the impact footprint. The measure would require no-impact buffers to be established around nests if found, thereby avoiding potential direct impacts to Crotch's bumble bee resulting from the loss of individuals. In addition, implementation of **MM-BIO-3** (Designated Biologist Authority), **MM-BIO-4** (Compliance Monitoring), **MM-BIO-5** (Education Programs), and **MM-BIO-6** (Construction Monitoring Notebook) would reduce potential direct impacts to less than significant.

Accordingly, implementation of **MM-BIO-1** (Western Joshua Tree Fee Payment), **MM-BIO-3** (Designated Biologist Authority), **MM-BIO-4** (Compliance Monitoring), **MM-BIO-5** (Education Programs), **MM-BIO-6** (Construction Monitoring Notebook), **MM-BIO-12** (Pre-Construction Crotch's Bumble Bee Survey and Avoidance) would reduce potential direct impacts to Crotch's bumble bee to less than significant.

Mojave Desert Tortoise

Although 2023 protocol surveys for desert tortoise were negative, the BSA contains suitable habitat ranked with a high habitat suitability score in CWHR predicted habitat modeling for the species (CDFW 2017). In addition, the nearest CNDDB occurrences from 2007 are mapped approximately 250 feet east and 0.25-mile north of the BSA (CDFW 2023f). Therefore, Mojave desert is a mobile species that could enter the BSA prior to construction and

has a low potential to occur. Any potential direct and indirect impacts to Mojave desert tortoise would be significant absent mitigation under CEQA.

A pre-construction Mojave desert tortoise clearance survey in compliance with current USFWS protocol would be necessary to reevaluate the locations of potential Mojave desert tortoise burrows within the Project limits so take of Mojave desert tortoise can be avoided. Consistent with **MM-BIO-13** (Pre-Construction Mojave Desert Tortoise Clearance Survey and Avoidance), a pre-construction clearance survey for Mojave desert tortoise would be conducted in areas supporting potentially suitable habitat 14 to 21 days prior to the start of construction activities, and a second survey would be repeated within 72 hours prior to the start of construction activities; or, alternatively, pre-construction clearance surveys may be conducted following construction of a desert-tortoise-proof fence encompassing the Project site that would ensure that tortoises cannot enter the Project after clearance surveys are completed. Should Mojave desert tortoises be located during the clearance survey, additional measures in compliance with current USFWS protocol would be required, as described further in **MM-BIO-13** (Pre-Construction Mojave Desert Tortoise Clearance Survey and Avoidance). In addition, implementation of **MM-BIO-3** (Designated Biologist Authority), **MM-BIO-4** (Compliance Monitoring), **MM-BIO-5** (Education Programs), and **MM-BIO-6** (Construction Monitoring Notebook) would reduce potential direct impacts to less than significant.

Should Mojave desert tortoise be located during the clearance survey, the Project would result in the permanent loss of 84.34 acres of occupied habitat for Mojave desert tortoise (i.e., creosote bush scrub). These direct permanent impacts would be significant absent mitigation. As required by **MM-BIO-13** (Pre-Construction Mojave Desert Tortoise Clearance Survey and Avoidance), mitigation for direct impacts to 84.34 acres, should Mojave desert tortoise be found during pre-construction clearance surveys, would be fulfilled through conservation of suitable Mojave desert tortoise habitat through the purchase of credits at a minimum of 1:1 in-kind habitat replacement.

Accordingly, implementation of **MM-BIO-3** (Designated Biologist Authority), **MM-BIO-4** (Compliance Monitoring), **MM-BIO-5** (Education Program), **MM-BIO-6** (Construction Monitoring Notebook), and **MM-BIO-13** (Pre-Construction Mojave Desert Tortoise Clearance Survey and Avoidance) would reduce potential direct impacts to Mojave desert tortoise to less than significant.

Desert Kit Fox

Desert kit fox was observed within the BSA. An individual was incidentally detected during a camera trapping study conducted as part of focused Mohave ground squirrel surveys. Additionally, the BSA contains suitable open desert scrub habitat for desert kit fox with suitable burrows. Therefore, desert kit fox could occupy the BSA at the start of construction.

Implementation of the proposed Project could result in direct impacts to desert kit fox through the removal of potentially suitable habitat. However, this impact would be adverse, but not significant due to abundant suitable habitat present in the Project region. These areas will continue to provide habitat opportunities for this species. As a result, the loss of suitable habitat would not substantially reduce the habitat for the species and would not cause the species population to drop below self-sustaining levels. Additionally, as required by **MM-BIO-1** (Western Joshua Tree Fee Payment), mitigation for direct impacts to western Joshua trees would be fulfilled through a payment of fees consistent with the WJTCA or through payment to a CDFW approved mitigation bank. Conservation efforts for western Joshua tree will focus on the conservation of large, interconnected Joshua tree woodlands on lands where edge effects are limited, versus lands in urban settings that are subject to habitat fragmentation and edge effects, such as the Project site. Thus, mitigation for impacts to western Joshua tree

would ensure conservation of suitable habitat for desert kit fox, which use similar habitat. Therefore, direct impacts resulting from the loss of habitat for desert kit fox would be less than significant.

To avoid potential direct impacts to desert kit fox, a pre-construction survey for desert kit fox will be conducted within 10 days prior to the start of construction to determine the presence/absence of desert kit fox, pursuant to **MM-BIO-14** (Pre-Construction Desert Kit Fox Survey and Avoidance). A Desert Kit Fox Relocation Plan has been prepared to facilitate implementation of this mitigation measure and is attached to this report as Appendix K of Appendix C. In addition, implementation of **MM-BIO-3** (Designated Biologist Authority), **MM-BIO-4** (Compliance Monitoring), **MM-BIO-5** (Education Program), and **MM-BIO-6** (Construction Monitoring Notebook) would reduce potential direct impacts to a less-than-significant level.

Accordingly, implementation of **MM-BIO-3** (Designated Biologist Authority), **MM-BIO-4** (Compliance Monitoring), **MM-BIO-5** (Education Programs), **MM-BIO-6** (Construction Monitoring Notebook), **MM-BIO-14** (Pre-Construction Desert Kit Fox Survey and Avoidance) would reduce potential direct impacts to desert kit fox to less than significant.

Nesting Migratory Birds and Raptors

The BSA contains trees, shrubs, and other vegetation suitable for birds of prey (raptors) and other avian species to nest on site. Native nesting bird species with potential to occur within the BSA are protected by California Fish and Game Code Sections 3503 and 3503.5, and by the federal MBTA (16 USC 703–711). In particular, California Fish and Game Code Section 3503 provides that it is unlawful to take, possess, or needlessly destroy the active nests or eggs of any bird in California; Section 3503.5 protects all raptors and their eggs and active nests; and the MBTA prohibits the take (including killing, capturing, selling, trading, and transport) of native migratory bird species throughout the United States. Currently, California considers any nest that is under construction or modification, or is supporting eggs, nestlings, or juveniles, as "active." Therefore, impacts to nesting migratory birds and raptors would be significant absent mitigation under CEQA.

To ensure compliance with the California Fish and Game Code and MBTA and to avoid potential impacts to nesting birds, vegetation removal activities would be conducted outside the general bird nesting season (February 1 through August 31, depending on the species), and if vegetation cannot be removed outside the bird nesting season, a pre-construction nesting bird survey by a qualified biologist is required prior to vegetation removal. This requirement is outlined in **MM-BIO-11** (Pre-Construction Nesting Bird Survey and Avoidance).

Accordingly, implementation of **MM-BIO-11** (Pre-Construction Nesting Bird Survey and Avoidance) would reduce potential direct impacts to nesting migratory birds and raptors to less than significant.

Indirect Impacts

Indirect impacts to special-status wildlife species are those that occur during construction to species present near the site, but not within the construction zone. Such impacts include fugitive dust that can degrade habitat and result in health implications for wildlife species; noise and vibration that can stress wildlife species or cause them to leave an area of otherwise suitable habitat, or that can result in disruption of bird nesting and abandonment of nests; increased human presence, which can also disrupt daily activities of wildlife and cause them to leave an area; generation of trash, such as food packaging and cigarette butts, and debris from construction-related materials, which can degrade wildlife habitat and can attract nuisance and pest species; night-time lighting, which can disrupt the activity patterns of nocturnal species, including many mammals and some birds, amphibians, and reptiles; and

release of chemical pollutants, such as from oil leaks from construction vehicles and machinery. Implementation of the Project could result in significant indirect impacts to special-status wildlife species absent mitigation.

MM-BIO-3 (Designated Biologist Authority), **MM-BIO-4** (Compliance Monitoring), **MM-BIO-5** (Education Program), and **MM-BIO-6** (Construction Monitoring Notebook) would require that all workers complete a Worker Environmental Awareness Program (WEAP) training and would require ongoing biological monitoring and compliance with all biological resource mitigation. **MM-BIO-8** (Hazardous Waste) would ensure that a prompt and effective response to any accidental chemical spills would be implemented, and that repair and clean-up of any hazardous waste occurs. To reduce fugitive dust resulting from Project construction and to minimize adverse air quality impacts, the Project would employ dust mitigation measures in accordance with the Mojave Desert AQMDs Rules 401 and 403.2, which would limit the amount of fugitive dust generated during construction. **MM-BIO-15** (Trash and Debris) would require trash and debris to be removed regularly and would require animal-resistant trash receptacles to avoid attracting urban-related predator species. **MM-BIO-16** (Lighting) would require night-time lighting during construction within 50 feet of habitat for special-status species to be shielded downward.

In addition, pre-construction surveys as required by **MM-BIO-10** (Pre-Construction Burrowing Owl Survey and Avoidance), **MM-BIO-11** (Pre-Construction Nesting Bird Survey and Avoidance), **MM-BIO-12** (Pre-Construction Crotch's Bumble Bee Survey and Avoidance), **MM-BIO-13** (Pre-Construction Mojave Desert Tortoise Clearance Survey and Avoidance), and **MM-BIO-14** (Pre-Construction Desert Kit Fox Survey and Avoidance) would require establishment of construction buffers around any occupied burrows or active nests found, thus limiting effects from most short-term indirect impacts, including noise and vibration, increased human presence, night-time lighting, and vehicle collisions.

Post-construction (long-term) activities have the potential to result in indirect impacts to special-status wildlife and their habitat. Long-term impacts that could result from development adjacent to habitat include nighttime lighting and increased invasive plant species that may degrade habitat. These potential long-term indirect impacts to special-status wildlife would be significant absent mitigation under CEQA.

MM-BIO-16 (Lighting) would require night-time lighting during post-construction operations within 50 feet of habitat for special-status species to be shielded downward. **MM-BIO-17** (Invasive Plant Management) would require that landscape plants within 200 feet of native vegetation communities not be on the most recent version of the California Invasive Plant Council California Invasive Plant Inventory (Cal-IPC 2023).

Accordingly, **MM-BIO-3** (Designated Biologist Authority), **MM-BIO-4** (Compliance Monitoring), **MM-BIO-5** (Education Program), and **MM-BIO-6** (Construction Monitoring Notebook), **MM-BIO-8** (Hazardous Waste), **MM-BIO-10** (Pre-Construction Burrowing Owl Survey and Avoidance), **MM-BIO-11** (Pre-Construction Nesting Bird Survey and Avoidance), **MM-BIO-12** (Pre-Construction Crotch's Bumble Bee Survey and Avoidance), **MM-BIO-13** (Pre-Construction Mojave Desert Tortoise Clearance Survey and Avoidance), **MM-BIO-14** (Pre-Construction Desert Kit Fox Survey and Avoidance), **MM-BIO-15** (Trash and Debris), **MM-BIO-16** (Lighting), and **MM-BIO-17** (Invasive Plant Management) would reduce potential indirect (short-term and long-term) impacts to special-status wildlife to less than significant.

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

No Impact. No riparian habitat or other sensitive vegetation communities are found within the Project site.

A total of 98.50 acres, including 81.10 acres within the Project site and 17.40 acres within the off-site areas, would be impacted by the Project within the BSA (Figures 4.3-5A through 4.3-5C, Impacts to Biological Resources). Table 4.3-2 summarizes permanent direct impacts to vegetation communities and land covers within the BSA.

Table 4.3-2. Impacts to Vegetation Communities and Land Cover Types within the Biological Study Area

Vegetation Community or Land Cover Type	State Ranking[1]	Total BSA (acres)	On-Site Permanent Impacts (acres)	Off-Site Permanent Impacts (acres)	Total Impacts (acres)
Creosote Bush Scrub	S5	119.21	76.74	7.60	84.34
Disturbed Habitat	NA	20.60	2.40	6.57	8.97
Urban/Developed	NA	12.62	1.97	3.23	5.20
	Total[2]	**152.42**	**81.10**	**17.40**	**98.50**

Notes: BSA = biological study area (Project site, off-site areas, and 100-foot buffer combined); N/A = not applicable.

1 The conservation status of a vegetation community is designated by a number from 1 to 5, preceded by a letter reflecting the appropriate geographic scale of the assessment (G = global, N = national, and S = subnational). The numbers have the following meaning (NatureServe 2023):
1 = critically imperiled
2 = imperiled
3 = vulnerable to extirpation or extinction
4 = apparently secure
5 = demonstrably widespread, abundant, and secure
NA = no applicable ranking
GNR = unranked, global rank not yet assessed
SNR = unranked, subnational rank not yet assessed

2 Total acreages may not sum exactly due to rounding.

The BSA does not contain any riparian habitat or vegetation communities considered a sensitive biological resource by CDFW under CEQA. Therefore, Project implementation would have no impact on sensitive vegetation communities.

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

Less-than-Significant Impact with Mitigation Incorporated. The BSA supports three ephemeral drainages consisting of 0.40 acres of non-wetland waters of the state under RWQCB, and 1.02 acres of jurisdictional streambed under CDFW. These drainages are presumed to be non-jurisdictional by USACE because they do not meet the relatively permanent standard as waters of the United States. No areas within the review area supported hydrophytic vegetation, and therefore features within the BSA were considered non-wetland waters of the state.

Direct Impacts

The Project would result in direct permanent impacts to 0.27 acres of potential non-wetland waters of the state under RWQCB jurisdiction, consisting of 0.20 acres within the Project site and 0.07 acres within off-site improvement areas. The Project would also result in direct permanent impacts to 0.65 acres of potential streambed under CDFW jurisdiction, consisting of 0.47 acres within the Project site and 0.18 acres within off-site

improvement areas. These impacts are depicted on Figures 4.3-5A through 4.3-5C and are summarized in Table 4.3-3. These potential direct impacts to jurisdictional waters would be significant absent mitigation under CEQA.

The ephemeral drainages present are not likely subject to USACE jurisdiction because these features are isolated and do not meet the relatively permanent as a water of the United States. However, the ultimate decisions on the amount and location of jurisdictional resources are made by the resource agencies (i.e., USACE, CDFW, and RWQCB).

Table 4.3-3. Summary of Impacts to Potential Jurisdictional Aquatic Resources within the Biological Study Area

Aquatic Resource Type	Regulatory Agency	Permanent On-Site Impacts (acres)	Permanent Off- Site Impacts (acres)	Total Permanent Impacts (acres)	Total Jurisdictional Aquatic Resources in the BSA (acres)
Non-wetland waters of the state	RWQCB	0.20	0.07	0.27	0.40
Streambed	CDFW	0.47	0.18	0.65	1.02

Notes: BSA = Biological Study Area; CDFW = California Department of Fish and Wildlife; USACE = U.S. Army Corps of Engineers; RWQCB = Regional Water Quality Control Board.

Permits would be required from each of the regulatory agencies and entail providing mitigation to offset the impacts and loss of beneficial uses, functions, and values to the jurisdictional waters and habitats. **MM-BIO-18** (Aquatic Resources Mitigation) would require obtaining permits from each of the regulatory agencies (RWQCB and CDFW). Based on the Project design, it is assumed that the Project would require a waste discharge requirement; therefore, an application must be submitted to RWQCB. A Streambed Alteration Agreement would be required for impacts to jurisdictional streambed under CDFW.

In addition, **MM-BIO-3** (Designated Biologist Authority), **MM-BIO-4** (Compliance Monitoring), **MM-BIO-5** (Education Program), and **MM-BIO-6** (Construction Monitoring Notebook) would require that all workers complete WEAP training and would require ongoing biological monitoring and compliance with all biological resource mitigation requirements. **MM-BIO-7** (Delineation of Property Boundaries) requires that impacts occur within the fenced, staked, or flagged area that is clearly delineated within the Project impact footprint. The construction crew would be responsible for unauthorized impacts from construction activities to waters of the state that are outside the permitted Project footprint, if applicable. **MM-BIO-8** (Hazardous Waste) would ensure that a prompt and effective response to any accidental chemical spills would be implemented, and that repair and clean-up of any hazardous waste occurs. To reduce fugitive dust resulting from Project construction and to minimize adverse air quality impacts, the Project would employ dust mitigation measures in accordance with the Mojave Desert AQMDs Rules 401 and 403.2, which limit the amount of fugitive dust generated during construction.

Accordingly, implementation of **MM-BIO-3** (Designated Biologist Authority), **MM-BIO-4** (Compliance Monitoring), **MM-BIO-5** (Education Program), **MM-BIO-6** (Construction Monitoring Notebook), **MM-BIO-7** (Delineation of Property Boundaries), **MM-BIO-8** (Hazardous Waste), and **MM-BIO-18** (Aquatic Resources Mitigation) would reduce potential direct impacts to jurisdictional aquatic resources to less than significant.

Indirect Impacts

Construction-related (short-term) indirect impacts may include inadvertent spillover impacts outside of the construction footprint, chemical spills, and stormwater erosion and sedimentation. These potential short-term or temporary indirect impacts to jurisdictional aquatic resources would be significant absent mitigation under CEQA.

MM-BIO-3 (Designated Biologist Authority) gives the Project's designated biologist the authority to stop work if construction is not compliant with this CEQA document. **MM-BIO-4** (Compliance Monitoring) requires that an experienced biologist oversee compliance with the protective measures, including limiting impacts within the Project footprint. **MM-BIO-5** (Education Program) would provide construction personnel with training related to waters of the state that are present on and adjacent to the impact footprint. **MM-BIO-6** (Construction Monitoring Notebook) provides for documentation that the education program was administered to applicable personnel. **MM-BIO-7** (Delineation of Property Boundaries) requires that impacts occur within the fenced, staked, or flagged area that is clearly delineated within the Project impact footprint. The construction crew would be responsible for unauthorized impacts from construction activities to waters of the state that are outside the permitted Project footprint, if applicable. Thus, implementation of **MM-BIO-3** through **MM-BIO-7** would enable the Project to avoid and minimize inadvertent spillover impacts outside of the approved impact footprint.

MM-BIO-8 (Hazardous Waste) would ensure that a prompt and effective response to any accidental chemical spills would be implemented, and that repair and clean-up of any hazardous waste occurs. Thus, implementation of **MM-BIO-8** (Hazardous Waste) would help to avoid and minimize impacts to waters of the state from any construction-related chemical spills.

In addition, a SWPPP would be prepared and implemented to prevent construction pollutants from contacting stormwater during construction activities, with the intent of keeping sediment and any other pollutants from moving off site and into receiving waters. BMP categories employed on site would include erosion control, sediment control, and non-stormwater good housekeeping. Preparation and implementation of a SWPPP would help to avoid and minimize the potential effects of stormwater erosion during construction.

Post-construction (long-term) indirect impacts from operations and maintenance activities may include changes in water quality and accidental chemical spills. These potential long-term indirect impacts to jurisdictional aquatic resources would be significant absent mitigation under CEQA.

Implementation of low-impact-development features and BMPs would, to the maximum extent practicable, reduce the discharge of pollutants into receiving waters, including inadvertent release of pollutants (e.g., hydraulic fluids and petroleum); the improper management of hazardous materials; trash and debris; and the improper management of portable restroom facilities (e.g., regular service) in accordance with all relevant local and state development standards. In addition, in accordance with CALGreen requirements (CCR, Title 24, Part 11), Project source controls to improve water quality would be provided for outdoor material storage areas, outdoor trash storage/waste handling areas, and outdoor loading/unloading areas. Therefore, impacts to jurisdictional aquatic resources due to changes in water quality would be avoided and minimized through implementation of low-impact-development features and BMPs.

As discussed above, implementation of **MM-BIO-3** (Designated Biologist Authority), **MM-BIO-4** (Compliance Monitoring), **MM-BIO-5** (Education Program), **MM-BIO-6** (Construction Monitoring Notebook), **MM-BIO-7** (Delineation of Property Boundaries), **MM-BIO-8** (Hazardous Waste), SWPPP, low-impact-development features,

BMPs, and CalGreen requirements would reduce potential indirect (short-term and long-term) impacts to jurisdictional aquatic resources to less than significant.

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

Less-than-Significant Impact with Mitigation Incorporated. The BSA is not located within an essential connectivity area, natural landscape block, or linkage for the California Desert Linkage Network.

Direct Impacts

No significant direct permanent impacts would occur on wildlife movement or use of native wildlife nursery sites associated with Project activities. Existing nearby habitat linkages and wildlife corridor functions would remain intact while construction activities are conducted and following Project completion. Wildlife movement may be temporarily disrupted during the construction phase of the Project, although this effect would be both localized and short-term. Nearby corridors that could support wildlife movement in the region, such as the Mojave River, which is approximately 3.6 miles northeast of the BSA, would not be impacted by the Project. Further, the Project site does not contain nursery sites, such as bat colony roosting sites or colonial bird nesting areas. Therefore, impacts associated with wildlife movement, wildlife corridors, and wildlife nursery sites would be less than significant under CEQA.

Indirect Impacts

Construction-related short-term noise and work in the vicinity would be temporary and would not be expected to significantly disrupt wildlife movement due to ambient noise conditions and the ability for wildlife to continue to move around the construction area and upland portions of the BSA during and after construction. Temporary disturbance to local species may occur but would not substantially degrade the quality or use of the vegetation communities in the vicinity. Work activities are not currently proposed during the nighttime. Therefore, implementation of the Project would not result in significant short-term indirect impacts to wildlife corridors or migratory routes.

Potential long-term (post-construction) indirect impacts from operations and maintenance activities could disrupt wildlife movement around the Project site due to increased lighting from buildings. **MM-BIO-16** (Lighting) would ensure all lighting during operations and within 50 feet of the outside edge of the impact footprint containing habitat for special-status wildlife would be directed away from natural areas.

Accordingly, implementation of **MM-BIO-16** (Lighting) would ensure potential indirect impacts to wildlife movement would be less than significant.

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

Less-than-Significant Impact with Mitigation Incorporated. Applicable local ordinances protecting biological resources within the biological study area include the County General Plan, San Bernardino Development Code, the City of Victorville General Plan, City of Victorville Municipal Code, and the CDNPA. Although the CDNPA is codified in state law (California Food and Agricultural Code Division 23), enforcement powers and administrative

responsibilities are given to the subject County commissioner, sheriff, and board of supervisors as stipulated in Chapter 4 of the CDNPA (Enforcement Powers and Administrative Responsibilities). Biological resources protected under these ordinances and policies are present within the BSA. These ordinances and proposed mitigation measures to ensure compliance are discussed below.

San Bernardino County General Plan

The Project site occurs within the Desert Planning Region of San Bernardino County, which has two goals and policies: (1) to preserve open lands by working with BLM and (2) to ensure that off-highway vehicle use is managed to protect environmentally sensitive resources.

The Project does not occur within any Land Use Zoning Districts designated by the County General Plan and would be compatible with the goals of Desert Planning Region. Additionally, the Project would comply with San Bernardino County Development Code, which implements the goals and policies of the General Plan, by transplanting or stockpiling any western Joshua trees proposed for removal where possible. Therefore, the Project would not conflict with the County General Plan.

San Bernardino County Development Code

The San Bernardino County Development Code Chapter 88.01.060, Desert Native Plant Protection, ensures coordination with CNDPA and requires issuance of a Tree or Plant Removal Permit in compliance with Section 88.01.050 for specified desert tree species. The code also emphasizes compliance with the CDNPA for all plants regulated under the act, including those not explicitly stated in the Development Code Chapter 88.01.060.

The Project only contains western Joshua trees protected under San Bernardino County Development Code. The San Bernardino County Development Code prohibits the removal of specified desert native trees except under a Tree or Plant Removal Permit in compliance with Section 88.01.050. Although the Project includes Wiggins' cholla and buckthorn cholla, which are protected under the CDNPA, this species does not require a Tree or Plant Removal Permit under the County Development Code. **MM-BIO-1** (Western Joshua Tree Fee Payment) would require mitigation for direct impacts to western Joshua trees through attainment of a WJTCA Incidental Take Permit (ITP) and fee payment, as well as attainment of a Tree or Plant Removal Permit in accordance with San Bernardino County Development Code Chapter 88.01.050. Therefore, impacts to western Joshua tree as protected under the San Bernardino County Development Code would be reduced to a less-than-significant level. **MM-BIO-2** (Desert Native Plant Removal Permit) also requires compliance with the CDNPA. Therefore, impacts to desert native plants as protected under the San Bernardino County Development Code would be less than significant. The Project would not be in conflict with the San Bernardino County Development Code.

City of Victorville General Plan

The City's Resource Element (City of Victorville 2008) addresses biological resources in Goal #4 (Conservation of Important Habitat), wherein objectives and policies are set forth to achieve the goal of preserving native vegetation that provides habitat for rare, threatened, and/or endangered plant and wildlife species (Table 4.3-4).

Table 4.3-4. City of Victorville General Plan Goal #4 Conservation of Important Habitat

Protection of Biological Resources – Policies	Consistency	Analysis
Objective 4.1: Preservation of natural communities that support rare, threatened, and or endangered plant and wildlife species throughout the planning area		
Policy 4.1.1: Encourage natural habitat that supports rare, threatened, or endangered plants and wildlife (i.e., "sensitive" species), or require restoration of the same type of impacted habitat within an existing, planned, or potential conservation area.	Yes, with mitigation.	Focused surveys for special-status (or sensitive) species were conducted as part of the biological study of the Project site. Impacts to special-status species would be reduced to a less-than-significant impact with implementation of **MM-BIO-1** through **MM-BIO-7.**
Policy 4.1.2: Support and participate in the West Mojave Plan.	N/A	Although the BLM issued a Record of Decision for the West Mojave Plan in 2006, the West Mojave Plan has not been formally adopted. Therefore, the City of Victorville is not currently a participant to the West Mojave Plan.
Objective 4.2: Permanent Conservation of Mojave River Corridor Ecological Values		
Policy 4.2.1: Generally, prohibit private or public development projects or major infrastructure facilities on land within the Mojave River Corridor, where biological surveys have determined there is habitat that supports rare, threatened, and/or endangered plants or wildlife. Allow minor encroachments into such habitat for critical public facilities and recreational trails, where reliable assurances are provided that no loss of sensitive species would occur.	Yes.	The proposed Project does not occur within the Mojave River Corridor, and therefore, would not be in conflict with this goal or policy.

Impacts to biological resources goals and objectives provided within the City of Victorville General Plan would not impact, is less than significant, or would be mitigated to a less-than-significant level. The Project would comply with requirements of the City of Victorville General Plan biological resource goals and policies through the implementation of the recommended mitigation measures. Additionally, the Project would not be in conflict with the City's General Plan Land Use Element. Therefore, the Project would not conflict with the City of Victorville General Plan.

City of Victorville Municipal Code

The City of Victorville Municipal Code prohibits the removal or damage to western Joshua trees without prior consent of the Director of Parks and Recreation or their designee per Victorville Municipal Code 13.33.040. The Victorville Municipal Code also requires coordination with any laws and standards enforced by CDFW.

As required by **MM-BIO-1** (Western Joshua Tree Fee Payment), mitigation for direct impacts to western Joshua trees will be fulfilled through attainment of a WJTCA ITP and payment of fees consistent with the Western Joshua Tree Conservation Plan. In addition, **MM-BIO-1** requires that the Project attain prior written consent from the City of Victorville Director of Parks and Recreation in accordance with the City of Victorville Municipal Code

Chapter 13.33, Preservation and Removal of Joshua Trees. Therefore, the Project would not conflict with City of Victorville Municipal Code.

California Desert Native Plants Act

A total of 119 western Joshua tree individuals were observed within the Joshua Tree Survey Area (Project site, off-site improvement area, and a 50-foot buffer) (Figure 4.3-3). Of the 119 trees found within the Joshua Tree Survey Area, 101 western Joshua tree individuals are within the Project impact area and would be directly impacted by Project implementation (Figures 4.3-5A through 4.3-5C). In addition to western Joshua tree, two desert native plant species were observed within the BSA during the focused desert native plant survey: Wiggins' cholla and buckthorn cholla (Figure 4.3-3). Specifically, one Wiggins' cholla and one buckthorn cholla are located within the Project impact area and would be directly impacted by Project implementation (Figures 4.3-5A through 4.3-5C). Therefore, the Project would result in significant impacts to native desert plants and western Joshua trees protected by state and local plant and tree preservation regulations, absent mitigation.

As required by **MM-BIO-1** (Western Joshua Tree Fee Payment), mitigation for direct impacts to 101 western Joshua trees will be fulfilled through payment of fees consistent with the Western Joshua Tree Conservation Plan. Conservation efforts for western Joshua tree will focus on the conservation of large, interconnected Joshua tree woodlands on lands where edge effects are limited, versus lands in urban settings that are subject to habitat fragmentation and edge effects, such as the Project site. In addition, **MM-BIO-1** requires that the Project attain prior written consent from the City of Victorville Director of Parks and Recreation in accordance with the City of Victorville Municipal Code Chapter 13.33, Preservation and Removal of Joshua Trees. The mitigation also requires attainment of a Tree of Plant Removal Permit per San Bernardino County Development Code Chapter 88.01.050 prior to removal.

As of the date of this report, relocation of western Joshua trees is not a requirement of CDFW. However, relocation may be requested by CDFW following review of the Western Joshua Tree Conservation Act Incidental Take Permit Application. Should relocation be required by CDFW, the relocation specifications are detailed in Appendix A of Appendix C, Joshua Tree Plan.

For direct impacts to desert native plant species other than western Joshua tree, a permit must be attained as outlined in the California Desert Native Plants Act (CDNPA) and applicable fee paid to the County of San Bernardino. **MM-BIO-2** (Desert Native Plants Removal Permit) requires compliance with the CDNPA and provides measures for successful relocation if required by applicable review authority.

Implementation of **MM-BIO-1** (Western Joshua Tree Fee Payment) and **MM-BIO-2** (Desert Native Plants Removal Permit) would reduce potential impacts associated with local policies and ordinances to less than significant.

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

Less-than-Significant Impact. The Project is not located within any formally adopted Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) (CDFW 2023g). The Project is within the BLM California Desert Conservation Area Plan (BLM 1980). The Project is also within the Draft West Mojave Plan area (BLM 2005) and the Desert Renewable Energy Conservation Plan area (BLM 2016). The West Mojave Plan and Desert Renewable Energy Conservation Plan are amendments to the California Desert Conservation Area Plan. The BLM issued a Record of Decision for the West Mojave Plan in 2006, although the

West Mojave Plan has not been formally adopted. The Project would not conflict with the conservation criteria associated with the California Desert Conservation Area Plan or Desert Renewable Energy Conservation Plan. Therefore, impacts associated with an adopted habitat conservation plan would be less than significant under CEQA.

4.3.5 Mitigation Measures and Level of Significance After Mitigation

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

The Project could result in potentially significant impacts to species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS, including special-status plant species such as western Joshua trees, burrowing owl, loggerhead shrike, desert tortoise, desert kit fox, Crotch's bumble bee.

Implementation of **MM-BIO-1** through **MM-BIO-17**, as follows, is required to reduce impacts special-status species to **less-than-significant with mitigation**.

MM-BIO-1 Western Joshua Tree Fee Payment. Mitigation for direct impacts to 101 western Joshua trees will be fulfilled through attainment of a Western Joshua Tree Conservation Act (WJTCA) Incidental Tak Permit and a payment of the elected fees as described in Section 1927.3 of the WJTCA. In conformance with the reduced fee schedule prescribed for the Project area, mitigation will consist of payment of $1,000 for each western Joshua tree five meters or greater in height, $200 for each western Joshua tree less than five meters but greater than 1 meter in height; and $150 for each western Joshua tree less than 1 meter in height. California Department of Fish and Wildlife (CDFW) determines the final fee. Alternatively, mitigation will occur through off-site conservation or through a CDFW approved mitigation bank, or as required by a Section 2081 Incidental Take Permit, if received.

Other local regulations (i.e., City of Victorville Municipal Code, Chapter 13.33 and San Bernardino County Development Code Chapter 88.01) also require permitting or notification prior to removal of western Joshua trees. Therefore, the Project must also receive written consent from the City of Victorville's Director of Parks and Recreation prior to the removal or relocation of western Joshua trees in accordance with City of Victorville Municipal Code, Chapter 13.33, Preservation and Removal of Joshua Trees. Additionally, the Project applicant shall submit an application for a Tree or Plant Removal Permit for all western Joshua trees to be removed in compliance with San Bernardino County Development Code Chapter 88.01.050 prior to the issuance of grading permits.

MM-BIO-2 Relocation of Desert Native Plants. Prior to the commencement of Project activities, the Project applicant shall apply for a permit with the County of Los Angeles for removal of protected native desert plants as required under California Desert Native Plants Act (Food and Agricultural Code, Division 23). The Project shall comply with any conditions of approval imposed by the applicable review authority upon issuance of the permit.

The permit application form shall specify information outlined in the California Desert Native Plant Act Section 80114, which includes but is not limited to, the number and species of native plants to be removed, a description of the real property from which the plants are to be removed, and in the case that relocation is required, the destination of the native plants and the manner in which the plants are to be salvaged. Pursuant to the California Desert Native Plants Act, tags or seals issued by the County must be attached to the native plants at the time of harvesting and before transporting to their permanent relocation site(s) and must remain attached to the plant until transplanted into its ultimate destination. Transport of salvaged plants will occur as prescribed by the County.

If relocation is required by the applicable review authority, the following actions shall also be implemented to ensure successful relocation of desert native plants:

- Salvaged plants shall be transplanted expeditiously to either their final on-site location or to an approved off-site area. If the plants cannot be expeditiously taken to their permanent relocation area at the time of excavation, they may be transplanted in a temporary area (stockpiled) prior to being moved to their permanent relocation site(s).
- Plants designated for relocation shall be marked on their north facing side prior to excavation. Transplanted plants shall be planted in the same orientation as they currently occur on the Project site, with the marking on the north side of the trees facing north at the relocation site(s).

Transplanted plants shall be watered prior to and at the time of transplantation. Watering of the transplanted plants shall continue under the guidance of qualified tree expert and desert native plant expert(s) until it has been determined that the transplants have become established in the permanent relocation site(s) and no longer require supplemental watering.

MM-BIO-3 Designated Biologist Authority. The designated biologist shall have authority to immediately stop any activity that does not comply with the biological resources mitigation measures and/or to order any reasonable measure to avoid the unauthorized take of an individual western Joshua tree or other sensitive biological resources.

MM-BIO-4 Compliance Monitoring. The designated biologist shall be on site daily when impacts occur. The designated biologist shall conduct compliance inspections to minimize incidental take of western Joshua trees and impacts to other sensitive biological resources; prevent unlawful take of western Joshua trees; ensure that signs, stakes, and fencing are intact; and ensure that impacts are only occurring within the direct impact footprint. Weekly written observation and inspection records that summarize oversight activities, compliance inspections, and monitoring activities required by the Incidental Take Permit shall be prepared.

MM-BIO-5 Education Program. An education program (Worker Environmental Awareness Program [WEAP]) for all persons employed or otherwise working in the Project site shall be administered before impacts occur. The WEAP shall consist of a presentation from the designated biologist that includes a discussion of the biology and status of western Joshua tree, burrowing owl, loggerhead shrike, desert tortoise, desert kit fox, and Crotch's bumble bee, along with other biological resources mitigation measures described in the California Environmental Quality Act document. Interpretation for non-English-speaking workers shall be provided, and the same instruction shall

be provided to any new workers before they are authorized to perform work in the Project area. Upon completion of the WEAP, employees shall sign a form stating they attended the program and understand all protection measures. This training shall be repeated at least once annually for long-term and/or permanent employees who will be conducting work in the Project area.

MM-BIO-6 Construction Monitoring Notebook. The designated biologist shall maintain a construction-monitoring notebook on site throughout the construction period, which shall include a copy of the biological resources mitigation measures with attachments and a list of signatures of all personnel who have successfully completed the education program. The notebook will include a sign-off date page for the designated biologist to sign and date each construction date for which the Project is in compliance. The permittee shall ensure that a copy of the construction monitoring notebook is available for review at the Project site upon request by the CDFW.

MM-BIO-7 Delineation of Property Boundaries. Before beginning activities that would cause impacts, the contractor shall, in consultation with the designated biologist, clearly delineate the boundaries with fencing, stakes, or flags, consistent with the grading plan, within which the impacts will take place. All impacts outside the fenced, staked, or flagged areas shall be avoided, and all fencing, stakes, and flags shall be maintained until the completion of impacts in that area.

MM-BIO-8 Hazardous Waste. The applicant shall immediately stop work and, pursuant to pertinent state and federal statutes and regulations, arrange for repair and clean up by qualified individuals of any fuel or hazardous waste leaks or spills at the time of occurrence, or as soon as it is safe to do so.

MM-BIO-9 Herbicides. The applicant shall limit herbicide use for invasive plant species and shall use herbicides only if it has been determined that hand or mechanical efforts are infeasible. To prevent drift, the permittee shall apply herbicides only when wind speeds are less than 7 miles per hour. All herbicide application shall be performed by a licensed applicator and in accordance with all applicable federal, state, and local laws and regulations.

MM-BIO-10 Pre-Construction Burrowing Owl Survey and Avoidance. One pre-construction burrowing owl survey shall be completed no more than 14 days before initiation of site preparation or grading activities, and a second survey shall be completed within 24 hours of the start of site preparation or grading activities. If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction surveys, the Project site shall be re-surveyed. Surveys for burrowing owl shall be conducted in accordance with protocols established in the Staff Report on Burrowing Owl Mitigation prepared by the California Department of Fish and Game (now CDFW) in 2012 or current version.

If burrowing owls are detected, the Burrowing Owl Relocation Plan shall be implemented in consultation with CDFW. As required by the Burrowing Owl Relocation Plan, disturbance to burrows shall be avoided during the nesting season (February 1 through August 31). Buffers will be established around occupied burrows as determined by a qualified biologist. No Project activities shall be allowed to encroach into established buffers without the consent of a monitoring biologist. The buffer shall remain in place until it is determined that occupied burrows have been vacated or the nesting season has completed.

Outside of the nesting season, passive owl relocation techniques approved by CDFW shall be implemented. Owls shall be excluded from burrows in the immediate Project area and within a buffer zone if there is a threat to the surface or subterranean burrow structure by installing one-way doors in burrow entrances. These doors will be placed at least 48 hours prior to ground-disturbing activities. The Project area shall be monitored daily for 1 week to confirm owl departure from burrows prior to any ground-disturbing activities. Compensatory mitigation for permanent loss of owl habitat will be provided following the guidance in the CDFW 2012 Staff Report on Burrowing Owl Mitigation or current version.

Where possible, burrows will be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible plastic pipe shall be inserted into the tunnels during excavation to maintain an escape route for any wildlife inside the burrow.

Mitigation for direct impacts to 76.47 acres of occupied habitat shall be fulfilled through conservation of suitable burrowing owl habitat through the purchase of credits at a minimum of 1:1 in-kind habitat replacement of equal or better functions and values to those impacted by the Project, for a total of 76.47 acres.

MM-BIO-11 Pre-Construction Nesting Bird Survey and Avoidance. Construction activities shall avoid the migratory bird nesting season (typically February 1 through August 31), to reduce any potential significant impact to birds that may be nesting on the survey area. If construction activities must occur during the migratory bird nesting season, an avian nesting survey of the Project site and within 500 feet of all impact areas must be conducted to determine the presence/absence of protected migratory birds and active nests. The avian nesting survey shall be performed by a qualified wildlife biologist within 72 hours prior to the start of construction in accordance with the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 3513. If an active bird nest is found, the nest shall be flagged and mapped on the construction plans along with an appropriate buffer established around the nest, which will be determined by the biologist based on the species' sensitivity to disturbance. The nest area shall be avoided until the nest is vacated and the juveniles have fledged. The nest area shall be demarcated in the field with flagging and stakes or construction fencing. On-site construction monitoring shall also be conducted when construction occurs in close proximity to an active nest buffer. No Project activities may encroach into established buffers without the consent of a monitoring biologist. The buffer shall remain in place until it is determined the nestlings have fledged and the nest is no longer considered active.

MM-BIO-12 Pre-Construction Crotch's Bumble Bee Survey and Avoidance. A pre-construction survey for Crotch's bumble bee shall be conducted within the construction footprint prior to the start of initial vegetation removal or initial grading activities occurring during the Crotch's bumble bee nesting period (February 1 through October 31). The survey shall ensure that no nests for Crotch's bumble bee are located within the construction area. The pre-construction survey shall include 1) a habitat assessment and 2) focused surveys, both of which will be based on recommendations described in the "Survey Considerations for CESA (California Endangered Species Act) Candidate Bumble Bee Species," released by the CDFW on June 6, 2023, or the most current at the time of construction.

The habitat assessment shall, at a minimum, include historical and current species occurrences; document potential habitat on site including foraging, nesting, and/or overwintering resources; and identify which plant species are present. For the purposes of this mitigation measure, nest resources are defined as abandoned small mammal burrows, bunch grasses with a duff layer, thatch, hollow trees, brush piles, and man-made structures that may support bumble bee colonies such as rock walls, rubble, and furniture. If nesting resources are present in the impact area, focused surveys will be conducted.

The focused survey will be performed by a biologist with expertise in surveying for bumble bees and include at least three survey passes that are not on sequential days or in the same week, preferably spaced two to four weeks apart. The timing of these surveys shall coincide with the Colony Active Period (April 1 through August 31 for Crotch's bumble bee). Surveys may occur between 1 hour after sunrise and 2 hours before sunset. Surveys will not be conducted during wet conditions (e.g., foggy, raining, or drizzling) and surveyors will wait at least 1 hour following rain. Optimal surveys are when there are sunny to partly sunny skies that are greater than 60 degrees Fahrenheit. Surveys may be conducted earlier if other bees or butterflies are flying. Surveys shall not be conducted when it is windy (i.e., sustained winds greater than 8 mph). Within non-developed habitats, the biologist shall look for nest resources suitable for bumble bee use. Ensuring that all nest resources receive 100% visual coverage, the biologist shall watch the nest resources for up to five minutes, looking for exiting or entering worker bumble bees. Worker bees should arrive and exit an active nest site with frequency, such that their presence would be apparent after five minutes of observation. If a bumble bee worker is detected, then a representative shall be identified to species. Biologists should be able to view several burrows at one time to sufficiently determine if bees are entering/exiting them depending on their proximity to one another. It is up to the discretion of the biologist regarding the actual survey viewshed limits from the chosen vantage point which would provide 100% visual coverage; this could include a 30- to 50-foot-wide area. If a nest is suspected, the surveyor can block the entrance of the possible nest with a sterile vial or jar until nest activity is confirmed (no longer than 30 minutes).

Identification will include trained biologists netting/capturing the representative bumble bee in appropriate insect nets, per the protocol in U.S. National Protocol Framework for the Inventory and Monitoring of Bees. The bee shall be placed in a clear container for observation and photographic documentation if able. The bee will be photographed using a macro lens from various angles to ensure recordation of key identifying characteristics. If bumble bee identifying characteristics cannot be adequately captured in the container due to movement, the container will be placed in a cooler with ice until the bumble bee becomes inactive (generally within 15 minutes). Once inert, the bumble bee shall be removed from the container and placed on a white sheet of paper or card for examination and photographic documentation. The bumble bee shall be released into the same area from which it was captured upon completion of identification. Based on implementation of this method on a variety of other bumble bee species, they become active shortly after removal from the cold environment, so photography must be performed quickly.

If Crotch's bumble bee nests are not detected, no further mitigation would be required. The mere presence of foraging Crotch's bumble bees would not require implementation of additional minimization measures because they can forage up to 10 kilometers from their nests. If nest resources occupied by Crotch's bumble bee are detected within the construction area, no

construction activities shall occur within 100 feet of the nest, or as determined by a qualified biologist through evaluation of topographic features or distribution of floral resources. The nest resources will be avoided for the duration of the Crotch's bumble bee nesting period (February 1 through October 31). Outside of the nesting season, it is assumed that no live individuals would be present within the nest as the daughter queens (gynes) usually leave by September, and all other individuals (original queen, workers, males) die. The gyne is highly mobile and can independently disperse to outside of the construction footprint to surrounding open space areas that support suitable hibernacula resources.

A written survey report will be submitted to the City of Victorville (City) and CDFW within 30 days of the pre-construction survey. The report will include survey methods, weather conditions, and survey results, including a list of insect species observed and a figure showing the locations of any Crotch's bumble bee nest sites or individuals observed. The survey report will include the qualifications/resumes of the surveyor(s) and approved biologist(s) for identification of photo vouchers, detailed habitat assessment, and photo vouchers. If Crotch's bumble bee nests are observed, the survey report will also include recommendations for avoidance, and the location information will be submitted to the California Natural Diversity Database (CNDDB) at the time of, or prior to, submittal of the survey report.

If the above measures are followed, it is assumed that the Project shall not need to obtain authorization from CDFW through the CESA Incidental Take Permit process. If the nest resources cannot be avoided during the nesting period, as outlined in this measure, the Project applicant will consult with CDFW regarding the need to obtain an Incidental Take Permit. Any measures determined to be necessary through the Incidental Take Permit process to offset impacts to Crotch's bumble bee may supersede measures provided in this CEQA document and shall be incorporated into the habitat mitigation and monitoring plan.

In the event an Incidental Take Permit is needed, mitigation for direct impacts to Crotch's bumble bee will be fulfilled through compensatory mitigation at a minimum 1:1 nesting habitat replacement of equal or better functions and values to those impacted by the Project, or as otherwise determined through the Incidental Take Permit process. Mitigation will be accomplished either through off-site conservation or through a CDFW-approved mitigation bank. If mitigation is not purchased through a mitigation bank, and lands are conserved separately, a cost estimate will be prepared to estimate the initial start-up costs and ongoing annual costs of management activities for the management of the conservation easement area(s) in perpetuity. The funding source will be in the form of an endowment to help the qualified natural lands management entity that is ultimately selected to hold the conservation easement(s). The endowment amount will be established following the completion of a Project-specific Property Analysis Record to calculate the costs of in-perpetuity land management. The Property Analysis Record will consider all management activities required in the Incidental Take Permit to fulfill the requirements of the conservation easement(s), which are currently in review and development.

MM-BIO-13 Pre-Construction Mojave Desert Tortoise Clearance Survey and Avoidance. Two consecutive pre-construction clearance survey in accordance with current U.S. Fish and Wildlife Service (USFWS) protocol shall be conducted to reevaluate locations of potential Mojave desert tortoise burrows within the Project limits so take of Mojave desert tortoise can be avoided. The first pre-construction clearance survey shall be conducted in areas supporting potentially suitable

habitat 14 to 21 days prior to the start of construction activities and a second survey shall be repeated within 72 hours prior to the start of construction activities; or alternatively, pre-construction clearance surveys may be conducted at any time following construction of a desert tortoise–proof fence encompassing the Project site that would ensure that tortoises cannot enter the Project after clearance surveys are completed. If no Mojave desert tortoises are found during the surveys, no further mitigation would be required; however, desert tortoise–proof fence encompassing the Project site shall remain in place until Project construction is completed and shall be monitored by a qualified biologist in compliance with current USFWS protocol.

Should Mojave desert tortoise be located during the clearance survey, all methods used for handling desert tortoises during the clearance surveys must be in accordance with the USFWS Desert Tortoise Field Manual or Project-specific guidance contained in a biological opinion or Incidental Take Permit. No take of Mojave desert tortoise shall occur without authorization in the form of an Incidental Take Permit pursuant to California Fish and Game Code Section 2081 and a biological opinion or Habitat Conservation Plan. The Project applicant shall adhere to measures and conditions set forth within the Incidental Take Permit. Anyone who handles desert tortoises during clearance activities must have the appropriate authorizations from USFWS. The area cleared and number of Mojave desert tortoises found within that area shall be reported to the local USFWS and appropriate state wildlife agency. Notification shall be made in accordance with the conditions of the biological opinion or Incidental Take Permit.

Should Mojave desert tortoise be located during the clearance survey, the Project would result in the loss of 84.34 acres of occupied habitat for Mojave desert tortoise. Mitigation for direct impacts to 84.34 acres shall be fulfilled through conservation of suitable Mojave desert tortoise habitat through the purchase of credits at a minimum of 1:1 in-kind habitat replacement of equal or better functions and values to those impacted by the Project, for a total of 84.34 acres or as otherwise determined through coordination with the USFWS and/or CDFW.

MM-BIO-14 Pre-Construction Desert Kit Fox Survey and Avoidance. A pre-construction survey for desert kit fox shall be conducted within 10 days before initiation of site preparation or grading activities to determine the presence/absence of desert kit fox.

If an active non-natal desert kit fox den is detected, a 200-foot no disturbance buffer will be established around the active den, unless otherwise authorized by the California Department of Fish and Wildlife. Where required buffering will not be feasible, passive relocation is allowed with concurrence from the City of Victorville and CDFW. If an active natal desert kit fox den is detected, an initial 200-foot no disturbance buffer will be established around the natal den, and this buffer will be maintained until the den can be verified to not host pups. Construction activities will not be permitted in this area until the den has been vacated. Once the den is vacated, and if in danger by construction, it can be collapsed, if deemed necessary by a qualified biologist.

A report to evaluate the success of the relocation efforts and any subsequent re-occupation, if applicable, will be provided (including a comprehensive summary, tables, maps, etc.) at the end of the construction period. Data will be readily available to the CDFW upon request. If an injured, sick, or dead desert kit fox is detected on any area associated with the Project, the designated CDFW personnel at both the Ontario office and the Wildlife Investigation Lab will be notified.

A Desert Kit Fox Relocation Plan has been prepared to facilitate implementation of this mitigation measure.

MM-BIO-15 Trash and Debris. The following avoidance and minimization measures shall be implemented during Project construction.

(1) Fully covered trash receptacles that are animal-proof will be installed and used by the operator to contain all food, food scraps, food wrappers, beverage containers, and other miscellaneous trash. Trash contained within the receptacles will be removed at least once a week from the Project site.

Construction work areas shall be kept clean of debris, such as cable, trash, and construction materials. All construction/contractor personnel shall collect all litter, vehicle fluids, and food waste from the Project site on a daily basis.

MM-BIO-16 Lighting. Lighting for construction activities and post-construction operations within 50 feet of the outside edge of the impact footprint containing habitat for special-status wildlife will be shielded and directed downward.

MM-BIO-17 Invasive Plant Management. In order to reduce the spread of invasive plant species, landscape plants within 200 feet of native vegetation communities shall not be on the most recent version of the California Invasive Plant Council (Cal-IPC) California Invasive Plant Inventory (http://www.cal-ipc.org/ip/inventory/index.php). Post-construction, the applicant shall continually remove invasive plant species on site by hand or mechanical methods, as feasible.

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

The Project would result in **no impacts** to riparian habitat or CDFW sensitive vegetation communities within the Project site, see Threshold B above in Section 4.3.4 for further detail.

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

The Project could result in potentially significant impacts to non-wetland waters of the state as a result of Project activities. Short-term and long-term indirect impacts to jurisdictional waters relating to construction activities (edge effects) and trash/pollution would not likely result in significant impacts, especially with the application of the standard BMPs that would be implemented during Project construction. Implementation of **MM-BIO-3** (Designated Biologist Authority), **MM-BIO-4** (Compliance Monitoring), **MM-BIO-5** (Education Program), **MM-BIO-6** (Construction Monitoring Notebook), **MM-BIO-7** (Delineation of Property Boundaries), **MM-BIO-8** (Hazardous Waste), and **MM-BIO-18** (Aquatic Resources Mitigation; below) is required to reduce direct and indirect impacts to **less than significant with mitigation**.

MM-BIO-18 Aquatic Resources Mitigation. The Project site supports aquatic resources that are considered jurisdictional under the Regional Water Quality Control Board (RWQCB) and the CDFW. Prior to construction activity, the applicant shall coordinate with the Lahontan RWQCB (Region 6) to ensure conformance with the requirements of the Porter–Cologne Water Quality Control Act (waste discharge requirement). Prior to activity within CDFW jurisdictional streambed or associated riparian habitat, the applicant shall coordinate with CDFW (Inland Deserts Region 6) relative to conformance to the Lake and Streambed Alteration permit requirements.

The Project shall mitigate to ensure no-net-loss of waters at a minimum of 1:1 with purchase of credits (0.27 acres of potential non-wetland waters of the state under RWQCB jurisdiction and 0.65 acres of potential streambed under CDFW jurisdiction) for impacts to aquatic resources as part of an overall strategy to ensure no net loss. Mitigation shall be completed through use of a mitigation bank (e.g., West Mojave Mitigation Bank) or other applicant-sponsored mitigation. Final mitigation ratios and credits shall be determined in consultation with RWQCB and/or CDFW based on agency evaluation of current resource functions and values and through each agency's respective permitting process. Should applicant-sponsored mitigation be implemented, a Habitat Mitigation and Monitoring Plan (HMMP) shall be prepared in accordance with State Water Resources Control Board guidelines and approved by the agencies in accordance with the proposed program permits. The HMMP shall include a conceptual planting plan including planting zones, grading, and irrigation, as applicable; a conceptual planting plant palette; a long-term maintenance and monitoring plan; annual reporting requirements; and proposed success criteria. Any off-site applicant-sponsored mitigation shall be conserved and managed in perpetuity.

Best management practices shall be implemented to avoid any indirect impacts on jurisdictional waters, including the following:

- Vehicles and equipment shall not be operated in ponded or flowing water except as described in permits.
- Water containing mud, silt, or other pollutants from grading or other activities shall not be allowed to enter jurisdictional waters or be placed in locations that may be subjected to high storm flows.
- Spoil sites shall not be located within 30 feet from the boundaries of jurisdictional waters or in locations that may be subject to high storm flows, where spoils might be washed back into drainages.
- Raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to vegetation or wildlife resources resulting from Project-related activities shall be prevented from contaminating the soil and/or entering avoided jurisdictional waters.

No equipment maintenance shall be performed within 100 feet of jurisdictional waters, including wetlands and riparian areas, where petroleum products or other pollutants from the equipment may enter these areas. Fueling of equipment shall not occur on the Project site.

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

No significant direct permanent impacts or construction-related short-term impacts would occur on wildlife movement or use of native wildlife nursery sites associated with Project activities. However, the Project could result in potentially significant long-term indirect impacts from operations and maintenance activities that could disrupt wildlife movement around the Project site due to increased lighting from buildings. Implementation of **MM-BIO-16** (Lighting) is required to reduce long-term indirect impacts to **less than significant with mitigation**.

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

Implementation of **MM-BIO-1** (Western Joshua Tree Fee Payment) and **MM-BIO-2** (Relocation of Desert Native Plants) would reduce potential impacts to biological resources protected by local ordinances or policies to **less than significant with mitigation.**

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

The Project would not conflict with the conservation criteria associated with the California Desert Conservation Area Plan or Desert Renewable Energy Conservation Plan. Therefore, the Project would not be in conflict with any habitat conservation plans. The Project would result in **less-than-significant impacts** to an adopted conservation plan. No mitigation is required.

4.3.6 Cumulative Impacts

Threshold G: Would the Project result in cumulatively considerable impacts to biological resources?

Less-than-Significant Impact with Mitigation Incorporated. The Project would result in potentially cumulatively considerable impacts to western Joshua trees. Western Joshua trees are a state candidate species for listing under CESA and are locally protected by the CDNPA. As required by **MM-BIO-1** (Western Joshua Tree Fee Payment), mitigation for direct impacts to 101 western Joshua trees will consist of a payment of fees consistent with The Western Joshua Tree Conservation Act. Additionally, as required by **MM-BIO-2** (Relocation of Desert Native Plants), the preparation of a Joshua tree and desert native plants relocation plan would be implemented to mitigate impacts to western Joshua trees as a result of the Project. Accordingly, a Joshua Tree Plan (Appendix A of Appendix C) was prepared. Additionally, implementation of **MM-BIO-3** through **MM-BIO-9** would help to avoid and minimize inadvertent spillover impacts outside of the approved impact footprint and/or reduce potential indirect impacts to western Joshua tree to less than significant.

Potential impacts to special-status wildlife species, such as burrowing owl, loggerhead shrike, Crotch's bumble bee, Mojave desert tortoise, desert kit fox, and nesting birds and raptors, would be reduced to less than significant through Project implementation of **MM-BIO-10** through **MM-BIO-14**, which require focused pre-construction surveys and relocation or mitigation measures if species are present prior to construction. Additionally, implementation of **MM-BIO-3** through **MM-BIO-9** would help to avoid and minimize inadvertent spillover impacts outside of the approved impact footprint and/or reduce potential indirect impacts to special-status wildlife to less than significant.

Implementing these mitigation measures would reduce potential impacts to less than significant. Therefore, there would not be a cumulatively considerable impact on any special-status species.

Potential impacts to jurisdictional waters of the United States and state, if necessary, would be reduced to less than significant through implementation of **MM-BIO-18** (Aquatic Resources Mitigation), which requires obtaining permits from each of the regulatory agencies (RWQCB and CDFW). Based on the Project design, it is assumed that the Project would require a waste discharge requirement; therefore, an application must be submitted to RWQCB. A Streambed Alteration Agreement would be required for impacts to jurisdictional streambed under CDFW. Additionally, implementation of **MM-BIO-3** through **MM-BIO-8** would help to avoid and minimize inadvertent spillover impacts outside of the approved impact footprint and/or reduce potential indirect impacts to jurisdictional aquatic resources to less than significant. Implementing these mitigation measures would reduce potential impacts to waters of the United States or state to less than significant. Therefore, there would not be a cumulatively considerable impact to waters of the United States or state.

Additionally, the Project would not result in a significant impact to wildlife corridors and linkages, nor to local policies and regional conservation plans. The Project would therefore not contribute to a cumulative impact on these resources.

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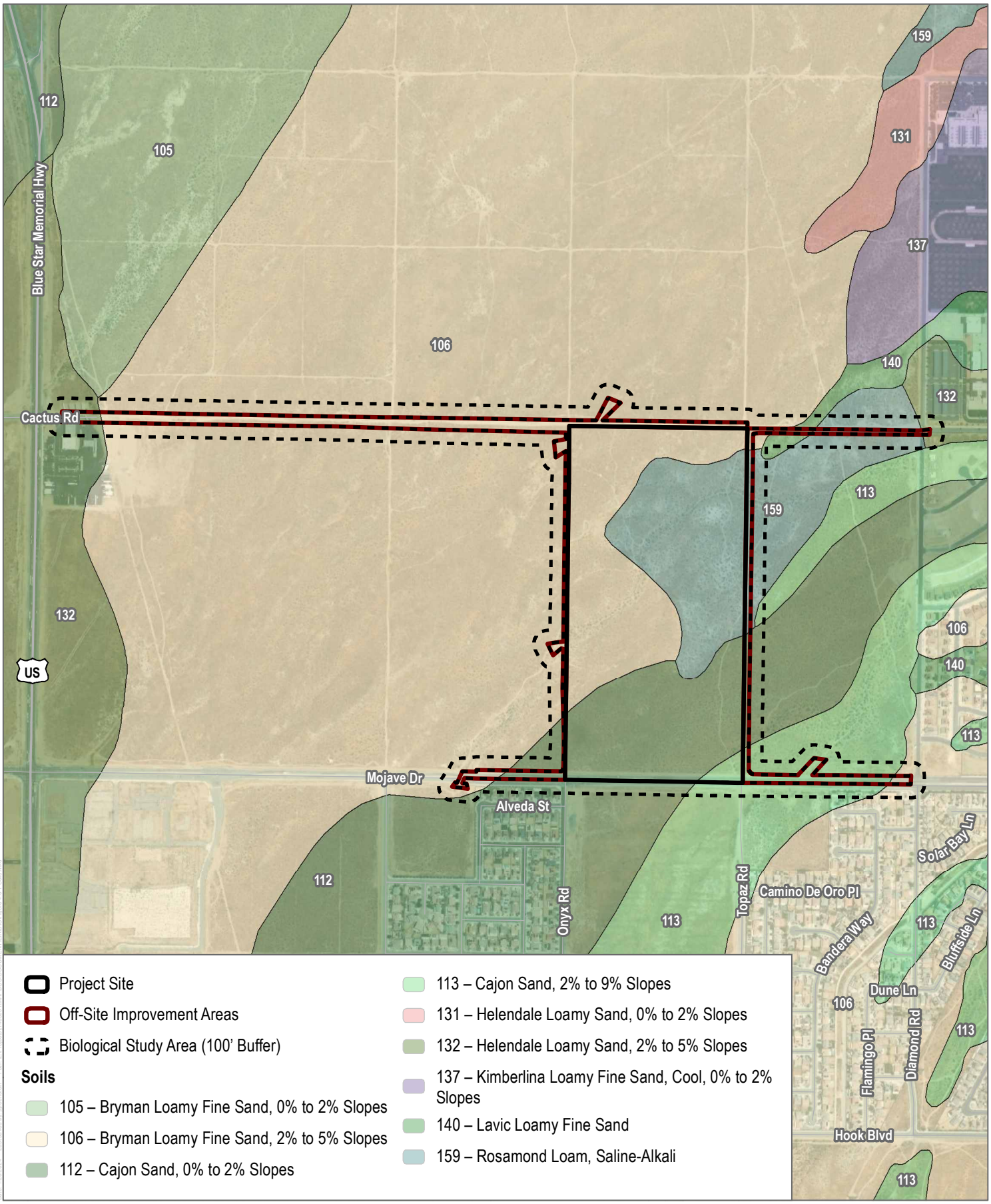

SOURCE: Maxar 2020; Open Street Map 2023; USDA SSURGO

FIGURE 4.3-1

Soils

Mojave Industrial Park Project

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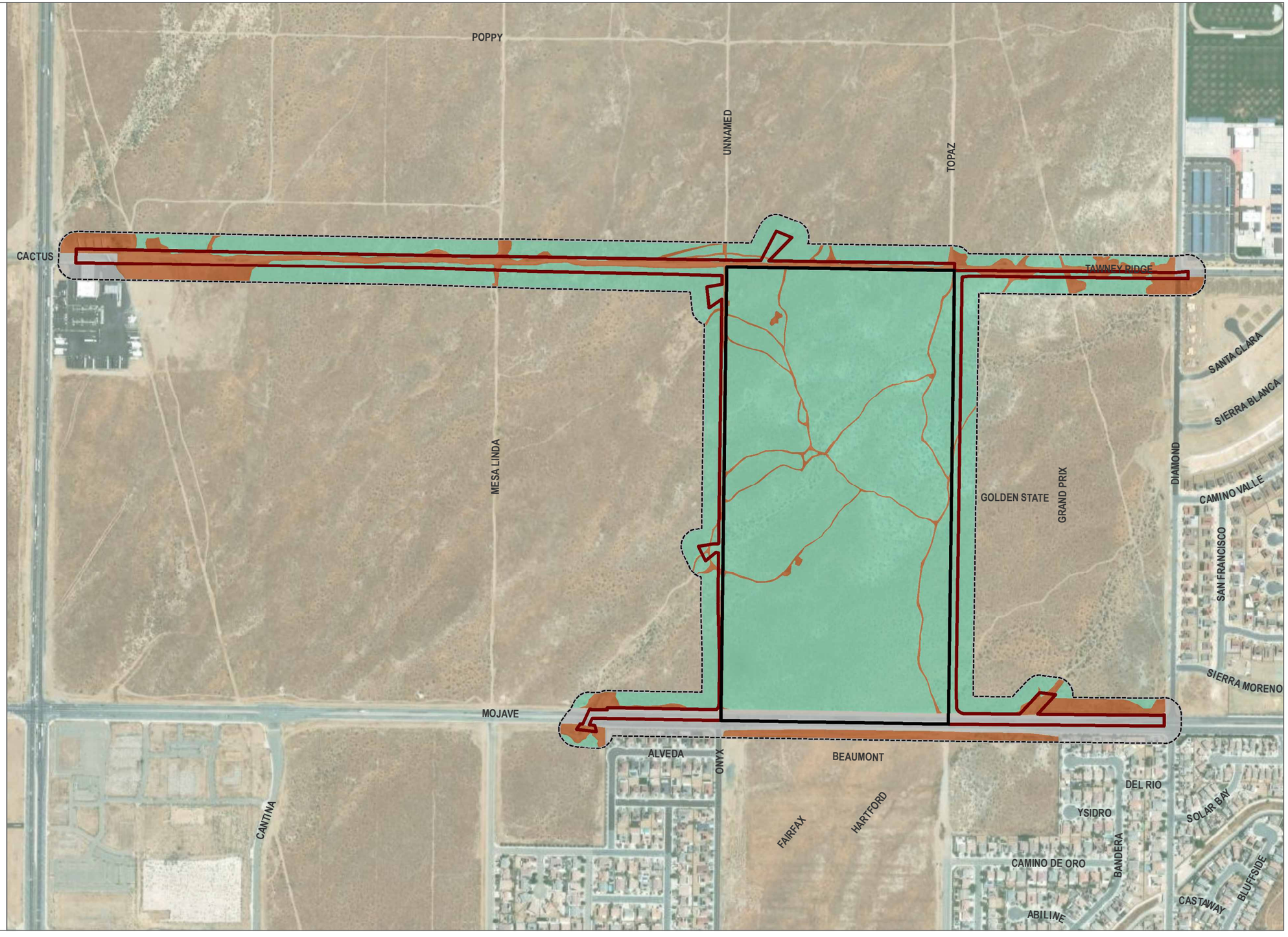
- Project Site
- Off-Site Improvement Areas
- Biological Study Area (100' Buffer)

Vegetation Communities and Land Cover Types

- DEV, Urban/Developed
- DH, Disturbed Habitat
- Lartri, Creosote Bush Scrub (*Larrea tridentata* Association)



SOURCE: Maxar 2020; Open Street Map 2023

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FIGURE 4.3-2

Vegetation

Mojave Industrial Park Project

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- Project Site
- Off-Site Improvement Areas
- Biological Study Area (100' Buffer)
- Joshua Tree Inventory Survey Area (50' Buffer)

Plants

- buckhorn cholla (*Cylindropuntia acanthocarpa*)
- Wiggin's cholla (*Cylindropuntia echinocarpa*)

Western Joshua Tree (*Yucca brevifolia*) Observations

- Size A (< 1 m) (n=28)
- Size B (> 1 m and < 5m) (n=88)
- Size C (> 5m) (n=3)
- Dead

Wildlife

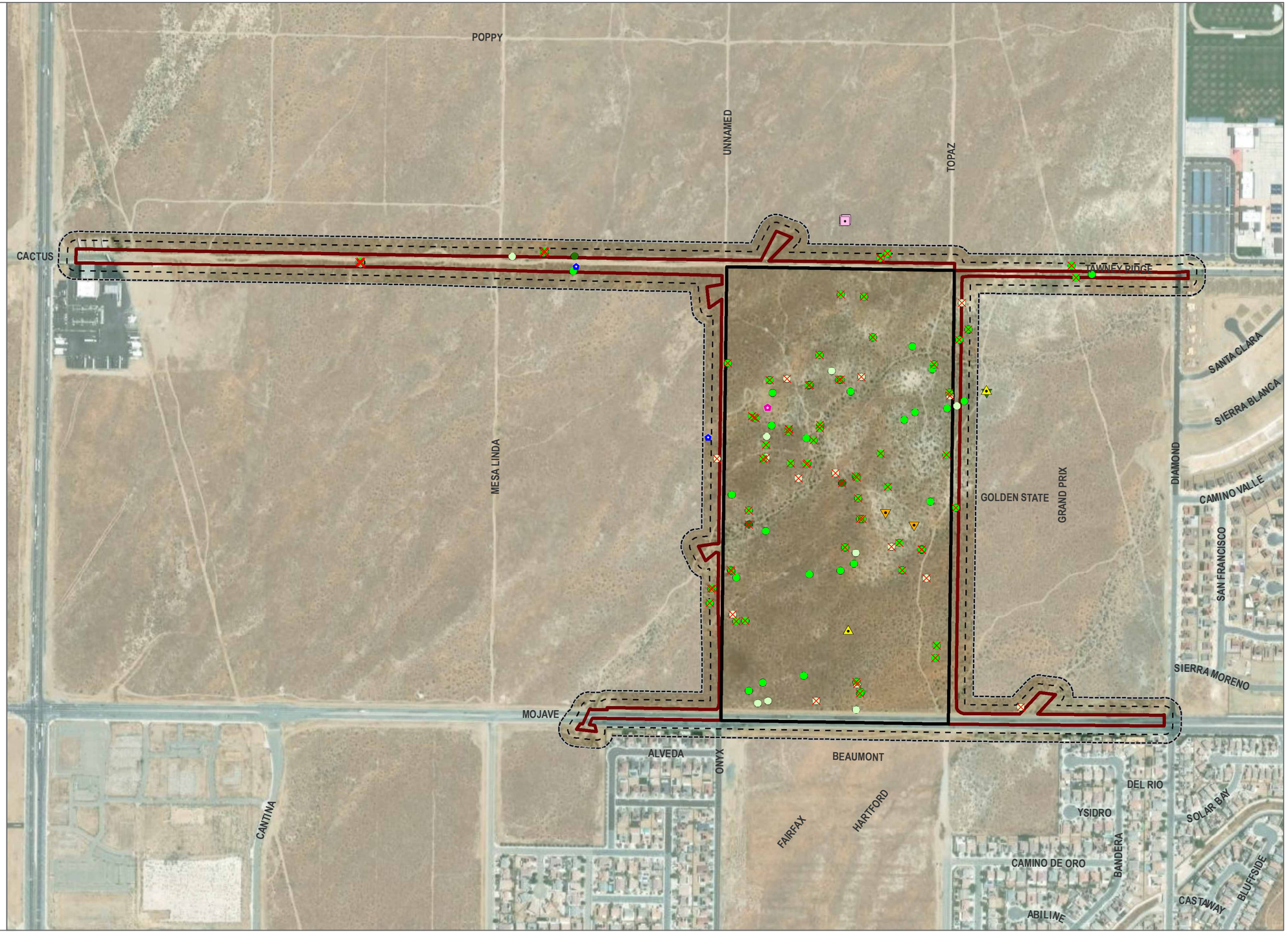
- burrowing owl (*Athene cunicularia*)

Burrowing Owl Burrows

- Active Burrow
- Inactive Suitable Burrow

Desert Kit Fox (*Vulpes macrotis arsipus*) Burrows

- Inactive Suitable Den
- Joshua Tree Inventory Survey Area (50' Buffer)



SOURCE: Maxar 2020; Open Street Map 2023

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FIGURE 4.3-3

Floral and Faunal Resources

Mojave Industrial Park Project

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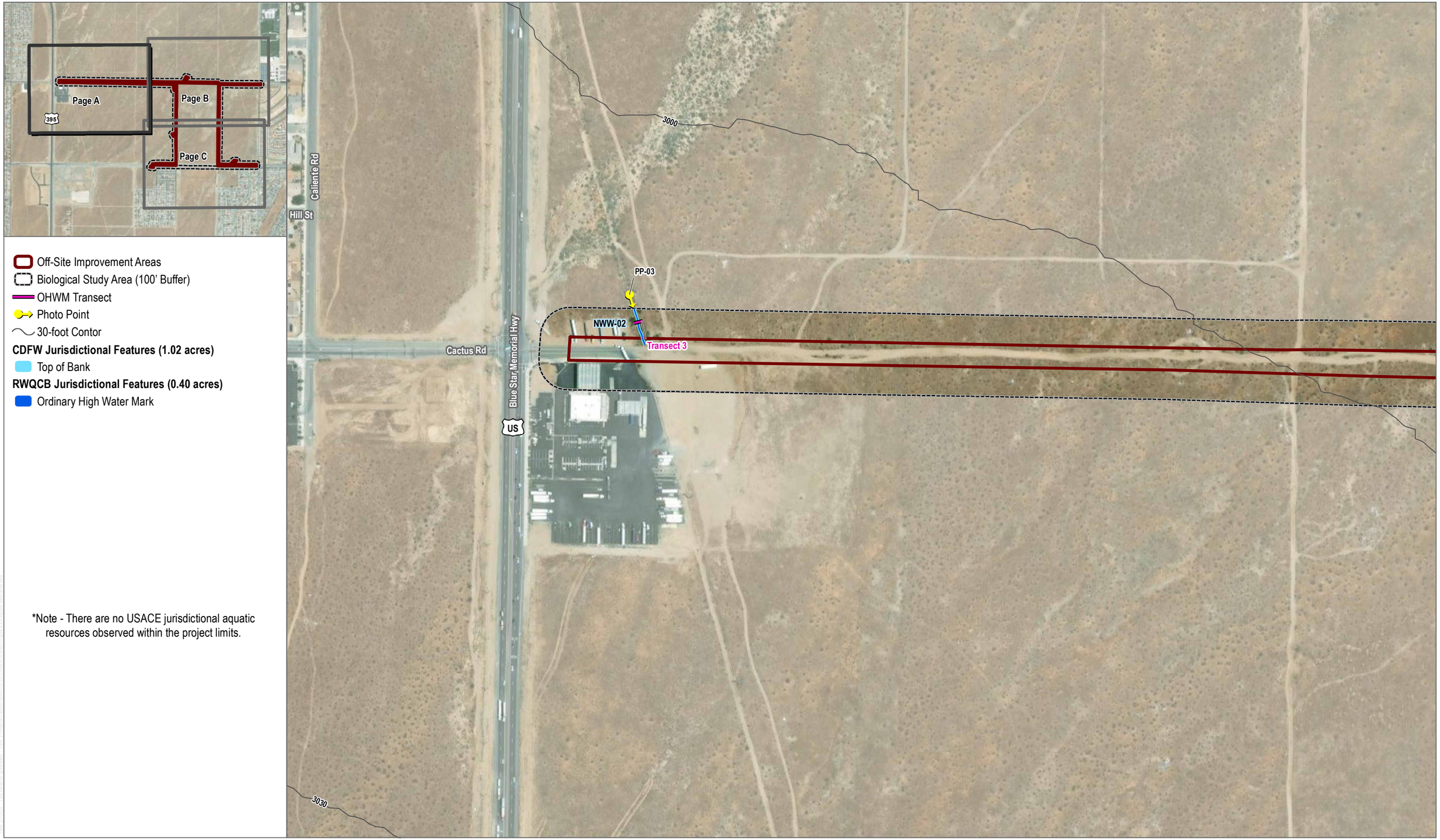

Off-Site Improvement Areas
Biological Study Area (100' Buffer)
OHWM Transect
Photo Point
30-foot Contor

CDFW Jurisdictional Features (1.02 acres)

Top of Bank

RWQCB Jurisdictional Features (0.40 acres)

Ordinary High Water Mark

*Note - There are no USACE jurisdictional aquatic resources observed within the project limits.

SOURCE: Maxar 2020; Open Street Map 2023

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FIGURE 4.3-4A

Aquatic Resources

Mojave Industrial Park Project

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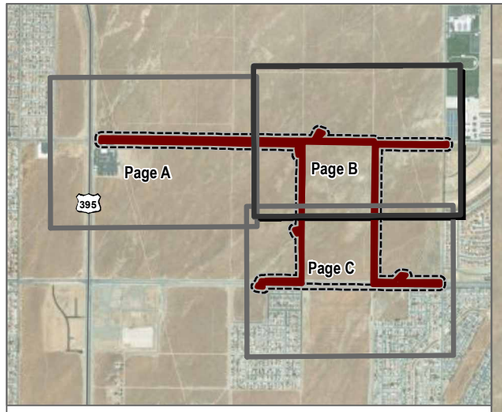
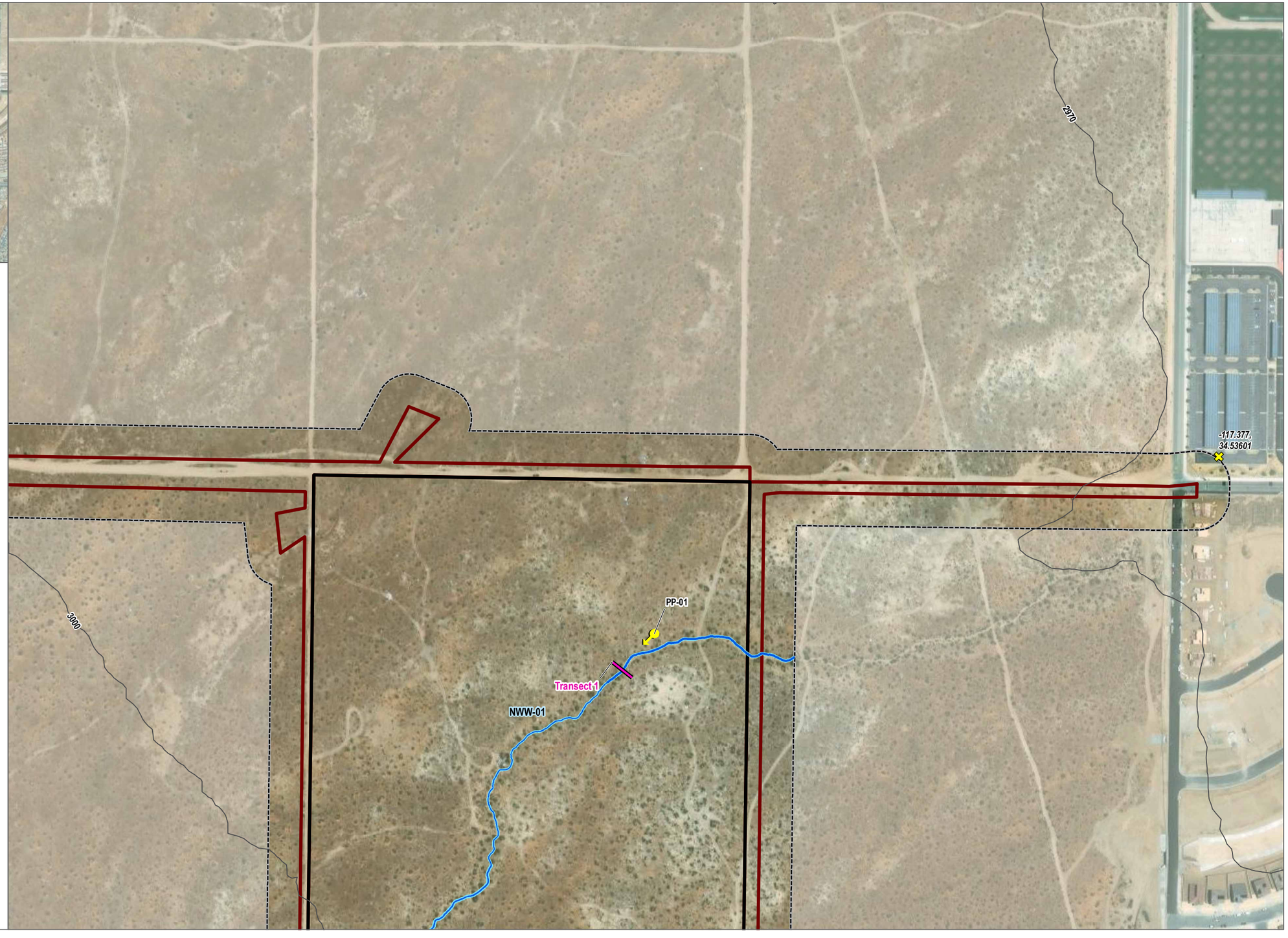


Project Site
Off-Site Improvement Areas
Biological Study Area (100' Buffer)
Map Reference Point
OHWM Transect
Photo Point
30-foot Contor

CDFW Jurisdictional Features (1.02 acres)
Top of Bank

RWQCB Jurisdictional Features (0.40 acres)
Ordinary High Water Mark

*Note - There are no USACE jurisdictional aquatic resources observed within the project limits.



SOURCE: Maxar 2020; Open Street Map 2023

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FIGURE 4.3-4B
Aquatic Resources
Mojave Industrial Park Project

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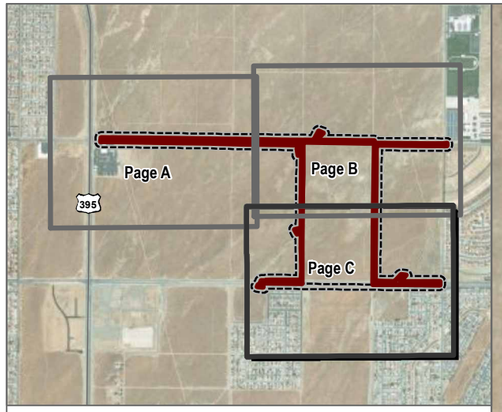

Project Site
Off-Site Improvement Areas
Biological Study Area (100' Buffer)
Map Reference Point
OHWM Transect
Photo Point
30-foot Contor

CDFW Jurisdictional Features (1.02 acres)
Top of Bank

RWQCB Jurisdictional Features (0.40 acres)
Ordinary High Water Mark

*Note - There are no USACE jurisdictional aquatic resources observed within the project limits.

SOURCE: Maxar 2020; Open Street Map 2023

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0 300 600 Feet

FIGURE 4.3-4C
Aquatic Resources
Mojave Industrial Park Project

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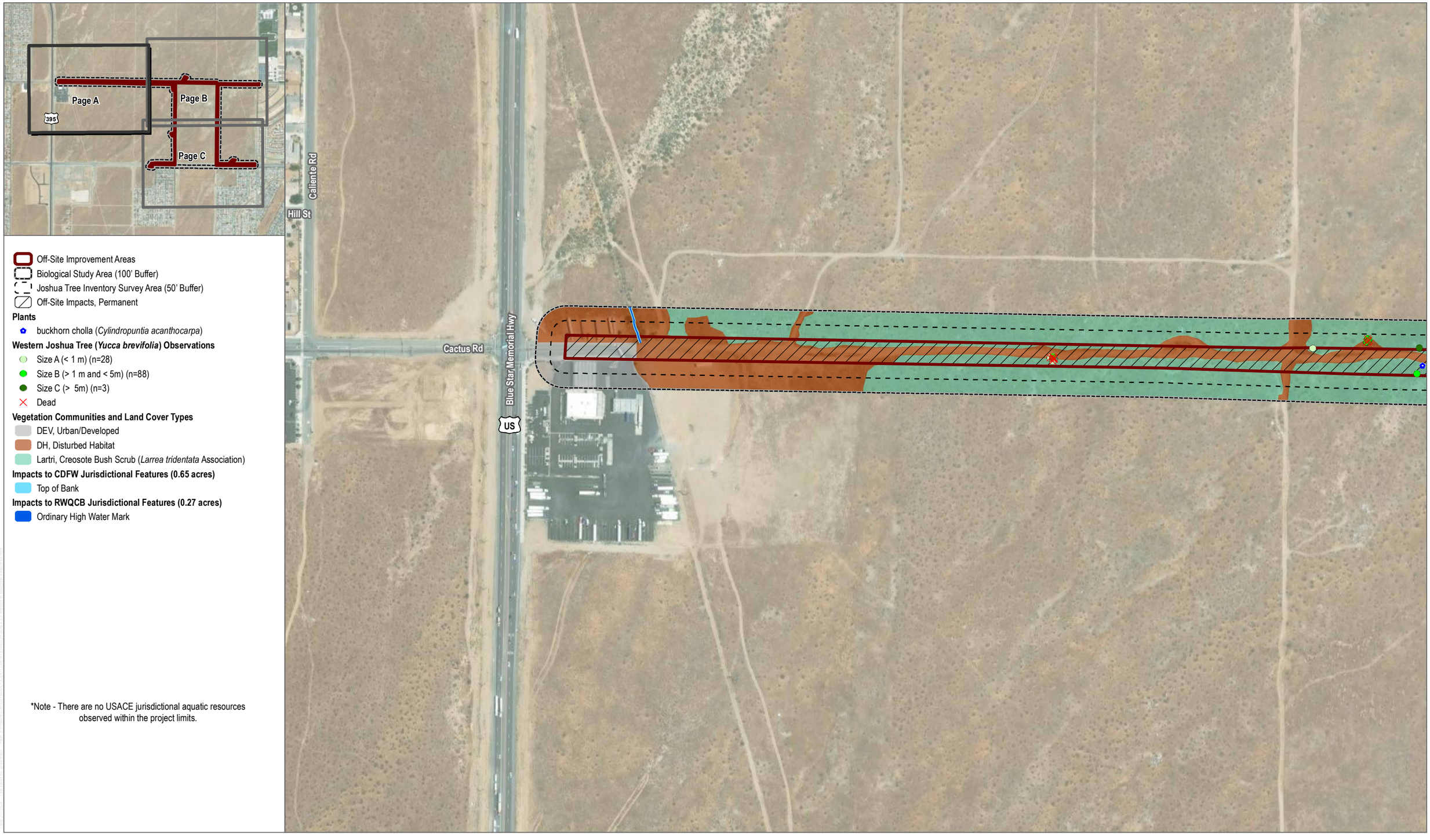

SOURCE: Maxar 2020; Open Street Map 2023

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FIGURE 4.3-5A

Impacts to Biological Resources

Mojave Industrial Park Project

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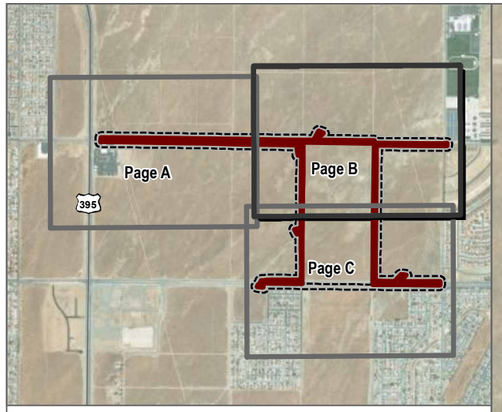

Project Site
Off-Site Improvement Areas
Biological Study Area (100' Buffer)
Joshua Tree Inventory Survey Area (50' Buffer)
On-Site Impacts, Permanent
Off-Site Impacts, Permanent

Plants
- buckhorn cholla (*Cylindropuntia acanthocarpa*)
- Wiggin's cholla (*Cylindropuntia echinocarpa*)

Western Joshua Tree (*Yucca brevifolia*) Observations
- Size A (< 1 m) (n=28)
- Size B (> 1 m and < 5m) (n=88)
- Size C (> 5m) (n=3)
- Dead

Wildlife
- burrowing owl (*Athene cunicularia*)

Burrowing Owl Burrows
- Active Burrow

Desert Kit Fox (*Vulpes macrotis arsipus*) Burrows
- Inactive Suitable Den

Vegetation Communities and Land Cover Types
- DEV, Urban/Developed
- DH, Disturbed Habitat
- Lartri, Creosote Bush Scrub (*Larrea tridentata* Association)

Impacts to CDFW Jurisdictional Features (0.65 acres)
- Top of Bank

Impacts to RWQCB Jurisdictional Features (0.27 acres)
- Ordinary High Water Mark

*Note - There are no USACE jurisdictional aquatic resources observed within the project limits.

SOURCE: Maxar 2020; Open Street Map 2023

DUDEK

0 300 600 Feet

FIGURE 4.3-5B

Impacts to Biological Resources

Mojave Industrial Park Project

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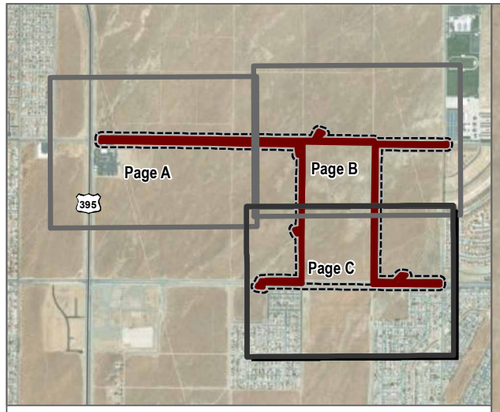

Project Site
Off-Site Improvement Areas
Biological Study Area (100' Buffer)
Joshua Tree Inventory Survey Area (50' Buffer)
On-Site Impacts, Permanent
Off-Site Impacts, Permanent

Western Joshua Tree (*Yucca brevifolia*) Observations

Size A (< 1 m) (n=28)
Size B (> 1 m and < 5m) (n=88)
Dead

Wildlife

burrowing owl (*Athene cunicularia*)

Burrowing Owl Burrows

Inactive Suitable Burrow

Vegetation Communities and Land Cover Types

DEV, Urban/Developed
DH, Disturbed Habitat
Lartri, Creosote Bush Scrub (*Larrea tridentata* Association)

Impacts to CDFW Jurisdictional Features (0.65 acres)

Top of Bank

Impacts to RWQCB Jurisdictional Features (0.27 acres)

Ordinary High Water Mark

*Note - There are no USACE jurisdictional aquatic resources observed within the project limits.

SOURCE: Maxar 2020; Open Street Map 2023

DUDEK

0 300 600 Feet

FIGURE 4.3-5C

Impacts to Biological Resources

Mojave Industrial Park Project

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4.4 Cultural Resources and Tribal Cultural Resources

This section describes the existing cultural resources and tribal cultural resources (TCRs) conditions of the Project site and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Mojave Industrial Park Project (Project).

The analysis in this section relies, in part, on the Cultural Resources Inventory Report for the Mojave Industrial Park Project, City of Victorville, California (Cultural Resources Report) prepared by Dudek on February 2024, included as Appendix D to the EIR. The Cultural Resources Report included a records search, archival research, correspondence with Native American contacts, and a pedestrian survey. The cultural resources analysis also considers the California Environmental Quality Act (CEQA) Guidelines Appendix G and applicable state and local regulations. The tribal cultural resources analysis is based on the Cultural Resources Report, as well as Assembly Bill 52 consultation between the City of Victorville and interested tribes.

A comment provided by the Native American Commissions in response to the notice of preparation included providing information on the Assembly Bill (AB) 52 and Senate Bill (SB) 18 consultation requirements regarding tribal cultural resources was received. All of the concerns raised are addressed in this section. A copy of the notice of preparation and comments received is provided in Appendix A.

4.4.1 Existing Conditions

The Project site consists of approximately 81.1 acres encompassing Assessor's Parcel Numbers 3128-631-02, 3128-631-03, and 3128-631-04. The Project site is located on the northeast quadrant of Mojave Drive and Onyx Road. The Project site consists of vacant land located south of Cactus Road/Tawney Ridge Lane, north of Mojave Drive, east of Onyx Road and west of Topaz Road (unpaved), approximately 1 mile east of Highway 395, northwest of I-15, and north of State Route 18.

The Project site is situated on a flat, vacant property. The vegetation consists of Creosote bushes, Joshua trees, and small cacti. Two drainages were observed within the Project site. Modern disturbances such as OHV trails and temporary modern campsites were observed, and the Project site was inundated with modern debris (e.g., wooden pallets, bedding, plastic bins). The off-site utility alignments are located within public rights-of-way comprised of either developed asphalt roadways or gravel roadways, primarily surrounded by undeveloped areas with vegetation compositions similar to the Project site.

Methodology

Records Search

Dudek conducted a California Historical Resources Information Systems (CHRIS) records search for the Project site and a 1-mile buffer at the South Central Coastal Information Center (SCCIC) at California State University Fullerton on July 26, 2023. The records search results indicate that 44 previous cultural resources studies have been conducted within 1 mile of the Project site. Of the 44 previous studies, seven studies intersect the Project site (see Table 4.4-1). The entire Project site has not been previously studied.

Table 4.4-1. Previous Cultural Resources Studies Intersecting the Project Site

Report Number	Year	Title	Author
SB-01158	1981	CLASS III CULTURAL RESOURCE INVENTORY: ADELANTO-RINALDI 500 KV T/L CORRIDORS 1, 2, AND 3, LOS ANGELES DEPARTMENT OF WATER AND POWER	Greenwood, Roberta S. And Michael J. Mcintyre
SB-01907	1989	ARCHAEOLOGICAL SURVEY REPORT: INYOKERN-KRAMER 220KV TRANSMISSION LINE CONDUCTORING PROJECT: TOWER SITES, PULLING AREAS, SLEEVE AREAS AND WIRE SETUPS, KERN AND SAN BERNARDINO COUNTIES, CALIFORNIA	Taylor, Thomas T.
SB-01909	1989	CULTURAL RESOURCE ASSESSMENT: KRAMER-VICTOR 115KV TRANSMISSION LINE PROJECT	Hampson, R. Paul
SB-05766	1997	CULTURAL RESOURCES REPORT: BAKERSFIELD—RIALTO FIBEROPTIC LINE PROJECT, KERN, LOS ANGELES AND SAN BERNARDINO COUNTIES, CALIFORNIA.	Love, Bruce
SB-06738	2010	AN ARCHAEOLOGICAL EVALUATION OF CA-SBR-12927, SAN BERNARDINO COUNTY, CALIFORNIA	Moffitt, Steven and Linda Moffit
SB-07156	2011	HISTORICAL/ARCHAEOLOGICAL RESOURCES SURVEY REPORT: WATER SUPPLY SYSTEM IMPROVEMENTS PROJECTS, FISCAL YEARS 2010/2011 – 2014/2015, VICTORVILLE WATER DISTRICT, SAN BERNARDINO COUNTY, CALIFORNIA.	Tang, Bai "Tom", Daniel Ballester, And Nina Gallardo
SB-07899	2013	CULTURAL RESOURCE AND PALEONTOLOGY MONITORING REPORT - SCE SANDLOT (WATER VALLEY) PROJECT	Strudwick, Ivan

The SCCIC records search results identified 59 cultural resources within the 1-mile search buffer of the Project site. Of the 59 cultural resources identified within the 1-mile search buffer, two resources (P-36-010316 and P-36-034159) intersect the Project site (Table 4.4-2). P-36-010316 and P-36-034159 are historic era built environment resources consisting of transmission lines. The remaining 57 resources consist of 53 historic era resources (one transmission line, 21 refuse scatters, four trails/roads, one homestead site, one water retention basin, and 25 isolates) and four prehistoric resources (one bedrock milling site, one rock alignment/circle/ cluster, one lithic scatter, and one isolate).

Table 4.4-2. Previously Recorded Cultural Resources Intersecting the Project Site

Primary Number	Trinomial	Age	Resource Type	Significance Criteria
P-36-010316	CA-SBR-10316H	Historic	Arrowhead-Mojave Siphon-Devil Canyon-Shadin 115 kV Transmission Line	Not eligible
P-36-034159	NA	Historic	459 SCE Kramer-Roadway-Victor 115 kV Transmission Line	Not eligible

Note: NA = not available.

P-36-010316 consists of the Southern California Edison (SCE) Kramer-Victor 115 kV Transmission Line. The resource was originally recorded by J. Underwood and S. Rose in 2000, which was part of the 238-mile long Southern Sierra Power Company's Control-San Bernardino Transmission Line, and also known as the Tower Line.

The Tower Line was completed in 1913 and brought electricity from Bishop to San Bernardino. The 238-mile-long Tower Line was determined eligible for the National Register of Historic Places (NRHP) and listed on the California Register of Historic Resources (CRHR) in 1995. The recorded segment that intersects the Project site includes the portion of the transmission line between the Kramer and Victor substations (Victor 115 kV Transmission Line); and the towers along this 34-mile segment were replaced in 1989 by larger steel towers with concrete footings. This portion of the transmission line that were replaced and is regularly maintained, was determined to not be a contributing factor to its overall eligibility and was recommended not eligible for the NRHP as it lacks the integrity necessary for eligibility for listing on the NRHP (Ahmet 2008).

P-36-034159 consists of the SCE Kramer-Roadway-Victor 115 kV Transmission Line. The resource was originally recorded by the Urbana Preservation & Planning in 2020. The transmission line was constructed in 1950 and spans approximately 34.7 miles. The transmission line begins in the north at the SCE Kramer Substation and terminates in the south at the SCE Victor Substation. The transmission line has been found ineligible under the NRHP/CHRHR/Local registers (Becker 2020).

Archival Research

In addition to the SCCIC records search, Dudek conducted an online review of historic aerial photographs of the Project site and general vicinity, to help determine the possible development and land use of the Project site in the past. Historic aerial photographs of the Project site were available from 1952 to 2020 (NETR 2023). The historic aerial from 1952 revealed that the Project site was undeveloped, and a dirt road could be observed to the east crossing where Cactus Road would currently exist, Highway 395 is observed to the west, and Mojave Drive bordering the south exists as a dirt road. To the east of the Project site, a drainage is observed traversing from northeast to southwest. The 1968 aerial shows development for residences to the south and the east of the Project site, as well as the grading of Cactus Road, which borders the northern section of the Project site. On the 1984 aerial, Onyx Road, which borders the western section of the Project site is now observed as a dirt road, and the Project site remains undeveloped. No substantial changes are observed in the Project site on the 1985 to 1994 aerials; however, more residential areas are developed within the surrounding vicinity of the Project site. On the 2005 aerial, Mojave Drive is now a paved road, and residential development has increased within Project site's vicinity. No substantial changes are observed in the Project site on the 2009 to 2020 aerials. The Project site remains undeveloped; however, the surrounding area reveals increasing residential development and schools.

Historic topographic (topo) maps of the Project site were reviewed (earliest map available is 1957). The topo maps from 1957 to 2021 do not reveal any changes to the Project site. Mojave Road is mapped, and a blue line creek feature is observed to the north of the Project site, but does not intersect the Project site. On the 1957 to 1980 topo maps, a road is observed to the east, crossing where Cactus Road would exist. On the 1993 topo map, Onyx Drive is now observed. No structures are observed within the topo maps from 1957 to 2021. A review of the topo maps reveals that there are no historic-age structures within the Project site.

Dudek also reviewed geotechnical reports for the Project prepared by Southern California Geotechnical. The report Geotechnical Investigation Proposed Industrial Park Building 7 NEC Mojave Drive and Onyx Road Victorville, California for MLP Associates LLC documents the subsurface geological conditions within the southwestern section of the Project site (SoCalGeo 2022). Two borings were advanced to depths of 20 and 25 feet below the ground surface. Native alluvium was encountered at the ground surface at both boring locations, extending to the maximum depth explored (SoCalGeo 2022). The report Geotechnical Investigation – Building 6 Mojave Drive Industrial Park Buildings 5 & 6 4,100± feet East of Highway 396, 500± North of Mojave Drive Victorville, California for Aquadera Sunset LLC documents the subsurface geological conditions within the Project site, past

Cactus Road/Tawney Ridge Lane and north towards Poppy Road (SoCalGeo 2023). Seven borings were advanced to depths of 10 to 25 feet below the ground surface. Native alluvium was encountered at the ground surface at all the boring locations, extending to the maximum depth explored (SoCalGeo 2023). Alluvial soils are present within the Project site, which have moderate potential for subsurface cultural deposits.

NAHC and Native American Outreach Letters

Dudek requested the Native American Heritage Commission (NAHC) search its Sacred Lands File on May 15, 2023, for the Project site. The SLF consists of a database of known Native American resources. These resources may not be included in the SCCIC database. The NAHC responded on June 13, 2023, with positive results, but did not specify if resources were located within the Project site or within the 1-square mile search buffer.

Outreach letters were mailed on June 16, 2023, to all Native American group representatives included on the NAHC contact list. These letters attempted to solicit information relating to Native American resources that may be impacted by the Project. Native American representatives were requested to define a general area where known resources intersect the Project site. Three responses have been received to date. A response was received from the Ft. Yuma Quechan Indian Tribe on stating that they do not wish to comment on the Project and defer to more local tribes. A response was received from the Yuhaaviatam of San Manual Nation stating that the Project site is considered moderately culturally sensitive to the tribe due to the multiple previously recorded archaeological sites within a mile of the Project site, its proximity to water sources, and the undeveloped nature of the land and that they would wish to engage in Assembly Bill 52 with the City. A response was received by the Morongo Band of Mission Indians stating that the Project is located within the ancestral territory and traditional use area of the Cahuilla and Serrano people of the Morongo Band of Mission Indians that projects within this area are highly sensitive for cultural resources regardless of the presence or absence of remaining surface artifacts and features and that they would like to request consultation under Assembly Bill 52.

Assembly Bill 52

Assembly Bill (AB) 52 defines TCRs as those archaeological sites identified by tribal individuals that are eligible for or listed in the California Register of Historical Resources, or resources that are accompanied by substantial evidence such that the lead agency designates a resource as a TCR. As such, it is appropriate to review identification of prehistoric archaeological resources that have the potential to be identified by consulting tribes as a TCR, by referring to records searches and cultural resources inventories.

A project with an effect that may cause a substantial adverse change in the significance of a TCR is a project that may have a significant effect on the environment (PRC Section 21084.2). Under AB 52, a TCR must have tangible, geographically defined properties that can be impacted by project implementation. The Project is subject to compliance with AB 52.

The City sent notification of the Project to all California Native American tribal representatives that have requested Project notifications from the City pursuant to AB 52 and that are on file with the NAHC as being traditionally or culturally affiliated with the geographic area on November 16, 2023 (Table 4.4-3). These notification letters included a Project map and description inquiring if the tribe would like to consult to discuss the Project and the potential to impact any TCRs. AB 52 allows tribes 30 days after receiving notification to request consultation. If a response is not received within the allotted 30 days, it is assumed that consultation is declined. To date, one response was received as a result of the City's AB 52 consultation notification. Table 4.4-3 summarizes the

results of the AB 52 process for the Project followed by a brief summary of the consultation results to date. The confidential AB 52 consultation results are on file with the City.

Table 4.4-3. Assembly Bill 52 Native American Tribal Outreach Results

Native American Tribal Representatives	Method of Notification/Date	Response to City Notification Letters	Consultation Date
Doug Todd Welmas and/or Jacquelyn Barnum – Cabazon Band of Mission Indians	Letter, November 16, 2023	No response.	No consultation required.
Raymond Huaute and/or Robert Martin – Morongo Band of Mission Indians	Letter, November 16, 2023	No response.	No consultation required.
Alexandra McCleary, PhD – Cultural Resources Management Department Yuhaaviatam of San Manuel Nation	Letter, November 16, 2023	Requested mitigation measures to be added.	No consultation required.
Darrell Mike and/or Anthony Madrigal, Jr. – Twenty-Nine Palms Band of Mission Indians	Letter, November 16, 2023	No response.	No consultation required.

Intensive Pedestrian Survey

Dudek archaeologists conducted an intensive level pedestrian survey of the Project site on August 15 and 16, 2023. All survey work was conducted employing standard archaeological procedures and techniques consistent with the Secretary of the Interior Standards. Fifteen-meter interval survey transects were conducted in a north-south direction for the Project site. Within the transects, the ground surface was examined for prehistoric artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools, ceramics, fire-affected rock), soil discoloration that might indicate the presence of a cultural midden, soil depressions, features indicative of the current or former presence of structures or buildings (e.g., standing exterior walls, post holes, foundations), and historic era artifacts (e.g., metal, glass, ceramics, building materials). Ground disturbances such as burrows, cut banks, and drainages were also visually inspected for exposed subsurface materials.

The Project site is situated on a vacant property. The topography of the Project site is relatively flat. The vegetation consists of Creosote bushes, Joshua trees, and small cacti. Surface sediments consisted of a pale, reddish brown silty sandy loam with approximately 20% fine subangular, sub rounded gravel. Two drainages were observed within the Project site, and the cobbles became more rounded and present within the drainages. Modern disturbances such as OHV trails and temporary modern campsites were observed throughout the Project site, and the Project site was inundated with modern debris (e.g., wooden pallets, bedding, plastic bins) and drug paraphernalia (e.g., lighters, cans, glass bottles, needles). The locations of P-36-010316 and P-36-034159 were revisited and the survey confirmed the presence that only the overhead wires crossed the Project site; the transmission line poles were not located within the Project site, nor would they be impacted by the Project.

The survey resulted in the identification of three new isolates consisting of one prehistoric isolate, MIP-JC-I-01, a lithic flake tool, and two historic era isolates, MIP-PH-I-01 and MIP-PH-I-02, both bi-metal pop top beverage cans.

4.4.2 Relevant Regulations, Plans, Policies, and Ordinances

Federal

There are no regulations, plans, policies, and ordinances regarding cultural resources and tribal cultural resources applicable to the proposed Project.

State

The California Register of Historic Resources (Public Resources Code Section 5020 et seq.)

Under CEQA, the term "historical resource" includes but is not limited to "any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California" (California Public Resources Code Section 5020.1[j]). In 1992, the California legislature established CRHR "to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (California Public Resources Code Section 5024.1[a]). A resource is eligible for listing in the CRHR if the State Historical Resources Commission determines that it is a significant resource and that it meets any of the following NRHP criteria (California Public Resources Code Section 5024.1[c]):

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

Resources less than 50 years old are not considered for listing in the CRHR, but may be considered if it can be demonstrated that sufficient time has passed to understand the historical importance of the resource (see 14 CCR 4852[d][2]).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP, and properties listed or formally designated as eligible for listing on the NRHP are automatically listed on the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys. The State Historic Preservation Officer maintains the CRHR.

Native American Historic Cultural Sites (California Public Resources Code Section 5097 et seq.)

State law addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the NAHC to resolve disputes regarding the disposition of such remains. In addition, the Native American Historic Resource Protection Act makes it a misdemeanor punishable by up to 1 year in jail to deface or destroy an Indian historic or cultural site that is listed or may be eligible for listing in the CRHR.

California Native American Graves Protection and Repatriation Act

The California Native American Graves Protection and Repatriation Act (California Repatriation Act), enacted in 2001, required all state agencies and museums that receive state funding and that have possession or control over collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. The California Repatriation Act also provides a process for the identification and repatriation of these items to the appropriate tribes.

California Environmental Quality Act

As described further below, the following CEQA statutes and CEQA Guidelines are of relevance to the analysis of archaeological and historic resources:

California Public Resources Code Section 21083.2(g): Defines "unique archaeological resource."

California Public Resources Code Section 21084.1 and CEQA Guidelines Section 15064.5(a): Define historical resources. In addition, CEQA Guidelines Section 15064.5(b) defines the phrase "substantial adverse change in the significance of an historical resource;" it also defines the circumstances when a project would materially impair the significance of a historical resource.

California Public Resources Code Section 5097.98 and CEQA Guidelines Section 15064.5(e): Set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.

1. California Public Resources Code Sections 21083.2(b)-(c) and CEQA Guidelines Section 15126.4: Provide information regarding the mitigation framework for archaeological and historic resources, including options of preservation-in-place mitigation measures; preservation-in-place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context, and may also help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

Under CEQA, a project may have a significant effect on the environment if it may cause "a substantial adverse change in the significance of an historical resource" (California Public Resources Code Section 21084.1; CEQA Guidelines Section 15064.5[b]). If a site is either listed or eligible for listing in the CRHR, or if it is included in a local register of historic resources, or identified as significant in a historical resources survey (meeting the requirements of California Public Resources Code Section 5024.1[q]), it is a "historical resource" and is presumed to be historically or culturally significant for purposes of CEQA (California Public Resources Code Section 21084.1; CEQA Guidelines Section 15064.5[a]). The lead agency is not precluded from determining that a resource is a historical resource even if it does not fall within this presumption (California Public Resources Code Section 21084.1; CEQA Guidelines Section 15064.5[a]).

A "substantial adverse change in the significance of an historical resource" reflecting a significant effect under CEQA means "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired" (CEQA Guidelines Section 15064.5[b][1]; California Public Resources Code Section 5020.1[q]). In turn, the significance of a historical resource is materially impaired when a project:

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

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

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

California Native American Graves Protection and Repatriation Act (California Repatriation Act), enacted in 2001, required all state agencies and museums that receive state funding and that have possession or control over collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. The California Repatriation Act also provides a process for the identification and repatriation of these items to the appropriate tribes.

California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98

CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. As described below, these procedures are detailed in California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98.

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the County coroner has examined the remains (California Health and Safety Code Section 7050.5[b]). If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the NAHC within 24 hours (California Health and Safety Code Section 7050.5[c]). In accordance with California Public Resources Code Section 5097.98(a), the NAHC will notify the Most Likely Descendant (MLD). With the permission of the landowner, the MLD may inspect the site of discovery. Within 48 hours of being granted access to the site, the MLD may recommend means of treatment or disposition, with appropriate dignity, of the human remains and associated grave goods.

Assembly Bill 52

California Assembly Bill 52, which took effect July 1, 2015, establishes a consultation process between California Native American Tribes and lead agencies in order to address tribal concerns regarding project impacts and mitigation to "tribal cultural resources" (TCR). Public Resources Code Section 21074(a) defines TCRs and states that a project that has the potential to cause a substantial adverse change to a TCR is a project that may have an adverse effect on the environment. A TCR is defined as a site, feature, place, cultural landscape, sacred place, and object with cultural value to a California Native American tribe that is either:

1. listed or eligible for listing in the CRHR or a local register of historical resources, or
2. determined by a lead agency to be a TCR.

Local

City of Victorville General Plan 2030

The Resource Element of the City's General Plan (adopted in 2008) describes the cultural, historical, and paleontological resources regulatory framework, and policies and plans to protect such resources (City of Victorville 2008). The planning goals and polices are described below.

The City of Victorville Goal No. 5, in the goals, objectives, policies, and implementation section, consists of one objective and two policies to assist in the preservation and protection of the City's cultural and paleontological resources.

Objective 5.1: Preserve known and expected cultural resources.

Policy 5.1.1: Determine presence/absence of and consider impacts to cultural resources in the review of public and private development and infrastructure projects.

Implementation Measure 5.1.1.1: As a City Planning Department function, maintain maps illustrating areas that have a moderate-high probability of yielding important cultural resources as a result of land alteration projects.

Implementation Measure 5.1.1.2: Establish a transmittal system with the Archaeological Information Center (AIC) at the San Bernardino County Museum, Redlands. When a project is in its initial phase, the City may send a location map to the AIC for a transmittal-level records search. The transmittal identifies the presence or absence of known cultural resources and/or previously performed studies in and near the project area. The AIC also offers recommendations regarding the need for additional studies, if warranted.

Implementation Measure 5.1.1.3: When warranted based on the findings of reconnaissance level surveys by a qualified professional archaeologist and/or transmittals from the AIC, require Phase I cultural resource assessments by qualified archaeologists, historians, and/or architectural historians, especially in areas of high sensitivity for cultural resources, as shown on the maps maintained in the City Planning Department. The scope of such a survey shall include, as appropriate, in-depth records search at the AIC, historic background research, intensive-level field survey, consultation with the Mohave Historical Society, and consultation with the appropriate Native American representatives and tribal organizations.

Implementation Measure 5.1.1.4: Complete a Planning Area-wide assessment of the paleontological sensitivity, based on a review of geologic formations and a review of paleontological records that identify those formations that have yielded or are expected to yield fossil materials of importance to the scientific community.

Policy 5.1.2: Prohibit destruction of cultural and paleontological materials that contain information of importance to our knowledge of the evolution of life forms and history of human settlement in the Planning Area, unless sufficient documentation of that information is accomplished and distributed to the appropriate scientific community. Require mitigation of any significant impacts that may be identified in project or program level cultural and paleontological assessments as a condition of project or program approval.

Implementation Measure 5.1.2.1: Enact a historic preservation ordinance and/or prepare a historic preservation plan to outline the goals and objectives of the City's historic preservation programs and present an official historic context statement for the evaluation of cultural resources within the City's jurisdiction.

Implementation Measure 5.1.2.2: Assist local property owners in finding and taking advantage of incentives and financial assistance for historic preservation that are available through various federal, state, or city programs.

Implementation Measure 5.1.2.3: Require paleontological monitoring of land alteration projects involving excavation into native geologic materials known to have a high sensitivity for the presence of paleontological resources.

The City's goal is to protect identified archaeological, palaeontologic resources, and historic resources within the Planning Area (City of Victorville 2008).

4.4.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to cultural resources are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to cultural resources would occur if the Project would:

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 dedicated cemeteries.

The significance criteria used to evaluate the project impacts to TCRs are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to TCRs would occur if the Project would:

D. 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).
   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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

4.4.4 Impacts Analysis

Threshold A: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

Less-than-Significant Impact. As identified in Section 4.4.1, above, the SCICC records search identified two historic era resources, P-36-010316, the Southern California Edison (SCE) Kramer-Victor 115 kV Transmission Line built in 1913 and P-36-034159, the SCE Kramer-Roadway-Victor 115 kV Transmission Line built in 1950. Both are built environment resources consisting of transmission lines that intersect the western edge of the Project site where they cross over Cactus Drive within the Project site. The locations of P-36-010316 and P-36-034159 were revisited and the survey confirmed the presence that only the overhead wires crossed the Project site; the transmission lines poles were not located within the Project site, nor would they be impacted by the Project. Neither property appears in the Office of Historic Preservation's Built Environment Resources Directory, and their California Historic Resources (CHR) status code is unknown. The SCE Kramer-Victor 115 kV Transmission Line was previously determined eligible for the NRHP and listed in the CRHR in 1995, however the original towers along the 34-mile segment crossing the Project site were replaced in 1989 causing the segment to be determined ineligible as a contributor to the overall transmission line in 2008. The SCE Kramer-Roadway-Victor 115 kV Transmission Line was found ineligible for the NRHP, CRHR, and local listing in 2020. For these reasons, the properties are not considered historical resources for the purposes of CEQA and the proposed Project would have no potential to impact them.

The results of the field survey confirmed that APNs 3128-631-02, 3128-631-03, and 3128-631-04 are presently undeveloped and do not contain any extant built environment resources. As such, these parcels do not contain built environment resources requiring formal evaluation for historic significance and are not considered CEQA historical resources.

The Project site encompasses several segments of non-paved roads including Onyx Road, Cactus Road, and Topaz Road. These road segments have not been previously evaluated as contributing to the significance of a larger resource based on a review of the Built Environment Resources Directory or the City of Victorville's Local Register of Historic Resources, nor were they formally evaluated for this Project. These road segments constitute

examples of a ubiquitous, non-engineered property type, and are unlikely to meet historic significance criteria considering the threshold requirements. As such, these roadway segments were not formally recorded or evaluated for historic significance as part of the current study.

A segment of Mojave Drive Avenue is located along the southern boundary of the Project site. The road was initially developed between 1994 and 2005 and was not formally evaluated for the current Project because it has not yet reached the age threshold for evaluation and therefore does not require formal evaluation for historic significance at this time. Because this work would have no potential to cause adverse effects, the roadway segment was not formally recorded or evaluated for the current study.

Since there are no historical resources (as defined under Section 15064.5[a] of the CEQA Guidelines) that would be affected by the Project and since there are no reasonably foreseeable Project activities that would occur later in time or that would be farther removed in distance that could indirectly affect historical resources, the Project site contains no geographic areas of indirect effect. Additionally, since the Project would not cause any direct or indirect effects on historical resources, there are no areas under consideration for cumulative effects. Therefore, the Project would not impact P-36-010316 and P-36-034159 and would not result in a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.2, and potential impacts to historic resources as a result of Project implementation would be less than significant.

Threshold B: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less-than-Significant Impact with Mitigation Incorporated. As identified in Section 4.4.1, above, three isolates were identified within the Project site during the pedestrian survey, consisting of one prehistoric isolate, MIP-JC-I-01, a lithic flake tool, and two historic era isolates, MIP-PH-I-01 and MIP-PH-I-02, both bi-metal pop top beverage cans. As isolates, they do not have sufficient data potential or other attributes required to address CRHR Criteria, are not eligible for listing in the CRHR or the local register, and are not significant under CEQA.

In consideration of the identified archaeological isolates, the number of known resources within close proximity to the Project site, and because alluvial soils suited to supporting the development of archaeological deposits are present within the Project site, there is moderate potential for identifying unanticipated buried cultural resources deposits within previously undisturbed areas during subsurface Project activities. Cultural resources monitoring with a qualified archaeologist is recommended during initial ground-disturbing activities within previously undisturbed deposits. Monitoring can be reduced or terminated should no cultural discoveries be made during observation of subsurface exposures or if documentation is provided which demonstrates that ground-disturbing activities will be occurring in sediments with no potential for cultural resources to be present or otherwise persist.

To ensure Project development would not result in potential impacts to cultural resources, the Project would implement **Mitigation Measure (MM) CUL-1** through **MM-CUL-7,** outlined in Section 4.4.5 below. Project implementation of **MM-CUL-1** through **MM-CUL-7** would ensure that potential impacts to archaeological resources pursuant to CEQA Guidelines Section 15064.5 would remain less than significant with mitigation.

Threshold C: Would the Project disturb any human remains, including those interred outside of dedicated cemeteries?

Less-than-Significant Impact with Mitigation Incorporated. The Project site is not used as a cemetery and is not otherwise known to contain human remains. The pedestrian field survey conducted for the Project did not identify any human remains or find any indications that they would be expected to be found at the Project site.

However, although unlikely, there is the possibility of human remains being discovered during ground disturbing activities at the Project site. If remains are discovered during Project construction activities, mitigation is proposed that would require work in the vicinity of the discovery be halted and procedures set forth in the California Public Resources Code (Section 5097.98) and California Health and Safety Code (Section 7050.5) be followed. The Project would be required to comply with Section 7050.5 of the California Health and Safety Code and the Project would implement **MM-CUL-8**, outlined in Section 4.4.5 below. Project implementation of **MM-CUL-8** would ensure that potential impacts to human remains would be less than significant with mitigation.

Threshold D: ***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)?***

AND

> ***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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)***

Less-than-Significant Impact with Mitigation Incorporated**.** No previously recorded archaeological resources of Native American origin or TCRs listed in the CRHR or a local register were identified within the Project site through the SCCIC records. Although a search of the NAHC's SLF database for the Project site was positive for the presence of reported Native American cultural resources, the SLF record is maintained at a PLSS Section level, which indicates a recorded sacred site could be anywhere within 1 square mile of the 81.1-acre Project site. Further, at this time, no TCRs have been identified by California Native American tribes as part of the City's AB 52 notification and consultation process that would warrant discretionary designation of a resource as a TCR. Therefore, the Project would not adversely affect TCRs that are listed or eligible for listing in the state or local register and the City determined that no substantial evidence has been presented that would demonstrate a significant TCR (pursuant to criteria set forth in subdivision [c] of Public Resources Code Section 5024.1) exists within the Project site or off-site improvement areas. Notwithstanding, **MM-CUL-6** is required to help ensure the proper treatment of TCRs that may be inadvertently encountered during ground-disturbing activities. With incorporation of **MM-CUL-1** through **MM-CUL-8**, impacts associated with TCRs would be less than significant with mitigation.

4.4.5 Mitigation Measures and Level of Significance After Mitigation

Threshold A: Would the Project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?

The Project would not cause any direct or indirect effects on historical resources, there are no areas under consideration for cumulative effects. The Project would not impact P-36-010316 and P-36-034159 and would not result in a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.2, and potential impacts to historic resources as a result of Project implementation would be **less than significant.**

Threshold B: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

In consideration of the identified archaeological isolates and the number of known resources within close proximity to the Project site and to further ensure Project development would not result in potential impacts to cultural resources, the Project would implement cultural mitigation measures **MM-CUL-1** through **MM-CUL-7** outlined below. With incorporation of **MM-CUL-1** through **MM-CUL-7,** impacts associated with archaeological resources would be **less than significant with mitigation incorporated**.

MM-CUL-1 Tribal Monitoring Services Agreement. Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Services Agreement with the consulting Tribe(s) for the Project. The Tribal Monitor(s) shall be on site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor(s) shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources.

MM-CUL-2 Cultural Resources Monitoring and Treatment Plan. Prior to any ground-disturbing activities the Project Archaeologist shall develop a Cultural Resources Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the Project site, that is reflective of the Project mitigation (for cultural resources and tribal cultural resources), and that includes contact information for all pertinent parties, parties' responsibilities, procedures for each project mitigation, and an overview of the Project schedule. The Plan shall be written in consultation with the consulting Tribe(s). The Plan shall be submitted to the Lead Agency for dissemination to the consulting Tribe(s). Once all parties review and approve the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior to permitting for the Project. Any and all findings will be subject to the protocol detailed within the Plan.

MM-CUL-3 Retention of Archaeologist. Prior to any ground-disturbing activities, and prior to the issuance of grading permits, the Applicant shall retain a Qualified Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). The Archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe(s) Tribal Historic Preservation Officer (THPO),

and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event.

MM-CUL-4 Pre-Grade Meeting. The retained Qualified archeologist and Consulting Tribe[s] representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.

MM-CUL-5 Archaeological Monitoring. Due to the heightened cultural sensitivity of the Project site, an archaeological monitor with at least 3 years of regional experience in archaeology and the Tribal Monitor(s) shall be present for all ground-disturbing activities that occur within the Project site (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, landscaping phases of any kind, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). A sufficient number of archaeological monitors shall be present each work day to ensure that simultaneously occurring ground disturbing activities receive thorough levels of monitoring coverage. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Tribal Monitoring will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The Qualified Archaeologist, in consultation with the Tribal Monitor(s), shall be responsible for determining the duration and frequency of monitoring.

MM-CUL-6 Treatment of Cultural Resources. In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal Monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly nonsignificant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. All work shall be diverted away from the vicinity of the find, so that the find can be evaluated by the Qualified Archaeologist and Tribal Monitor[s]. The Archaeologist shall notify the Lead Agency and consulting Tribe[s] of said discovery. The Qualified Archaeologist, in consultation with the Lead Agency, the consulting Tribe[s], and the Tribal Monitor, shall determine the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the Qualified Archaeologist in consultation with the Tribe[s] and the Tribal Monitor[s] and be submitted to the Lead Agency for review and approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference:

A. Full avoidance.
B. If avoidance is not feasible, preservation in place.

C. If preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or Deed Restriction.

D. If all other options are proven to be infeasible, data recovery through excavation and then curation in a Curation Facility that meets the Federal Curation Standards (CFR 79.1)

Following the completion of evaluation efforts, all parties shall confer regarding the archaeological significance of the resource, its potential as a Tribal Cultural Resource (TCR), avoidance of the discovered resource, and the potential need for construction monitoring during Project implementation. Should any significant resource and/or TCR not be a candidate for avoidance or preservation in place, and the removal of the resource(s) is necessary to mitigate impacts, the research design shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. Removal of any cultural resource(s) shall be conducted with the presence of a Tribal monitor representing the consulting Tribe(s). All plans for analysis shall be reviewed and approved by the applicant and the consulting Tribe(s) prior to implementation, and all removed material shall be temporarily curated on-site. It is the preference of the consulting Tribe(s) that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during Project implementation not be feasible, then a reburial location for future reburial shall be decided upon by the consulting Tribe(s), the landowner, and the Lead Agency, and all finds shall be reburied within this location. Additionally, in this case, reburial shall not occur until all ground-disturbing activities associated with the Project have been completed, all monitoring has ceased, all cataloguing and basic recordation of cultural resources have been completed, and a final monitoring report has been issued to Lead Agency, CHRIS, and consulting Tribe(s). All reburials are subject to a reburial agreement that shall be developed between the landowner and consulting Tribe(s) outlining the determined reburial process/location and shall include measures and provisions to protect the reburial area from any future impacts.

Should it occur that avoidance, preservation in place, and on-site reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to this material and confer with the consulting Tribe(s) to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 CA Curation Guidelines. A curation agreement with an appropriate qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project developer/applicant to pay for those fees.

MM-CUL-7 Final Report. The final report[s] created as a part of the Project (AMTP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe[s] for review and comment. After approval of all parties, the final reports are to be submitted to the Eastern Information Center and the Consulting Tribe[s].

Threshold C: Would the Project disturb any human remains, including those interred outside of formal cemeteries?

The Project would result in potentially significant impacts associated with the disturbance of human remains, including those interred outside of formal cemeteries. With compliance with Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the California Public Resources Code and implementation of **MM-CUL-8**, impacts associated with human remains would be **less than significant with mitigation incorporated**.

Threshold D: ***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)?***

AND

> ***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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)***

The Project would result in potentially significant impacts associated with a substantial adverse change in the significance of a currently unknown or unidentified TCR if one or more are inadvertently encountered as a result of ground-disturbing activities. With the incorporation of previously outlined **MM-CUL-1** through **MM-CUL-7**, as well as **MM-CUL-8**, outlined below, impacts associated with TCRs would be **less than significant with mitigation incorporated.**

MM-CUL-8 Inadvertent Discoveries of Human Remains. No photographs are to be taken except by the coroner, with written approval by the consulting Tribe(s).

A. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; Project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.

B. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5.

C. The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation

for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98.

D. Dependent on who has been named the Most Likely Descendant (MLD), the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). Reburial location of human remains and/or cremations will be determined by the Tribe's Most Likely Descendant (MLD), the landowner, and the City Planning Department.

4.4.6 Cumulative Impacts

Less-than-Significant Impact with Mitigation. The geographic scope of the cumulative cultural resources analysis is the region surrounding the Project site. Ongoing development and growth in the broader Project area may result in a cumulatively significant impact to cultural resources due to the continuing disturbance of undeveloped areas, which could potentially contain significant, buried archaeological or tribal cultural resources. However, as discussed above, the individual, Project-level impacts associated with cultural or tribal cultural resources were found to be less than significant with incorporation of mitigation measures (**MM-CUL-1** through **MM-CUL-8**). The Project would be required by law to comply with all applicable federal, state, and local requirements related to historical, archaeological, and tribal cultural resources. Other related cumulative projects would similarly be required to comply with all such requirements and regulations, to be consistent with the provisions set forth by CEQA and the CEQA Guidelines, and to implement all feasible mitigation measures should a significant project-related and/or cumulative impact be identified. As such, cumulative impacts would be **less than significant with mitigation incorporated**.

4.4.7 References

Ahmet, K. 2008. Site Record for CA-SBR-10316H. On file at the SCCIC, Fullerton, CA.

Becker, W. 2020. Site Record for P-36-034159. On file at the SCCIC, Fullerton, CA.

City of Victorville. 2008. City of Victorville General Plan. Accessed August 28, 2023. https://www.victorville.gov/government/city-departments/development/planning/city-of-victorville-general-plan

NETR (National Environmental Title Research). 2023. Address search for Mojave Drive, Victorville, California. Accessed August 15, 2023. http://www.historicaerials.com/.

SoCalGeo. 2022. *Geotechnical Investigation Proposed Industrial Park Building 7 NEC Mojave Drive and Onyx Road Victorville, California for MLP Associates LLC.*

SoCalGeo. 2023. *Geotechnical Investigation – Building 6 Mojave Drive Industrial Park Buildings 5 & 6 4,100± feet East of Highway 396, 500± North of Mojave Drive Victorville, California for Aquadera Sunset LLC.*

4.5 Energy

This section describes the existing energy conditions of the Mojave Industrial Park Project (Project) site and vicinity, identifies associated regulatory requirements, and evaluates potential impacts related to implementation of the Project.

In addition to the documents incorporated by reference (see Section 2.7 of Chapter 2, Introduction, of this environmental impact report [EIR]), the following analysis is based, in part, on the following source:

- Air Quality and GHG Emission Estimates, prepared by Dudek in December 2023 (Appendix B-1)
- Energy Assessment Calculations, prepared by Dudek in December 2023 (Appendix E)
- Transportation Impact Analysis, prepared by Dudek in February 2024 (Appendix K)
- Supplemental VMT Analysis, prepared by Urban Crossroads in December 2023 (Appendix K)

Comments received from CARE CA and the Sierra Club, San Gorgonio Chapter – Mojave Group in response to the notice of preparation included requests specific to renewable energy in the form of photovoltaic (PV) solar arrays to power the facility and additional comments related to air pollutant and greenhouse gas design measures that would also serve to reduce energy use. All of the concerns raised are addressed in this section. A copy of the notice of preparation and comments received is provided in Appendix A.

4.5.1 Existing Conditions

Electricity

According to the U.S. Energy Information Administration (EIA), California used approximately 247,249,865 megawatt-hours of electricity in 2021 (EIA 2022). Electricity usage in California for differing land uses varies substantially by the type of uses in a building, type of construction materials used in a building, and the efficiency of all electricity-consuming devices within a building. Due to the state's energy efficiency building standards and efficiency and conservation programs, California's electricity use per capita in the residential and commercial sector is lower than any other state except Hawai'i (EIA 2023a).

Southern California Edison (SCE) provides electricity to the Project. SCE, a subsidiary of Edison International, serves approximately 180 cities in 11 counties across central and Southern California. According to the California Public Utilities Commission (CPUC), approximately 105 billion kilowatt-hours of electricity were used in SCE's service area in 2021. Demand forecasts anticipate that approximately 110 billion kilowatt-hours of electricity would be used in SCE's service area in 2024 (CEC 2023a).

SCE receives electric power from a variety of sources. According to the 2021 SCE Power Content Label, eligible renewable energy accounts for 33.6% of SCE's overall energy resources, with biomass and biowaste at 2.3%, geothermal resources at 4.8%, wind power at 11.4%, eligible hydroelectric sources at 1%, and solar energy at 14.2% (CEC 2022). Within San Bernardino County, annual electricity use in 2021 was approximately 16.2 billion kWh per year (CEC 2023b).

Natural Gas

According to the EIA, California used approximately 2,056,267 million cubic feet of natural gas in 2022 (EIA 2023b). The majority of California's natural gas customers are residential and small commercial customers (core customers). These customers account for approximately 35% of the natural gas delivered by California utilities (CPUC 2021). Large consumers, such as electric generators and industrial customers (noncore customers), account for approximately 65% of the natural gas delivered by California utilities (CPUC 2021). CPUC regulates California natural gas rates and natural gas services, including in-state transportation over transmission and distribution pipeline systems, storage, procurement, metering, and billing. Most of the natural gas used in California comes from out-of-state natural gas basins. Biogas (e.g., from wastewater treatment facilities or dairy farms) is just beginning to be delivered into the gas utility pipeline systems; however, the state has adopted regulations requiring its development to reduce statewide emissions of methane by 40% below 2013 levels by 2030 (CPUC 2022).

Natural gas service for the City is provided by the Southwest Gas Holdings Inc. (Southwest Gas). Southwest Gas provides natural gas service to more than 2 million customers in Arizona, Nevada, and portions of California.

Petroleum

According to the EIA, California used approximately 605 million barrels of petroleum in 2021, with the majority (511 million barrels) used for the transportation sector (EIA 2023c). There are 42 U.S. gallons in a barrel, so this equates to a total daily use of approximately 14.4 million barrels of petroleum among all sectors and 12.2 million gallons for the transportation sector. Petroleum usage in California includes petroleum products such as motor gasoline, distillate fuel, liquefied petroleum gases, and jet fuel. At the federal and state levels, various policies, rules, and regulations have been enacted to improve vehicle fuel efficiency, promote the development and use of alternative fuels, reduce transportation-source air pollutants and greenhouse gas (GHG) emissions, and reduce vehicle miles traveled (VMT). Section 4.5.2, Relevant Regulations, Plans, Policies, and Ordinances, discusses in more detail both federal and state regulations that would help increase fuel efficiency of motor vehicles and reduce GHG emissions. Market forces have driven the price of petroleum products steadily upward over time, and technological advances have made use of other energy resources or alternative transportation modes increasingly feasible.

4.5.2 Relevant Regulations, Plans, Policies, and Ordinances

Federal

Federal Energy Policy and Conservation Act

In 1975, Congress enacted the Federal Energy Policy and Conservation Act, which established the first fuel economy standards, known as the Corporate Average Fuel Economy (CAFE) standards, for on-road motor vehicles in the United States. Pursuant to the act, the National Highway Traffic Safety Administration is responsible for establishing additional vehicle standards. In 2012, new CAFE standards for passenger cars and light trucks were approved for model years 2017 through 2021 (77 FR 62624–63200). Fuel economy is determined based on each manufacturer's average fuel economy for the fleet of vehicles available for sale in the United States.

Energy Policy Act of 1992 and 2005

The Energy Policy Act of 1992 was passed to reduce the country's dependence on foreign petroleum and improve air quality. The act includes several parts intended to build an inventory of alternative fuel vehicles (AFVs) in large, centrally fueled fleets in metropolitan areas. The act requires certain federal, state, and local government and

private fleets to purchase a percentage of light-duty AFVs capable of running on alternative fuels each year. In addition, financial incentives are also included in the act. Federal tax deductions are allowed for businesses and individuals to cover the incremental cost of AFVs. The Energy Policy Act also requires states to consider a variety of incentive programs to help promote AFVs. The Energy Policy Act provides renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; provides bond financing, tax incentives, grants, and loan guarantees for clean renewable energy and rural community electrification; and establishes a federal purchase requirement for renewable energy.

In January 2005, the new Energy Policy Act was signed into law. It addresses energy production in the United States, including energy efficiency, renewable energy, oil and gas, coal, tribal energy, nuclear matters and security, vehicles and motor fuels, including ethanol, hydrogen, electricity, energy tax incentives, hydropower and geothermal energy, and climate change technology. The Energy Policy Act provides loan guarantees for entities that develop or use innovative technologies that avoid the by-production of greenhouse gases. Another provision of the Energy Policy Act is the Renewable Fuel Standard (RFS), which increases the amount of biofuel that must be mixed with gasoline sold in the United States.

Energy Independence and Security Act of 2007

On December 19, 2007, the Energy Independence and Security Act of 2007 (EISA) was signed into law. In addition to setting increased CAFE standards for motor vehicles, the EISA facilitates the reduction of national GHG emissions by requiring the following:

- Increasing the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard (RFS) that requires fuel producers to use at least 36 billion gallons of biofuel in 2022.
- Prescribing or revising standards affecting regional efficiency for heating and cooling products, procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances.
- Requiring approximately 25% greater efficiency for light bulbs by phasing out incandescent light bulbs between 2012 and 2014 and requiring approximately 200% greater efficiency for light bulbs, or similar energy savings, by 2020.
- While superseded by the U.S. Environmental Protection Agency (EPA) and NHTSA actions described previously, establishing miles per gallon targets for cars and light trucks and directing the NHTSA to establish a fuel economy program for medium-and heavy-duty trucks and create a separate fuel economy standard for trucks.

This federal legislation requires ever-increasing levels of renewable fuels (the RFS) to replace petroleum (EPA 2023). The U.S. Environmental Protection Agency is responsible for developing and implementing regulations to ensure that transportation fuel sold in the United States contains a minimum volume of renewable fuel.

The first RFS program was created under the Energy Policy Act and established the first renewable fuel volume mandate in the United States. As required under the act, the original RFS program (RFS1) required 7.5 billion gallons of renewable fuel to be blended into gasoline by 2012. Under the EISA, the RFS program was expanded in several ways that laid the foundation for achieving significant reductions in greenhouse gas (GHG) emissions from the use of renewable fuels, reducing imported petroleum, and encouraging the development and expansion of the renewable fuels sector in the United States. The updated program (RFS2) includes the following:

- EISA expanded the RFS program to include diesel, in addition to gasoline.

- EISA increased the volume of renewable fuel required to be blended into transportation fuel from 9 billion gallons in 2008 to 36 billion gallons by 2022.
- EISA established new categories of renewable fuel and set separate volume requirements for each one.
- EISA required the U.S. Environmental Protection Agency to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.

Additional provisions of the EISA address energy savings in government and public institutions, research for alternative energy, additional research in carbon capture, international energy programs, and the creation of green (environmentally beneficial) jobs.

Intermodal Surface Transportation Efficiency Act of 1991

The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 promoted the development of intermodal transportation systems to maximize mobility and address national and local interests in air quality and energy. ISTEA contained factors for metropolitan planning organizations to address in developing transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, metropolitan planning organizations adopted policies defining the social, economic, energy, and environmental values guiding transportation decisions.

Transportation Equity Act for the 21st Century

The Transportation Equity Act for the 21st Century was signed into law in 1998 and builds on the initiatives established in the ISTEA legislation (previously discussed). The Transportation Equity Act authorizes highway, highway safety, transit, and other efficient surface transportation programs. The act continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of transportation decisions. The Transportation Equity Act also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of intelligent transportation systems to help improve operations and management of transportation systems and vehicle safety.

State

Warren–Alquist Act

The California Legislature passed the Warren–Alquist Act in 1974, which created the California Energy Commission (CEC). The legislation also incorporated the following three key provisions designed to address the demand side of the energy equation:

- The act directed the CEC to formulate and adopt the nation's first energy conservation standards for both buildings constructed and appliances sold in California.
- The act removed the responsibility of electricity demand forecasting from the utilities, which had a financial interest in high-demand projections, and transferred it to a more impartial CEC.
- The CEC was directed to embark on an ambitious research and development program, with a particular focus on fostering what were characterized as non-conventional energy sources.

State of California Energy Action Plan

The CEC and CPUC approved the first State of California Energy Action Plan in 2003. The plan established shared goals and specific actions to ensure the provision of adequate, reliable, and reasonably priced electrical power and natural gas supplies; it also identified cost-effective and environmentally sound energy policies, strategies, and actions for California's consumers and taxpayers. In 2005, the CEC and CPUC adopted a second Energy Action Plan to reflect various policy changes and actions of the prior 2 years.

At the beginning of 2008, the CEC and CPUC determined that it was not necessary or productive to prepare a new energy action plan. This determination was based, in part, on a finding that the state's energy policies have been significantly influenced by the passage of Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006 (discussed in "Assembly Bill 32 (2006) and Senate Bill 32 (2016)"). Rather than produce a new energy action plan, the CEC and CPUC prepared an update that examines the state's ongoing actions in the context of global climate change.

Assembly Bill 1007 (2005)

AB 1007 (2005) required the CEC to prepare a statewide plan to increase the use of alternative fuels in California (State Alternative Fuels Plan). The CEC prepared the plan in partnership with the California Air Resources Board (CARB) and in consultation with other state agencies, plus federal and local agencies. The State Alternative Fuels Plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce GHG emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality.

Assembly Bill 32 (2006) and Senate Bill 32 (2016)

In 2006, the state legislature enacted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires California to reduce its GHG emissions to 1990 levels by 2020. In 2016, the Legislature enacted SB 32, which extended the horizon year of the state's codified GHG reduction planning targets from 2020 to 2030, requiring California to reduce its GHG emissions to 40% below 1990 levels by 2030. In accordance with AB 32 and SB 32, CARB prepared scoping plans to guide the development of statewide policies and regulations for the reduction of GHG emissions. Many of the policy and regulatory concepts identified in the scoping plans focused on increasing energy efficiencies, using renewable resources, and reducing the consumption of petroleum-based fuels (such as gasoline and diesel). As such, the state's GHG emissions reduction planning framework creates co-benefits for energy-related resources. Additional information on AB 32 and SB 32 is provided in Section 4.7.2 in Section 4.7, Greenhouse Gas Emissions, of this EIR.

California Building Standards

The California Building Standards Code was established in 1978 and serves to enhance and regulate California's building standards. While not initially promulgated to reduce GHG emissions, Part 6 of Title 24 specifically established Building Energy Efficiency Standards that are designed to ensure that new and existing buildings in California achieve energy efficiency and preserve outdoor and indoor environmental quality. These energy efficiency standards are reviewed every 3 years by the Building Standards Commission and the CEC and revised if necessary (California Public Resources Code Section 25402[b][1]). The regulations receive input from members of industry, as well as the public, to "reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy" (California Public Resources Code Section 25402). These regulations are carefully scrutinized and analyzed for

technological and economic feasibility (California Public Resources Code Section 25402[d]) and cost effectiveness (California Public Resources Code Section 25402[b][2–3]). As a result, these standards save energy, increase electricity supply reliability, increase indoor comfort, avoid the need to construct new power plants, and help preserve the environment. The current Title 24 standards are the 2022 Title 24 building energy efficiency standards, which became effective January 1, 2023.

In addition to CEC's efforts, in 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code (Part 11 of Title 24), which is commonly referred to as CALGreen, establishes minimum mandatory standards and voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and interior air quality.

State Vehicle Standards

In response to the transportation sector accounting for more than half of California's carbon dioxide emissions, AB 1493 was enacted in 2002. AB 1493 required CARB to set GHG emissions standards for passenger vehicles, light-duty trucks, and other vehicles determined by the state board to be those whose primary use is noncommercial personal transportation in the state. The bill required that CARB set GHG emissions standards for motor vehicles manufactured in 2009 and all subsequent model years. The 2009 through 2012 standards resulted in a reduction in approximately 22% of GHG emissions compared to emissions from the 2002 fleet, and the 2013 through 2016 standards resulted in a reduction of approximately 30%.

In 2019, the EPA and NHTSA published the Safer Affordable Fuel-Efficient Vehicles Rule Part One: One National Program (SAFE-1) (84 Fed. Reg. 51310), which revoked California's authority to set its own GHG emissions standards and set zero-emission vehicle (ZEV) mandates in California. In March 2020, Part Two was issued which set carbon dioxide (CO_2) emissions standards and corporate average fuel economy standards for passenger vehicles and light-duty trucks for model years 2021 through 2026. In March 2022, EPA reinstated California's authority under the Clean Air Act to implement its own GHG emission standards and ZEV sales mandate. EPA's action concludes its reconsideration of the 2019 SAFE-1 rule by finding that the actions taken under the previous administration as a part of SAFE-1 were decided in error and are now entirely rescinded.

Although the focus of the state's vehicle standards is on the reduction of air pollutants and GHG emissions, one co-benefit of implementation of these standards is a reduced demand for petroleum-based fuels.

Advanced Clean Cars Program

The ACC I program (January 2012) is an emissions-control program for model years 2015 through 2025. The program combines the control of smog- and soot-causing pollutants and GHG emissions into a single coordinated package of regulations: the Low-Emission Vehicle (LEV) regulation for criteria air pollutant and GHG emissions and a technology forcing regulation for zero-emission vehicles (ZEV) that contributes to both types of emission reductions (CARB 2021a). The package includes elements to reduce smog-forming pollution, reduce GHG emissions, promote clean cars, and provide the fuels for clean cars. To improve air quality, CARB has implemented new emission standards to reduce smog-forming emissions beginning with 2015 model year vehicles. It is estimated that in 2025 cars will emit 75% less smog-forming pollution than the average new car sold in 2015. The ZEV program will act as the focused technology of the ACC I program by requiring manufacturers to produce increasing numbers of ZEVs and plug-in hybrid EVs in the 2018 to 2025 model years.

The ACC II program is currently in development to establish the next set of LEV and ZEV requirements for model years after 2025 to contribute to meeting federal ambient air quality ozone standards and California's carbon neutrality standards (CARB 2021a). The main objectives of ACC II are:

1. Maximize criteria and GHG emission reductions through increased stringency and real-world reductions.
2. Accelerate the transition to ZEVs through both increased stringency of requirements and associated actions to support wide-scale adoption and use.

The ACC II rulemaking package was adopted by CARB on August 25, 2022.

Executive Order N-79-20

EO N-79-20 (2020) sets the goal for the state that 100% of in-state sales of new passenger cars and trucks will be zero-emission by 2035. EO-N-79-20 also sets goals for transition to 100% zero emission all medium- and heavy-duty vehicles by 2045, zero emission drayage trucks by 2035, and zero emission off-road vehicles and equipment by 2035, where feasible. Among other directives to further this executive order, for passenger cars and trucks, the Governor directed CARB to develop and propose regulations requiring increasing volumes of new zero-emission vehicles sold in the state towards the target of 100% of in-state sales by 2035. The Governor also directed the Governor's Office of Business and Economic Development to develop a Zero-Emissions Vehicle Market Development Strategy, which was completed in February 2021. The executive order also directs updates and assessments to ensure zero-emission vehicle infrastructure is in place to support the levels of electric vehicle adoption required by the order.

Advanced Clean Trucks Program

The purpose of the ACT Regulation (June 2020) is to accelerate the market for zero-emission vehicles in the medium- and heavy-duty truck sector (CARB 2021b). Requiring medium- and heavy-duty vehicles to transition to zero-emissions technology will reduce health risks to people living in and visiting California and is needed to help California meet established near- and long-term air quality and climate mitigation targets. The regulation has two components including (1) a manufacturer sales requirement and (2) a reporting requirement:

1. **Zero-emission truck sales:** Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines will be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales.
2. **Company and fleet reporting:** Large employers including retailers, manufacturers, brokers and others will be required to report information about shipments and shuttle services. Fleet owners, with 50 or more trucks, will be required to report about their existing fleet operations. This information will help identify future strategies to ensure that fleets purchase available zero-emission trucks and place them in service where suitable to meet their needs.

Local

City of Victorville General Plan

The City of Victorville adopted their General Plan in 2008. The general plan consists of seven elements including Land Use, Circulation, Housing, Noise, Safety, Open Space, and Conservation. The Natural Resources Element contains the following goal and policies that pertain to energy (City of Victorville 2008):

Goal 7: Promote energy sustainability by developing alternative power supplies and reducing energy use.

Objective 7.1: Promote alternative energy sources.

Policy 7.1.1: Support development of solar, hybrid, wind and other alternative energy generation plants.

Objective 7.2: Promote energy conservation.

Policy 7.2.1: Support energy conservation by requiring sustainable building design and development for new residential, commercial and industrial projects.

Policy 7.2.2: Support energy conservation by using low-emission non-fossil fuel reliant vehicles.

Policy 7.2.3: Establish a Climate Action Plan.

City of Victorville Climate Action Plan

The City of Victorville adopted a Climate Action Plan (CAP) in 2016 to demonstrate how the City would reduce GHG emissions in compliance with AB 32. Although the CAP had a planning horizon of year 2020, the strategies included in the CAP are still applicable for energy. The CAP included strategies for increased energy efficiency and green building efforts, improving water efficiency and conservation, and encouraging renewable energy installation (City of Victorville 2015).

4.5.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to energy are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to energy would occur if the Project would:

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.

Methodology

The California Emissions Estimator Model (CalEEMod) Version 2022.1 was used to determine the Project's anticipated transportation and facility energy demands. For purposes of this analysis, the 2026 analysis year was used to determine the average vehicle fuel economy used throughout the duration of the Project.

Construction

Construction of the Project would result in energy consumption primarily associated with use of off-road construction equipment, on-road vendor (material delivery) trucks, haul trucks, and worker vehicles. All details for construction criteria air pollutants discussed in the Methodology subsection in Section 4.2.4 of Section 4.2, Air Quality, are also applicable for the estimation of construction-related energy consumption. As such, see Section 4.2.4 for a discussion of construction calculation methodology and assumptions used in the energy analysis. In addition to those assumptions discussed in Section 4.2.4, the following methodology was used to estimate construction energy consumption.

Electricity

Electricity is not expected to be consumed in large quantity during Project construction, as construction equipment and vehicles are typically not electric, but rather diesel- or gas-powered. Temporary electric power for as-necessary lighting and electronic equipment, such as computers inside temporary construction trailers, would be provided by SCE.

Natural Gas

Natural gas is not anticipated to be required during construction of the Project. Fuels used for construction would primarily consist of diesel and gasoline, which are discussed below under the "petroleum" subsection.

Petroleum

Potential impacts were assessed for off-road equipment and on-road vehicle trips during construction based on the CalEEMod outputs (see Appendix B-1). Fuel consumption from equipment and vehicles was estimated by converting the total CO_2 emissions to gallons using the conversion factors for CO_2 to gallons of gasoline or diesel. The conversion factor for gasoline is 8.78 kilograms per metric ton (MT) CO_2 per gallon, and the conversion factor for diesel is 10.21 kilograms per MT CO_2 per gallon (The Climate Registry 2023). Heavy-duty construction equipment associated with construction activities, vendor trucks, and haul trucks are assumed to use diesel fuel. Worker vehicles are assumed to be gasoline-powered light-duty vehicles.

Operation

Energy consumption in support of or related to Project operations would include transportation energy demands (energy consumed by on-road vehicles accessing the Project site), off-road equipment, stationary sources, and facilities energy demands (energy consumed by building operations and site maintenance activities).

Electricity

The Project's operational phase would require electricity for multiple purposes including, but not limited to, building heating and cooling, lighting, and appliances, including refrigeration, electronics, equipment, machinery, and electric forklifts. CalEEMod Version 2022.1 was used to analyze electrical usage, during operation; the default value for electricity consumption for the proposed warehouse land uses was applied for the Project (CAPCOA 2022). Based on the Project's total building square footage, on-site operational off-road equipment includes a total 82 electric forklifts (i.e., 50% of total pieces) operating at 24 hours a day for 365 days of the year. Details of these calculations and assumptions are provided in Appendix B-1.

Natural gas

Natural gas consumption during operation would be required for various purposes, including, but not limited to, building heating and cooling. Natural gas would be supplied to the Project by Southwest Gas. Default natural gas generation rates in CalEEMod for the proposed land use and climate zone were used.

Petroleum

The fuel consumption resulting from the Project's operational phase would be attributable to vehicles traveling to and from the Project site. The maximum daily trip rates, taken from the EIR's transportation analysis (Appendix K), were 3,670 trips per day, which were assumed 7 days per week. Energy that would be consumed by Project-generated traffic is a function of total VMT and estimated vehicle fuel economies for the vehicles accessing the Project site. With respect to estimated VMT, and based on the trip frequency and trip length methodologies cited in the Project's Air Quality Impact Analysis (Appendix B-1), the Project would generate approximately 9,373142 annual VMT along area roadways for worker vehicles and approximately 24,458,326 annual VMT along area roadways for trucks. In total, the Project is anticipated to generate 34,831,468 annual VMT at final buildout.

Regarding diesel-fueled off-road equipment, on-site modeled operational equipment includes a total of 82 diesel-fueled forklifts (i.e., 50% of total lifts) and 5 diesel-fueled yard tractors operating at 24 hours a day for 365 days of the year. Finally, the Project would potentially operate three diesel-fueled 500-horsepower generators (one at each warehouse building). These generators were assumed to operate 1 hour a day for up to 50 hours a year for routine testing and maintenance. Details of these calculations and assumptions are provided in Appendix B-1.

4.5.4 Impacts Analysis

Threshold A: Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?

Less-than-Significant Impact. The Project consumption of energy resources during construction and operation would be less than significant, as discussed in further detail below.

Electricity

Construction Electricity Usage

Temporary electric power for as-necessary lighting and electronic equipment, such as computers inside temporary construction trailers, would be provided by SCE. The electricity used for such activities would be temporary, would be substantially less than that required for Project operation, and would therefore have a negligible contribution to the Project's overall energy consumption.

Operational Electricity Usage

The operational phase would require electricity for multiple purposes, including building heating and cooling, lighting, electronics, electric pumps, and electric forklifts as described above. CalEEMod was used to estimate Project emissions from electricity uses (see Appendix B-1). Default electricity generation rates in CalEEMod were

used based on the proposed land use and climate zone. Table 4.5-1 shows the estimated annual operational electricity demand.

Table 4.5-1. Project Annual Operational Electricity Demand Summary - Unmitigated

Electricity Demand	kWh/year
Warehouse Buildings	8,694,565
Electric Off-Road Equipment	8,781,645
Total Project Electricity Demand	**17,476,210**

Source: Appendix B-1.
Note: kWh = kilowatt hour

As shown in Table 4.5-1, the Project is anticipated to consume approximately 17,476,210 kWh of electricity per year. The Project proposes conventional industrial uses reflecting contemporary energy efficient/energy conserving designs and operational programs. Uses proposed by the Project are not inherently energy intensive. Notably, although not necessitated for this impact or accounted for in Table 4.5-1, the Project would also implement mitigation measures that would further reduce electricity demand, such as **Mitigation Measure (MM) GHG-2** (Rooftop Solar), whereby the Project would commit to on-site solar generation sufficient to accommodate the Project's total operational energy requirements from within the building envelope at maximum peak power. Finally, the Project would be required to comply with the applicable Title 24 standards applicable at that time, which would further ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary, and impacts would be less than significant.

Natural Gas

Construction Natural Gas Usage

Natural gas is not anticipated to be required during construction of the Project. Fuels used for construction would primarily consist of diesel and gasoline, which are discussed under the subsection "Petroleum," below. Any minor amounts of natural gas that may be consumed as a result of Project construction would be temporary and negligible, and would not have an adverse effect; therefore, impacts would be less than significant.

Operational Natural Gas Usage

Natural gas consumption during operation would be required for various purposes, including, but not limited to, building heating and cooling. Default natural gas generation rates in CalEEMod for the proposed land use and climate zone were used. Table 4.5-2 presents the annual operational natural gas demand.

Table 4.5-2. Project Annual Operational Natural Gas Demand Summary - Unmitigated

Natural Gas Demand	kBTU/year
Warehouse Buildings	35,384,458
Total Project Natural Gas Demand	**35,384,458**

Source: Appendix B-1.
Note: kBTU = kilo-British Thermal Units

As shown in Table 4.5-2 the Project is estimated to have a total natural gas demand of 35,384,458 kBTU per year. The Project proposes conventional industrial uses reflecting contemporary energy efficient/energy conserving designs and operational programs. Uses proposed by the Project are not inherently energy intensive, and the Project natural gas demands in total would be comparable to other projects of similar scale and configuration. Additionally, the Project is subject to statewide mandatory energy requirements as outlined in Title 24, Part 6, of the California Code of Regulations. Prior to Project approval, the applicant would ensure that the Project would meet Title 24 requirements applicable at that time, as required by state regulations through their plan review process. Thus, the natural gas consumption of the Project would not be considered inefficient or wasteful, and impacts would be less than significant.

Petroleum

Construction Petroleum Usage

Petroleum would be consumed throughout construction of the Project. Fuel consumed by construction equipment would be the primary energy resource expended over the course of construction, and VMT associated with the transportation of construction materials and construction worker commutes would also result in petroleum consumption. Heavy-duty construction equipment associated with construction activities and on-road trucks are assumed to use diesel fuel. Construction workers would travel to and from the Project site throughout the duration of construction. It is assumed that construction workers would travel to and from the Project site in gasoline-powered vehicles.

Heavy-duty construction equipment of various types would be used during Project construction. CalEEMod was used to estimate construction equipment usage; results are included in Appendix B-1 of this EIR. The estimated diesel fuel usage from construction equipment, haul trucks, and vendor trucks, as well as estimated gasoline fuel usage from worker vehicles is shown in Table 4.5-3.

Table 4.5-3. Construction Petroleum Demand - Unmitigated

Year	Off-road Equipment (diesel)	Haul Trucks (diesel)	Vendor Trucks (diesel)	Worker Vehicles (gasoline)
	Gallons			
2024	30,017	25,167	19,231	10,695
2025	82,335	7,373	109,370	54,303
Project Construction Total	**112,351**	**32,540**	**128,601**	**64,998**
			Total Petroleum	**338,490**

Source: Appendix B-1.

In summary, construction of the Project is conservatively anticipated to consume approximately 338,490 gallons of petroleum in total, including on-site development and off-site improvements. Notably, the Project would be subject to CARB's In-Use Off-Road Diesel Vehicle Regulation that applies to certain off-road diesel engines, vehicles, or equipment greater than 25 horsepower. The regulation (1) imposes limits on idling, requires a written idling policy, and requires a disclosure when selling vehicles; (2) requires all vehicles to be reported to CARB (using the Diesel Off-Road Online Reporting System) and labeled; (3) restricts the adding of older vehicles into fleets starting on January 1, 2014; and (4) requires fleets to reduce their emissions by retiring, replacing, or repowering older engines or installing Verified Diesel Emission Control Strategies (i.e., exhaust retrofits). The fleet

must either show that its fleet average index was less than or equal to the calculated fleet average target rate, or that the fleet has met the Best Achievable Control Technology requirements. Project construction would represent a "single-event" petroleum demand and would not require on-going or permanent commitment of petroleum resources for this purpose. Overall, the Project would not involve characteristics that require equipment that would be less energy-efficient than at comparable construction sites in the region or state. Therefore, impacts would be less than significant.

Operational Petroleum Usage

During operations, fuel consumption resulting from the Project would involve the use of motor vehicles traveling to and from the Project site, diesel-fueled off-road equipment, and stationary sources (i.e., routine testing and maintenance of the diesel emergency generators). Fuel demand estimates for the Project are provided in Table 4.5-4.

Table 4.5-4. Operational Petroleum Demand - Unmitigated

	Employee Vehicles (gasoline)	Haul Trucks (diesel)	Off-Road Equipment (diesel)	Stationary Sources (diesel)
Project	Gallons			
Operations	218,755	2,020,968	792,703	4,370
			Total Petroleum	3,036,795

Source: Appendix B-1.

As summarized on Table 4.5-4, the unmitigated Project would result in an estimated annual fuel demand of approximately 3,036,795 gallons of fuel. Fuel would be provided by current and future commercial vendors. Trip generation, VMT, off-road equipment, and stationary sources associated with the Project are consistent with other industrial uses of similar scale and configuration. That is, the Project does not propose uses or operations that would inherently result in excessive and wasteful activities or associated excess and wasteful vehicle energy consumption. In addition, although not accounted for in Table 4.5-4, the Project would also implement mitigation measures that would further reduce petroleum demand, such as **MM-AQ-3** (Zero-Emissions Off-Road Equipment), which requires all cargo handling equipment to be electrically powered. Finally, enhanced fuel economies realized pursuant to federal and state regulatory actions, and related transition of vehicles to alternative energy sources (e.g., electricity, natural gas, biofuels, hydrogen cells) would likely decrease future gasoline fuel demands per VMT. Location of the Project proximate to regional and local roadway systems tends to reduce VMT within the region, acting to reduce regional vehicle energy demands. As supported by the preceding discussions, Project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary and impacts would be less than significant.

Renewable Energy Potential

As part of the Project's design process, the Project applicant considered how the Project could potentially increase its reliance on renewable energy sources to meet the Project's energy demand. Renewable energy sources that were considered for their potential to be used to power the Project, consistent with the CEC's definition of eligible renewables, include biomass, geothermal, solar, wind, and small hydroelectric facilities.

Given the Project's location and the nature of the Project, there are considerable site constraints including incompatibility with surrounding land uses for large scale power generation facilities, unknown interconnection feasibility, compatibility with utility provider systems, and no known water or geothermal resources to harness, that would eliminate the potential for biomass, geothermal, wind, and hydroelectric renewable energy to be installed on site.

The Project would comply with all applicable Title 24 code provisions, such as the solar ready building mandatory requirements. Beyond that, as stated in **MM-GHG-2** (Rooftop Solar), the Project would commit to on-site solar generation sufficient to accommodate the Project's total operational energy requirements from within the building envelope at maximum peak power. While the Project does not propose battery storage at the time, the Project does not preclude installation of battery storage in the future if determined to be a feasible and compatible land use of the site.

In summary, the Project includes the on-site renewable energy source (i.e., solar) that was determined to be feasible for the site and does not include the on-site renewable energy sources that were determined to be infeasible.

Threshold B: Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less-than-Significant Impact. The Project would be subject to and would comply with, at a minimum, the California Building Energy Efficiency Standards (24 CCR Part 6). Part 6 of Title 24 establishes energy efficiency standards for non-residential buildings constructed in California in order to reduce energy demand and consumption. As such, the Project would comply with the California code requirements for energy efficiency.

Part 11 of Title 24 sets forth voluntary and mandatory energy measures that are applicable to the Project under CALGreen. CALGreen institutes mandatory minimum environmental performance standards for all ground-up, new construction of commercial, low-rise residential, high-rise residential, state-owned buildings, schools, and hospitals, as well as certain residential and non-residential additions and alterations. On this basis, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. This impact would be less than significant.

4.5.5 Mitigation Measures and Level of Significance After Mitigation

Threshold A: Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?

The Project would have a **less-than-significant impact** with regard to the wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation. No mitigation is required. However, **MM-AQ-3**, **MM-AQ-5**, **MM-AQ-6**, **MM-AQ-7**, **MM-GHG-1**, **MM-GHG-2**, and **MM-GHG-3**, incorporated into the Project to reduce criteria air pollutant and greenhouse gas emissions, would also serve to further reduce energy impacts. See Section 4.2 for the full text of the air quality mitigation measures and Section 4.7 for the full text of the greenhouse gas emissions mitigation measures.

Threshold B: Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency and impacts would be **less than significant**. No mitigation is required.

4.5.6 Cumulative Impacts

Less-than-Significant Impact. Cumulative projects that could exacerbate the Project's energy impacts include any projects that could result in wasteful, inefficient, or unnecessary use of energy. However, the Project would not result in wasteful, inefficient, or unnecessary use of energy during construction or operation. Construction would result in short-term and temporary energy demands. Operation of the Project would not result in a wasteful, inefficient or unnecessary use of energy or conflict with an applicable plan. Therefore, the Project would have a **less-than-significant impact** with regard to cumulative energy impacts.

4.5.7 References

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4.6 Geology, Soils, and Paleontological Resources

This section describes the existing geological conditions of the Mojave Industrial Park Project (Project) site and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Project. Paleontological resources are also addressed in this section.

In addition to the documents incorporated by reference (see Section 2.7, Documents Incorporated by Reference, of Chapter 2, Introduction, of this Environmental Impact Report [EIR]), the following analysis is based, in part, on the following sources:[1]

- Geotechnical Investigation – Building 6 Mojave Drive Industrial Park Buildings 5 & 6 – 4,100 ± feet East of Highway 395, 500 ± feet North of Mojave Drive Victorville, California for Aquadera Sunset LLC by Southern California Geotechnical in January 2023 (Appendix F-1)
- Geotechnical Investigation Proposed Industrial Park Building 7 – NEC Mojave Drive and Onyx Road Victorville, California for MLP Associates LLC by Southern California Geotechnical in December 2022 (Appendix F-2)
- Confidential Unpublished Records Search Results Letter from the San Bernardino County Museum, Redlands, California, prepared by Scott Kottkamp with the San Bernardino County Museum (SBCM), dated August 5, 2023.

No comments were received related to geology, soils, or paleontological resources during the public review of the notice of preparation. A copy of the notice of preparation and comment letters received is included in Appendix A.

4.6.1 Existing Conditions

Regional Geologic Setting

The Project site is located in the southwestern portion of the Mojave Desert Geomorphic Province of California. The Mojave Desert is a broad interior region of isolated mountain ranges separated by expanses of desert plains. It has an interior enclosed drainage and many playas. There are two important fault trends that control topography: a prominent northwest-southeast trend and a secondary east-west trend, which is in apparent alignment with the Transverse Ranges Geomorphic Province on the southwestern side of the Mojave Desert. The Mojave Province is wedged in a sharp angle between the Garlock Fault, which is the southern boundary of the Sierra Nevada Province, and the San Andreas Fault where it bends east from its northwest trend. The northern boundary of the Mojave is separated from the prominent Basin and Range Province by the eastern extension of the Garlock Fault. The Project site is located southwest of the Garlock Fault and north of the San Andreas Fault.

Local Geologic Setting

The Project site is located on a broad, nearly flat alluvial plain. The Project site is located at the northeast corner of Onyx Road and Mojave Drive in Victorville, California. The site is bounded to the north by a vacant lot, to the west by Onyx Road, to the south by Mojave Drive, and to the east by a vacant lot. The Project site is currently vacant and undeveloped. Ground surface cover consists of exposed soil with sparse to moderate native bushes and weed growth. Occasional debris is scattered throughout the Project site. Underlying geologic materials consist of alluvium

[1] Note that while the Geotechnical Reports referenced use Building Numbers 5 through 7, the details contained within the studies accurately analyzes the Buildings 1 through 3 proposed by the Project.

derived from the nearby hills and mountains (Appendix F-1 and F-2). The alluvium consisted of medium dense to very dense silty fin to coarse sands with varying clay and gravel content to the maximum depth explored (25 feet below ground surface) during the preliminary geotechnical investigations (Appendix F-1 and F-2). Some of the encountered soils possessed varying amounts of calcareous veining and nodules as well as occasional porosity.

Paleontological Setting

According to surficial geological mapping by Dibblee and Minch (2008) at a 1:62,500 scale and the geological time scale of Cohen et al. (2022), the majority of the Project site is underlain by Holocene (< 11,700 years ago) surficial sediments (map unit Qa). These sediments are typically an unconsolidated mixture of clay, silt, sand, and gravel. Pleistocene (approximately 11,700 years ago to 2.58 million years ago) older alluvial deposits are mapped just to the east of the Project site (Dibblee and Minch 2008). Lithologically, these sediments are similar to Holocene surficial sediments but are typically more consolidated, contain caliche, and sometimes contain paleosols (fossil soil horizons).

4.6.2 Relevant Plans, Policies, and Ordinances

Federal

Clean Water Act

The Federal Clean Water Act (Clean Water Act) prohibits certain discharges of stormwater containing pollutants except in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The NPDES stormwater program regulates some stormwater discharges from three potential sources: municipal separate storm sewer systems (MS4s), construction activities, and industrial activities.

Stormwater is defined by EPA as the runoff generated when precipitation from rain and snowmelt events flows over land or impervious surfaces without percolating into the ground. Stormwater is often considered a nuisance because it mobilizes pollutants such as motor oil and trash. In most cases, stormwater flows directly to water bodies through sewer systems, contributing a major source of pollution to rivers, lakes, and the ocean.

Paleontological Resources Preservation Act of 2009

The Omnibus Public Land Management Act, Paleontological Resource Preservation Subtitle (16 USC 470aaa et seq.) directs the Secretaries (Interior and Agriculture) to manage and protect paleontological resources on federal land using scientific principles and expertise. (This act is known by its common name, the Omnibus Act or the Paleontological Resources Preservation Act [PRPA].) The PRPA incorporates most of the recommendations of the report of the Secretary of the Interior titled “Assessment of Fossil Management on Federal and Indian Lands” to formulate a consistent paleontological resources management framework. In passing the PRPA, Congress officially recognized the scientific importance of paleontological resources on some federal lands by declaring that fossils from these lands are federal property that must be preserved and protected. The PRPA codifies existing policies of the BLM, National Park Service (NPS), U.S. Forest Service (USFS), Bureau of Reclamation, and the U.S. Fish and Wildlife Service, and provides the following:

- Uniform criminal and civil penalties for illegal sale and transport, and theft and vandalism of fossils from federal lands.
- Uniform minimum requirements for paleontological resource-use permit issuance (terms, conditions, and qualifications of applicants).

- Uniform definitions for “paleontological resources” and “casual collecting.”
- Uniform requirements for curation of federal fossils in approved repositories.

Federal legislative protections for scientifically significant fossils apply to projects that take place on federal lands (with certain exceptions, such as the Department of Defense, which continue to protect paleontological resources under the Antiquities Act). Such protections involve federal funding, require a federal permit, or involve crossing state lines.

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was implemented in 1972 to prevent the construction of urban developments across the trace of active faults. California Geologic Survey Special Publication 42 was created to provide guidance for following and implementing the law requirements. Special Publication 42 was most recently revised in 2018 (CGS 2018).

According to the State Geologist, a “Holocene-active” fault is defined as one which has had surface displacement within Holocene time (roughly the last 11,700 years). Regulatory Earthquake Fault Zones have been delineated to encompass traces of known, Holocene-active faults to address hazards associated with surface fault rupture within California. Where developments for human occupation are proposed within these zones, the state requires detailed fault evaluations be performed so that engineering-geologists can identify the locations of active faults and recommend setbacks from locations of possible surface fault rupture.

California Building Standards Code (Title 24)

California Code of Regulations (CCR) Title 24, the California Building Code, is reserved for state regulations that govern the design and construction of buildings, associated facilities, and equipment. These regulations are also known as building standards (reference California Health and Safety Code Section 18909). The California Building Code (CBC) is updated on a triennial basis and the current version is the 2022 CBC which became effective on January 1, 2023. Chapter 16 of the CBC deals with Structural Design Requirements, including (but not limited to) regulations governing seismically-resistant construction and construction to protect people and property from hazards associated with excavation cave-ins and falling debris or construction materials. Chapter 18 deals with site demolition, excavations, foundations, retaining walls, and grading, including (but not limited to) requirements for seismically-resistant design, foundation investigations, stable cut and fill slopes, and drainage and erosion control.

NPDES Construction General Permit

To comply with the Clean Water Act, stormwater discharges from construction activities in California are regulated by the California State Water Resources Control Board through the NPDES Construction General permit Order 2022-0057-DWQ. Dischargers whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit. Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer

(QSD) that contain best management practices (BMPs) to reduce or eliminate pollutants in stormwater runoff and protect water resources.

Local

City of Victorville General Plan

The following goals, objectives, and policies from the City of Victorville General Plan Resource Element (City of Victorville 2022a) and Safety Element (City of Victorville 2022b) are relevant to the Proposed Project.

Resource Element

Goal 3: Protection from Natural Hazards – Protect the Community from Flooding and Geologic Hazards

Objective 3.2: New development is located and designed to avoid or mitigate seismic and geologic hazards.

Policy 3.2.2: Results of preliminary geotechnical investigations shall be considered by the City's decision makers, prior to approval of all discretionary actions to allow for public or private development projects.

Safety Element

Goal 1: Protection from Hazards – Protect the Community against Natural and Human-Made Hazards

Objective 1.1: Restrict land uses in areas identified as susceptible to natural and human-made hazards.

Policy 1.1.1: Develop and maintain an accurate, up-to-date, and complete database that identifies the locations, scope and potential severity of natural and human-made hazards affecting the Planning Area.

Objective 1.2: Identify and mitigate geologic hazards in the land use and development project planning process.

Policy 1.2.1: Require an adequate assessment of site-specific geologic hazards and required mitigation measures prior to granting discretionary approval for a land use plan, development project or public infrastructure plan or project.

Objective 1.5: Alleviate hazards associated with unreinforced masonry structures erected prior to development of modern building codes.

Policy 1.5.1: Pursue Community Development Block Grant (CDBG) or other public funding for structural retrofitting of unreinforced masonry structures.

Goal 5: Preservation of important cultural resources - Protect identified archaeological, palaeontologic resources and historic resources within the planning area.

Objective 5.1: Preserve known and expected cultural resources.

Policy 5.1.2: Prohibit destruction of cultural and paleontological materials that contain information of importance to our knowledge of the evolution of life forms and history of human settlement in the Planning Area, unless sufficient documentation of that information is accomplished and distributed to the appropriate scientific community. Require mitigation of any significant impacts that may be identified in project or program level cultural and paleontological assessments as a condition of project or program approval.

Implementation Measure 5.1.2.3: Require paleontological monitoring of land alteration projects involving excavation into native geologic materials known to have a high sensitivity for the presence of paleontological resources.

4.6.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to geology and soils are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to geology and soils would occur if the Project would:

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 based on other substantial evidence of as 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.

Methodology

The basis for the analysis and evaluation of the geology and soils potential impacts was taken in large part from the Preliminary Geotechnical Investigations that were performed at the Project site, as well as other publicly available resources.

Subsurface Exploration

Southern California Geotechnical conducted a geotechnical assessment of the Project site through a site specific evaluation of site conditions through drilling borings onsite in December 2022 and January 2023.[2] The evaluation involved drilling a total of 19 borings advanced to depths of approximately 10 to 25 feet below the existing site grades. All of the borings were logged to identify subsurface materials during drilling. Representative bulk and relatively undisturbed soil samples were taken during drilling for subsequent laboratory analysis.

Laboratory Testing

Obtained from the field evaluation, the representative bulk and driven samples were sent to a laboratory for testing of geotechnical characteristics. The laboratory tests encompassed various parameters, including classification, density and moisture content, consolidation, maximum dry density and optimum moisture content, expansion index (EI), soluble sulfates, and corrosivity testing (pH, chlorides, nitrates, sulfides, saturated resistivity, and redox potential).

4.6.4 Impacts Analysis

Threshold 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 surround surface traces of Holocene-active faults.[3] According to the California Department of Conservation, the Project site is not located in an Alquist–Priolo Earthquake Fault Zone (CGS 2023). The nearest fault is the Ord Mountains Fault, part of the North Frontal Zone of the San Bernardino Mountains, located approximately 13.15 miles southeast of the Project site. Thus, the potential for surface rupture is very low on the Project site. Therefore, impacts would be less than significant, and no mitigation is required.

> ***i) Strong seismic ground shaking?***

Less-than-Significant Impact. Similar to other areas located in seismically active Southern California, the City is susceptible to strong ground shaking during an earthquake from a regional Holocene-active fault. If not designed appropriately, ground shaking could potentially result in damage to structures and potential injury. However, the Project would be required to comply with the City's Municipal Code and the latest version of the California Building Code (CBC), which would ensure that the Project would include seismic design measures (e.g., foundation design and structural seismic design) to adequately withstand anticipated seismic ground shaking. City and state

[2] The geotechnical investigation separated the site into a larger norther portion, referred to as Building 5 and 6 (Appendix F-1), and a smaller southern portion of the site, referred to as Building 7 (Appendix F-2)

[3] A Holocene-active fault is defined as a fault which has demonstrated evidence of displacement within the last 11,700 years.

mandated building codes include requirements for a final design level geotechnical report to identify the subsurface materials and geotechnical hazards that may be present. New construction is required to reduce the exposure to potentially damaging seismic vibrations through seismic resistant design, in conformance with the most recent version of the CBC and applicable local amendments. Compliance with the CBC requirements and the City's Municipal Code would minimize potential impacts associated with strong seismic ground shaking. Therefore, impacts would be less than significant, and no mitigation is required.

ii) Seismic-related ground failure, including liquefaction?

Less than Significant Impact. Liquefaction is the loss of strength in generally cohesionless, saturated soils when the pore-water pressure induced in the soil by a seismic event becomes equal to or exceeds the overburden pressure. The primary factors which influence the potential for liquefaction include groundwater table elevation, soil type and grain size characteristics, relative density of the soil, initial confining pressure, and intensity and duration of ground shaking. The depth within which the occurrence of liquefaction may adversely impact surface improvements generally occurs when liquefiable materials are found within the upper 50 feet below the existing ground surface. Liquefaction potential is greater in saturated, loose, poorly graded fine sands while clayey (cohesive) soils or soils that possess clay particles are generally not considered to be susceptible to liquefaction, nor are those soils that are above the historic high groundwater table.

The California Geologic Survey (CGS) has not yet conducted detailed seismic hazards mapping in the area of the Project site. The general liquefaction susceptibility of the site was attempted to be determined by research of the San Bernardino County Land Use Plan, General Plan, Geologic Hazard Overlay. No geologic hazard overlay was available for the Adelanto Quadrangle at the time. The City's General Plan update website indicates that if a geologic hazard map overlay does not exist, then there are no geologic hazards mapped by the state or county present in that community. However, according to the geotechnical investigations that were conducted for the proposed Project, the lack of a historic high groundwater table within the upper approximately 50 feet of the ground surface, liquefaction would not be considered a design concern for the proposed Project (Appendices F-1 and F-2).

Furthermore, the Project would comply with CBC requirements and the City's Municipal Code, which would reduce potential impacts associated with seismic-related ground failure. As such, impacts associated with potential seismic-related ground failure, including liquefaction, would not likely occur and the impacts associated with ground failure and liquefaction would be less than significant with no mitigation is required.

iii) Landslides?

No Impact. The Project site is not located in an area identified as a landslide hazard zone (CGS 2023). The Project site is relatively flat and is not located adjacent to any potentially unstable topographical feature such as a hillside or riverbank. Therefore, no impacts would occur, and no mitigation is required.

Threshold B: Would the Project result in substantial soil erosion or the loss of topsoil?

Short-Term Construction Impacts

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. 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 that 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).

The Project would include the development of three industrial/warehouse buildings on an approximately 81.1-acre site. Since Project construction activities would disturb more than 1 acre, the Project must adhere to the provisions of the NPDES Construction General Permit. Construction activities subject to this permit include clearing, grading, and ground disturbances such as stockpiling and excavating. The Construction General Permit requires implementation of a SWPPP, which would include construction features for the Project (i.e., best management practices) designed to prevent erosion and protect the quality of stormwater runoff. Sediment-control best management practices may include stabilized construction entrances, straw wattles on earthen embankments, sediment filters on existing inlets, or the equivalent. Therefore, impacts would be less than significant, and no mitigation is required.

Long-Term Operational Impacts

Less-Than-Significant Impact. Once developed, the Project site would include buildings, paved surfaces, and other on-site improvements that would stabilize and help retain on-site soils. In addition, the proposed improvements would include drainage control measures to ensure that stormwater runoff is managed in a manner that controls runoff such that the potential for erosion or loss to topsoil is avoided. The remaining portions of the Project site containing pervious surfaces would primarily consist of landscape areas, which would help retain on-site soils while preventing wind and water erosion from occurring. Therefore, operational impacts related to soil erosion would be less than significant and no mitigation is required.

Threshold 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 mentioned above, the potential for the Project to result in or be affected by landslides and liquefaction is considered low, and these issues are not anticipated at the Project site. Lateral spreading, a hazard related to liquefaction where liquefiable materials can move as a unit or block towards an open sloping face, is also not likely to occur at the relatively flat Project site.

Minor ground subsidence is expected to occur in the soils below the zone of removal, due to settlement and machine working. The anticipated subsidence is estimated to be 0.1 feet (Appendix F-1 and F-2). According to the preliminary geotechnical investigations, these estimates were based on previous experience and the subsurface conditions encountered at the boring locations. The actual amount of subsidence is expected to be variable and will be dependent on the type of machinery used, repetitions of use, and dynamic effects. However, as discussed above, all proposed improvements would be designed and constructed in accordance with the CBC and local amendments which would ensure that the estimated resultant levels of subsidence would be well within the range of tolerances of the proposed improvements. The final design level geotechnical report would also include measures to address any collapsible soils, if present. Site preparations and foundation designs that are consistent with current building code requirements would ensure that the proposed improvements can be adequately supported and not subject to substantive damage.

Therefore, impacts related to unstable soils or geologic units would be less the significant and no mitigation would be required.

Threshold 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.

According to the City's General Plan, expansive soils are located throughout the City (City of Victorville 2008). The U.S. Department of Agriculture's Web Soil Survey does not identify the Project site or surrounding area as containing clay soils, which are typically expansive. The soils identified on the Project Site are documented as Bryman loamy fine sand, Cajon sand, and Helendale loamy sand (USDA 2023).

According to the preliminary geotechnical investigations, the near-surface soils are comprised of silty fine to coarse sands with minor clay content. Results of laboratory testing indicate these materials to possess non-expansive potentials (Appendix F-1 and F-2). As such, no design considerations related to expansive soils would be considered warranted for this Project site. Therefore, impacts would be less than significant, and no mitigation would be required.

Threshold 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 utilize the City's wastewater system and therefore does no propose to use a septic tank or alternative wastewater disposal system. Therefore, no impacts would occur, and no mitigation would be required.

Threshold F: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant with Mitigation Incorporated. The City encompasses a wide variety of geological formations that differ in age and paleontological sensitivities. The Project site is underlain by Holocene surficial sediments, with Pleistocene older alluvial deposits mapped just to the east of the Project site. Holocene surficial sediments are generally considered to be too young geologically to contain significant nonrenewable paleontological resources (i.e., fossils) and are typically assigned a low paleontological sensitivity. However, Holocene alluvial deposits become older and have increased paleontological sensitivity with depth, where they become old enough to preserve and yield significant paleontological resources. Holocene and Pleistocene alluvial deposits are not considered unique geological features.

Dudek requested a paleontological records search from the San Bernardino County Museum (SBCM) on June 21, 2023, and the Natural History Museum of Los Angeles County (NHMLA) on December 21, 2023, and the results were received on August 5, 2023, and January 7, 2024, respectively. The purpose of the records search was to determine if there are any known paleontological localities from within or in the vicinity of the Project site. The SBCM reported one fossil locality from within the Project site and 8 localities within a 1-mile radius of the Project

site, from similar sediments that underlie the Project site on the surface and at depth (i.e., Pleistocene older alluvial sediments). Fossil locality SBCM 1.115.11, from within the Project site, produced bones and teeth of a gopher (*Thomomys* sp.) and tooth enamel from a large mammal. These fossils were recovered through screening orangish-gray, silt with gravel and caliche, collected from a depth of 9 feet below the ground surface (bgs). An additional nearby fossil locality, SBCM 1.114.249, located just west of the southern Project site boundary, was reported by the SBCM; however, no details regarding the locality were able to be retrieved. SBCM 1.115.6, which is located approximately 0.38 miles west-southwest of the southwestern corner of the Project site, produced a fossil rabbit (*Lepus* sp.) calcaneum, collected via auger from Pleistocene older alluvial deposits at a depth of 7–10 feet bgs (SBCM 2023). Approximately 0.51 miles southwest of the Project site, SBCM 1.115.7 yielded a fossil rabbit (*Lepus* sp.) radius and camel (Camelidae) tooth fragments were collected within Pleistocene older alluvial deposits from 3 feet below the surface. SBCM 1.115.1–1.115.7 and 1.114.249 were found in the underlying Pleistocene older alluvial sediments at a depth between 3 and 14 feet bgs. These localities yielded bones from indeterminate large and small mammals, rodents, and snakes. An area located 0.65 to 1.35 miles southeast of the Project site yielded 70 localities from Pleistocene older alluvial sediments, several feet below the surface (SBCM 2023). These localities were collected during construction monitoring for a new subdivision and included fossil plant pollen, insect burrow traces, frogs, lizards, snakes, birds, rabbits, and rodents. The SBCM indicated these localities were discovered below a thin veneer of topsoil and Holocene alluvial deposits.

The NHMLA reported no fossil localities from within the Project site and 5 localities within 2.5 to 5 miles of the Project site. Fossil locality LACM VP 1224, located approximately 5.5 miles southwest of the Project site, produced a fossil camel from the Pleistocene Shoemaker Gravel; LACM VP 3353, located approximately 5.3 miles east of the Project site, produced a horse from the Shoemaker Gravel. At approximately 4.7 miles northeast of the Project site, a horse (LACM VP 3352) and an antelope, deer, and another horse (LACM VP 3498) were recorded from the Shoemaker Gravel. Lastly, a fossil vole (LACM VP 7786) was recorded from Pleistocene Alluvium, 10-11 feet below ground, approximately 2.2 miles north/northeast of the Project site (NHMLA 2024).

Southern California Geotechnical completed two geotechnical studies for the Project area. The report Geotechnical Investigation Proposed Industrial Park Building 7 NEC Mojave Drive and Onyx Road Victorville, California for MLP Associates LLC documents the subsurface geological conditions within the southwestern section of the Project site (Appendix F-2). Two borings were advanced to depths of 20 and 25 feet bgs. Native alluvium, with no indication of age, was encountered at the ground surface at both boring locations, extending to the maximum depth explored (Appendix F-2). The report Geotechnical Investigation – Building 6 Mojave Drive Industrial Park Buildings 5 & 6 4,100± feet East of Highway 396, 500± North of Mojave Drive Victorville, California for Aquadera Sunset LLC documents the subsurface geological conditions within the Project site, past Cactus Road/Tawney Ridge Lane and north towards Poppy Road (Appendix F-1). Seven borings were advanced to depths of 10 to 25 feet below the ground surface. Native alluvium was encountered at the ground surface at all the boring locations, extending to the maximum depth explored (Appendix F-1). Given the degree of induration and the presence of caliche and some iron oxide staining in all seven borings, the sediments in the eastern portions of the Project site are likely older than those on the western side of the Project.

The late Holocene surficial sediments, aged less than 4,200 years ago, have not been shown to produce any fossil resources and therefore have low paleontological sensitivity that increases with depth bgs, where they become old enough to preserve fossils. Pleistocene older alluvial sediments are mapped near the eastern Project boundary and as indicated by the SBCM records search results and geotechnical borings, likely underlie the Project site at a shallow depth, or on the surface in the eastern portion of the Project site. These sediments have high paleontological resources sensitivity/potential.

Paleontological resources were identified within the Project site, and within a 1-mile buffer around the Project site, as a result of the institutional records search. In addition, the Project site is not anticipated to be underlain by unique geologic features. The Project is site underlain by Holocene surficial sediments that have low paleontological sensitivity that increases to high sensitivity with depth; however, based on the lithology of the geotechnical borings within the eastern portions of Project site, potential Pleistocene older alluvial sediments are present on the surface. If intact paleontological resources are located on site, ground-disturbing activities associated with construction of the Project, such as grading during site preparation and trenching for utilities, have the potential to destroy a unique paleontological resource or site. As such, the Project site is considered to be potentially sensitive for paleontological resources, and without mitigation, the potential damage to paleontological resources during construction associated with the Project is considered a potentially significant impact. Given the past fossil discoveries within the Project site and in the surrounding area within Pleistocene older alluvial sediments, the Project site is highly sensitive for supporting paleontological resources below the depth of fill and weathered, surficial deposits. However, upon implementation of **Mitigation Measure (MM) GEO-1**, impacts would be reduced to below a level of significance. Impacts of the proposed Project are considered **less than significant with mitigation incorporated** during construction**.**

4.6.5 Mitigation Measures and Level of Significance After Mitigation

Threshold 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.

The Project would result in **less-than-significant impacts** with regard to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault. No mitigation is required.

ii) Strong seismic ground shaking?

The Project would result in **less-than-significant impacts** with regard to strong seismic ground shaking. No mitigation is required.

iii) Seismic-related ground failure, including liquefaction?

The Project would result in **less-than-significant impacts** with regard to seismic-related ground failure including liquefaction. No mitigation is required.

iv) Landslides?

The Project would result in **no impacts** with regard to landslides. No mitigation is required.

Threshold B: Would the Project result in substantial soil erosion or the loss of topsoil?

The Project would result in **less-than-significant impacts** with regard to substantial soil erosion or loss of topsoil. No mitigation is required.

Threshold 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?

The Project would result in **less-than-significant impacts** with regard to being 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. No mitigation is required.

Threshold 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?

The Project would result in less-than-significant impacts with regard to being located on expansive soil, as defined in Table-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property. No mitigation is required.

Threshold 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?

The Project would result in no impacts with regard to having soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are no available for the disposal or wastewater. No mitigation is required.

Threshold F: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The Project would result in potentially significant impacts associated with the destruction of a unique paleontological resource or site or unique geologic feature. With incorporation of **MM-GEO-1**, impacts associated with paleontological resources would be **less than significant with mitigation incorporated**.

MM-GEO-1 Paleontological Resources Impact Mitigation Program and Paleontological Monitoring. Prior to commencement of any grading activity on-site, the applicant shall retain a qualified paleontologist per the 2010 Society of Vertebrate Paleontology (SVP) guidelines. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the Project. The PRIMP shall be consistent with the 2010 SVP guidelines and should outline requirements for preconstruction meeting attendance and worker environmental awareness training, where monitoring is required within the Project site based on construction plans and/or geotechnical reports, procedures for adequate paleontological monitoring and discoveries treatment, and paleontological methods (including sediment sampling for microvertebrate fossils), reporting, and collections management. The qualified paleontologist shall attend the preconstruction meeting and a qualified paleontological monitor shall be on-site during all rough grading and other significant ground-disturbing activities (including augering) in previously undisturbed, Pleistocene alluvial deposits. In the event that paleontological resources

(e.g., fossils) are unearthed during grading, the paleontological monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the monitor will remove the rope and allow grading to recommence in the area of the find. Costs for laboratory work or curation of fossils (if necessary due to fossil recovery) are the responsibility of the Project Applicant/Developer.

4.6.6 Cumulative Impacts

Geological

Less-than-Significant Impact. Geotechnical hazards tend to be site-specific because conditions can change over relatively short distances and they tend not to combine to become cumulatively considerable. Cumulative projects would be designed and constructed in accordance with the requirements of the City of Victorville and San Bernardino County Building and Safety Departments, which have been established in compliance with the CBC and which contain universal standards for site preparation (e.g., fill compaction standards) and grading practices, foundations design, and guidelines for the appropriate foundation design to ensure that improvements are located on stable materials and do not cause underlying materials to become unstable. Therefore, the cumulative impact related to geologic impacts, including those related to slope stability and expansive soils, would be less than significant.

Paleontological

Less-than-Significant Impact with Mitigation. As discussed under Threshold F, the Project would have the potential to indirectly destroy a unique paleontological resource or site or unique geologic feature. Potential cumulative impacts to paleontological resources would result from projects that combine to create an environment where fossils, exposed on the surface, are vulnerable to destruction by earthmoving equipment, looting by the public, and natural causes such as weathering and erosion. The majority of impacts to paleontological resources are site-specific and are therefore generally mitigated on a project-by-project basis. Cumulative projects would be required to assess impacts to paleontological resources through the environmental review (CEQA) process. Additionally, as needed, projects would incorporate individual mitigation for site-specific geological units present on each individual project site. Furthermore, the Project does not propose construction (including grading/excavation) or design features that could directly or indirectly contribute to an increase in a cumulative impact to paleontological resources, as the implementation of **MM-GEO-1** provided in this analysis ensures any significant paleontological resources uncovered during Project excavations would be properly analyzed and salvaged by the on-site paleontological monitor. Therefore, the Project, in combination with the past, present, and reasonably foreseeable future projects adjacent to the Project, would result in **less than significant cumulatively considerable impacts with mitigation** to paleontological resources.

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4.7 Greenhouse Gas Emissions

This section describes the existing greenhouse gas (GHG) conditions of the Mojave Industrial Park Project (Project) site and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies GHG emission reducing mitigation measures related to implementation of the Project.

In addition to the documents incorporated by reference (see Section 2.7 of Chapter 2, Introduction, of this environmental impact report [EIR]), the following analysis is based, in part, on the following sources:

- Air Quality and Greenhouse Gas Emissions Calculations, prepared by Dudek in December 2023 (Appendix B-1)
- Attorney General's Recommended Measures Applicability Table, prepared by Dudek in February 2024 (Appendix B-3)._
- Mojave Industrial Park Transportation Impact Study, prepared by Dudek in December 2023 (Appendix K).
- Mojave Industrial Park Supplemental VMT Study, prepared by Urban Crossroads in December 2023 (Appendix K).

Comments received by CARE CA in response to the notice of preparation included recommendations for clearly articulating the assumptions regarding the type and mix of warehouse that would likely occupy the site because of differing characteristics pertaining to truck and vehicle trips and health risks. Comments also recommended incorporation of design strategies to minimize greenhouse gas emissions. In addition, comments received from the Sierra Club, San Gorgonio Chapter – Mojave Group in response to the notice of preparation stated that Project-related emissions should be minimized to the highest degree possible. Comments received by the Office of the Attorney General – Department of Justice in response to the notice of preparation include a request for the consideration and incorporation of the Attorney General Office's Bureau of Environmental Justice's best practices and mitigation measures for warehouse projects document. All the concerns raised are addressed in this section. A copy of the notice of preparation and comments received is provided in Appendix A.

4.7.1 Existing Conditions

Climate Change Overview

Climate change refers to any significant change in measures of climate---such as temperature, precipitation, or wind patterns---lasting for an extended period of time (decades or longer). The Earth's temperature depends on the balance between energy entering and leaving the planet's system. Many factors, both natural and human, can cause changes in Earth's energy balance, including variations in the sun's energy reaching Earth, changes in the reflectivity of Earth's atmosphere and surface, and changes in the greenhouse effect, which affects the amount of heat retained by Earth's atmosphere (EPA 2017).

The greenhouse effect is the trapping and build-up of heat in the atmosphere near the Earth's surface (troposphere). The greenhouse effect traps heat in the troposphere through a threefold process as follows: short-wave radiation emitted by the Sun is absorbed by the Earth, the Earth emits a portion of this energy in the form of long-wave radiation, and GHGs in the upper atmosphere absorb this long-wave radiation and emit it into space and toward the Earth. The greenhouse effect is a natural process that contributes to regulating the Earth's temperature and creates a pleasant, livable environment on the Earth. Human activities that emit additional GHGs

to the atmosphere increase the amount of infrared radiation that gets absorbed before escaping into space, thus enhancing the greenhouse effect and causing the Earth's surface temperature to rise.

The scientific record of the Earth's climate shows that the climate system varies naturally over a wide range of time scales and that, in general, climate changes prior to the Industrial Revolution in the 1700s can be explained by natural causes, such as changes in solar energy, volcanic eruptions, and natural changes in GHG concentrations. Recent climate changes, in particular the warming observed over the past century, however, cannot be explained by natural causes alone. Rather, it is extremely likely that human activities have been the dominant cause of that warming since the mid-twentieth century and is the most significant driver of observed climate change (IPCC 2013; EPA 2017). Human influence on the climate system is evident from the increasing GHG concentrations in the atmosphere, positive radiative forcing, observed warming, and improved understanding of the climate system (IPCC 2013). The atmospheric concentrations of GHGs have increased to levels unprecedented in the last 800,000 years, primarily from fossil fuel emissions and secondarily from emissions associated with land use changes (IPCC 2013). Continued emissions of GHGs will cause further warming and changes in all components of the climate system.

Greenhouse Gases

A GHG is any gas that absorbs infrared radiation in the atmosphere; in other words, GHGs trap heat in the atmosphere. As defined in California Health and Safety Code Section 38505(g), for purposes of administering many of the state's primary GHG emissions reduction programs, GHGs include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF_6), and nitrogen trifluoride (NF_3) (see also CEQA Guidelines, Section 15364.5).[1] Some GHGs, such as CO_2, CH_4, and N_2O, are emitted into the atmosphere through natural processes and human activities. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities. Manufactured GHGs, which have a much greater heat-absorption potential than CO_2, include fluorinated gases, such as HFCs, PFCs, and SF_6, which are associated with certain industrial products and processes. The following paragraphs provide a summary of the most common GHGs and their sources.[2]

Carbon Dioxide. CO_2 is a naturally occurring gas and a by-product of human activities and is the principal anthropogenic GHG that affects the Earth's radiative balance. Natural sources of CO_2 include respiration of bacteria, plants, animals, and fungus; evaporation from oceans; volcanic out-gassing; and decomposition of dead organic matter. Human activities that generate CO_2 are from the combustion of fuels such as coal, oil, natural gas, and wood and changes in land use.

Methane. CH_4 is produced through both natural and human activities. CH_4 is a flammable gas and is the main component of natural gas. CH_4 is produced through anaerobic (without oxygen) decomposition of waste in landfills, flooded rice fields, animal digestion, decomposition of animal wastes, production and distribution of natural gas and petroleum, coal production, and incomplete fossil fuel combustion.

Nitrous Oxide. N_2O is produced through natural and human activities, mainly through agricultural activities and natural biological processes, although fuel burning and other processes also create N_2O. Sources of N_2O include soil cultivation practices (microbial processes in soil and water), especially the use of commercial and organic fertilizers,

[1] Climate forcing substances include GHGs and other substances such as black carbon and aerosols. This discussion focuses on the seven GHGs identified in the California Health and Safety Code Section 38505, because impacts associated with other climate forcing substances are not evaluated herein.

[2] The descriptions of GHGs are summarized from the Intergovernmental Panel on Climate Change's Second Assessment Report and Fourth Assessment Report (IPCC 1995, 2007), the California Air Resources Board's Glossary of Terms Used in GHG Inventories (CARB 2018), and the U.S. Environmental Protection Agency's Glossary of Climate Change Terms (EPA 2016).

manure management, industrial processes (such as in nitric acid production, nylon production, and fossil-fuel-fired power plants), vehicle emissions, and using N_2O as a propellant (such as in rockets, racecars, and aerosol sprays).

Fluorinated Gases. Fluorinated gases (also referred to as F-gases) are powerful synthetic GHGs emitted from many industrial processes. Fluorinated gases are commonly used as substitutes for stratospheric ozone-depleting substances (e.g., CFCs, hydrochlorofluorocarbons [HCFCs], and halons). The most prevalent fluorinated gases include the following:

- **Hydrofluorocarbons:** HFCs are compounds containing only hydrogen, fluorine, and carbon atoms. HFCs are synthetic chemicals used as alternatives to ozone-depleting substances in serving many industrial, commercial, and personal needs. HFCs are emitted as by-products of industrial processes and are used in manufacturing.
- **Perfluorocarbons:** PFCs are a group of human-made chemicals composed of carbon and fluorine only. These chemicals were introduced as alternatives (along with HFCs) to the ozone depleting substances. The two main sources of PFCs are primary aluminum production and semiconductor manufacturing. Since PFCs have stable molecular structures and do not break down through the chemical processes in the lower atmosphere, these chemicals have long lifetimes, ranging between 10,000 and 50,000 years.
- **Sulfur Hexafluoride:** SF_6 is a colorless gas soluble in alcohol and ether and slightly soluble in water. SF6 is used for insulation in electric power transmission and distribution equipment, is used in semiconductor manufacturing and the magnesium industry, and is used as a tracer gas for leak detection.
- **Nitrogen Trifluoride:** NF_3 is used in the manufacture of a variety of electronics, including semiconductors and flat panel displays.

Chlorofluorocarbons. CFCs are synthetic chemicals that have been used as cleaning solvents, refrigerants, and aerosol propellants. CFCs are chemically unreactive in the lower atmosphere (troposphere) and the production of CFCs was prohibited in 1987 due to the chemical destruction of stratospheric ozone (O_3).

Hydrochlorofluorocarbons. HCFCs are a large group of compounds, whose structure is very close to that of CFCs—containing hydrogen, fluorine, chlorine, and carbon atoms—but include one or more hydrogen atoms. Like HFCs, HCFCs are used in refrigerants and propellants. HCFCs were also used in place of CFCs for some applications; however, their use in general is being phased out.

Black Carbon. Black carbon is a component of fine particulate matter, which has been identified as a leading environmental risk factor for premature death. It is produced from the incomplete combustion of fossil fuels and biomass burning, particularly from older diesel engines and forest fires. Black carbon warms the atmosphere by absorbing solar radiation, influences cloud formation, and darkens the surface of snow and ice, which accelerates heat absorption and melting. Black carbon is a short-lived species that varies spatially, which makes it difficult to quantify the global warming potential. Diesel particulate matter emissions are a major source of black carbon and are toxic air contaminants that have been regulated and controlled in California for several decades to protect public health.

Water Vapor. The primary source of water vapor is evaporation from the ocean, with additional vapor generated by sublimation (change from solid to gas) from ice and snow, evaporation from other water bodies, and transpiration from plant leaves. Water vapor is the most important, abundant, and variable GHG in the atmosphere and maintains a climate necessary for life.

Ozone. Tropospheric O_3, which is created by photochemical reactions involving gases from both natural sources and human activities, acts as a GHG. Stratospheric O_3, which is created by the interaction between solar ultraviolet

radiation and molecular oxygen (O_2), plays a decisive role in the stratospheric radiative balance. Depletion of stratospheric O_3, due to chemical reactions that may be enhanced by climate change, results in an increased ground-level flux of ultraviolet-B radiation.

Aerosols. Aerosols are suspensions of particulate matter in a gas emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light.

Global Warming Potential

Gases in the atmosphere can contribute to climate change both directly and indirectly. Direct effects occur when the gas itself absorbs radiation. Indirect radiative forcing occurs when chemical transformations of the substance produce other GHGs, when a gas influences the atmospheric lifetimes of other gases, and/or when a gas affects atmospheric processes that alter the radiative balance of the Earth (e.g., affect cloud formation or albedo) (EPA 2017). The Intergovernmental Panel on Climate Change (IPCC) developed the global warming potential (GWP) concept to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The GWP of a GHG is defined as the ratio of the time-integrated radiative forcing from the instantaneous release of 1 kilogram of a trace substance relative to that of 1 kilogram of a reference gas (IPCC 2014). The reference gas used is CO_2; therefore, GWP-weighted emissions are measured in metric tons of CO_2 equivalent (MT CO_2e).

The current version of the California Emissions Estimator Model (CalEEMod) (Version 2022.1) assumes that the GWP for CH_4 is 25 (so emissions of 1 MT of CH_4 are equivalent to emissions of 25 MT of CO_2), and the GWP for N_2O is 298, based on the IPCC's Fourth Assessment Report (IPCC 2007). The GWP values identified in CalEEMod were applied to the Project.

Greenhouse Gas Inventories

Global Inventory

Anthropogenic GHG emissions worldwide in 2020 (the most recent year for which data is available) totaled approximately 49,800 million metric tons (MMT) of CO_2e, excluding land use change and forestry (PBL 2022). The top six GHG emitters include China, the United States, the Russian Federation, India, Japan, and the European Union, which accounted for approximately 60% of the total global emissions, or approximately 30,270 MMT CO_2e (PBL 2022). Table 4.7-1 presents the top GHG-emissions-producing countries.

Table 4.7-1. Six Top GHG Producer Countries and Political Entities

Emitting Countries	2020 GHG Emissions (MMT CO2e)[a]
China	14,300
United States	5,640
European Union	3,440
India	3,520
Russian Federation	2,210
Japan	1,160
Total	**30,270**

Source: PBL 2022.
Notes: MMT CO_2e = million metric tons of carbon dioxide equivalent.
[a] Column may not add due to rounding.

National Inventory

Per the EPA's Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2021, total United States GHG emissions were approximately 6,340.2 million MT CO_2e (MMT CO_2e) in 2021 (EPA 2023). Total U.S. emissions have decreased by 2.3% from 1990 to 2021, down from a high of 15.8% above 1990 levels in 2007. Emissions increased from 2020 to 2021 by 5.2% (314.3 MMT CO_2e). Net emissions (i.e., including sinks) were 5,586.0 MMT CO_2e in 2021. Overall, net emissions increased 6.4% from 2020 to 2021 and decreased 16.6% from 2005 levels Between 2020 and 2021, the increase in total GHG emissions was driven largely by an increase in CO_2 emissions from fossil fuel combustion due to economic activity rebounding after the height of the COVID-19 pandemic. The CO_2 emissions from fossil fuel combustion increased by 6.8% from 2020 to 2021, including a 11.4% increase in transportation sector emissions and a 7.0% increase in electric power sector emissions. The increase in electric power sector emissions was due in part to an increase in electricity demand of 2.4% since 2020. Overall, there has been a decrease in electric power sector emissions from 1990 through 2021, which reflects the combined impacts of long-term trends in many factors, including population, economic growth, energy markets, technological changes including energy efficiency, and the carbon intensity of energy fuel choices (EPA 2023).

State Inventory

According to California's 2000–2020 GHG emissions inventory (2022 edition), California emitted approximately 369.2 MMT CO_2e in 2020, including emissions resulting from out-of-state electrical generation (CARB 2022a). The sources of GHG emissions in California include transportation, industry, electric power production from both in-state and out-of-state sources, residential and commercial activities, agriculture, high-GWP substances, and recycling and waste. Table 4.7-2 presents California GHG emission source categories and their relative contributions to the emissions inventory in 2020.

Table 4.7-2. GHG Emissions Sources in California

Source Category	Annual GHG Emissions (MMT CO_2e)	Percent of Total*
Transportation	136.60	37%
Industrial uses	73.84	20%
Electricity generation[a]	59.07	16%
Residential and commercial uses	36.92	10%
Agriculture and Forestry	33.22	9%
High GWP substances	22.15	6%
Recycling and waste	7.38	2%
Totals	**369.2**	**100%**

Source: CARB 2022a.
Notes: GHG = greenhouse gas; GWP = global warming potential; MMT CO_2e = million metric tons of carbon dioxide equivalent. Emissions reflect 2020 California GHG inventory.
Totals may not sum due to rounding.
[a] Includes emissions associated with imported electricity, which account for 18.46 MMT CO_2e.

Per capita GHG emissions in California have dropped from a 2001 peak of 13.8 MT per person to 9.3 MT per person in 2020, a 33% decrease. In 2016, statewide GHG emissions dropped below the 2020 GHG limit of 431 MMT CO2e and have remained below that level since that time (CARB 2022a).

Potential Effects of Climate Change

Globally, climate change has the potential to affect numerous environmental resources through uncertain impacts related to future air temperatures and precipitation patterns. The 2014 IPCC Synthesis Report (IPCC 2014) indicated that warming of the climate system is unequivocal, and since the 1950s, many of the observed changes are unprecedented over decades to millennia. Signs that global climate change has occurred include warming of the atmosphere and ocean, diminished amounts of snow and ice, rising sea levels, and ocean acidification (IPCC 2014).

In California, climate change impacts have the potential to affect sea-level rise, agriculture, snowpack and water supply, forestry, wildfire risk, public health, frequency of severe weather events, and electricity demand and supply. The primary effect of global climate change has been a rise in average global tropospheric temperature. Reflecting the long-term warming trend since pre-industrial times, observed global mean surface temperature for the decade 2006–2015 was 0.87°C (likely between 0.75°C and 0.99°C) higher than the average over the 1850–1900 period (IPCC 2018). Scientific modeling predicts that continued emissions of GHGs at or above current rates would induce more extreme climate changes during the twenty-first century than were observed during the twentieth century. Human activities are estimated to have caused approximately 1.0°C (1.8°F) of global warming above pre-industrial levels, with a likely range of 0.8°C to 1.2°C (1.4°F to 2.2°F) (IPCC 2018). Global warming is likely to reach 1.5°C (2.7°F) between 2030 and 2052 if it continues to increase at the current rate (IPCC 2018).

Although climate change is driven by global atmospheric conditions, climate change impacts are felt locally. A scientific consensus confirms that climate change is already affecting California. The Office of Environmental Health Hazard Assessment identified various indicators of climate change in California, which are scientifically based measurements that track trends in various aspects of climate change. Many indicators reveal discernible evidence that climate change is occurring in California and is having significant, measurable impacts in the state. Changes in the state's climate have been observed including an increase in annual average air temperature with record warmth from 2012 to 2016, more frequent extreme heat events, more extreme drought, a decline in winter chill, an increase in cooling degree days and a decrease in heating degree days, and an increase in variability of statewide precipitation (OEHHA 2018).

Warming temperatures and changing precipitation patterns have altered California's physical systems—the ocean, lakes, rivers and snowpack—upon which the state depends. Winter snowpack and spring snowmelt runoff from the Sierra Nevada and southern Cascade Mountains provide approximately one-third of the state's annual water supply. Impacts of climate on physical systems have been observed such as high variability of snow-water content (i.e., amount of water stored in snowpack), decrease in spring snowmelt runoff, glacier change (loss in area), rise in sea levels, increase in average lake water temperature and coastal ocean temperature, and a decrease in dissolved oxygen in coastal waters (OEHHA 2018).

Impacts of climate change on biological systems, including humans, wildlife, and vegetation, have also been observed including climate change impacts on terrestrial, marine, and freshwater ecosystems. As with global observations, species responses include those consistent with warming: elevational or latitudinal shifts in range, changes in the timing of key plant and animal life cycle events, and changes in the abundance of species and in community composition. Humans are better able to adapt to a changing climate than plants and animals in natural ecosystems. Nevertheless, climate change poses a threat to public health as warming temperatures and changes in precipitation can affect vector-borne pathogen transmission and disease patterns in California as well as the variability of heat-related deaths and illnesses. In addition, since 1950, the area burned by wildfires each year has been increasing.

The California Natural Resources Agency (CNRA) has released four California Climate Change Assessments (2006, 2009, 2012, and 2018), which have addressed the following: acceleration of warming across the state, more intense and frequent heat waves, greater riverine flows, accelerating sea level rise, more intense and frequent drought, more severe and frequent wildfires, more severe storms and extreme weather events, shrinking snowpack and less overall precipitation, and ocean acidification, hypoxia, and warming. To address local and regional governments' need for information to support action in their communities, the Fourth Assessment (CNRA 2018a) includes reports for nine regions of the state, including the Inland Deserts Region, which includes San Bernardino County where the Project is located. Key projected climate changes for the Inland Desert Region include the following (CNRA 2018b):

- Continued future warming over the Inland Deserts region. Across the region, average maximum temperatures are projected to increase around 6°F to 10°F by the mid-century, and 8°F to 14°F by the late-century.
- Extreme temperatures are also expected to increase. The hottest day of the year may be up to 9°F warmer for many locations across the Inland Deserts region by the late century under certain model scenarios. The number of extremely hot days is also expected to increase across the region.
- Despite small changes in average precipitation, dry and wet extremes are both expected to increase. By the late twenty-first century, the wettest day of the year is expected to increase across most of the Inland Deserts region, with some locations experiencing a 30% increase under certain model scenarios. The combination of more intense rainfall and drier soils in an already very dry region will increase the probability of flash floods.
- Projections indicate that wildfire may increase over Southern California, but there remains uncertainty in quantifying future changes of burned area over the Inland Deserts region.

4.7.2 Relevant Regulations, Plans, Policies, and Ordinances

Federal

Massachusetts v. EPA

In Massachusetts v. EPA (April 2007), the U.S. Supreme Court directed the EPA administrator to determine whether GHG emissions from new motor vehicles cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. In December 2009, the administrator signed a final rule with the following two distinct findings regarding GHGs under Section 202(a) of the federal Clean Air Act:

- The administrator found that elevated concentrations of GHGs—CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6—in the atmosphere threaten the public health and welfare of current and future generations. This is the "endangerment finding."
- The administrator further found the combined emissions of GHGs—CO_2, CH_4, N_2O, and HFCs—from new motor vehicles and new motor vehicle engines contribute to the GHG air pollution that endangers public health and welfare. This is the "cause or contribute finding."

Federal Vehicle Standards

In 2007, in response to the *Massachusetts v. EPA* U.S. Supreme Court ruling discussed above, the Bush Administration issued Executive Order (EO) 13432 directing EPA, the Department of Transportation, and the Department of Energy to establish regulations that reduce GHG emissions from motor vehicles, non-road vehicles, and non-road engines by 2008. In 2009, the National Highway Traffic Safety Administration (NHTSA) issued a final rule regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011; and, in 2010, the EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012 through 2016 (75 FR 25324–25728).

In 2019, the EPA and NHTSA published the Safer Affordable Fuel-Efficient Vehicles Rule Part One: One National Program (SAFE-1) (84 FR 51310), which revoked California's authority to set its own GHG emissions standards and set zero-emission vehicle (ZEV) mandates in California. In March 2020, Part Two was issued, which set CO_2 emissions standards and corporate average fuel economy (CAFE) standards for passenger vehicles and light-duty trucks for model years 2021 through 2026.

On December 21, 2021, NHTSA finalized the CAFE Preemption rulemaking to withdraw its portions of the Part One Rule. The final rule concluded that the Part One Rule overstepped the agency's legal authority and established overly broad prohibitions that did not account for a variety of important state and local interests. Then, in March 2022, NHTSA established new fuel economy standards that would require an industry-wide fleet average of approximately 49 miles per gallon for passenger cars and light trucks in model year 2026, by increasing fuel efficiency by 8% annually for model years 2024 and 2025, and 10% annually for model year 2026.

The Inflation Reduction Act of 2022

The Inflation Reduction Act was signed into law by President Biden in August 2022. The bill includes specific investment in energy and climate reform and is projected to reduce GHG emissions within the United States by 40% as compared to 2005 levels by 2030. The bill allocates funds to boost renewable energy infrastructure (e.g., solar panels and wind turbines), includes tax credits for the purchase of electric vehicles, and includes measures that will make homes more energy efficient.

State

The statewide GHG emissions regulatory framework is summarized below by category: state climate change targets, building energy, renewable energy and energy procurement, mobile sources, solid waste, water, and other state regulations and goals. The following text describes EOs, legislation, regulations, and other plans and policies that would directly or indirectly reduce GHG emissions and/or address climate change issues.

State Climate Change Targets

The State of California has taken a number of actions to address climate change. These actions are summarized below, and include EOs, legislation, and CARB plans and requirements.

EO S-3-05. EO S-3-05 (June 2005) identified GHG emissions-reduction targets and laid out responsibilities among the state agencies for implementing the EO and for reporting on progress toward the targets. This EO identified the following targets:

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

EO S-3-05 also directed the California Environmental Protection Agency to report biannually on progress made toward meeting the GHG targets and the impacts to California due to global warming, including impacts to water supply, public health, agriculture, the coastline, and forestry.

Assembly Bill (AB) 32. In furtherance of the goals established in EO S-3-05, the legislature enacted AB 32. The bill is referred to as the California Global Warming Solutions Act of 2006 (September 27, 2006). AB 32 provided initial direction on creating a comprehensive multi-year program to limit California's GHG emissions at 1990 levels by 2020 and initiate the transformations required to achieve the state's long-range climate objectives.

CARB's Climate Change Scoping Plan. One specific requirement of AB 32 is for CARB to prepare a scoping plan for achieving the maximum technologically feasible and cost-effective GHG emission reductions by 2020 (California Health and Safety Code Section 38561[a]), and to update the plan at least once every 5 years. In 2008, CARB approved the first scoping plan: The Climate Change Proposed Scoping Plan: A Framework for Change (Scoping Plan) (CARB 2008). In 2014, CARB approved the first update to the Scoping Plan. The First Update to the Climate Change Scoping Plan: Building on the Framework (2014 Scoping Plan) defined the state's GHG emission reduction priorities for the next 5 years and laid the groundwork to start the transition to the post-2020 goals set forth in EO S-3-05 and EO B-16-2012 (CARB 2014). The 2014 Scoping Plan concluded that California was on track to meet the 2020 target, but recommended that a 2030 mid-term GHG reduction target be established to support a continuum of action to reduce emissions. The 2017 Climate Change Scoping Plan Update (2017 Scoping Plan) (CARB 2017a) built on the successful framework established in the initial Scoping Plan and 2014 Scoping Plan, while identifying new technologically feasible and cost-effective strategies to serve as the framework to achieve the 2030 GHG target and define the state's climate change priorities to 2030 and beyond.

The Final 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan) was issued on November 16, 2022 (CARB 2022b) and approved on December 15, 2022. The 2022 Scoping Plan lays out a path not just to carbon neutrality by 2045 but also to the 2030 GHG emissions reduction target. The 2022 Scoping Plan analyzed four scenarios, with the objective of informing the most viable path to remain on track to achieve the 2030 GHG reduction target. The scenario modeling indicates that, if the plan described in the Proposed Scenario is fully implemented, and done so on schedule, the state would cut GHG emissions by 85% below 1990 levels, result in a 71% reduction in smog-forming air pollution, reduce fossil fuel consumption by 94%, create 4 million new jobs, among other benefits (CARB 2022b).

The Scoping Plan recommends strategies for implementation at the statewide level to meet the goals of AB 32, SB 32, and the EOs; it also establishes an overall framework for the measures that will be adopted to reduce California's GHG emissions. A project is considered consistent with the statutes and EOs if it would meet the general policies in reducing GHG emissions to facilitate the achievement of the state's goals and would not impede attainment of those goals.

CARB's Regulations for the Mandatory Reporting of Greenhouse Gas Emissions. CARB's Regulation for the Mandatory Reporting of Greenhouse Gas Emissions (17 CCR 95100–95157) incorporated by reference certain requirements that EPA promulgated in its Final Rule on Mandatory Reporting of Greenhouse Gases (Title 40, CFR, Part 98). Specifically, Section 95100(c) of the Mandatory Reporting Regulation incorporated those requirements that EPA promulgated in the Federal Register on October 30, 2009; July 12, 2010; September 22, 2010; October 28, 2010; November 30, 2010; December 17, 2010; and April 25, 2011. In general, entities subject to the Mandatory Reporting Regulation that emit over 10,000 MT CO_2e per year are required to report annual GHGs through the California Electronic GHG Reporting Tool. Certain sectors, such as refineries and cement plants, are required to report regardless of emission levels. Entities that emit more than the 25,000 MT CO_2e per-year threshold are required to have their GHG emission report verified by a CARB-accredited third party.

EO B-18-12. EO B-18-12 (April 2012) directed state agencies, departments, and other entities under the governor's executive authority to take action to reduce entity-wide GHG emissions by at least 10% by 2015 and 20% by 2020, as measured against a 2010 baseline. EO B-18-12 also established goals for existing state buildings for reducing grid-based energy purchases and water use.

SB 605 and SB 1383. SB 605 (2014) requires CARB to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants (SLCPs) in the state (California Health and Safety Code Section 39730) and SB 1383 (2016) requires CARB to approve and implement that strategy by January 1, 2018 (California Public Resources Code Sections 42652–43654). SB 1383 also establishes specific targets for the reduction of SLCPs (40% below 2013 levels by 2030 for CH_4 and HFCs, and 50% below 2013 levels by 2030 for anthropogenic black carbon) and provides direction for reductions from dairy and livestock operations and landfills. Accordingly, and as mentioned above, CARB adopted its SLCP Reduction Strategy in March 2017 (CARB 2017b). The SLCP Reduction Strategy establishes a framework for the statewide reduction of emissions of black carbon, methane, and fluorinated gases (CARB 2017b).

EO B-30-15. EO B-30-15 (April 2015) identified an interim GHG reduction target in support of targets previously identified under EO S-3-05 and AB 32. EO B-30-15 set an interim target goal of reducing GHG emissions to 40% below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing GHG emissions to 80% below 1990 levels by 2050 as set forth in EO S-3-05. To facilitate achieving this goal, EO B-30-15 called for CARB to update the Scoping Plan to express the 2030 target in terms of MMT CO_2e. The EO also called for state agencies to continue to develop and implement GHG emission reduction programs in support of the reduction targets.

Senate Bill (SB) 32 and AB 197. SB 32 and AB 197 (enacted in 2016) are companion bills. SB 32 codified the 2030 emissions reduction goal of EO B-30-15 by requiring CARB to ensure that statewide GHG emissions are reduced to 40% below 1990 levels by 2030. AB 197 established the Joint Legislative Committee on Climate Change Policies, consisting of at least three members of the Senate and three members of the Assembly, in order to provide ongoing oversight over implementation of the state's climate policies. AB 197 also added two members of the Legislature to the CARB Board as nonvoting members; requires CARB to make available and update (at least annually via its website) emissions data for GHGs, criteria air pollutants, and TACs from reporting facilities; and requires CARB to identify specific information for GHG emissions reduction measures when updating the Scoping Plan.

EO B-55-18. EO B-55-18 (September 2018) identified a policy for the state to achieve carbon neutrality as soon as possible (no later than 2045) and achieve and maintain net negative emissions thereafter. The goal is an addition to the existing statewide targets of reducing the state's GHG emissions. CARB will work with relevant state agencies to facilitate that future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal.

AB 1279. The Legislature enacted AB 1279, the California Climate Crisis Act, in September 2022. The bill declares the policy of the state to achieve net zero GHG emissions as soon as possible, but no later than 2045, and achieve and maintain net negative GHG emissions thereafter. Additionally, the bill requires that by 2045, statewide anthropogenic GHG emissions be reduced to at least 85% below 1990 levels.

Although AB 1279 establishes an overall policy to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, recognizing the need to implement CO_2 removal and carbon capture, utilization and storage technologies, the Legislature established a specific target of 85% below 1990 levels by 2045 for anthropogenic GHG emissions. Therefore, the net zero target does not directly apply to development projects, but the 2045 target of 85% below 1990 levels represents the reductions required to contribute to accomplishing the state's overall net zero policy.

AB 1757. AB 1757 (September 2022) requires the CNRA to determine a range of targets for natural carbon sequestration, and for nature-based climate solutions that reduce GHG emissions for future years 2030, 2038, and 2045. These targets are to be determined by no later than January 1, 2024, and are established to support the state's goals to achieve carbon neutrality and foster climate adaptation and resilience.

Building Energy

The California Building Standards Code was established in 1978 and serves to enhance and regulate California's building standards. While not initially promulgated to reduce GHG emissions, Part 6 of Title 24 specifically established Building Energy Efficiency Standards that are designed to support that new and existing buildings in California achieve energy efficiency and preserve outdoor and indoor environmental quality. These energy efficiency standards are reviewed every 3 years by the Building Standards Commission and the California Energy Commission (CEC) and revised if necessary (California Public Resources Code Section 25402[b][1]). The regulations receive input from members of industry, as well as the public, to "reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy" (California Public Resources Code Section 25402). These regulations are carefully scrutinized and analyzed for technological and economic feasibility (California Public Resources Code Section 25402[d]) and cost effectiveness (California Public Resources Code Section 25402[b][2–3]). As a result, these standards save energy, increase electricity supply reliability, increase indoor comfort, avoid the need to construct new power plants, and help preserve the environment. The current Title 24 standards are the 2022 Title 24 building energy efficiency standards, which became effective January 1, 2023.

In addition to CEC's efforts, in 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code (Part 11 of Title 24), which is commonly referred to as California's Green Building Standards (CALGreen), establishes minimum mandatory standards and voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and interior air quality.

Renewable Energy and Energy Procurement

SB 1078. SB 1078 (September 2002) (California Public Utilities Code Section 399.11 et seq.) established the Renewables Portfolio Standard (RPS) program, which required an annual increase in renewable generation by the utilities equivalent to at least 1% of sales, with an aggregate goal of 20% by 2017. The RPS program has been updated multiple times since its adoption, with the most recent revisions in SB 100 and SB 1020, which are described below.

SB 100. SB 100 (2018) increased the standards set forth in SB 350 establishing that 44% of the total electricity sold to retail customers in California per year by December 31, 2024; 52% by December 31, 2027; and 60% by December 31, 2030, be secured from qualifying renewable energy sources. SB 100 states that it is the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of the retail sales of electricity to California. This bill requires that the achievement of 100% zero-carbon electricity resources do not increase the carbon emissions elsewhere in the western grid and that the achievement not be achieved through resource shuffling.

SB 1020. SB 1020 (September 2022) revises the standards from SB 100, requiring the following percentage of retail sales of electricity to California end-use customers to come from eligible renewable energy resources and zero-carbon resources: 90% by December 31, 2035, 95% by December 31, 2040, and 100% by December 31, 2045.

Mobile Sources

State Vehicle Standards (AB 1493 and EO B-16-12). AB 1493 (July 2002) was enacted in a response to the transportation sector accounting for more than half of California's CO_2 emissions. AB 1493 required CARB to set GHG emission standards for passenger vehicles, light-duty trucks, and other vehicles determined by CARB to be vehicles that are primarily used for noncommercial personal transportation in the state. EO B-16-12 (March 2012) required that state entities under the governor's direction and control support and facilitate the rapid commercialization of ZEVs. On a statewide basis, EO B-16-12 identified a target reduction of GHG emissions from the transportation sector equaling 80% less than 1990 levels by 2050.

Heavy Duty Diesel. CARB adopted the final Heavy-Duty Truck and Bus Regulation, Title 13, Division 3, Chapter 1, Section 2025, on December 31, 2014, to reduce particulate matter and NO_x emissions from heavy-duty diesel vehicles. The rule requires particulate matter filters be applied to newer heavier trucks and buses by January 1, 2012, with older vehicles required to comply by January 1, 2015. The rule will require nearly all diesel trucks and buses to be compliant with the 2010 model year engine requirement by January 1, 2023. CARB also adopted an Airborne Toxic Control Measure to limit idling of diesel-fueled commercial vehicles on December 12, 2013. This rule requires diesel-fueled vehicles with gross vehicle weights greater than 10,000 pounds to idle no more than 5 minutes at any location (13 CCR 2485).

EO S-1-07. EO S-1-07 (January 2007, implementing regulation adopted in April 2009) sets a declining LCFS for GHG emissions measured in CO_2e grams per unit of fuel energy sold in California. The target of the LCFS is to reduce the carbon intensity of California passenger vehicle fuels by at least 10% by 2020 (17 CCR 95480 et seq.). The carbon intensity measures the amount of GHG emissions in the lifecycle of a fuel, including extraction/feedstock production, processing, transportation, and final consumption, per unit of energy delivered.

SB 375. SB 375 (September 2008) (California Government Code Section 65080) addresses GHG emissions associated with the transportation sector through regional transportation and sustainability plans. SB 375 requires CARB to adopt regional GHG reduction targets for the automobile and light-truck sector for 2020 and 2035 and to update those targets every 8 years. SB 375 requires each of the state's 18 regional metropolitan planning organizations to prepare a Sustainable Communities Strategy (SCS) as part of their Regional Transportation Plan (RTP) that will achieve the GHG reduction targets set by CARB. If a metropolitan planning organization (MPO) is unable to devise an SCS to achieve the GHG reduction target, the MPO must prepare an alternative planning strategy demonstrating how the GHG reduction target would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies.

An SCS does not (1) regulate the use of land; (2) supersede the land use authority of cities and counties; or (3) require that a city's or county's land use policies and regulations, including those in a general plan, be consistent with it. Nonetheless, SB 375 makes regional and local planning agencies responsible for developing those strategies as part of the federally required metropolitan transportation planning process and the state-mandated housing element process.

Advanced Clean Cars Program and Zero-Emissions Vehicle Program. The Advanced Clean Cars (ACC) I program (January 2012) is an emissions-control program for model years 2015 through 2025. The program combines the control of smog- and soot-causing pollutants and GHG emissions into a single coordinated package of regulations: the Low-Emission Vehicle (LEV) regulation for criteria air pollutant and GHG emissions and a technology forcing regulation for zero-emission vehicles (ZEV) that contributes to both types of emission reductions (CARB 2023). The package includes elements to reduce smog-forming pollution, reduce GHG emissions, promote clean cars, and provide the fuels for clean cars. To improve air quality, CARB has implemented new emission standards to reduce smog-forming emissions beginning with 2015 model year vehicles. It is estimated that in 2025 cars will emit 75% less smog-forming pollution than the average new car sold in 2015. The ZEV program will act as the focused technology of the ACC I program by requiring manufacturers to produce increasing numbers of ZEVs and plug-in hybrid EVs in the 2018 to 2025 model years.

The ACC II program, which was adopted in August 2022, established the next set of LEV and ZEV requirements for model years after 2025 to contribute to meeting federal ambient air quality ozone standards and California's carbon neutrality standards (CARB 2023). The main objectives of ACC II are as follows:

- Maximize criteria and GHG emission reductions through increased stringency and real-world reductions.
- Accelerate the transition to ZEVs through both increased stringency of requirements and associated actions to support wide-scale adoption and use.

The ACC II rulemaking package also considers technological feasibility, environmental impacts, equity, economic impacts, and consumer impacts.

EO N-79-20. EO N-79-20 (September 2020) requires CARB to develop regulations as follows: (1) Passenger vehicle and truck regulations requiring increasing volumes of new ZEVs sold in the state towards the target of 100% of in-state sales by 2035; (2) medium- and heavy-duty vehicle regulations requiring increasing volumes of new zero-emission trucks and buses sold and operated in the state towards the target of 100% of the fleet transitioning to zero-emission vehicles by 2045 everywhere feasible and for all drayage trucks to be zero emission by 2035; and (3) strategies, in coordination with other state agencies, the EPA and local air districts, to achieve 100% zero-emission from off-road vehicles and equipment operations in the state by 2035. EO N-79-20 called for the development of a Zero-Emissions Vehicle Market Development Strategy, which was released February 2021, to be updated every 3 years, that ensures coordination and implementation of the EO and outlines actions to support new and used ZEV markets. In addition, the EO specifies identification of near-term actions, and investment strategies, to improve clean transportation, sustainable freight, and transit options; and calls for development of strategies, recommendations, and actions by July 15, 2021, to manage and expedite the responsible closure and remediation of former oil extraction sites as the state transitions to a carbon-neutral economy.

Advanced Clean Trucks Regulation. The Advanced Clean Trucks (ACT) Regulation was also approved by CARB in 2020. The purpose of the ACT Regulation is to accelerate the market for zero-emission vehicles in the medium- and heavy-duty truck sector and to reduce air pollutant emissions generated from on-road mobile sources (CARB 2021).

The regulation has two components including (1) a manufacturer sales requirement and (2) a reporting requirement:

- **Zero-emission truck sales:** Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines will be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales.
- **Company and fleet reporting:** Large employers including retailers, manufacturers, brokers and others will be required to report information about shipments and shuttle services. Fleet owners, with 50 or more trucks, will be required to report about their existing fleet operations. This information will help identify future strategies to ensure that fleets purchase available zero-emission trucks and place them in service where suitable to meet their needs.

Solid Waste

AB 1826. AB 1826 (Chapter 727, Statutes of 2014, effective 2016) requires businesses to recycle their organic waste (i.e., food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste) depending on the amount of waste they generate per week. The minimum threshold of organic waste generation by businesses decreases over time, which means an increasingly greater proportion of the commercial sector will be required to comply.

SB 1383. SB 1383 (2016) requires a 50% reduction in organic waste disposal from 2014 levels by 2020 and a 75% reduction by 2025—essentially requiring the diversion of up to 27 million tons of organic waste—to reduce GHG emissions. SB 1383 also requires that not less than 20% of edible food that is currently disposed be recovered for human consumption by 2025.

Water

SB X7-7, or the Water Conservation Act of 2009, required that all water suppliers increase their water use efficiency with an overall goal of reducing per capita urban water use by 20% by December 31, 2020. Each urban water supplier was required to develop water use targets to meet this goal.

Other State Actions

Senate Bill 97. SB 97 (2007) directed the Governor's Office of Planning and Research and CNRA to develop guidelines under CEQA for the mitigation of GHG emissions. CNRA adopted the CEQA Guidelines amendments in December 2009, which became effective in March 2010.

Under the amended CEQA Guidelines, a lead agency has the discretion to determine whether to use a quantitative or qualitative analysis or apply performance standards to determine the significance of GHG emissions resulting from a particular project (14 CCR 15064.4[a]). The CEQA Guidelines require a lead agency to consider the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions (14 CCR 15064.4[b]). The CEQA Guidelines also allow a lead agency to consider feasible means of mitigating the significant effects of GHG emissions, including reductions in emissions through the implementation of project features or off-site measures (14 CCR 15126.4[c]). The adopted amendments do not establish a GHG emission threshold, instead allowing a lead agency to develop, adopt, and apply its own thresholds of significance or those developed by other agencies or experts. CNRA also acknowledged

that a lead agency could consider compliance with regulations or requirements implementing AB 32 in determining the significance of a project's GHG emissions (CNRA 2009).

With respect to GHG emissions, CEQA Guidelines Section 15064.4(a), as subsequently amended in 2018, states that lead agencies "shall make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate" GHG emissions. The CEQA Guidelines now note that an agency "shall have discretion to determine, in the context of a particular project, whether to: (1) Quantify greenhouse gas emissions resulting from a project; and/or (2) Rely on a qualitative analysis or performance based standards" (14 CCR 15064.4[a]). Section 15064.4(b) states that the lead agency should consider the following when assessing the significance of impacts from GHG emissions on the environment: (1) the extent to which a project may increase or reduce GHG emissions as compared to the existing environmental setting; (2) whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; and (3) the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions (14 CCR 15064.4[b]).

Local

Mojave Desert Air Quality Management District

The Project is within the Mojave Desert Air Basin portion of San Bernardino County, which is under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The MDAQMD has adopted GHG emissions thresholds in its CEQA Guidelines but has not adopted a comprehensive strategy for reducing GHG emissions. The MDAQMD thresholds are 100,000 tons of CO_2e per year and 548,000 MT CO_2e per day (MDAQMD 2020).

Southern California Association of Governments

As noted above, California's 18 MPOs have been tasked with creating SCSs in an effort to reduce the region's vehicle miles traveled (VMT) in order to help meet AB 32 targets through integrated transportation, land use, housing, and environmental planning. Pursuant to SB 375, CARB set per-capita GHG emissions reduction targets from passenger vehicles for each of the state's 18 MPOs. For the Southern California Association of Governments (SCAG), the state's initial mandated reductions were set at 8% by 2020 and 13% by 2035. In March 2018, CARB updated the SB 375 targets for SCAG to require 8% reduction by 2020 and a 19% reduction by 2035 in per-capita passenger vehicle GHG emissions.

Pursuant to Government Code Section 65080(b)(2)(B), the SCS must "set forth forecasted development pattern for the region which when integrated with the transportation network, and other transportation measures and policies, will reduce the GHG emissions from automobiles and light trucks to achieve the GHG reduction targets." To that end, SCAG has developed Connect SoCal, the 2020–2045 RTP/SCS, which complies with CARB's updated emissions reduction targets and meets the requirements of SB 375 by achieving per-capita GHG emissions reductions relative to 2005 of 8% by 2020 and 19% by 2035 (SCAG 2020). In addition, the plan anticipates a 25.7% decrease in time spent in traffic delay per capita and a 5% decrease in daily miles driven per capita from 2016 to 2045. The 2020–2045 RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals, and charts a path toward a more mobile, sustainable and prosperous region by making connections between transportation networks, between planning strategies, and between the people whose collaboration can improve the quality of life for Southern Californians. Connect SoCal embodies a collective vision for the region's future and is developed with input from local governments, county

transportation commissions, tribal governments, non-profit organizations, businesses, and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura (SCAG 2020).

SCAG released its Draft Connect SoCal 2024 in November 2023 with the public comment ending in January 2024. The Draft Connect SoCal 2024 outlines a vision for a more resilient and equitable future, with policies and strategies for achieving the region's shared goals through 2050. The plan includes guidance for local agencies and direction for SCAG to address 22 topic areas, such as Complete Streets, Housing, Climate Resilience and Workforce Development. The Draft Connect SoCal 2024 plan estimates that the average daily traffic delay per capita will decrease from 17.9 minutes in 2019 to 16.8 minutes in 2050 and average daily VMT per capita will decrease from 22.8 miles in 2019 to 21.7 miles in 2050 under the plan scenario (SCAG 2023). The plan demonstrates how the region will sustainably accommodate jobs and needed housing, while reducing greenhouse gas emissions from passenger vehicles by 19% by 2035. The plan forecasts that the region will have 2 million new people, 1.6 million new households and 1.3 million new jobs by 2050, and that 61% of the planned development will be in priority areas, which are locations that have existing or planned transit, high-quality bike facilities or are within disadvantaged communities. The plan also includes more than 4,000 projects that will provide more travel options and less congestion for the region, such as 869 new miles of regional express lane network, 181,200 new miles of bike lanes and 2,000 new miles of transit revenue service (SCAG 2023).

City of Victorville General Plan

The City of Victorville General Plan Resource Element contains the following goal and related policies applicable to GHG emissions and the Project (City of Victorville 2008).

Goal 7: Promote energy sustainability by developing alternative power supplies and reducing energy use.

Objective 7.2: Promote energy conservation.

Policy 7.2.2: Support energy conservation by using low-emission non-fossil fuel reliant vehicles.

Policy 7.2.3: Establish a Climate Action Plan.

City of Victorville Climate Action Plan

The City of Victorville adopted a Climate Action Plan (CAP) in 2016 to demonstrate how the City would reduce GHG emissions in compliance with AB 32. The CAP includes measures to reduce the City's GHG emissions to 29% below 2020 levels at business-as-usual growth and development. The CAP involves both existing and new construction within the City and across all industries including residential, commercial, industrial, municipal, and institutional. The CAP also provides a GHG Emissions Screening Table for projects to assess consistency (City of Victorville 2015).

Given that the City's CAP does not address GHG emission reductions consistent with the current state legislation (i.e., SB 32 and AB 1279), it is not qualified for CEQA analysis (see CEQA Guidelines Section 15183.5[b]) and cannot be relied upon for determination of project-related GHG emissions impact significance (i.e., tiering).

4.7.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to GHGs/climate change are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to GHG emissions would occur if the Project would:

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.

The City has not adopted a numeric significance threshold for determining significant impacts associated with GHG emissions. Air districts typically act in an advisory capacity to local governments in establishing the framework for environmental review of air pollution impacts under CEQA. This may include recommendations regarding significance thresholds, analytical tools to estimate emissions and assess impacts, and mitigations for potentially significant impacts. Although air districts will also address some of these issues on a project-specific basis as responsible agencies, they may provide general guidance to local governments on these issues (SCAQMD 2008). While the Project is located within the jurisdiction of the MDAQMD, both MDAQMD and the South Coast Air Quality Management District (SCAQMD) recommended thresholds are discussed below. Because SCAQMD's thresholds are more stringent and are supported by substantial evidence from an expert agency, the SCAQMD's recommended thresholds are utilized for determining the potential significance of impacts for the Project, as discussed below.

On May 13, 2010, EPA finalized the GHG Tailoring Rule (75 FR 31514, June 3, 2010). The Tailoring Rule sets major source emissions thresholds that define when federal operating permits under Prevention Significant Deterioration (PSD) or Title V are required. The Tailoring Rule was intended to focus PSD and Title V permits to the largest emitters of GHGs and avoid overwhelming permitting authorities. The Tailoring Rule establishes a threshold of 100,000 tons per year or 90,719 MT per year of GHGs from new sources above which sources are considered major sources requiring a federal operating permit. As such, the MDAQMD has adopted a significance threshold for GHGs of 100,000 tons per year. More specifically, 100,000 tons per year of GHG emissions from a single facility constitutes major sources that require a federal operating permit. Similarly, the MDAQMDs NO_x significance threshold of 25 tons per year is equal to the major source threshold applicable to areas designated severe non-attainment for ozone. As such, use of the EPAs determination of whether a Project is a major source and consequently establishing a threshold based on that is supported by substantial evidence. However, as noted above MDAQMD's threshold is more applicable for stationary source projects which require federal permits.

The SCAQMD, which oversees the adjacent South Coast Air Basin, has recommended more stringent numeric CEQA significance thresholds for GHG emissions for lead agencies to use in assessing GHG impacts of residential and commercial development projects; however, these thresholds were not adopted. The SCAQMD formed a GHG CEQA Significance Threshold Working Group to work with SCAQMD staff on developing GHG CEQA significance thresholds until statewide significance thresholds or guidelines are established. From December 2008 to September 2010, the SCAQMD hosted working group meetings and revised the draft threshold proposal several times, although it did not officially provide these proposals in a subsequent document. The SCAQMD has continued to consider adoption of significance thresholds for residential and general land use development projects. The most recent proposal,

issued in September 2010, uses the following tiered approach to evaluate potential GHG impacts from various uses (SCAQMD 2010):

Tier 1 Determine if CEQA categorical exemptions are applicable. If not, move to Tier 2.

Tier 2 Consider whether or not the proposed project is consistent with a locally adopted GHG reduction plan that has gone through public hearing and CEQA review, that has an approved inventory, includes monitoring, etc. If not, move to Tier 3.

Tier 3 Consider whether the project generates GHG emissions in excess of screening thresholds for individual land uses. The 10,000 MT CO2e per year threshold for industrial uses and stationary projects would be recommended for use by all lead agencies. Under option 1, separate screening thresholds are proposed for residential projects (3,500 MT CO2e per year), commercial projects (1,400 MT CO2e per year), and mixed-use projects (3,000 MT CO2e per year). Under option 2, a single numerical screening threshold of 3,000 MT CO2e per year would be used for all non-industrial projects. If the project generates emissions in excess of the applicable screening threshold, move to Tier 4.

Tier 4 Consider whether the project generates GHG emissions in excess of applicable performance standards for the project service population (population plus employment). The efficiency targets were established based on the goal of AB 32 to reduce statewide GHG emissions to 1990 levels by 2020. The 2020 efficiency targets are 4.8 MT CO2e per service population for project level analyses and 6.6 MT CO2e per service population for plan level analyses. If the project generates emissions in excess of the applicable efficiency targets, move to Tier 5.

Tier 5 Consider the implementation of CEQA mitigation (including the purchase of GHG offsets) to reduce the project efficiency target to Tier 4 levels.

Based on the supporting analysis outlined in SCAQMD's draft GHG guidance and meeting notes, this 3,000 MT CO_2e per year level would capture 90% of GHG emissions from new residential or commercial projects in the region (SCAQMD 2008). This type of market capture analysis captures a substantial fraction of the GHG emissions from future development to accommodate for future population and job growth and excludes small development projects that would contibute a relatively small fraction of the cumulative statewide GHG emissions.

While the City has not adopted a numeric significance threshold, the 3,000 MT CO_2e per year threshold has been applied herein to evaluate the potential for the Project to resut in a significant GHG emissions impact under CEQA because it is more stringent than the MDAQMD threshold and the SCAQMD is also an expert agency in the Southern California region. The SCAQMD specifically recommended that the 3,000 MT CO_2e per year threshold be used by lead agencies for not only residential and commercial projects, but also industrial parks and warehouses as well (SCAQMD 2008).

Methodology

Construction

CalEEMod Version 2022.1 (CAPCOA 2022) was used to estimate potential Project-generated GHG emissions during construction. Construction of the Project would result in GHG emissions primarily associated with use of off-road

construction equipment, on-road hauling and vendor (material delivery) trucks, and worker vehicles. All details for construction criteria air pollutants discussed in Section 4.2.4 (Methodology, Construction subsection) of Section 4.2, Air Quality, are also applicable for the estimation of construction-related GHG emissions. See Section 4.2.4 for a discussion of construction emissions calculation methodology and assumptions used in the GHG emissions analysis.

Operation

As with the air quality analysis, emissions from the operational phase of the Project were estimated primarily using CalEEMod Version 2022.1 (CAPCOA 2022). An operational year of 2026 was assumed consistent with the first full year after Project construction completion.

Area Sources

Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the Project. The emissions associated with landscape maintenance equipment were calculated based on default assumptions provided in CalEEMod.

Energy Sources

GHGs are emitted from buildings as a result of activities for which electricity and natural gas are typically used as energy sources. Combustion of any type of fuel emits CO_2 and other GHGs directly into the atmosphere; these emissions are considered direct emissions associated with a building; the building energy use emissions do not include street lighting.[3] GHGs are also emitted during the generation of electricity from fossil fuels; these emissions are considered to be indirect emissions. GHG emissions associated with the natural gas and electricity usage associated with the Project were calculated by CalEEMod using default parameters.

Mobile Sources

All details for criteria air pollutants discussed in Section 4.2.4 (Operations subsection) are also applicable for the estimation of operational-related mobile source GHG emissions and are also applicable for the estimation of operational mobile source GHG emissions. It was assumed that the warehouse would operate 7 days per week; therefore, 365 days of vehicle emissions were assumed. Regulatory measures related to mobile sources include AB 1493 (Pavley) and related federal standards. AB 1493 required that CARB establish GHG emission standards for automobiles, light-duty trucks, and other vehicles determined by CARB to be vehicles that are primarily used for noncommercial personal transportation in the state. In addition, the National Highway Traffic Safety Administration and EPA have established corporate fuel economy standards and GHG emission standards, respectively, for automobiles and light-, medium-, and heavy-duty vehicles. Implementation of these standards and fleet turnover (replacement of older vehicles with newer ones) will gradually reduce emissions from the Project's motor vehicles. The effectiveness of fuel economy improvements was evaluated to the extent it was captured in CalEEMod 2022.1 which is based on EMFAC2021.

[3] The CalEEMod emissions inventory model does not include indirect emission related to street lighting. Indirect emissions related to street lighting are expected to be negligible and cannot be accurately quantified at this time as there is insufficient information as to the number and type of street lighting that would occur.

Off-Road Equipment

It is common for industrial warehouse buildings to require cargo handling equipment to move empty containers and empty chassis to and from the various pieces of cargo handling equipment that receive and distribute containers. The most common type of cargo handling equipment are forklifts, pallet jacks, and yard trucks, which are designed for moving cargo containers. Yard trucks are also known as yard goats, utility tractors, hustlers, yard hostlers, and yard tractors. For this Project, based on the maximum square footage of building space permitted by the Project, on-site modeled operational equipment includes a total of 163 forklifts (forklifts, with a mix of 50% diesel and 50% electric) and 5 diesel-fueled yard tractors operating at 24 hours a day for 365 days of the year based off the SCAQMD's 2014 Warehouse Truck Trip Study White Paper Summary of Business Survey Results (SCAQMD 2014). See Appendix B-1 for detailed calculations.

Stationary Sources

The Project would potentially operate one diesel-fueled 500-horsepower (hp) generator. This generator was assumed to operate one-hour a day for up to 50-hours a year for routine testing and maintenance.

Solid Waste

Industrial land uses will result in the generation and disposal of solid waste. A large percentage of this waste will be diverted from landfills by a variety of means, such as reducing the amount of waste generated, recycling, and/or composting. The remainder of the waste not diverted will be disposed of at a landfill. GHG emissions from landfills are associated with the anaerobic breakdown of material. GHG emissions associated with the disposal of solid waste associated with the Project were calculated by CalEEMod using default parameters.

Water and Wastewater

Indirect GHG emissions result from the production of electricity used to convey, treat and distribute water and wastewater. The amount of electricity required to convey, treat and distribute water depends on the volume of water as well as the sources of the water GHG emissions associated with Project water consumption were calculated using CalEEMod and Project-specific water estimates in the Water Supply Assessment (Appendix G).

4.7.4 Impacts Analysis

Threshold A: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Significant and Unavoidable Impact. MDAQMD follows the SCAQMD recommendation in calculating the total GHG emissions for construction activities by amortizing the emissions over the life of a project. This is done by dividing construction-period GHG emissions by a 30-year Project life then adding that number to the annual operational phase GHG emissions. As such, Project construction emissions were amortized over a 30-year period and added to the annual operational phase GHG emissions. The amortized construction emissions are presented in Table 4.7-3.

Table 4.7-3. Estimated Annual Construction GHG Emissions

Year	CO_2	CH_4	N_2O	R	CO_2e
	Metric Tons per Year				
2024	853.68	0.02	0.07	0.64	876.24
2025	2,509.36	0.06	0.19	2.21	2,568.50
Total	**3,363.04**	**0.08**	**0.26**	**2.85**	**3,444.74**
				Amortized Construction Emissions	*114.82*

Notes: GHG = greenhouse gas; CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide; R= refrigerants; CO_2e = carbon dioxide equivalent.
See Appendix B-1 for complete results.

As shown in Table 4.7-3, total estimated GHG emissions generated during construction of the Project are approximately 3,445 MT CO_2e. Estimated Project-generated construction emissions amortized over 30 years would be approximately 115 MT CO_2e per year.

Operation of the Project would generate GHG emissions from area sources (landscape maintenance equipment operation), energy use (natural gas combustion and utility generation of electricity consumed by the Project), mobile sources (vehicular traffic), off-road equipment (electric and diesel-fueled equipment), stationary sources (emergency diesel generator testing and maintenance), solid waste disposal, generation of electricity associated with water supply, treatment, and distribution and wastewater treatment. The estimated operational GHG emissions are shown in Table 4.7-4. Detailed operational model outputs are presented in Appendix B-1.

Table 4.7-4. Estimated Annual Operation GHG Emissions - Unmitigated

Emissions Source	CO_2	CH_4	N_2O	R	CO_2e
	Metric Tons per Year				
Mobile	31,744.66	0.16	4.19	47.20	33,045.41
Area	19.73	<0.01	<0.01	–	19.80
Energy	4,622.30	0.43	0.04	–	4,643.50
Water	17.80	0.47	0.01	–	32.81
Waste	124.21	12.41	<0.01	–	434.59
Refrigerants	–	–	–	17.50	17.50
Off-Road Equipment	8,059.56	0.33	0.07	–	8,087.22
Stationary	28.56	<0.01	<0.01	<0.01	28.66
Total	**44,616.83**	**13.80**	**4.31**	**64.70**	**46,309.49**
				Amortized Construction Emissions	*114.82*
				Operations with Amortized Construction GHG Emissions	**46,424.31**

Source: See Appendix B-1 for complete results.
Notes: CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide; R= refrigerants; CO_2e = carbon dioxide equivalent.

As shown in Table 4.7-4, the Project would result in approximately 46,424 MT CO_2e per year, which would exceed the SCAQMD GHG threshold of 3,000 MT CO_2e per year. Therefore, the Project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, and this would represent a cumulatively potentially significant impact.

Mitigation measures are required to minimize operational-related GHG impacts. Implementation of **Mitigation Measure (MM) AQ-3** (Zero-Emissions Off-Road Equipment) includes the requirement for all off-road cargo handling equipment to be zero-emission, which would reduce the long-term GHG emissions substantially. **MM-AQ-6** (Electric Vehicle Infrastructure and Zero Emission Vehicles) requires the Project to include electric vehicle infrastructure to reduce mobile source GHG emissions in the future, with specific requirements by 2030. In addition, implementation of **MM-AQ-5** (Provision of Information), **MM-GHG-1** (Building Design), **MM-GHG-2** (Rooftop Solar), **MM-GHG-3** (Water Conservation), and **MM-GHG-4** (Solid Waste Reduction) would reduce GHG emissions associated with energy efficiency, electricity, water conservation, and solid waste generation. Implementation of **MM-AQ-2** (Haul Trucks) (pertaining to model year of haul trucks) would also substantially reduce GHGs, however, the effectiveness cannot be accurately quantified at this time and neither the Project Applicant nor the City can substantively or materially affect reductions in Project on-road mobile source emissions beyond what is already required by regulation. Table 4.7-5 summarizes the mitigated annual operational emissions associated with the Project. Detailed operational model outputs are presented in Appendix B-1.

Table 4.7-5. Estimated Annual Operation GHG Emissions - Mitigated

Emissions Source	CO_2	CH_4	N_2O	R	CO_2e
	Metric Tons per Year				
Mobile	31,727.75	0.16	4.19	47.18	33,027.78
Area	–	–	–	–	–
Energy	5,049.70	0.47	0.04	–	5,073.39
Water	14.24	0.37	0.01	–	26.25
Waste	31.05	3.10	<0.01	–	108.65
Refrigerants	–	–	–	17.50	17.50
Off-Road Equipment	<0.01	<0.01	<0.01	–	<0.01
Stationary	28.56	<0.01	<0.01	<0.01	28.66
Total	**36,851.31**	**4.10**	**4.24**	**64.67**	**38,282.21**
				Amortized Construction Emissions	*114.82*
				Operations with Amortized Construction GHG Emissions	**38,397.04**

Source: See Appendix B-1 for complete results.
Notes: CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide; CO_2e = carbon dioxide equivalent.
Includes implementation of MM AQ-3, MM AQ-6, MM GHG-3, and MM GHG-4.

As depicted in Table 4.7-5, the Project would still exceed the applied threshold of 3,000 MT CO_2e per year after mitigation. No feasible mitigation measures beyond those already identified exist that would reduce these emissions to levels that are less than significant. Therefore, even with the incorporation of mitigation, long-term impacts associated with a cumulatively considerable increase in GHG emissions would be significant and unavoidable.

Threshold B: Would the Project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less-than-Significant Impact with Mitigation Incorporation. Applicable plans, policies, and regulations for the proposed Project include the SCAG's RTP/SCS, and CARB's Scoping Plan. As previously stated, the City's CAP does not align with statewide goals beyond AB 32 (i.e., 2020 GHG reduction target), and is therefore not considered a qualified plan for CEQA analysis per CEQA Guidelines Section 15183.5 for projects after 2020. Given that the Project would be constructed and operational after 2020, the Project cannot tier from the CAP for determining

significance of Project-related GHG impacts. However, a discussion of the CAP and the Project's support of overall GHG reduction goals therein is provided below for informational purposes.

Each of these plans is described below along with an analysis of the proposed Project's potential to conflict with the related GHG emission reduction goals.

Potential to Conflict with the City's Climate Action Plan

As previously stated, the 2015 CAP was developed to demonstrated how the City would reduce GHG emissions in compliance with AB 32 (i.e., 1990 emissions by 2020). While no inventory or reduction targets were estimated for the post-2020 period, the CAP did include a discussion of likely strategies the City would implement to keep on track into the future. These strategies included those to address GHG emissions from building energy, transportation, waste generation, water use, and energy use. These strategies are discussed below together with a discussion of the Project's potential to conflict.

- **Increase energy efficiency and green building efforts.** The Project would not conflict with the City's goal to increase energy efficiency and green building efforts. Implementation of **MM-GHG-2** (Rooftop Solar) requires on-site solar generation sufficient to accommodate the Project's total operational energy requirements from within the building envelope at maximum peak power. In addition, although not specifically focused on energy efficiency, **MM-GHG-3** (Water Conservation) would require the implementation of a Water Conservation Strategy and demonstrate a minimum 20% reduction in indoor and outdoor water usage when compared to baseline water demand through use of water conservation measures such as installation of low-flow appliances and fixtures. As water conveyance and treatment generates GHGs indirectly due to the electricity involved in the process, reducing water demand would also reduce the amount of electricity required.
- **Continue to implement land use and transportation measures.** The Project would not conflict with the City's goal to reduce emissions from transportation due to implementation of **MM-AQ-2 (**Haul Trucks) and **MM-AQ-3** (Zero-Emissions Off-Road Equipment), which require the use of recent model year engine emission standards for haul trucks, and use of zero-emission off-road equipment (e.g., yard trucks) for transportation of goods during operation, respectively.
- **Move beyond local waste diversion goal for 2020.** The Project would not conflict with the solid waste reduction goals of the City beyond those proposed for 2020. Through implementation of **MM-GHG-4** (Solid Waste Reduction), the Project will establish a 75% waste diversion program through various waste reduction measures including use of recycling and green waste storage areas, and potential on-site composting.
- **Continue to improve local water efficiency and conservation.** The Project would not conflict with improved water efficiency and conservation within the City to reduce GHG emissions. As discussed above, implementation of **MM-GHG-3** (Water Conservation) would require the implementation of a Water Conservation Strategy and demonstrate a minimum 20% reduction in indoor and outdoor water usage when compared to baseline water demand through use of water conservation measures such as installation of low-flow appliances and fixtures.
- **Commercial energy efficiency and renewable energy installations.** The Project would support the City's goal for energy efficiency and renewable energy installations through implementation of **MM-GHG-1** (Building Design). As discussed above, **MM-GHG-2** (Rooftop Solar) requires on-site solar generation sufficient to accommodate the Project's total operational energy requirements from within the building envelope at maximum peak power.

Project Potential to Conflict with State Reduction Targets and CARB's Scoping Plan

As discussed in Section 4.7.2, the California State Legislature passed AB 32 to provide initial direction to limit California's GHG emissions to 1990 levels by 2020 and initiate the state's long-range climate objectives. Since the passage of AB 32, the state has adopted GHG emissions reduction targets for future years beyond the initial 2020 horizon year. CARB is required to develop the Scoping Plan, which provides the framework for actions to achieve the state's GHG emission targets. While the Scoping Plan is not directly applicable to specific projects, nor is it intended to be used as the sole basis for project-level evaluations, it is the official framework for the measures and regulations that will be implemented to reduce California's GHG emissions in alignment with the adopted targets. Therefore, a project would be found to not conflict with the statutes if it would meet the Scoping Plan policies and would not impede attainment of the goals therein.

For the Project, the relevant GHG emissions reduction targets include those established by SB 32 and AB 1279, which require GHG emissions be reduced to 40% below 1990 levels by 2030, and 85% below 1990 levels by 2045, respectively. In addition, AB 1279 requires the state achieve net zero GHG emissions by no later than 2045 and achieve and maintain net negative GHG emissions thereafter. CARB's 2017 Scoping Plan update was the first to address the state's strategy for achieving the 2030 GHG reduction target set forth in SB 32 (CARB 2017a), and the most recent CARB 2022 Scoping Plan update outlines the state's plan to reduce emissions and achieve carbon neutrality by 2045 in alignment with AB 1279 and assesses progress is making toward the 2030 SB 32 target (CARB 2022b). As such, given that SB 32 and AB 1279 are the relevant GHG emission targets, the 2017 and 2022 Scoping Plan updates that outline the strategy to achieve those targets, are the most applicable to the Project.

The 2017 Scoping Plan included measures to promote renewable energy and energy efficiency (including the mandates of SB 350), increase stringency of the LCFS, measures identified in the Mobile Source and Freight Strategies, measures identified in the proposed Short-Lived Climate Pollutant Plan, and increase stringency of SB 375 targets. The 2022 Scoping Plan builds upon and accelerates programs currently in place, including moving to zero-emission transportation; phasing out use of fossil gas use for heating homes and buildings; reducing chemical and refrigerants with high GWP; providing communities with sustainable options for walking, biking, and public transit; and displacement of fossil-fuel fired electrical generation through use of renewable energy alternatives (e.g., solar arrays and wind turbines) (CARB 2022b). Many of the measures and programs included in the Scoping Plan would result in the reduction of Project-related GHG emissions with no action required at the project-level, including GHG emission reductions through increased energy efficiency and renewable energy production (SB 350), reduction in carbon intensity of transportation fuels (LCFS), and the accelerated efficiency and electrification of the statewide vehicle fleet (Mobile Source Strategy).

Table 4.7-6 summarizes the Project's potential to conflict with the applicable *2017 Scoping Plan*.

Table 4.7-6. Project Potential to Conflict with 2017 Scoping Plan

Action	Responsible Parties	Potential to Conflict
Implement SB 350 by 2030		
Increase the Renewables Portfolio Standard to 50% of retail sales by 2030 and ensure grid reliability.	CPUC, CEC, CARB	*No conflict*. The Project would use energy from Southern California Edison (SCE). SCE has committed to diversify its portfolio of energy sources by increasing energy from wind and solar sources. The Project would not interfere with or obstruct SCE energy source diversification efforts.
Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.		*No conflict*. The Project would be constructed in compliance with the current California Building Code requirements at the time of construction. Specifically, new buildings must achieve compliance with the applicable 2022 Building and Energy Efficiency Standards and the 2022 California Green Building Standards requirements. In addition, **MM-GHG-2** (Rooftop Solar) specifies that the Project would commit to on-site solar generation sufficient to accommodate the Project's total operational energy requirements from within the building envelope at maximum peak power.
Reduce GHG emissions in the electricity sector through the implementation of the above measures and other actions as modeled in Integrated Resource Planning (IRP) to meet GHG emissions reductions planning targets in the IRP process. Load-serving entities and publicly- owned utilities meet GHG emissions reductions planning targets through a combination of measures as described in IRPs.		
Implement Mobile Source Strategy (Cleaner Technology and Fuels)		
At least 1.5 million zero emission and plug-in hybrid light-duty EVs by 2025.	CARB, California State Transportation Agency (CalSTA), Strategic Growth Council (SGC), California Department of Transportation (Caltrans), CEC, OPR, Local Agencies	*No conflict*. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB zero emission and plug-in hybrid light-duty EV 2025 targets. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and will therefore comply with the strategy.
At least 4.2 million zero emission and plug-in hybrid light-duty EVs by 2030.		*No conflict*. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB zero emission and plug-in hybrid light-duty EV 2030 targets. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and will therefore comply with the strategy.

Table 4.7-6. Project Potential to Conflict with 2017 Scoping Plan

Action	Responsible Parties	Potential to Conflict
Implement SB 350 by 2030		
Further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean cars regulations.		*No conflict*. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB efforts to further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean cars regulations. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and will therefore comply with the strategy.
Medium- and Heavy-Duty GHG Phase 2.		*No conflict*. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB efforts to implement Medium- and Heavy-Duty GHG Phase 2. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and will therefore comply with the strategy.
Last Mile Delivery: New regulation that would result in the use of low NO_X or cleaner engines and the deployment of increasing numbers of zero-emission trucks primarily for class 3-7 last mile delivery trucks in California. This measure assumes ZEVs comprise 2.5% of new Class 3–7 truck sales in local fleets starting in 2020, increasing to 10% in 2025 and remaining flat through 2030.		*No conflict*. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB cleaner last mile delivery trucks in California. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and will therefore comply with the strategy.

Table 4.7-6. Project Potential to Conflict with 2017 Scoping Plan

Action	Responsible Parties	Potential to Conflict
Implement SB 350 by 2030		
Harmonize project performance with emissions reductions and increase competitiveness of transit and active transportation modes (e.g. via guideline documents, funding programs, project selection, etc.).	CalSTA, SGC, OPR, CARB, Governor's Office of Business and Economic Development (GO-Biz), California Infrastructure and Economic Development Bank (IBank), Department of Finance (DOF), California Transportation Commission (CTC), Caltrans	*No conflict*. The Project would not obstruct or interfere with agency efforts to harmonize transportation facility project performance with emissions reductions and increase competitiveness of transit and active transportation modes.
By 2019, develop pricing policies to support low-GHG transportation (e.g. low-emission vehicle zones for heavy duty, road user, parking pricing, transit discounts).	CalSTA, Caltrans, CTC, OPR, SGC, CARB	*No conflict*. The Project would not obstruct or interfere with agency efforts to develop pricing policies to support low-GHG transportation.
Implement California Sustainable Freight Action Plan		
Improve freight system efficiency.	CalSTA, CalEPA, CNRA, CARB, Caltrans, CEC, GO-Biz	*No conflict*. This measure would apply to all trucks accessing the Project sites, including existing trucks or new trucks that are part of the statewide goods movement sector. The Project would not obstruct or interfere with agency efforts to improve freight system efficiency.
Adopt a Low Carbon Fuel Standard with a Carbon Intensity reduction of 18%.	CARB	*No conflict*. This measure, which was increased to 20% reduction in carbon intensity by 2030, applies to all fuel purchased and used by the Project in the state. The Project would not obstruct or interfere with agency efforts to implement a Low Carbon Fuel Standard.

Table 4.7-6. Project Potential to Conflict with 2017 Scoping Plan

Action	Responsible Parties	Potential to Conflict
Implement SB 350 by 2030		
By 2018, develop Integrated Natural and Working Lands Implementation Plan to secure California's land base as a net carbon sink		
Utilize wood and agricultural products to increase the amount of carbon stored in the natural and built environments		*No conflict*. To the extent appropriate for the proposed industrial buildings, wood products would be used in construction, including for the roof structure.

Source: CARB 2017a.

Table 4.7-7 highlights the measures from the 2022 Scoping Plan that are relevant to the Project.

Table 4.7-7. Project Potential to Conflict with 2022 Scoping Plan

Sector	Action	Potential to Conflict
GHG Emissions Reductions Relative to the SB 32 Target	40% below 1990 levels by 2030	*No conflict*. While the SB 32 GHG emissions reduction target is not an Action that is analyzed independently, it is included in Table 2-1 of the 2022 Scoping Plan for reference. The Project would not obstruct or interfere with agency efforts to meet the SB 32 reduction goal.
Smart Growth / VMT	VMT per capita reduced 25% below 2019 levels by 2030, and 30% below 2019 levels by 2045	*No conflict*. The Project would not obstruct or interfere with agency efforts to meet this regional VMT reduction goal, including through implementation of SB 375. As detailed below, the Project would be consistent with the SCAG 2020–2045 RTP/SCS, which is the regional growth management strategy that targets per capita GHG reduction from passenger vehicles and light trucks in the Southern California Region pursuant to SB 375
Light-duty Vehicle (LDV) Zero Emission Vehicles (ZEVs)	100% of LDV sales are ZEV by 2035	*No conflict*. As this action pertains to LDV sales within California, the Project would not obstruct or interfere with its implementation.
Truck ZEVs	100% of medium-duty vehicle (MDV)/ heavy-duty vehicle (HDV) sales are ZEV by 2040	*No conflict*. As this action pertains to MDV and HDV sales within California, the Project would not obstruct or interfere with its implementation.

Table 4.7-7. Project Potential to Conflict with 2022 Scoping Plan

Sector	Action	Potential to Conflict
Electricity Generation	Sector GHG target of 38 million metric tons of carbon dioxide equivalent ($MMTCO_2e$) in 2030 and 30 $MMTCO_2e$ in 2035 Retail sales load coverage[1] 20 gigawatts (GW) of offshore wind by 2045 Meet increased demand for electrification without new fossil gas-fired resources	*No conflict*. As this Action pertains to the statewide procurement of renewably generated electricity, the Project would not obstruct or interfere with its implementation. However, the Project would support increased usage of renewable electricity through the installation of on-site solar panels sufficient to accommodate the Project's total operational energy requirements from within the building envelope at maximum peak power (**MM-GHG-2** [Rooftop Solar]).
New Residential and Commercial Buildings	All electric appliances beginning 2026 (residential) and 2029 (commercial), contributing to 6 million heat pumps installed statewide by 2030	*No conflict*. The Project would not obstruct or interfere with agency efforts to meet the all-electric appliance and heat pump goals.
Construction Equipment	25% of energy demand electrified by 2030 and 75% electrified by 2045	*No conflict*. As this Action pertains to the electrification of off-road equipment across California, the Project would not obstruct or interfere with its implementation. However, the Project would support the Action through the requirement that all cargo handling and landscaping equipment to be zero-emission (**MM-AQ-3** [Zero-Emissions Off-Road Equipment]).
Low Carbon Fuels for Transportation	Biomass supply is used to produce conventional and advanced biofuels, as well as hydrogen	*No conflict*. The Project would not obstruct or interfere with agency efforts to increase the provision of low carbon fuels for transportation.
Low Carbon Fuels for Buildings and Industry	In 2030s biomethane blended in pipeline Renewable hydrogen blended in fossil gas pipeline at 7% energy (~20% by volume), ramping up between 2030 and 2040 In 2030s, dedicated hydrogen pipelines constructed to serve certain industrial clusters	*No conflict*. The Project would not obstruct or interfere with agency efforts to increase the provision of low carbon fuels for use in buildings and industry.
High GWP Potential Emissions	Low GWP refrigerants introduced as building electrification increases, mitigating HFC emissions	*No conflict*. The Project would not obstruct or interfere with agency efforts to introduce low GWP refrigerants.

Source: CARB 2022b.
Notes:
[1] As noted in Table 2-1 of the 2022 Scoping Plan, SB 100 speaks only to retail sales and state agency procurement of electricity (i.e., wholesale or non-retail sales and losses from storage and transmission and distribution lines are not subject to the law).

Based on the analysis in Table 4.7-6 and Table 4.7-7, the Project would not conflict with the applicable strategies and measures in the 2017 Scoping Plan and 2022 Scoping Plan, respectively.

The 2045 carbon neutrality goal required CARB to expand proposed actions in the 2022 Scoping Plan to include those that capture and store carbon in addition to those that reduce only anthropogenic sources of GHG emissions. However, the 2022 Scoping Plan emphasizes that reliance on carbon sequestration in the state's natural and working lands will not be sufficient to address residual GHG emissions, and achieving carbon neutrality will require research, development, and deployment of additional methods to capture atmospheric GHG emissions (e.g., mechanical direct air capture). Given that the specific path to neutrality will require development of technologies and programs that are not currently known or available, the Project's role in supporting the statewide goal would be speculative and cannot be wholly identified at this time.

Overall, the Project would comply will all regulations adopted in furtherance of the Scoping Plan to the extent applicable and required by law. As demonstrated above, the Project would not conflict with CARB's 2017 or 2022 Scoping Plan updates and with the state's ability to achieve the 2030 and 2045 GHG reduction and carbon neutrality goals.

Potential to Conflict with SCAG's RTP/SCS

The SCAG 2020–2045 RTP/SCS is a regional growth management strategy that targets per capita GHG reduction from passenger vehicles and light trucks in the Southern California Region pursuant to SB 375. In addition to demonstrating the Region's ability to attain the GHG emission-reduction targets set forth by CARB, the 2020-2045 RTP/SCS outlines a series of actions and strategies for integrating the transportation network with an overall land use pattern that responds to projected growth, housing needs, changing demographics, and transportation demands. Thus, successful implementation of the 2020-2045 RTP/SCS would result in more complete communities with a variety of transportation and housing choices, while reducing automobile use.

The following strategies are intended to be supportive of implementing the 2020-2045 RTP/SCS and reducing GHGs: focus growth near destinations and mobility options; promote diverse housing choices; leverage technology innovations; support implementation of sustainability policies; and promote a green region (SCAG 2020). The strategies that pertain to residential development and SCAG's support of local jurisdiction sustainability efforts would not apply to the Project. The Project's compliance with the remaining applicable strategies is presented below.

- **Focus Growth Near Destinations and Mobility Options.** The Project's compliance with this strategy of the 2020-2045 RTP/SCS is supported because the Project would introduce new jobs proximate to existing housing which would reducing vehicle miles traveled. The Project's proximity to existing freeways also helps to reduce VMT and local truck traffic congestion.
- **Leverage Technology Innovations.** One of the technology innovations identified in the 2020-2045 RTP/SCS that would apply to the Project is the promotion and support of low emission technologies for transportation, such as alternative fueled vehicles to reduce per capita GHG emissions. For this particular Project, **MM-AQ-3** (Zero-Emissions Off-Road Equipment) would require that all cargo handling and landscaping equipment to be zero-emission, including the necessary charging stations or necessary infrastructure for cargo handling equipment.
- **Promote a Green Region.** The third applicable strategy within the 2020-2045 RTP/SCS, for individual developments, such as the Project, involves promoting a green region through efforts such as supporting local policies for renewable energy production and promoting more resource efficient development

(e.g., reducing energy consumption) to reduce GHG emissions. A key means that the Project would use to support this strategy is by including rooftop solar and water-efficient appliances into the Project design as a part of **MM-GHG-2** (Rooftop Solar) and **MM-GHG-3** (Water Conservation), respectively.

Based on the analysis above, with mitigation, the Project would be consistent with the SCAG 2020-2045 RTP/SCS.

The Draft Connect SoCal 2024 plan continues the work of 2020-2045 RTP/SCS, but with a horizon planning date of 2050. The 2024 plan includes the following key policies:

- **Housing and Transportation.** The plan supports the development of more housing near transit and jobs, as well as the provision of more transit options and mobility services, to reduce travel distances and costs, improve accessibility and affordability, and enhance livability and equity. The Project does not include housing but would not conflict with the Plan's policy in this regard as it would locate new jobs near existing housing reducing VMT.
- **New Mobility and Transportation Demand Management.** The plan embraces the potential of new mobility technologies and services, such as shared mobility, micro-mobility, autonomous vehicles, and mobility hubs, to complement and integrate with the existing transportation system, while also managing the demand for travel through pricing, incentives, and behavioral nudges. The Project would not conflict with this policy.
- **Goods Movement and Economic Development.** The plan recognizes the vital role of goods movement in the region's economy and quality of life, and proposes strategies to improve the efficiency, reliability, and sustainability of the freight system, such as truck platooning, zero-emission vehicles, and intelligent transportation systems. The Project's proximity to existing freeways would help to reduce VMT and local truck traffic congestion. In addition, **MM-AQ-2** (Haul Trucks) requires the use of haul trucks that are cleaner than average and **MM-AQ-3** (Zero-Emissions Off-Road Equipment) requires the use of zero-emission off-road equipment. The Project would not conflict with this policy.
- **Green Region and Innovation.** The plan promotes the development of a green region that is resilient to climate change and reduces greenhouse gas emissions, through strategies such as electrification, renewable energy, natural and working lands conservation, and smart growth. As noted above, the Project promotes a green region through rooftop solar and water-efficient appliances that are incorporated into the Project design as a part of **MM-GHG-2** (Rooftop Solar) and **MM-GHG-3** (Water Conservation), respectively. The Project would not conflict with this policy.

Summary

The Project would not conflict with the CARB's Scoping Plan and would not conflict with other regulations regarding reductions to GHG emissions including AB 32, SB 32, and AB 1279. Additionally, the Project would not conflict with the City's 2015 CAP, the SCAG 2020–2045 RTP/SCS, and the Draft Connect SoCal 2024 Plan with implementation of mitigation.

4.7.5 Mitigation Measures and Level of Significance After Mitigation

Threshold A: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The Project would result in potentially significant impacts with regard to generating GHG emissions. The following Applicant Proposed Measures would be implemented to reduce GHG emissions associated with construction, as well as operational vehicle activity, energy use, water use, and solid waste generation. However, even with implementation of the mitigation below, impacts related to GHG emissions would remain **significant and unavoidable**.

MM-GHG-1 Building Design. The Project shall be designed to:

- Achieve Leadership in Energy and Environmental Design (LEED) certification and meet or exceed California Green Building Standards (CALGreen) Tier 2 standards in effect at the time of building permit application. Documentation shall be provided to the City of Victorville demonstrating that the Project meets this requirement prior to the issuance of building permits.
- Include the application of surface treatments (such as PURETi Coat or PlusTi) on impervious ground surfaces that lessen impervious surface-related radiative forcing.
- The Project's roof structures shall be designed to include "cool roof" materials with a minimum aged reflectance and thermal emittance values that are equal to or greater than those specified in the current edition of the California Green Building Standards (CALGreen), Table A5.106.11.2.3 for Tier 1 standards.
- Sufficient shade trees shall be provided throughout the Project site so that at least 30% of the automobile parking areas will be shaded within 15 years after Project construction is complete (excluding the truck courts where trees cannot be planted due to interference with truck maneuvering).
- All heating, cooling, lighting, and appliance fixtures shall be Energy Star-rated
- Structures shall be equipped with outdoor electric outlets in the front and rear of the structures to facilitate use of electrical lawn and garden equipment.
- Provide storage areas for recyclables and green waste, as well as food waste storage if a pick-up service is available.
- Include HVAC and/or HEPA air filtration systems within in all warehouse facilities.

MM-GHG-2 Rooftop Solar. The Project shall provide rooftop solar array that has the capacity to provide on-site solar generation sufficient to accommodate the Project's total operational energy requirements from within the building envelope at maximum peak. However, the rooftop solar system will not be designed or constructed to exceed the annual energy consumption of the Project facilities.

MM-GHG-3 Water Conservation. To reduce water demands and associated energy use, subsequent development proposals within the Project site would be required to implement a Water Conservation Strategy and demonstrate a minimum 20% reduction in indoor and outdoor water usage when compared to baseline water demand (total expected water demand without implementation of the Water Conservation Strategy). To implement this measure, prior to the

issuance of building permits for the Project, the Project applicant shall provide building plans that include the following water conservation measures:

- Install low-water use appliances and fixtures
- Restrict the use of water for cleaning outdoor surfaces and prohibit systems that apply water to non-vegetated surfaces
- Implement water-sensitive urban design practices in new construction
- Install rainwater collection systems where feasible.

MM-GHG-4 Solid Waste Reduction. In order to reduce the amount of waste disposed at landfills, the Project would implement a 75% waste diversion program. To implement this measure, prior to the issuance of building permits for the Project, the Project applicant shall provide building plans that include the following solid waste reduction measures:

- Provide storage areas for recyclables and green waste in new construction, and food waste storage, if a pick-up service is available.
- Evaluate the potential for on-site composting.
- The Project would also implement **MM-AQ-2** through **MM-AQ-7**, whichwould also serve to reduce GHG emissions (see Section 4.2 for full text of air quality mitigation measures).

Threshold B: Would the Project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The Project would not conflict with applicable plans, policies or regulations related to GHGs. Impacts are **less than significant with implementation of mitigation**.

4.7.6 Cumulative Impacts

Significant and Unavoidable Impact. As previously discussed in Section 4.7.1, Existing Conditions, GHG emissions impacts are inherently cumulative in nature. As shown in Table 4.7-5, the Project would result in GHG emissions in exceedance of the SCAQMD significance threshold, even after implementation of **MM-GHG-1** through **MM-GHG-4** and **MM-AQ-2** through **MM-AQ-7**; impacts would remain **significant and unavoidable**.

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4.8 Hazards, Hazardous Materials, and Wildfire

This section describes the existing hazardous materials conditions of the Project site and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Mojave Industrial Park Project (Project). An evaluation of wildfire risks is also evaluated in this section.

In addition to the documents incorporated by reference (see Section 2.7 of Chapter 2, Introduction, of this environmental impact report [EIR]), the following analysis is based, in part, on the following sources:[1]

- Geotechnical Investigation – Building 6 Mojave Drive Industrial Park Buildings 5 & 6 – 4,100 ± feet East of Highway 395, 500 ± feet North of Mojave Drive Victorville, California for Aquadera Sunset LLC by Southern California Geotechnical in January 2023 (Appendix F-1)
- Geotechnical Investigation Proposed Industrial Park Building 7 – NEC Mojave Drive and Onyx Road Victorville, California for MLP Associates LLC by Southern California Geotechnical in December 2022 (Appendix F-2)

No comments were received related to hazards, hazardous materials, or wildfire during the public review of the notice of preparation. A copy of the notice of preparation and comment letters received are included in Appendix A.

4.8.1 Existing Conditions

Project Site Conditions

The Project consists of an approximately 81.1-acre site (gross acres), which consists of vacant and undeveloped land. Ground surface cover is characterized by low to moderate densities of native brush and shrub growth, with occasional juniper and Joshua trees located throughout the site. Occasional debris piles are present throughout the site, that contain glass, metal, plastic, wood, paper, and other miscellaneous organic material. The topography within the Project site slopes gently downward to the northwest at a gradient, with an elevation differential of approximately 12 feet.

The Project site is underlain by native alluvium soils, consisting of medium dense to very dense silty fine to coarse sands with varying clay and gravel content. On-site exploratory drilling did not encounter groundwater within 25 feet below ground surface. In addition, there are three nearby groundwater monitoring wells located approximately 1.2 miles east of the site. Water level readings within the monitoring wells indicate a high groundwater level of approximately 70 feet below ground surface (Appendix F-1 and Appendix F-2).

Surrounding Areas

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:** Cactus Road and vacant land
- **East:** Topaz Road, vacant land, and single-family homes

[1] Note that while the geotechnical reports referenced use Building Numbers 5 through 7, the details contained within the studies accurately analyzes the Buildings 1 through 3 proposed by the Project.

- **South:** Mojave Drive, vacant land, and single-family homes
- **West:** Onyx Road and vacant land

Wildfire

Fire Hazard Mapping

The California Department of Forestry and Fire Protection's (CAL FIRE's) Fire and Resource Assessment Program database also includes map data documenting areas of significant fire hazards in the state. These maps categorize geographic areas of the state into different Fire Hazard Severity Zones (FHSZs), ranging from moderate to very high. CAL FIRE uses FHSZs to classify anticipated fire-related hazards for the entire state, and includes classifications for State Responsibility Areas, Local Responsibility Areas, and Federal Responsibility Areas. Fire hazard severity classifications take into account vegetation, topography, weather, crown fire production, and ember production and movement. CAL Fire's FHSZ Map shows the Project site is within the Local Responsibility Area and not within a FHSZ. However, the Project site is located near a Moderate FHSZ approximately 3.89 miles to the west (CAL FIRE 2022).

4.8.2 Relevant Regulations, Plans, Policies, and Ordinances

Federal

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as "Superfund," was enacted by Congress on December 11, 1980. This law provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA established requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled a revision of the National Contingency Plan. The National Contingency Plan provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The National Contingency Plan also established the National Priorities List, which is a list of contaminated sites warranting further investigation by the U.S. Environmental Protection Agency (EPA). The Superfund Amendments and Reauthorization Act amended CERCLA on October 17, 1986.

The Federal Toxic Substances Control Act of 1976 and Resource Conservation and Recovery Act of 1976

The Federal Toxic Substances Control Act of 1976 and Resource Conservation and Recovery Act (RCRA) established a program administered by the EPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act, which affirmed and extended the "cradle-to-grave" system of regulating hazardous wastes. The Hazardous and Solid Waste Act specifically prohibited the use of certain techniques for the disposal of some hazardous wastes.

National Pollutant Discharge Elimination System Permit Program

The National Pollution Discharge Elimination System (NPDES) permit program was established in the Clean Water Act to regulate municipal and industrial discharges to surface waters of the United States. Discharge from any point source is unlawful unless the discharge is in compliance with an NPDES permit. Federal NPDES permit regulations have been established for broad categories of discharges, including point-source municipal waste discharges and nonpoint-source stormwater runoff. NPDES permits generally identify effluent and receiving water limits on allowable concentrations and/or mass emissions of pollutants contained in the discharge; prohibitions on discharges not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities.

State

Cortese List/Government Code 65962.5

California Government Code Section 65962.5 requires that information regarding environmental impacts of hazardous substances and wastes be maintained and provided at least annually to the Secretary for Environmental Protection. Commonly referred to as the Cortese List, this information must include the following: sites impacted by hazardous wastes, public drinking water wells that contain detectable levels of contamination, underground storage tanks with unauthorized releases, solid waste disposal facilities from which there is migration of hazardous wastes, and all cease and desist and cleanup and abatement orders. This information is no longer centrally recorded but is maintained individually by various agencies, including the Department of Toxic Substances Control, State Department of Health Services, State Water Resources Control Board, and local Certified Unified Program Agencies (CUPAs). Typically, records searches are conducted via a regulatory database search company. Database search companies usually conduct searches in accordance with ASTM Standard of Practice E 1527-13, Standard Practice for ESAs. The list of databases that are searched during this process is more comprehensive than the Cortese List. As such, the database search conducted for the Project includes the Cortese List but is not limited to this list.

California Hazardous Waste Control Act, Title 22 of the California Code of Regulations and Hazardous Waste Control Law, Chapter 6.5

The Department of Toxic Substances Control is responsible for the enforcement of the Hazardous Waste Control Act (California Health and Safety Code, Section 25100 et seq.), which creates the framework under which hazardous wastes are managed in California. The law provides for the development of a state hazardous waste program that administers and implements the provisions of the federal RCRA cradle-to-grave waste management system in California. It also provides for the designation of California-only hazardous waste and development of standards that are equal to or in some cases more stringent than federal requirements. The Hazardous Waste Control Act lists 791 chemicals and approximately 300 common materials that may be hazardous; establishes criteria for identifying, packaging, and labeling hazardous wastes; prescribes management controls; establishes permit requirements for hazardous waste treatment, storage, disposal, and transportation; and identifies some wastes that cannot be disposed of in landfills.

California Health and Safety Code

In California, the handling and storage of hazardous materials are regulated by Division 20, Chapter 6.95 of the California Health and Safety Code. Under Sections 25500–25543.3, facilities handling hazardous materials are required to prepare a hazardous materials business plan (HMBP), which contains basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of in the state.

Chapter 6.95 of the California Health and Safety Code establishes minimum statewide standards for HMBPs. Each business shall prepare a HMBP if that business uses, handles, stores a hazardous material (including hazardous waste), or an extremely hazardous material in disclosable quantities greater than or equal to the following:

- 500 pounds of a solid substance
- 55 gallons of a liquid
- 200 cubic feet of compressed gas
- a hazardous compressed gas in any amount (highly toxic with a threshold limit value of 10 parts per million or less)
- extremely hazardous substances in threshold-planning quantities

In addition, in the event that a facility stores quantities of specific acutely hazardous materials above the thresholds set forth by the California Health and Safety Code, facilities are also required to prepare a risk management plan and an accidental release plan. These plans provide information on the potential impact zone of a worst-case release and require plans and programs designed to minimize the probability of a release and to mitigate potential impacts. Based on the Project land uses (i.e., industrial, commercial), an HMBP may be required (e.g., due to storage of pool chemicals); however, it is unlikely that a risk management plan and accidental release plan would be required, due to a probable lack of acutely hazardous materials. The Riverside County Department of Environmental Health would make a final determination regarding the appropriate plan(s) to be completed.

Occupational Safety and Health Act

The California Occupational Safety and Health Administration (Cal/OSHA) is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. Cal/OSHA standards are generally more stringent than federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (8 CCR 337–340). The regulations specify requirements for employee training, availability of safety equipment, accident prevention programs, and hazardous substance exposure warnings.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program was created in 1993 by Senate Bill 1082 to consolidate, coordinate, and make consistent the administrative requirements, permits, inspections, and enforcement activities of environmental and emergency management programs. The program is implemented at the local government level by CUPAs. In the City of Victorville, the San Bernardino County Fire Department is the CUPA (CERS 2015). The program consolidates, coordinates, and makes consistent the following hazardous materials and hazardous waste programs (program elements):

- Hazardous waste generation (including on-site treatment under Tiered Permitting)
- Aboveground petroleum storage tanks (only the spill prevention, control, and countermeasure plan)
- Underground storage tanks

- Hazardous material release response plans and inventories
- California Accidental Release Prevention Program
- Uniform Fire Code HMBPs and Inventories

Local

City of Victorville General Plan

The Safety Element of the General Plan identifies, establishes, and sets forth policies to address hazards within the municipality. Goals, objectives, and policies related to hazards and hazardous materials in the General Plan include the following (City of Victorville 2008):

Goal 1: Protection from hazards—Protect the community against natural and man-made hazard.

Objective #1.1: Restrict land uses in areas identified as susceptible to natural and man-made hazards.

Objective #1.2: Identify and mitigate geologic hazards in the land use and development project planning process.

Policy #1.2.1: Require an adequate assessment of site-specific geologic hazards and required mitigation measures prior to granting discretionary approval for a land use plan, development project or public infrastructure plan or project.

Objective #1.3: Prevent and promptly abate accidental and potentially dangerous releases of hazardous materials and wastes.

Policy #1.3.1: Restrict an/or prohibit the siting of land uses that store, use, transport, dispose of or generate significant quantities of hazardous materials and wastes, through land use element policies, zoning and subdivision regulations, and site plan review procedures.

Goal #2: Protection of public health and safety—integrate public health and safety issues into planning and development policies.

Objective #2.1: Achieve desired fire protection, police, and emergency medical services performance standards.

Policy #2.1.1: Ensure that new private or public development has sufficient fire protection, police, and emergency medical services available. Such developments shall not strain capabilities to a level where service standards could not be met.

Objective #2.2: Maintain optimal emergency preparedness.

Policy #2.2.1: Continue to maintain, implement, and update as necessary, emergency preparedness procedures.

City of Victorville Local Hazard Mitigation Plan 2021

The City updated its Local Hazard Mitigation Plan (LHMP) in 2022 in an effort to identify hazards, determine their likely impacts, and set mitigation goals and strategies, to expedite the recovery from a disaster to normalcy and increase the City's resiliency to disasters. The LHMP focused on four hazards that were determined to be most

significant to the City: climate change, dam inundation, earthquake/seismic, and flood/flashflood. The LHMP included a vulnerability assessment and identified mitigation goals and actions for each of the four hazards and those that apply to all hazards such as improving emergency services management capability through implementation of a public notification system and ensuring continual power supply at the Emergency Operations Center (City of Victorville 2022).

4.8.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts related to hazards and hazardous materials are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to hazards and hazardous material would occur if the Project would:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
2. 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.
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as result, would it create a significant hazard to the public or the environment.
5. 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.
6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.
8. Result in a cumulatively considerable impact with regard to hazards and hazardous materials.

Threshold D was analyzed in the Initial Study (Appendix A) and was not carried forward for further analysis in this EIR. See Chapter 5, Effects Found Not To Be Significant, for additional detail.

4.8.4 Impacts Analysis

Threshold A: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less-than-Significant Impact with Mitigation Incorporated. During construction, a variety of hazardous substances and wastes would be stored, used, and generated on the Project site, including fuels for machinery and vehicles, new and used motor oils, cleaning solvents, paints, and storage containers. If not managed appropriately, these hazardous materials could represent a potential threat to human health and the environment. Provisions to properly manage hazardous substances and wastes during construction are typically included in construction specifications and are under the responsibility of the construction contractors. For example, construction contractors would be required to comply with Cal/OSHA regulations concerning the use of hazardous materials, including requirements for safety training, exposure warnings, availability of safety equipment, and preparation of

emergency action/prevention plans. Adherence to the construction specifications and applicable regulations regarding hazardous materials and hazardous waste, including disposal, would ensure that Project construction would not create a significant hazard to the public or the environment during the construction phase of the Project.

Additionally, the Project would implement **Mitigation Measure (MM) HAZ-1**, which requires the removal and disposal of on-site tires and debris from the Project area in accordance with all applicable local, state, and federal guidelines. In the event that potential contamination is encountered, the contamination shall be evaluated by a qualified environmental professional using the appropriate collection and sampling techniques as determined by the environmental professional based on the nature of the contamination. The nature and extent of contamination shall be determined and the appropriate handling, disposal, and/or treatment shall be implemented in accordance with applicable regulatory requirements.

Upon completion of Project construction, the Project would involve the operation and maintenance of the industrial/warehouse facilities. Operation of the Project would likely involve the use of industrial-grade chemicals and commercially available cleaning products, landscaping chemicals and fertilizers, and various other commercially available products during the day-to-day operation of the facilities. Any storage of these materials at the site would be required to comply with the guidelines established by the manufacturer's recommendations and be consistent with federal, state, and local requirements regarding the transport, storage, removal, and disposal of hazardous materials. Transport of hazardous wastes from the Project site would be conducted by a permitted and licensed service provider. Any handling, transport, use, or disposal must comply with all applicable federal, state, and local agencies and regulations, including the EPA, Department of Toxic Substances Control, CAL/OSHA, RCRA, and San Bernardino County Fire Protection District.

Although the future tenants are not known yet, in the event that a future tenant's operations require them to transport, use, or dispose of quantities of hazardous materials identified by the state, pursuant to the California Health and Safety Code and in accordance with the San Bernardino County Fire Protection District's CUPA requirements, the owner/operator must complete and submit a HMBP to the California Environmental Reporting System. An HMBP is a document containing detailed information on the inventory of hazardous materials at a facility; emergency response plans and procedures in the event of a reportable release or threatened release of a hazardous material; training for all new employees and annual training, including refresher courses, for all employees in safety procedures in the event of a release or threatened release of a hazardous material; and a site map that contains north orientation, loading areas, internal roads, adjacent streets, storm and sewer drains, access and exit points, emergency shutoffs, evacuation staging areas, hazardous material handling and storage areas, and emergency response equipment. The HMBP provides basic information necessary for use by first responders to prevent or mitigate damage to the public health and safety and the environment from a release or threatened release of hazardous materials, and to satisfy federal and state Community Right-To-Know laws. Therefore, long-term operational impacts associated with the routine transport, use, or disposal of hazardous materials would be less than significant.

In summary, the Project would result in potentially significant impacts with regard to the creation of a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. **MM-HAZ-1** would be implemented, and Project impacts would be less than significant with mitigation incorporated.

Threshold B: Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less-than-Significant Impact. During construction, hazardous materials such as fuels and lubricants would be transported to and used on site in construction vehicles and equipment. Construction waste is a potential pollutant source and could adversely affect downstream areas. Concrete, paint, and other materials that are also used on construction sites are major contributors to habitat pollution, in the event that such materials exit a construction site. However, the potential for the use of these materials to result in significant hazards to the public or the environment would be low for the reasons described below.

The Project contractor and construction crews would be required to comply with all applicable regulations governing the storage, handling, and disposal of hazardous materials and waste. The Project would also be required to comply with the NPDES Municipal Separate Storm Sewer System (MS4) Permit, including the regulation of surface water quality. Under the NPDES MS4 Permit, the development of 1.0 acres or more of land must file a notice of intent with the State Water Resources Control Board to comply with the state NPDES General Construction Permit. Implementation of this Permit would require the development of a site-specific stormwater pollution prevention plan (SWPPP) for construction activities. The SWPPP is required to identify BMPs that protect stormwater runoff and ensure avoidance of substantial degradation of water quality. Typical BMPs that could be incorporated into the SWPPP to minimize the off-site runoff of pollutants would include the following:

- diverting off-site runoff away from the construction site
- vegetating landscaped/vegetated swale areas as soon as feasible following grading activities
- using drop inlet protection (filters and sandbags or straw wattles), with sandbag check dams within paved areas
- implementing specifications for construction waste handling and disposal
- using contained equipment wash-out and vehicle maintenance areas
- training, including for subcontractors, on general site housekeeping

Incorporation of required BMPs would help control the use of hazardous substances during construction and would minimize the potential for such substances to leave the site. As a result, there would be reduced potential for the public and environment to be exposed to hazardous chemicals and materials as a result of construction activities. The implementation of applicable construction BMPs and adherence to applicable hazardous materials and waste regulations would minimize the risk and exposure of the release of hazardous materials to the public and environmental to less than significant levels.

Upon completion of Project construction, routine operation of the Project facilities would likely involve use of industrial grade chemicals and commercially available cleaning products, landscaping chemicals and fertilizers, and various other commercially available products. These materials would be used for the day-to-day operation of the facilities and may involve the use of hazardous materials.

Additionally, as previously discussed in Threshold A, the future tenants are not known yet. In the event that a future tenant's operations require them to transport, use, or dispose of quantities of hazardous materials identified by the state, pursuant to the Health and Safety Code and in accordance with the San Bernardino County Fire Protection District's CUPA requirements, the owner/operator must complete and submit an HMBP to the California Environmental Reporting System. Completion of an HMBP would ensure that an emergency spill response and containment plan is in place in the event of a release of hazardous materials or wastes.

Furthermore, the use, storage, and transport of hazardous materials and wastes would be subject to applicable federal, state, and local health and safety regulations (e.g., RCRA and the Hazardous Waste Control Act "cradle to grave" requirements). All hazardous materials generated and/or used on the Project site would be managed in accordance with all relevant federal, state, and local laws, including the California Hazardous Waste Control Law (California Health and Safety Code Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (22 CCR 4.5). Moreover, compliance with CAL/OSHA workplace and work practices requirements would avoid the exposure of persons and the environment to hazardous materials.

In addition to the regulations and practices described above, the following requirements would apply to storage and handling of hazardous wastes at the Project site: (1) hazardous materials are required to be stored in designated areas designed to prevent accidental release in accordance with state law, including the California Hazardous Waste Control Act and the California Health and Safety Code; (2) CAL/OSHA requirements prescribe safe work environments for workers working with materials that present a moderate explosion hazard, high fire, or physical hazard or health hazard; (3) federal and state laws related to the storage of hazardous materials would be complied with to maximize containment and provide for prompt and effective clean-up in case of an accidental release; and (4) hazardous materials inventory and response planning reports would be filed with the County in accordance with CUPA requirements.

Compliance with applicable regulations involving hazardous materials during operation would ensure that such materials are transported, used, stored, and disposed of in a manner that minimizes the potential for upset and accidental conditions resulting in the release of hazardous materials into the environment. Due to the existing regulations that are required, it is not expected that the Project would create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions would be less than significant.

In summary, the Project would result in less-than-significant impacts with regard to the creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Threshold C: Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less-than-Significant Impact. The nearest school to the Project site is Melva Davis Academy of Excellence (15831 Diamond Road), located approximately 0.25 miles northeast of the site. As discussed in previous impact sections, hazardous materials required for construction and operation would be transported, handled, stored, and disposed of in accordance with federal, state, and local laws and regulations. Hazardous materials used during construction of the proposed Project would be stored within proposed Project boundaries, and quantities of hazardous materials are expected to be less than reportable quantities. However, if hazardous materials are stored above reportable quantities, the appropriate plans will be submitted (California HSC, Division 20, Chapter 6.11, Sections 25404–25404.9). Potential soil impacts would be mitigated by **MM-HAZ-1**, which would include measures for dust control, thereby reducing the potential for emissions of hazardous materials through fugitive dust. Contaminated soils would also be removed during construction, thereby removing any hazard for future schools on the Project site.

As previously discussed in Thresholds A and B, the future tenants are not known yet. In the event that a future tenant's operations require them to transport, use, or dispose of quantities of hazardous materials identified by the state, pursuant to the California Health and Safety Code and in accordance with the San Bernardino County Fire Protection District's CUPA requirements, the owner/operator must complete and submit an HMBP to the California Environmental

Reporting System. Completion of an HMBP would ensure that an emergency spill response and containment plan is in place in the event of a release of hazardous materials or wastes. As such, the Project would be zoned accordingly for compatible uses surrounding the school as defined in the City's zoning ordinances and General Plans.

With implementation of **MM-HAZ-1** during the construction phase of the proposed Project, impacts would be less than significant. Operation of the proposed Project would not likely create hazardous emissions within 0.25 miles of a proposed school, and therefore operational impacts would be less than significant.

Threshold 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?

Less-than-Significant Impact. The nearest operational public-use airport to the Project site is the Southern California Logistics Airport (SCLA), which is located approximately 2.8 miles to the northeast. According to the SCLA influence area map, the Project site is partially located within Compatibility Review Area (City of Victorville 2021). Compatibility Review Area 2 is the Inner Approach and Department Zone. Under Review Area 2, in which SCLA restricts and prohibits residential uses, transient lodging, schools, libraries, hospitals, auditoriums, and sports arenas. However, the Project does not include any of the uses previously mentioned. Additionally, the use of a warehouse is acceptable under Review Area 2 (City of Victorville 2020).

The Project is partially located in Review Area 2- Future 65 CNEL Noise Contour, where warehouse usage is "normally acceptable;" "specific land use is satisfactory based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements, in addition, the average intensity should not exceed 100 people per gross acre" (City of Victorville 2020). The Project site is approximately 81.1 acres (gross acres), meaning approximately 8,100 people would be allowed to occupy the Project site. However, the Project would employ approximately 640 people, which is far below the 8,100 people maximum allowed. Therefore, the Project impacts would be less than significant.

Threshold F: Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less-than-Significant Impact. The Project site is not located on or near an emergency evacuation route (City of Victorville 2022). However, construction activities that may temporarily restrict vehicular traffic would be required to implement appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. Typical City requirements include prior notification of any land or road closures with sufficient signage before and during any closures, and flag crews with radio communication when necessary to coordinate traffic flow. As such, the Project developer would comply with these requirements, which would maintain emergency access and allow for evacuation if needed during construction activities. Additionally, the Project would not impede or physically obstruct an adopted emergency response plan or emergency evacuation plan, therefore the Project would be less than significant.

Threshold G: Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less-than-Significant Impact. CAL FIRE Fire Hazard Severity maps have determined that the Project site is not in or near land classified as a Very High Fire Hazard Severity Zone, and impacts associated with wildfire in or near State Responsibility Areas or lands classified as Very High Fire Hazard Severity Zones are not anticipated (CAL FIRE 2022). The closest Moderate FHSZ is located approximately 3.89 miles to the west of the Project site. The Project

site is located in an area that is generally flat, lacking any steep slopes, and characterized as undeveloped and vacant land; these factors are not typically associated with the uncontrolled spread of wildfire.

Construction of the Project would introduce potential ignition sources to the Project site, including the use of heavy machinery and the potential for sparks during welding activities or other hot work. However, the Project would be required to comply with City and state requirements for fire safety practices, to reduce the possibility of fires during construction activities. The Project would comply with CFC Section 3304 for precautions against fire during construction activities. Access for firefighting would be maintained throughout construction per CFC Section 3310.1. Any motorized equipment within the site would comply with fire protection regulations outlined in CFC Section 3316. Further, vegetation would be removed from the site prior to the start of construction. Adherence to City and state regulatory standards during Project construction would reduce the risk of wildfire ignition and spread during construction activities. In the case of accidental ignition, the site is required to have no less than one portable extinguisher at each level where combustible materials have accumulated, in every storage or construction shed, and where any additional hazards exist (CFC Section 3315). Therefore, short-term construction impacts associated with exposing people or structures to a significant risk of loss, injury, or death involving wildland fires would be less than significant.

During operation, the Project would adhere to the City's Municipal Code and the CFC. Additionally, the proposed structures have a low ignitability, and the Project would implement fire-resistant, irrigated landscaping. Further, during its operation, the Project would be required to have and maintain fire protection and life safety systems (CFC Chapter 9). The Project would not facilitate wildfire spread or exacerbate wildfire risk or expose people or structures, indirectly or directly, to significant wildfire risk. Given that surrounding off-site fuels consist of moderately spaced vegetation, wildfires in the immediately surrounding area are not common, and it is unlikely that Project occupants would be exposed to the uncontrolled spread of a wildfire or prolonged pollutant concentrations in the event of a wildfire. It is not anticipated that the Project, due to slope, prevailing winds, and other factors, would exacerbate wildfire risks or expose Project occupants to pollutant concentrations from a wildfire, the uncontrolled spread of a wildfire, or significant risks associated with wildfires. Therefore, long-term operational impacts associated with exposing people or structures to a significant risk of loss, injury, or death involving wildland fires would be less than significant.

Threshold H: Would the Project result in cumulatively considerable impacts with regard to hazards and hazardous materials?

Less-than-Significant Impact. The geographic scope of the cumulative hazards and hazardous material analysis is the immediate Project area, including surrounding land uses and other nearby properties. Adverse effects of hazards and hazardous materials tend to be localized; therefore, impacts from nearby projects would be limited, if any, and the Project site would be primarily affected by Project activities.

During construction, hazardous materials such as fuels and lubricants would be transported to and used on site in construction vehicles and equipment. These contaminants, if improperly handled, could expose the public environment to pollutants. However, water quality enhancement components of the Project, including the implementation of a SWPPP and stormwater BMPs, would minimize the potential release of construction-related pollutants on and off site.

Post-development, routine operation of the Project would include the use of various hazardous materials, including chemical reagents, solvents, fuels, paints, and cleaners. These materials would be used for day-to-day operations as well as building and landscaping maintenance. However, compliance with applicable regulations involving hazardous materials during operation would ensure that such materials are transported, used, stored, and disposed of in a manner that minimizes the potential for upset and accident conditions resulting in the release of hazardous

materials into the environment. In addition, the owner/operator must complete and submit an HMBP to the California Environmental Reporting System. This would ensure that in the event that an emergency spill response and containment plan is in place in the event of hazardous spills. As such, it is not expected that the Project would create a significant hazard to the public or the environment through routine operations or reasonably foreseeable upset and accident conditions or result in the release or exposure of hazardous materials into the environment. Therefore, cumulative hazards and hazardous materials impacts would be less than significant.

4.8.5 Mitigation Measures and Level of Significance After Mitigation

Threshold A: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The Project would result in potentially significant impacts with regard to the creation of a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. **MM-HAZ-1** would be implemented, and Project impacts would be **less than significant with mitigation incorporated**.

MM-HAZ-1 Prior to the issuance of a grading permit, the Project Applicant shall retain a qualified environmental specialist that has documented experience in the identification, characterization, and removal of hazardous materials, such as a California licensed professional engineer, geologist, or hydrogeologist, to remove and dispose of all refuse located on the Project site, including but not limited to, the illegally dumped tires and debris currently found on site. The removal, transport, and disposal of refuse shall be done in accordance with all applicable local, state, and federal guidelines related to hazardous materials handling. Prior to the removal of refuse deposits from the site, the environmental specialist shall inspect each refuse pile for indications that the refuse may contain, or may have once contained, hazardous materials, including, but not limited to, motor oil, solvents, paints, and/or other petroleum products. In addition, the environmental specialist shall inspect the soils surrounding each refuse deposit for evidence of any contamination (staining) or volatilization of contaminants (odors).

If contamination indicators are identified, work shall stop in the immediate proximity of the potential contamination. The Project Applicant and/or their construction contractor shall be responsible for engaging a qualified environmental specialist to design and perform an investigation to verify the presence and extent of contamination on the Project site. Subsurface investigation shall determine appropriate worker protection and hazardous material and disposal procedures appropriate for the Project site. Contaminated soil or groundwater determined to be hazardous shall be removed by personnel who have been trained through the Occupational Safety and Health Administration–recommended 40-hour safety program with an approved plan for groundwater extractions, soil excavation, control of contaminant releases to the air, and off-site transport or on-site treatment.

Threshold B: Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

The Project would result in **less-than-significant impacts** with regard to the creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. No mitigation is required.

Threshold 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?

The Project would result in **less-than-significant impacts** associated with existing or proposed schools. No mitigation is required.

Threshold 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?

The Project would result in **less-than-significant impacts** associated with an airport land use plan or, where such a plan has not been adopted. No mitigation is required.

Threshold F: Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The Project would result in **less-than-significant impacts** associated with an adopted emergency response plan or emergency evacuation plan. No mitigation is required.

Threshold G: Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

The Project would result in **less-than-significant impacts** associated with exposing people or structures to a significant risk of loss, injury, or death involving wildland fires. No mitigation is required.

Threshold H: Would the Project result in cumulatively considerable impacts with regard to hazards and hazardous materials?

The Project would result in **less-than-significant impacts** with regard to cumulative hazards and hazardous materials impacts. No mitigation is required.

4.8.6 Cumulative Impacts

Less-than-Significant Impact. Cumulative impacts related to hazards and hazardous materials would result from projects that combine to increase exposure to hazards and hazardous materials. As discussed above, the proposed Project would have less-than-significant impacts related to hazardous materials. Past, current, and reasonably foreseeable commercial projects in the region would result in the use and transport of incrementally more oils, greases, and petroleum products for operation purposes. Although these could be subject to accidental spillage, there is no quantifiable cumulative effect, since accidents are indiscriminate events, not related or contributory to one another. Provided that individual projects adhere to current laws governing storage, transportation, and handling of hazardous materials, no significant cumulative hazards or threats to human health and safety are anticipated.

Development of future projects would cumulatively increase development intensity, population, and traffic in the region, thereby exposing a greater number of people to potential hazards in the area (e.g., hazardous materials and/or waste contamination, and fire). The proposed Project, as well as other potential future projects, would be required to comply with applicable local, state, and federal requirements concerning hazardous materials. Additionally, adverse effects of hazards and hazardous materials tend to be localized; therefore, impacts from nearby projects would be limited, if any, and the Project site would be primarily affected by Project activities. Therefore, the proposed Project would not contribute to any significant cumulative hazardous materials impacts.

Cumulative projects would also be required to implement similar fire safety features and structure protection features to reduce impacts. Preparation of Fire Protection Plans (FPP) would further reduce cumulative project impacts. Therefore, through compliance with existing regulations associated with wildland fires, impacts associated with wildfire would not be cumulatively considerable. Thus, the proposed Project would **not result in a cumulatively considerable impact** to hazards and hazardous materials.

4.8.7 References

CAL FIRE. 2022. FHSZ Viewer. Accessed August 2023. https://egis.fire.ca.gov/FHSZ/.

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City of Victorville. 2008. General Plan 2030. Accessed August 2023. https://www.victorvilleca.gov/home/showpublisheddocument/1730/636727985816700000

City of Victorville. 2020. *Southern California Logistics Airport (SCLA) Specific Plan Amendment (PLAN19-00004) Subsequent Program Environmental Impact Report.* Public Review Draft. https://www.victorvilleca.gov/home/showpublisheddocument/4903/637438144209830000

City of Victorville. 2021. *Southern California Logistics Airport Specific Plan.* Review Draft. February 2021. https://www.victorvilleca.gov/home/showpublisheddocument/6182/637498471832130000

City of Victorville. 2022. Local Hazard Mitigation Plan 2021. Last updated January 2022. Accessed August 2023. https://www.victorvilleca.gov/home/showdocument?id=9601&t=637862370648270000

4.9 Hydrology and Water Quality

This section describes the existing hydrology and water quality conditions of the Mojave Industrial Park Project (Project) site and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Project.

In addition to the documents incorporated by reference (see Section 2.7, Documents Incorporated by Reference, of Chapter 2, Introduction, of this environmental impact report [EIR]), the following analysis is based, in part, on the following sources:

- Water Supply Assessment Report, prepared by Water Systems Consulting Inc. in June 2023 (Appendix G)
- Executed Will-Serve Letter, prepared by the City of Victorville in August 2023 (Appendix G)
- Water Quality Management Plans, prepared by Huitt-Zollars Inc. in May 2023 (Appendix H)
- Preliminary Hydrology Report, prepared by Huitt-Zollars Inc. in May 2023 (Appendix I)

No comments were received related to hydrology and water quality during the public review of the notice of preparation. A copy of the notice of preparation and comment letters received are included in Appendix A.

4.9.1 Existing Conditions

Regional Watershed

The Project site is situated within the Mojave River Watershed, an expansive region spanning more than 5,400 square miles in the California High Desert, specifically in San Bernardino County. This watershed exhibits significant hydrologic diversity. The Mojave River flows approximately 110 miles from the San Bernardino Mountains to Soda Lake in Baker. The river flows beneath the surface for most of its length, with occasional surface flows. Mojave River appears when bedrock pushes water up or rainstorms send a pulse down from the mountains. Perennial flow is usually found at the Mojave River Forks, where Deep Creek and the West Fork come together. It is also found at the Upper Narrows between Apple Valley and Victorville and the Lower Narrows.

Regional Groundwater

The Project site is located within the Upper Mojave River Valley Groundwater Basin (No. 6-42). The majority, over 90%, of the basin's groundwater recharge originates from the San Gabriel and San Bernardino Mountains. Groundwater discharge occurs primarily through activities such as well pumping, evaporation from the soil, plant transpiration, seepage into dry lakes where water evaporates, and seepage into the Mojave River (Appendix G).

The City of Victorville sources its water from a local underground basin called the Alto Sub-area of the Upper Mojave River Valley Groundwater Basin. The basin provides more than seven billion gallons of water each year to the City's residents. The City purchases additional well water from the Mojave Water Agency, sourced from wells in the Alto Sub-area. Water is delivered through a system of 36 wells and a large system of pipelines, pumps, reservoirs, treatment plants, and other facilities (City of Victorville 2022a). According to the Department of Water Resources, in accordance with the Sustainable Groundwater Management Act (SGMA), the basin is considered a very low priority basin due to the adjudication of the basin in 1993. Pursuant to a court order, the Mojave Water Agency was appointed as Watermaster of the basin as the agency to monitor and verify water productions as well as conduct studies and provide annual reporting of conditions of the basin.

Site Hydrology

The Project site is located on undeveloped land located north of Mojave Drive, south of Cactus Road, between Onyx Road to the west and Topaz Road to the east. The elevation ranges from approximately 3,010 feet at the southwest corner near Mojave Drive at Onyx Road and 2,980 feet at the northeast corner near Cactus Road at Topaz Road (Appendix I).

The terrain generally drains in the northeasterly direction with a majority of the site tributary to the City's Master planned E-01 storm drain. The tributary area south of Mojave Drive drains to the City's Master planned E-07 storm drain along the south side of Mojave Drive and confluence with the E-01 storm drain east of Topaz Road. The flow patterns south of Mojave Drive have been altered from the original master plan of drainage and approximately 463 cubic feet have been directed to flow to the existing double 48-inch culvert that crosses Mojave Drive between Mesa Linda Avenue and Onyx Road as an interim condition and a reduced amount of flow (1508 cubic feet) has been directed to the culvert system east of Topaz Road for Line E-01 (Appendix I).

An existing 60-inch storm drain lateral (Line T) has been extended in Cactus/Tawney Ridge Lane and Diamond Road which has the capacity to accept the tributary runoff from the area north of Mojave Drive between Mesa Linda and Diamond Road, approximately 209 cubic feet. An existing open channel (E-01) has been constructed south of Cactus/Tawney Ridge Lane to intercept the tributary runoff from south of Mojave Drive, approximately 2373 cubic feet. Based on the existing downstream infrastructure for Line E-01, it is anticipated to confluence with the Line E-01 system east of Topaz Road (Appendix I).

There is approximately 44 acres to the east of Onyx Road and 47 acres between Onyx Road and Topaz Road that is tributary to Line T and another 60 acres to the east of Onyx Road that is not tributary to Line T that continues northeast across Cactus Road. The flows that are not a part would need to be collected and conveyed to the appropriate tributary system (Appendix I).

Flooding and Dam Inundation

Based on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06071C5795H (effective 8/28/2008), the Project site falls within "Zone X (unshaded)." This zone designation indicates an area with a low flood risk, with a 0.2% chance of annual flooding occurrence (FEMA 2021). This probability signifies a minimal flood hazard area and does not classify as a special flood hazard area.

Surface Water Quality

Beneficial Uses and Total Maximum Daily Loads

Stormwater runoff is a significant contributor to local and regional pollution. Urban stormwater runoff is the largest source of unregulated pollution in the waterways of the United States. Federal, state, and regional regulations require the City of Victorville to control the discharge of pollutants to the storm drain system, including the discharge of pollutants from construction sites and areas of new development.

In accordance with state policy for water quality control, the Lahontan Regional Water Quality Control Board (Lahontan RWQCB) regulates water quality, among various other agencies, within the Mojave River Region. Water quality objectives, plans, and policies for the surface waters within this region are established in the Mojave River Basin Plan Amendment of the Lahontan Basin Plan. The Basin Plan for the Mojave River Region has identified

existing and potential beneficial uses supported by the key surface water drainages throughout its jurisdiction. The existing and proposed beneficial uses of the Upper Mojave Hydrologic Area includes the following (Lahontan RWQCB 2019):

- Noncontract Water Recreation
- Commercial and Sport Fishing
- Warm Freshwater Habitat
- Cold Freshwater Habitat
- Wildlife Habitat
- Preservation of Biological Habitats of Special Significance
- Migration of Aquatic Organisms
- Spawning, Reproduction, and/or Early Development
- Water Quality Enhancement
- Flood Water Storage

Under the Clean Water Act (CWA) Section 303(d), the State of California is required to develop a list of impaired water bodies that do not meet water quality standards and objectives. The U.S. Environmental Protection Agency (EPA) has approved a 303(d) list of water quality impairments for water bodies located downstream of the Project site, which includes the Mojave Forks Reservoir Outlets to the Upper Narrows segment of the Mojave River (SWRCB 2018). This segment of the Mojave River has been identified as impaired with fluoride, sodium, and sulfates.

Once a water body has been listed as impaired on the 303(d) list, a total maximum daily load (TMDL) for the constituent of concern (pollutant) must be developed for that water body. A TMDL is an estimate of the daily load of pollutants that a water body may receive from point sources, non-point sources, and natural background conditions (including an appropriate margin of safety), without exceeding its water quality standards. Those facilities and activities that are discharging into the water body, collectively, must not exceed the TMDL. In general, dischargers within each watershed are collectively responsible for meeting the required reductions and other TMDL requirements by the assigned deadline. A TMDL for the Mojave Forks Reservoir Outlet to the Upper Narrows segment of the Mojave River is required but has not yet been completed for fluoride, sodium, and sulfates but a scheduled completion date of 2031 has been established (SWRCB 2018).

General Watershed Water Quality

The Mojave River was selected as a priority or “focus” watershed by the State Water Resources Control Board (SWRCB) because of numerous water quality and quantity issues. Historically known for its agriculture, industrial, and military uses, Victor Valley has significantly changed during the last several decades into a satellite of Southern California’s urbanization. Urban growth has substantially modified the areas of waste discharges that could potentially affect water quality, including stormwater and wastewater treatment. There are also numerous water quality issues associated with past and current agricultural, industrial, and military land uses throughout the watershed.

Water quality problems in the Mojave River Watershed are primarily related to non-point sources, including erosion (from construction, timber harvesting, and livestock grazing), stormwater, acid drainage from inactive mines, and individual wastewater disposal systems. There are relatively few point-source discharges. Some types of discharges may be considered either point source or non-point source, depending on site-specific circumstances. For example,

stormwater that enters one lake through a pipe may be regulated as a point source, while stormwater that enters a lake via sheet flow is considered a non-point-source discharge (Lahontan RWQCB 2019).

In the early 1970s, the Lahontan RWQCB evaluated existing surface water quality data for the Mojave River Watershed. Based on these data, the RWQCB adopted numerical water quality objectives for inorganic constituents in surface waters of the Mojave River and several of its tributaries in the San Bernardino Mountains. These numerical standards generally represented native or background water quality. For the purpose of evaluating the water quality objectives, the RWQCB has assembled two groups of stakeholders. The first group is focused on surface water upstream of the Mojave Forks Dam, which is located near the City of Victorville. The second group is focused on groundwater of the Mojave River floodplain aquifer downstream of the Mojave Forks Dam, and the few downstream locations where groundwater is forced to the surface of the Mojave River floodplain by geologic structures. The overall goal of the sampling effort is to compare existing surface water quality to the water quality objectives that were developed in the 1970s (Lahontan RWQCB 2002).

The RWQCB assembled a stakeholder group (the Mojave River Watershed Group), including the communities of Town of Apple Valley, the Cities of Hesperia and Victorville, and the County of San Bernardino, to address water quality concerns associated with stormwater. The Mojave River Watershed Group was responsible for developing and implementing a regional stormwater management plan as required by the Phase II Small Municipal Separate Storm Sewer System (MS4) Permit. Identification of critical areas of stormwater flow and the full list of constituents of concern are the primary goals of the Lahontan RWQCB (Lahontan RWQCB 2002).

The Mojave River Watershed Group publishes an annual report summarizing the results of their Phase II Small MS4 General Permit program, which is intended to minimize or eliminate adverse surface water quality impacts by instituting controls on those MS4 discharges that have the greatest potential to cause environmental degradation. Discharges to, or from, the MS4 are of concern because they may contain pollutants, including trash, debris, sediments, fertilizers, oil, grease, metals, and pesticides. These discharges can result in the loss of surface water beneficial uses and contaminate local drinking water supplies. Among other annual tasks, the stakeholder group has developed a Construction Site Storm Water Runoff Control Program and a Post-Construction Site Storm Water Control Program, which are intended to develop, implement, and enforce programs to prevent the discharge of construction site and post-construction pollutants, as well as minimize or eliminate negative impacts on the beneficial uses of receiving waters (Mojave River Watershed Group 2014).

4.9.2 Relevant Regulations, Plans, Policies, and Ordinances

Federal

Clean Water Act

Increasing public awareness and concern for controlling water pollution led to the enactment of the federal Water Pollution Control Act Amendments of 1972. As amended in 1977, this law became commonly known as the Clean Water Act (CWA; 33 USC 1251 et seq.). The objective of the CWA is to restore and maintain the chemical, physical, and biological integrity of the nation's waters. The CWA established basic guidelines for regulating discharges of pollutants into the waters of the United States. The CWA requires that states adopt water quality standards to protect public health, enhance the quality of water resources, and ensure implementation of the CWA.

National Flood Insurance Program

The National Flood Insurance Act of 1968 established the National Flood Insurance Program to provide flood insurance within communities that were willing to adopt floodplain management programs to mitigate future flood losses. The National Flood Insurance Act also requires the identification of all floodplain areas within the United States and the establishment of flood-risk zones within those areas. FEMA is the primary agency responsible for administering programs and coordinating with communities to establish effective floodplain management standards. FEMA is responsible for preparing FIRMs that delineate the areas of known special flood hazards and their risk applicable to the community. The National Flood Insurance Program encourages the adoption and enforcement by local communities' floodplain management ordinances that reduce flood risks. In support of the National Flood Insurance Program, FEMA identifies flood hazard areas throughout the United States on FEMA flood hazard boundary maps.

Federal Antidegradation Policy

The Federal Antidegradation Policy (40 CFR 131.12) requires states to develop and implement statewide antidegradation policies. Pursuant to the Code of Federal Regulations, state antidegradation policies and implementation methods must, at a minimum, (1) protect and maintain existing in-stream water uses, (2) protect and maintain existing water quality, where the quality of the waters exceeds level necessary to support existing beneficial uses (unless the state finds that allowing lower water quality is necessary to accommodate economic and social development in the area), and (3) protect and maintain water quality in waters considered an outstanding national resource.

State

National Pollutant Discharge Elimination System

Direct discharges of pollutants into waters of the United States are not allowed, except in accordance with the National Pollutant Discharge Elimination System (NPDES) program, established in Section 402 of the CWA. The State Water Resources Control Board issued a new NPDES General Permit for Storm Water Associated with Construction Activities (Order No. 2022-0057-DWQ, NPDES No. CAS000002), that became effective September 1, 2023. In accordance with Construction General Permit, a stormwater pollution prevention plan (SWPPP) must be developed to describes erosion and sediment controls (i.e., best management practices [BMPs], runoff water quality monitoring, means of waste disposal, implementation of approved local plans, post-construction sediment and erosion control measures and maintenance responsibilities, and non-stormwater management controls). Dischargers are also required to inspect construction sites before and after storms to identify stormwater discharge from construction activity and to identify and implement controls, where necessary.

California Porter-Cologne Water Control Act

Since 1973, the California SWRCB and its nine RWQCBs have been delegated the responsibility for administering permitted discharge into the waters of California. The Porter–Cologne Water Quality Control Act (California Water Code Section 13000 et seq.; 23 CCR, Chapters 3 and 15) provides a comprehensive water quality management system for the protection of California waters. Under this act, "any person discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the state" must file a report of the discharge with the appropriate RWQCB. Pursuant to the act, the RWQCB may then prescribe "waste discharge requirements" that add conditions related to control of the discharge. The Porter–Cologne Water Quality Control

Act defines "waste" broadly, and the term has been applied to a diverse array of materials, including non-point-source pollution. When regulating discharges that are included in the federal CWA, the state essentially treats Waste Discharge Requirements and NPDES regulations as a single permitting vehicle. In April 1991, the SWRCB and other state environmental agencies were incorporated into the California Environmental Protection Agency.

The RWQCB regulates urban runoff discharges under the NPDES permit regulations. NPDES permitting requirements cover runoff discharged from point (e.g., industrial outfall discharges) and non-point (e.g., stormwater runoff) sources. The RWQCB implements the NPDES program by issuing construction and industrial discharge permits.

Under the NPDES permit regulations, best management practices (BMPs) are required. EPA defines BMPs as "schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States." BMPs include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage (40 CFR 122.2).

California Antidegradation Policy

The California Antidegradation Policy, otherwise known as the Statement of Policy with Respect to Maintaining High-Quality Water in California, was adopted by the SWRCP (State Board Resolution No. 68-16) in 1968. Unlike the federal Antidegradation Policy, the California Antidegradation Policy applies to all waters of the state (e.g., includes isolated wetlands and groundwater), not just surface waters. The policy states that whenever the existing quality of a water body is better than the quality of established in individual Basin Plans, such high quality must be maintained, and discharges to that water body must not unreasonably affect present or anticipated beneficial uses of such water resources.

CALGreen Code

Formerly known at the California Green Building Standards Code, Title 24, Part 11, of the California Code of Regulations, the CALGreen Code is designed to improve public health, safety, and general welfare by utilizing design and construction methods that reduce the negative environmental impact of development and to encourage sustainable construction practices. CALGreen provides mandatory direction to developers of all new construction, including but not limited to, site drainage design, stormwater management, and water use efficiency. Required measures are accompanied by a set of voluntary standards designed to encourage developers and cities to aim for a higher standard of development.

Section 303 of the Clean Water Act (Beneficial Uses and Total Maximum Daily Loads)

The Lahontan RWQCB is responsible for the protection of the beneficial uses of waters within the Project area in San Bernardino County. The Lahontan RWQCB uses its planning, permitting, and enforcement authority to meet its responsibilities adopted in the Lahontan Basin Plan to implement plans, policies, and provisions for water quality management.

In accordance with state policy for water quality control, the RWQCB employs a range of beneficial uses definitions for surface waters, groundwater basins, marshes, and mudflats that serve as the basis for establishing water quality objectives and discharge conditions and prohibitions. The Lahontan Basin Plan has identified existing and potential beneficial uses supported by the key surface water drainages throughout its jurisdiction.

Beneficial uses of waters within the Mojave River Watershed are addressed in the Mojave River Basin Plan Amendment of the Lahontan Basin Plan.

Under CWA Section 303(d), California is required to develop a list of impaired water bodies that do not meet water quality standards and objectives. A TMDL defines how much of a specific pollutant/stressor a given water body can tolerate and still meet relevant water quality standards. The Lahontan RWQCB has developed TMDLs for select reaches of water bodies.

California Toxics Rule

EPA has established water quality criteria for certain toxic substances via the California Toxics Rule. The California Toxics Rule established acute (i.e., short-term) and chronic (i.e., long-term) standards for bodies of water, such as inland surface waters and enclosed bays and estuaries, that are designated by each RWQCB as having beneficial uses protective of aquatic life or human health.

California Water Code

The California Water Code includes 22 kinds of districts or local agencies with specific statutory provisions to manage surface water. Many of these agencies have statutory authority to exercise some forms of groundwater management. For example, a Water Replenishment District (Water Code Section 60000 et seq.) is authorized to establish groundwater replenishment programs and collect fees for that service, and a Water Conservation District (Water Code Section 75500 et seq.) can levy groundwater extraction fees. Through special acts of the Legislature, 13 local agencies have been granted greater authority to manage groundwater. Most of these agencies, formed since 1980, have authority to limit export and control some in-basin extraction upon evidence of overdraft or the threat of an overdraft condition. These agencies can also generally levy fees for groundwater management activities and for water supply replenishment.

Assembly Bill 3030 – Groundwater Management Act

In 1992, Assembly Bill 3030 was passed, which increased the number of local agencies authorized to develop a groundwater management plan and set forth a common framework for management by local agencies throughout California. These agencies could possess the same authority as a water replenishment district to “fix to collect fees and assessments for groundwater management” (Water Code Section 10754), provided they receive a majority of votes in favor of the proposal in a local election (Water Code Section 10754.3).

Sustainable Groundwater Management Act

On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package – Assembly Bill 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley) – collectively known as SGMA. SGMA requires governments and water agencies of high- and medium-priority basins to half overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. For critically over-drafted basins, sustainability should be achieved by 2040. For the remaining high- and medium-priority basins, 2042 is the deadline. Through SGMA, the DWR provides ongoing support to local agencies through guidance, financial assistance, and technical assistance. SGMA empowers local agencies to form Groundwater Sustainability Agencies (GSAs) to manage basins sustainably and requires those GSAs to adopt Groundwater Sustainability Plans (GSP) for crucial groundwater basins in California. The Upper Mojave River Valley Groundwater Basin is adjudicated per a

1993 Court Order that appointed Mojave Water Agency as Watermaster. As a result, the Basin is being monitored and managed such that it is not subject to the SGMA requirements of preparing and implementing a GSP.

Urban Water Management Plans

Pursuant to the California Urban Water Management Act (California Water Code Sections 10610–10656), urban water purveyors are required to prepare and update a UWMP every 5 years. UWMPs are prepared by California's urban water suppliers to support long-term resource planning and ensure adequate water supplies. Every urban water supplier that either delivers more than 3,000 acre-feet per year of water annually or serves more than 3,000 connections are required to assess the reliability of its water sources over a 20-year period under normal-year, dry-year, and multiple-dry-year scenarios in a UWMP. UWMPs must be updated and submitted to the DWR every 5 years for review and approval.

Senate Bill 610 and Senate Bill 221: Water Supply Assessments

SB 610 and SB 221, amended into state law effective January 1, 2002, improve the linkage between certain land-use decisions made by cities and counties and water supply availability. The statutes require detailed information regarding water availability and reliability with respect to certain developments to be included in the administrative record, to serve as the evidentiary basis for an approval action by the City or County on such projects. Under Water Code Section 10912(a), projects subject to the California Environmental Quality Act (CEQA) that require a WSA include (1) residential development of more than 500 dwelling units; (2) shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space; (3) commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space; (4) hotel, motel or both, having more than 500 rooms; (5) industrial, manufacturing, or processing plants, or industrial parks planned to house more than 1,000 persons, occupying more than 40 acres of land or having more than 650,000 square feet of floor area; (6) mixed-use projects that include one or more of the projects specified; or (7) a project that would demand an amount of water equivalent to or greater than the amount required by a 500 dwelling unit project. A fundamental source document for compliance with SB 610 is the UWMP, which can be used by the water supplier to meet the standard for SB 610. SB 221 applies to the Subdivision Map Act, conditioning a tentative map on the applicant to verify that the public water supplier has sufficient water available to serve the proposed development. Otherwise, as the Project is under 650,000 square feet, a project specific WSA is not required.

Regional

Mojave River Watershed Water Quality Management Plan

The 2013 Phase II Small MS4 Permit, adopted by the SWRCB, and issued statewide, requires all new development projects covered by this Order to incorporate low-impact development (LID) BMPs to the maximum extent practicable. In San Bernardino County, the Phase II MS4 Permit is applicable within the Mojave River Watershed. In addition, the Order also requires the development of a standard design and post-development BMP guidance for incorporation of site design/LID, source control, treatment control BMP (where feasible and applicable), and hydromodification mitigation measures to the maximum extent practicable to reduce the discharge of pollutants to receiving waters. The purpose of this technical guidance document for the Water Quality Management Plan (WQMP) is to provide direction to project proponents on the regulatory requirements applicable to a private or public development activity, from project conception to completion. This technical guidance document is intended to serve as a living document, which will be updated as needed to remain applicable

beyond the current Phase II MS4 Permit term. Any non-substantive updates to the technical guiding document and WQMP template will be provided in the annual report. Future substantive updates shall be submitted to the Lahontan RWQCB for review and approval, prior to implementation.

Mojave Storm Water Management Program

The NPDES General Permit NO. CAS000004, Waste Discharge Requirements for stormwater discharges from Small MS4s requires that Permittees develop a stormwater management program (SWMP). The purpose of this SWMP is to keep the Mojave River clean to the maximum extent practicable using BMPs. These practices would reduce stormwater runoff and non-stormwater runoff flowing to the river. BMPS would also serve to keep contaminations, including sediment, non-sediment solids, nutrients, pathogens, oxygen-demanding substances, petroleum hydrocarbons, heavy metals, floatables, polycyclic aromatic hydrocarbons, pesticides, herbicides, and trash from entering the storm drain system.

Local

City of Victorville General Plan

The General Plan identifies goals related to water quality throughout its elements, including in the Resource, Safety, and Land Use Elements (City of Victorville 2022a, 2022b, 2022c).

Resource Element

Goal 1: Sufficient, safe water supply – maintain adequate water supply resources and water delivery system to support the implementation of the City's land use policies and fire protection standards, and to meet essential needs during emergencies and severe drought conditions.

Objective 1.1: Reduce Rate of Groundwater Extraction for Municipal Water Supply to no more than 80% of 2006 levels, by the year 2012, and maintain or reduce that lower level over the long term.

Policy 1.1.1: Require water conservation measures in the design of new development and major redevelopment, for both public and private projects, such as low-water consuming indoor plumbing devices and use of xerophytic landscape materials that require minimal irrigation.

Policy 1.1.2: Penalize high volume water consumers that operate with wasteful water consumption practices.

Policy 1.1.3: Support conversions of wasteful water practices to water conserving practices, including public and private water consumers.

Policy 1.2.1: Support VVWRA's development and expansion of recycled wastewater treatment and delivery capacity for appropriate water uses such as irrigation of outdoor landscapes.

Policy 1.2.2: Participate in regional efforts to acquire imported water from the State Water Project, along with 'water wheeling' from fallowed agricultural areas and other lands with significant groundwater resources.

Policy 1.3.1: Require new development and major redevelopment projects public and private, to prepare and implement water quality management plans that incorporate a variety of structural and nonstructural best management practices to minimize, control and filter construction site runoff and various forms of developed site urban runoff, prior to discharge to receiving waters.

Goal #3: Protection from natural hazards – protect the community from flooding and geologic hazards

Objective 3.1: Development is outside of areas exposed to flood hazards

Policy 3.1.1: Prohibit development within flood hazard areas adjacent to the Mojave River.

Safety Element

Goal 1: Protect from Hazards – Protect the Community against Natural and Human-Made Hazards

Objective 1.1: Restrict land uses in areas identified as susceptible to natural and human-made hazards

Policy 1.1.2: Develop and maintain strategies to restrict development in areas susceptible to flooding hazards.

Goal 2: Protection of Public Health and Safety – Integrate Public Health and Safety Issues into Planning and Development Policies

Objective 2.3: Maintain Sufficient Peak Load Water Supplies

Policy 2.3.1: Ensure that new development proposals (private or public) do not over-consume the City's water supplies to the extent that the minimum volume of water storage required to meet the City's peak load water supply standard could not be met.

Goal 3: Increase Resilience to the Impacts of Climate Change

Objective 3.2: Protect health and safety of the community to minimize the risk of loss of life, and social and economic dislocations as a result of climate change

Policy 3.2.3: Increase resilience to impacts of extreme precipitation, with consideration given to critical facilities and vulnerable populations.

Policy 3.2.4: Increase resilience to impacts of drought, with consideration given to critical facilities and vulnerable populations.

Land Use Element

Goal 2: An efficient, fiscally responsible, and sustainable growth strategy

Policy LU-H.3: Incorporate sustainable and Smart Growth principles in all new developments and when updating existing developments to the extent possible, to minimize adverse impacts of development on air quality, traffic, open space, water quality, energy, and other resources and optimize walkability, quality of life, and community vitality.

Policy LU-H.8: Support water-efficient landscaping (xeriscaping) in all publicly owned and maintained landscaping projects and encourage use of xeriscaping for all private developments.

City of Victorville Municipal Code

The City's Municipal Code identifies policies related to stormwater runoff management. The specific Municipal Code policy that is relevant to this Project is as follows:

Chapter 10.30 – Storm Water and Urban Runoff Management and Discharge Control. The purpose of this chapter is to ensure the health, safety, and welfare of the residents of the City and to protect and enhance the water quality of receiving waters in a manner pursuant to and consistent with the CWA, the Porter-Cologne Act and the municipal NPDES permit by reducing pollutants in stormwater discharges and by limiting non-storm discharges into the MS4 to maximum extent practicable.

4.9.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to hydrology and water quality are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to hydrology and water quality would occur if the Project would:

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 off site;
    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.

Threshold D was analyzed in the Initial Study (Appendix A) and was not carried forward for further analysis in this EIR. See Chapter 5, Effects Found Not to Be Significant, for additional detail.

4.9.4 Impacts Analysis

Threshold A: Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Short-Term Construction Impacts

Less-than-Significant Impact. Construction activities associated with the Project site would involve ground disturbing activities and the use of various hazardous construction materials (e.g., fuels, oils, paint, and solvents), that are commonly used in building construction or for the purpose of heavy equipment maintenance. Earthwork activities can expose soils to the effects of wind and water erosion resulting off-site transport of sediments that could potentially adversely affect water quality of receiving waters. Inadvertent release of hazardous materials or wastes could also adversely affect water quality if not handled appropriately.

Construction of the Project would disturb more than 1 acre and therefore would be subject to NPDES permit requirements. The City of Victorville is a co-permittee under the San Bernardino County Municipal NPDES MS4 permit. The NPDES MS4 Permit requires the City to implement a Construction Site Stormwater Runoff Control Program in accordance with the regional SWMP for the Mojave River Watershed (San Bernardino County 2003). The SWMP requires permittees to implement and enforce measures to reduce pollutants from construction activities that result in a land disturbance of greater than or equal to 1-acre. To comply with the regulatory requirements of the SWMP, the City requires the implementation of an ESCP for projects that include soil disturbance during construction within the City. Implementation of an ESCP would ensure that construction-related BMPs are enacted to prevent, to the maximum extent practicable, construction site pollutants from leaving the site during all phases of construction. In addition to an ESCP, implementation of a WQMP in accordance with the Mojave River Watershed Technical Guidance Document for Water Quality Management Plans (Mojave River WQMP Guidance) (San Bernardino County 2016), would ensure that stormwater treatment and conveyance would be sufficient prior to Project build-out (Appendix H). Submittal, review, and approval of both the WQMP and ESCP by the City are necessary prior to the issuance of grading permits for Project development.

In addition, under the NPDES MS4 Permit, the development of 1-acre or more of land must file a notice of intent with the SWRCB to comply with the state's NPDES General Construction Permit. Implementation of this Permit would require the development of a site-specific SWPPP for construction activities. The SWPPP is required to identify BMPs that protect stormwater runoff and ensure avoidance of substantial degradation of water quality. Typical BMPs that could be incorporated into the SWPPP to protect water quality include the following:

- Diverting off-site runoff away from the construction site
- Vegetating landscaped/vegetated swale areas as soon as feasible following grading activities
- Placing perimeter straw wattles to prevent off-site transport of sediment
- Using drop inlet protection (filters and sandbags or straw wattles), with sandbag check dams within paved areas
- Regular watering of exposed soils to control dust during construction
- Implementing specifications for construction waste handling and disposal
- Using contained equipment wash-out and vehicle maintenance areas
- Maintaining erosion and sedimentation control measures throughout the construction period

- Stabilizing construction entrances to avoid trucks from imprinting soil and debris onto adjoining roadways
- Training, including for subcontractors, on general site housekeeping

Incorporation of required BMPs for materials and waste storage and handling, and equipment and vehicle maintenance and fueling would reduce the potential discharge of polluted runoff from construction sites, consistent with the NPDES General Construction Permit, the Victorville Municipal Code, and CALGreen requirements. Compliance with existing regulations would prevent violation of water quality standards and minimize the potential for contributing sources of polluted runoff. Compliance with existing regulations would ensure that the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface quality from construction activities. Therefore, short-term construction impacts associated with water quality standards and waste discharge requirements would be less than significant.

Long-Term Operational Impacts

Less-than-Significant Impact. As previously discussed, the Project site currently consists of undeveloped land. Implementation of the Project would result in the construction of three industrial/warehouse buildings (totaling 1,351,400 square feet) and associated improvements. Construction of the Project would introduce new impervious surfaces that could contribute pollutants to stormwater runoff in the long term from vehicle use in uncovered parking areas (through small fuel and/or fluid leaks), uncovered refuse storage/management areas, landscape/open space areas (if pesticides/herbicides and fertilizers are improperly applied), and general litter/debris (e.g., generated during facility loading/unloading activities). During storm events, the first few hours of moderate to heavy rainfall could wash a majority of pollutants from the paved areas where, without proper stormwater controls and BMPs, those pollutants could enter the municipal storm drain system before eventually being discharged into the Mojave River. Between periods of rainfall, surface pollutants tend to accumulate, and runoff from the first significant storm of the year (“first flush”) would likely have the largest concentration of pollutants.

The NPDES MS4 Permit requires the City to implement a post-construction SWMP in accordance with the regional SWMP. This Program sets limits of pollutants being discharged into waterways and requires all new development to incorporate structural and non-structural BMPs to improve water quality. To meet the requirements of the SWMP, the City requires the incorporation of LID features into new development and redevelopment projects as specified in the Mojave River WQMP Guidance. In accordance with the NPDES permit, the City is responsible for monitoring WQMPs, which address stormwater pollution from new private development. Site-specific WQMPs for individual projects must incorporate the SWRCB required minimum runoff capture BMPs. In addition, the WQMP specifies the minimum required LID features, as well as the BMPs that must be used for a designated project.

Project design, construction, and operation would be completed in accordance with the NPDES MS4 permit and the Mojave River WQMP Guidance, with the goal of reducing the number of pollutants in stormwater and urban runoff. A Project-specific Preliminary WQMP for the proposed Project (Appendix H) determined that the infiltration/ detention basins would be sufficient to address on-site stormwater water quality-related issues consistent with permit requirements.

Post-construction, the stormwater drainage system basins would be sized and designed to prevent flooding from a 100-year storm. The development will be required to reduce the site runoff from Buildings 1, 2, and 3 down to pre-developed 10-year and 100-year condition tributary to Line T by implementing stormwater detention in conjunction with the stormwater quality management mitigation. For Building 1, 2, and 3 the site soils exhibit sufficient infiltration capacity and therefore underground infiltration chamber systems would be utilized to help

meet the WQMP Design Capture Volume (DCV) requirements as well as detention for 10-year and 100-year flow mitigation. Each site will be designed to capture and convey site runoff in and on-site storm drain system which would discharge site flows into an underground infiltration/detention chamber system. Once the infiltration chambers have been captured the required WQMP DCV, each system would begin to overflow into an outlet pipe that would be extended to the Project site, per the off-site proposed storm drain. The Building 1 area of the Project site would drain to an on-site infiltration chamber system and overflow to Line T-6 in Topaz Road. The Building 2 area of the Project site would drain to an on-site infiltration chamber system and overflow to Line T in Onyx Road. The Building 3 area of the Project site would drain to an on-site infiltration chamber system and overflow to Line T in Cactus Road. Each building infiltration chamber system has been sized to capture and retain the WQMP design capture volume as well as provide stormwater mitigation for the 10-year and 100-year storm events (Table 4.9-1 and Table 4.9-2).

Table 4.9-1. Proposed MIP Storm Water Basin Summary

	WQMP DCV (Cubic Feet)	Proposed V Prior to Mitigation (Cubic Feet) – 10 year storm	Proposed V Prior to Mitigation (Cubic Feet) – 100 year storm
Building 1 (6.2 acres)	13,252	14,043	39,840
Building 2 (5.7 acres)	12,182	12,396	36,803
Building 3 (61.1 acres)	130,209	163,541	397,409
Total	**155,643**	**189,980**	**474,052**

Source: Appendix I.
Note: Q = discharge

Table 4.9-2. Proposed MIP Unit Hydrograph and Storm Water Mitigation Summary

	Existing Q Tributary to Stream (Cubic Feet per Second) (47 acres)		Proposed Q Prior to Mitigation (Cubic Feet per Second)		Proposed Q After Mitigation (Cubic Feet per Second)		Q out Due to Infiltration (Cubic Feet per Second)	Proposed Q After Mitigation to Public SD (Cubic Feet per Second)	
	10 YR	100 YR	10 YR	100 YR	10 YR	100 YR	—	10 YR	100 YR
Building 1 (6.2 acres)	—		10.19	17.79	1.20	3.19	0.30	0.90	2.89
Building 2 (5.7 acres)	—		9.84	17.18	1.03	3.39	0.34	0.69	3.05
Building 3 (61.1 acres)	—		93.04	169.07	8.27	26.38	2.27	6.00	24.11
Total	**14.29**	**33.24**	**113.07**	**204.04**	**10.5**	**32.96**	—	**7.59**	**30.05**
Is Q After Routing Less Than or Equal to Existing Q Tributary to Stream?								**YES**	**YES**

Source: Appendix I.
Note: Q = discharge

Non-structural BMPs would include the regular sweeping and cleaning of existing trash enclosures, docking areas, and paved areas throughout the Project site, the training of all maintenance contractors in stormwater BMP implementation, and the monthly inspection of all catch basins during the rainy season (October through May) as well as before and after each storm to ensure efficient operation. The on-site catch basin inspections would be done by a qualified landscape contractor, who would inspect and clean out any accumulation of trash, litter, and sediment from the basins as well as would check for evidence of illegal dumping of waste materials into on-site drains (Appendix H).

Implementation of these LID features and BMPs would, to the maximum extent practicable, reduce the discharge of pollutants into receiving waters, including inadvertent release of pollutants (e.g., hydraulic fluids and petroleum); improper management of hazardous materials, trash, and debris; and improper management of portable restroom facilities (e.g., regular service), in accordance with all relevant local and state development standards.

With respect to groundwater quality, stormwater to be collected in retention basins would be able to meet retention time requirements for water quality purposes in accordance with San Bernardino County requirements. All pervious areas that would remain at the Project site would be below adjacent impervious areas to maximize natural infiltration as well as allowing for infiltration with the proposed underground retention basins. Therefore, with adherence to NPDES MS4 permit and San Bernardino County Hydrology Manual standards, long-term operational impacts associated with water quality standards and waste discharge requirements would be less than significant, with no mitigation required.

Threshold B: Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?

Groundwater Recharge

Less-than-Significant Impact. The Project site is underlain by the Upper Mojave River Valley Groundwater Basin. Approximately 80% of the basin's natural recharge is through infiltration from the Mojave River. Other sources of recharge include infiltration of storm runoff from the mountains and recharge from human activities such as irrigation return flows, wastewater discharge, and enhanced recharge with imported water. Over 90% of the basin groundwater recharge originates in the San Gabriel and San Bernardino Mountains. Groundwater discharged from the basin primarily by well pumping, evaporation through soil, transpiration by plants, and seepage into dry lakes where accumulated water evaporates, and seepage into the Mojave River (Appendix G).

Currently, the Project site is undeveloped and pervious which allows for groundwater recharge. The development of the Project site would result in a substantial increase in impermeable surfaces, which could impede groundwater recharge. However, as noted above, the Project would incorporate LID features, including infiltration/retention systems designed to retain at least 85% of the difference of volume produced between post- and pre-developed conditions of on-site stormwater runoff during a 100-year, 24-hour storm event (Table 4.9-2). Detained stormwater would infiltrate through the bottom of the infiltration basins and into the underlying soils. In addition, the retention basins would be sized to exceed 85% of the difference in stormwater of the existing and proposed conditions such that there would be no substantial change in on-site infiltration rates. As shown in Table 4.9-2, the total system storage volume well exceeds the 10-year 24-hour storm event. Because the Project would meet infiltration requirements, stormwater would continue to be able to infiltrate soils and recharge the underlying Upper Mojave River Valley Groundwater Basin. Therefore, impacts associated with groundwater recharge would be less than significant, and no mitigation is required.

Groundwater Supply

Less-than-Significant Impact. The District has 34 active groundwater wells within its distribution system that used to pump groundwater from the Upper Mojave River Groundwater Basin that lies beneath Victor Valley. The Upper Mojave River Groundwater Basin, the largest in the Region, encompasses 1,400 square miles, and has an estimated total water storage capacity of nearly 5 million acre-feet. The basin is essentially a closed basin which means that very little groundwater enters or exits the basin. However, within the basin, groundwater moves between the different subareas; groundwater-surface water and groundwater-atmosphere interchanges also occur.

Recent investigations by MWA, the US Geological Survey (USGS), and others have resulted in an improved understanding of the geology and hydrogeology of the Upper Mojave River Basin Area. Specifically, a more refined examination of the hydrostratigraphy has allowed for differentiation between the more permeable Floodplain Aquifer that has a limited extent along the Mojave River and the more extensive but less permeable Regional Aquifer. In the Mojave Basin Area, Alto, Centro, and Baja subareas contain both the Floodplain Aquifer and the Regional Aquifer while Oeste and Este subareas only contain the Regional Aquifer.

According to the Victorville Water District's 2020 UWMP, Victorville Water District (VWD) uses a combination of purchased water, groundwater, and recycled water. VWD currently pumps potable water supplies from groundwater in the Mojave Groundwater Basin and purchases water from the Mojave Water Agency (MWA) Regional Recharge and Recovery Project (R^3) when available. VWD does not rely on purchased or imported water as a future potable water supply. Through R^3, MWA delivers SWP water to recharge sites located along the Mojave River in Hesperia and southern Apple Valley. MWA recovers the recharged water at wells downstream and delivers through pipelines directly to retail water agencies. R^3 provides an alternate source of supply that enables agencies to reduce pumping and maintain groundwater levels in the vicinity of their wells. R^3 enables MWA to use SWP water beneficially by recharging the water when supplies exceed demand. VWD began receiving water from R^3 in 2013 and has an agreement to purchase up to 6,800 acre-feet, when available (VWD 2021).

According to the MWA's 2020 UWMP, the MWA has adequate supplies to meet the region's demands and replacement water needs during average, single-dry year, and five consecutive dry years from 2020 to 2065. In addition, as also concluded in the WSA that was prepared for the proposed Project, the City of Victorville has reliable water supplies to meet its retail customer demands in normal, single dry-year, and multiple (five) consecutive dry years. As a result, the Project would not substantially decrease groundwater supplies and would not impede sustainable groundwater management of the basin. Therefore, impacts associated with groundwater supplies would be less than significant, and no mitigation is required.

Threshold C: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) result in substantial erosion or siltation on or off site;

Less-than-Significant Impact. As previously discussed, the Project site currently consists of undeveloped land. The Project would result in the construction of new paved surfaces, warehouse buildings, and landscape areas. Once developed, the Project site 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 site containing pervious surfaces would primarily consist of landscape areas. These landscape 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. Moreover, the Project's new engineered stormwater drainage

system would feature structural BMPs such as retention facilities to manage on-site stormwater flows. The stormwater drainage system basins would be sized and designed to prevent flooding from a 100-year storm while also accommodating the required retention volume for water quality purposes. The basins would be designed to capture the entire volume generated from a 100-year storm, meaning no runoff would be discharged off site (Appendix I). As a result, the potential impacts related to erosion or siltation due to development of the Project would be considered less than significant, with no mitigation required.

ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site;

Less-than-Significant Impact. Construction of the proposed Project would alter the existing drainage patterns through the introduction of new impervious surfaces. However, as discussed above, the Project would maintain adequate stormwater conveyance through compliance with existing drainage control standards. The Project site would be designed to allow on-site infiltration through the landscaped pervious areas as well as the subsurface infiltration retention basins. The proposed drainage system would be designed in accordance with the NPDES General Permit No. CAS000004 (the "Municipal NPDES Permit"), which requires all new development projects covered by this Order to incorporate LID BMPs to the maximum extent practicable and includes limitations on peak storm flows that can be discharged from the site.

The Project-specific Preliminary Drainage Reports (Appendix I) include analysis of existing hydraulic conditions during peak storm events and proposed condition hydrologic analysis to determine whether the post-construction runoff would have any impact on receiving waterways (i.e., Mojave River). In accordance with the San Bernardino County Hydrology Manual, the rational method and unit hydrograph were used to calculate the 10-year and 100-year, 24-hour storm peak discharges for the existing and Project conditions.

The basins would be designed to capture the entire volume generated from a 10-year storm, meaning no runoff would be discharged off site (Appendix I). In addition, for the 100-year peak runoff discharge rates, the pre-development condition has a rate of 204.04 cubic feet per second and in the post-development condition that rate would be reduced to 30.05 (Appendix I). Therefore, the proposed drainage system has been sized and designed in accordance with the San Bernardino County Hydrology Manual, which requires the Project site to meet volume retention and flow attenuation rates in the post-developed condition to prevent adverse effects downstream of the Project site.

The development would be required to reduce the site runoff from Buildings 1, 2, and 3 down to the pre-developed 10-year and 100-year condition tributary to Line T by implementing stormwater detention in conjunction with the stormwater quality management mitigation. For Buildings 1, 2, and 3 the site soils exhibit sufficient infiltration capacity and therefore underground infiltration chamber systems will be utilized to help meet the WQMP Design Capture Volume (DCV) requirements as well as detention for 10-year and 100-year flow mitigation. Each site would be designed to capture and convey site runoff in an on-site storm drain system which would discharge site flows into an underground infiltration/discharge chamber system. Once the infiltration chambers have captured the required WQMP DCV, each system would begin to overflow into an outlet pipe that will be extended to the property, per the off-site proposed storm drain. The results demonstrate that the proposed infiltration/retention basins for this Project would comply with the flood protection requirements of the City of Victorville and the County of San Bernardino (Appendix I).

Therefore, because the Project improvements would be designed to meet and exceed the stormwater requirements set forth in the San Bernardino County Hydrology Manual, the Project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site. Therefore, impacts associated with flooding on or off site would be less than significant.

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

Less-than-Significant Impact. As previously discussed under Threshold A, the proposed drainage system would be designed to convey runoff in compliance with the City of Victorville and the County of San Bernardino WQMP and SWMP requirements. In addition, the Project would incorporate LID features, including on-site infiltration/retention basins and ongoing maintenance requirements to ensure continued successful operation. Collectively, these LID features would lower the potential of the incidental releases of contaminants to the environment such as oil, grease, nutrients, heavy metals, and certain pesticides, including legacy pesticides. As a result, the Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, impacts associated with stormwater drainage systems capacity and polluted runoff sources would be less than significant.

iv) impede or redirect flood flows?

Less-than-Significant Impact. The Project site is located in Zone X, an area of minimal flood hazard per the FEMA FIRM panel 06071C5795H effective August 28, 2008. This area is higher in elevation than the 0.2% annual chance flood (i.e., 500-year flood). In addition, as previously discussed, although internal drainage patterns would be somewhat altered as a result of Project development, the Project would maintain adequate stormwater conveyance as to not result in an increase of surface runoff that would result in flooding on or off site associated with the 100-year, 24-hour storm event. Therefore, impacts associated with impeding or redirecting flood flows would be less than significant and no mitigation is required.

Threshold E: Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less-than-Significant Impact. As previously discussed, the Project would comply with applicable water quality regulatory requirements, including implementation of a SWPPP, stormwater BMPs, and LID design, which would minimize potential off-site surface water quality impacts and contribute to a reduction in water quality impacts within the overall Mojave River Watershed. In addition, through compliance with these regulatory requirements, the Project would reduce potential water quality impairment of surface waters such that existing and potential beneficial uses of key surface water drainages throughout the jurisdiction of the Mojave River Basin Plan Amendment of the Lahontan Basin Plan would not be adversely impacted. As a result, the Project would not conflict with or obstruct the Lahontan Basin Plan.

With respect to groundwater management, SGMA empowers local agencies to form GSAs to manage basins sustainably and requires those GSAs to adopt Groundwater Sustainability Plans for crucial groundwater basins in California. No GSA has been established for the Upper Mojave River Valley Groundwater Basin, because it is not considered a medium or high priority basin. In addition, the basin is adjudicated, regulating the amount of groundwater extracted, reducing the potential for over-extraction and overseen by the Watermaster, the Mojave Water Agency. Further, the Project would not substantially deplete groundwater supplies or interfere

substantially with groundwater recharge and would not conflict with or obstruct a water quality control plan or sustainable groundwater management plan. Therefore, impacts associated with water quality control plans and sustainable groundwater management plans would be less than significant, and no mitigation is required.

4.9.5 Mitigation Measures and Level of Significance After Mitigation

Threshold A: Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

The Project would result in **less-than-significant impacts** associated with water quality standards and waste discharge requirements. No mitigation is required.

Threshold B: Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?

The Project would result in **less-than-significant impacts** with regard to decreasing groundwater supplies or impeding sustainable groundwater management of the basin. No mitigation is required.

Threshold C: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) result in substantial erosion or siltation on or off-site;

The Project would result in **less-than-significant impacts** related to erosion and siltation off site.

ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site;

The Project would result in **less-than-significant impacts** with regard to increasing the rate or amount of surface runoff in a manner which would result in flooding on or off site. No mitigation is required.

iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

The Project would result in **less-than-significant impacts** with regard to creating or contributing runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. No mitigation is required.

iv) impede or redirect flood flows?

The Project would result in **less-than-significant impacts** with regard to impeding or redirecting flood flows. No mitigation is required.

Threshold E: Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The Project would result in **less-than-significant impacts** with regard to conflicting or obstructing implementation of a water quality control plan or sustainable groundwater management plan. No mitigation is required.

4.9.6 Cumulative Impacts

Water Quality

Less-than-Significant Impact. The geographic context for the analysis of cumulative impacts associated with water quality is the encompassing Mojave River Watershed. Cumulative development in the watershed could add new sources of stormwater runoff. Construction activities associated with the Project could temporarily increase the number of exposed surfaces that could contribute to sediments in stormwater runoff. Additionally, materials associated with construction activities could be deposited on surfaces and carried to receiving waters in stormwater runoff. However, all cumulative development in the watersheds would be subject to the existing regulatory requirements to protect water quality and minimize increases in stormwater runoff. For example, Section 10.30.090, Prohibited Discharges, of the Municipal NPDES Permit states that no person shall discharge, facilitate, cause, permit, or allow to be discharged to the MS4, either directly or indirectly, any illicit discharge, including but not limited to, pollutants, hazardous materials, and other non-stormwater discharges.

Every 2 years, the Lahontan RWQCB must re-evaluate water quality within its geographic region and identify those water bodies not meeting water quality standards. For those impaired water bodies, a TMDL must be prepared and implemented to reduce pollutant loads to levels that would not contribute to a violation of water quality standards. All developments within the Mojave River Watershed are subject to the water quality standards outlined in the Mojave River Basin Plan and must comply with any established TMDLs. The continuing review process would ensure that cumulative development within the watershed would not substantially degrade water quality.

The County and cities located within San Bernardino County are co-permittees under the San Bernardino County Municipal NPDES stormwater permit. The NPDES permit sets limits on pollutants being discharged into waterways and requires that the project designer and/or contractor of all new development projects that fall under specific project categories develop a WQMP that includes LID design requirements related to water quality. The LID design requirements would address long-term effects on water quality within the San Bernardino County watersheds and ensure that BMPs and LID designs minimize potential water quality concerns to the maximum extent practicable. Therefore, impacts associated with water quality standards and polluted runoff in the watersheds would be minimized, and the Project's contribution to cumulative impacts would be **less than significant.**

Water Supply

Less-than-Significant Impact. The development of the Project would increase water demand compared to existing conditions. The Project would be served by Victorville Water District (VWD) for which the 2020 UWMP estimated an annual potable water demand in 2025 of 24,720 acre-feet and 27,090 acre-feet by 2030 (VWD 2021). As mentioned previously, according to the Mojave Water Agency (MWA) 2020 UWMP, the MWA has adequate supplies to meet the region's demands and replacement water needs during average, single-dry year, and five consecutive dry years from 2020 to 2065. VWD's demand projections were provided to the MWA for inclusion in its analysis therefore, it is concluded that VWD has adequate supplies to meet demands during average, single-dry year, and five consecutive dry years throughout the 25-year planning period. VWD will continue

aggressive water conservation efforts, increased use of regional water to offset potable water demand, and participation in new water supply projects with MWA to ensure that it has enough supply to continue to meet demands. As such, the Project would not be expected to result in increased water usage causing the need for new entitlements, resources, and/or treatment facilities that are not already being planned to accommodate regional growth forecasts.

The WSA that was prepared for the proposed Project state the estimated demands, which include industrial water use types, would increase by 1,283 acre-feet from 2020 to 2030 (Appendix G). There have been several commercial and industrial projects that have approved water feasibility studies and water supply assessments since the completion of the 2020 UWMP and the 2010 WMP. The total proposed commercial/industrial demand from this Project and the previously approved commercial/industrial projects is 1,517 acre-feet by 2030. This is 234 acre-feet more than projected commercial/industrial demand increase in the 2020 UWMP. However, the 2020 UWMP projected a total demand increase of 5,260 acre-feet from 2020 to 2030, including sales to other agencies. The total projected demand for this Project (96 acre-feet) and projects with a previously approved WFS or WSA (4,817 acre-feet) is 4,913 acre-feet. This is 347 acre-feet less than the total projected demand increase in the 2020 UWMP (Appendix G). Therefore, it was determined that the Project's projected demands fit within the total projected demand published in the 2020 UWMP. In addition, the City has the ability to pump additional groundwater to meet demands (Appendix G). Therefore, due to projected demands, water conservation standards, and water planning efforts, impacts would be **less than significant**, and the Project's contribution to cumulative impacts would not be cumulatively considerable.

Stormwater Drainage

Less-than-Significant Impact. The geographic context for the analysis of cumulative impacts related to storm drainage is the Mojave River Watershed, which is moderately urbanized with impervious surfaces. Cumulative development within the County could potentially increase the number of impervious surfaces that could cause or contribute to storm drain system capacity exceedance or alter the existing stormwater flow rates that result in adverse effects downstream on a water quality or quantity basis. New development within the watershed would be subject to the environmental review process that would analyze potential impacts associated with stormwater runoff to the storm drain system. New development would be subject to the completion of drainage analyses to ensure that excessive on- or off-site flooding and runoff would not occur as was done for the proposed Project. The post-development condition of the Project would reduce peak storm flow rates and therefore could not contribute to a significant cumulative effect. Therefore, since all cumulative projects are required to adhere to these same existing regulatory drainage control measures, the potential cumulative impact would be **less than significant**.

4.9.7 References

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4.10 Land Use and Planning

This section describes the existing land use and planning conditions of the Mojave Industrial Park Project (Project) and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Project. Information contained in this section is based on review of local, regional, and statewide policies and regulations encompassing the Project site, including the following:

- Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Plan (RTP/SCS) (SCAG 2020)
- City of Victorville General Plan (City of Victorville 2008)
- City of Victorville Municipal Code

Other sources consulted are listed in Section 4.10.7, References.

No comments were received related to land use and planning during the public review of the notice of preparation. A copy of the notice of preparation and comment letters received are included in Appendix A.

4.10.1 Existing Conditions

Existing Project Site Conditions

The approximately 81.1-acre (gross acres) Project site consists of vacant, undeveloped land. The Project site is on the northeast quadrant of Mojave Drive and Onyx Road, consisting of three parcels: Assessor's Parcel Numbers (APNs) 3128-631-02, 3128-631-03, and 3128-631-04. The Project site is located south of Cactus Road/Tawney Ridge Lane, north of Mojave Drive, east of Onyx Road, and west of Topaz Road (unpaved). The Project site is approximately 1 mile east of Highway 395, northwest of I-15, and north of State Route 18.

The Project site currently has a General Plan land use designation of Light Industrial (LI) and zoning of Light Industrial (M-1) (Table 4.10-1).

Table 4.10-1. Current General Plan/Specific Plan Land Use and Zoning Designations

Assessor Parcel Number	General Plan Land Use Designation	Zoning Designation
APN 312-863-102	Light Industrial (LI)	Light Industrial (M-1)
APN 312-863-103	Light Industrial (LI)	Light Industrial (M-1)
APN 312-863-104	Light Industrial (LI)	Light Industrial (M-1)

Notes: See Figure 3-3, Existing Land Use, and Figure 3-4, Existing Zoning Designations, in Chapter 3, Project Description.

Surrounding Conditions

Surrounding land uses primarily consist of vacant, undeveloped land to the north, west, and east, along with single family homes south of Mojave Drive. The parcels surrounding the Project site are zoned as Light Industrial (M-1T), Industrial Park (IPDT), Single Family Residential (R-1), and General Commercial (C-2).

Specific land uses located in the immediate vicinity of the Project site include the following:

- **North:** Cactus Road and vacant land
- **East:** Topaz Road, vacant land, and single-family homes
- **South:** Mojave Drive, vacant land, and single-family homes
- **West:** Onyx Road and vacant land

In the broader Project vicinity, development includes scattered residential uses and the Melva Davis Academy of Excellence approximately 0.25 miles northeast of the Project site. Figure 3-7, Project Development Setting, in Chapter 3, Project Description, depicts existing development within the vicinity of the Project site.

4.10.2 Relevant Plans, Policies, and Ordinances

Federal

There are no federal plans, policies, or ordinances applicable to the land use considerations of the Project.

State

California Planning and Zoning Law

The legal framework under which California cities and counties exercise local planning and land use functions is set forth in California Planning and Zoning Law, Government Code Sections 65000-66499.58. Under state planning law, each city and county must adopt a comprehensive, long-term general plan. State law gives cities and counties wide latitude in how a jurisdiction may create a general plan, but there are fundamental requirements that must be met. As stated in Section 65302 of the California Government Code, "The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principle, standard, and plan proposals." While a general plan will contain the community vision for future growth, California law also requires each plan to address the mandated elements listed in Section 65302. The mandatory elements for all jurisdictions are land use, circulation, housing, conservation, open space, noise, and safety. Each of the elements must contain text and descriptions setting forth objectives, principles, standards, policies, and plan proposals.

Senate Bill 743

On September 27, 2013, Governor Brown signed Senate Bill (SB) 743, which became effective on January 1, 2014. The purpose of SB 743 is to streamline the review under the California Environmental Quality Act (CEQA) to balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions. An in-depth discussion of SB 743 is provided in Section 4.15, Transportation. In summary, SB 743 changes the focus of environmental review of transportation impacts. In the past, environmental review of transportation impacts focused on the delay that vehicles experience at intersections and on roadway segments, which is often measured using levels of service (LOS). Under SB 743, LOS can no longer be used to determine significant transportation impacts under CEQA. The CEQA Guidelines were updated in 2018 to require use of the vehicle miles traveled (VMT) methodology for assessing transportation impacts.

Regional

Regional Transportation Plan/Sustainable Communities Strategy

SCAG is the designated Metropolitan Planning Organization (MPO) for six Southern California counties (Los Angeles, Ventura, Orange, San Bernardino, Riverside, and Imperial) and is federally mandated to develop plans for transportation, growth management, hazardous waste management, and air quality. The City of Victorville is one of the many jurisdictions that fall under SCAG.

The 2020-2045 RTP/SCS was adopted on September 3, 2020, and presents the land use and transportation vision for the region through the year 2045, providing a long-term investment framework for addressing the region's challenges (SCAG 2020). The RTP/SCS explicitly lays out goals related to housing, transportation, equity and resilience in order to adequately reflect the increasing importance of these topics in the region, and where possible the goals have been developed to link to potential performance measures and targets. The RTP/SCS development process involved working closely with local governments throughout the region to collect and compile data on land use and growth trends. The core vision of the RTP/SCS is to build upon and expanded land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern.

SCAQMD 2022 Air Quality Management Plan

An air quality management plan (AQMP) is a plan for the regional improvement of air quality. The SCAQMD 2022 AQMP is the applicable AQMP for the South Coast Air Basin and was approved by the SCAQMD Governing Board in December 2022 (SCAQMD 2022). The Project's consistency with the 2022 AQMP was analyzed in detail in Section 4.2, Air Quality.

San Bernardino County Congestion Management Program

The San Bernardino County Congestion Management Plan (CMP) was prepared by the San Bernardino Associated Governments (SANBAG) to more directly link land use, transportation, and air quality planning and to prompt reasonable growth management programs that would more effectively utilize new and existing transportation funds to alleviate traffic congestion and related impacts and improve air quality. The San Bernardino County CMP was first adopted in November 1992 and has since been updated 12 times, with the most recent comprehensive update in June 2016. The Project's consistency with the San Bernardino County CMP is discussed in detail in Section 4.15.

Local

City of Victorville General Plan

The Victorville General Plan establishes the long-term vision for the City and fulfills the requirements of California Government Code Section 65302 requiring local preparation and adoption of General Plans. The General Plan includes the following mandated and optional elements: Land Use Element, Circulation Element, Housing Element, Resource Element, Noise Element, and Safety Element (City of Victorville 2008, 2022).

Victorville Development Code

The Victorville Development Code implements the goals and objectives of the General Plan by regulating the location and use of structures and land through various zoning designations. It is intended to assure orderly and beneficial development, reduce hazards resulting from the inappropriate location or use of improvements, and maintain the City's distinctive character. The Zoning Map assigns zoning designations to all parcels in the City. The Development Code is consistent with the General Plan and directly corresponds to General Plan land use designations.

4.10.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to land use and planning are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to land use and planning would occur if the Project would:

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.

Threshold A was analyzed in the Initial Study (Appendix A) and was not carried forward for further analysis in the EIR. See Chapter 5, Effects Found Not To Be Significant, for additional detail.

4.10.4 Impacts Analysis

Threshold 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?

Less-than-Significant Impact. The Project would not result in 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, as further discussed below.

Regional Plans

Regional Transportation Plan/Sustainable Communities Strategy

The 2020-2045 RTP/SCS was adopted on September 3, 2020, and presents the land use and transportation vision for the region through the year 2045, providing a long-term investment framework for addressing the region's challenges. The RTP/SCS established goals for the region and identifies transportation investments that address the region's growing population, as well as strategies to reduce traffic congestion and GHG emissions. In addition, the RTP/SCS is supported by a combination of transportation and land use strategies that help the region achieve state GHG emission reduction goals and federal Clean Air Act requirements, preserve open space areas, improve public health and roadway safety, support the region's vital goods movement industry, and utilize resources more efficiently (SCAG 2020).

Consistency with the 2020-2045 RTP/SCS goals demonstrates that the Project would not conflict with the applicable goals in the RTP/SCS adopted for the purpose of avoiding or mitigating an environmental effect. Table 4.10-2 demonstrates how the Project promotes consistency with the guiding principles and policies of the RTP/SCS.

Table 4.10-2. Consistency with 2020-2045 RTP/SCS Goals

RTP/SCS Goal	Project Applicable Component(s)	Consistency
Goal 1 Encourage regional economic prosperity and global competitiveness.	The Project would involve construction of three industrial/warehouse buildings and associated improvements. Thus, the Project would generate jobs and tax revenue for the City and its residents. Once operational, the Project would add to the City's business tax base and would employ approximately 1,130 workers, helping the City better meet its jobs/housing balance, while also providing light industrial use that will help the City offer a more balanced array of land uses throughout the broader Project area.	**Consistent**
Goal 2 Improve mobility, accessibility, reliability, and travel safety for people and goods.	The Project would include construction and operation of three industrial/warehouse buildings that would be easily and efficiently accessible to U.S. Highway 395, which would help to facilitate regional goods movement throughout Southern California.	**Consistent**
Goal 3 Enhance the preservation, security, and resilience of the regional transportation system.	A traffic impact analysis is being prepared to determine the Project's potential effect on the regional and local circulation system. Improvements to adjacent roadway facilities that are identified in the traffic impact analysis will be implemented as part of the Project (and will be made a condition of Project approval), as to accommodate for street capacity and effectiveness of the regional circulation system during operation of the Project. Further, the City has created its own local Development Impact Fee (DIF) program to impose and collect fees from new residential, commercial and industrial development for the purpose of funding roadways and intersections necessary to accommodate City growth as identified in the City's General Plan Housing Element. As such, the Project Applicant will be subject to the City's DIF fee program and will pay the requisite City DIF fees at the rates then in effect.	**Consistent**
Goal 4 Increase person and goods movement and travel choices within the transportation system.	The Project would include construction and operation of three industrial/warehouse buildings that would be easily and efficiently accessible to U.S. Highway 395, which would help to facilitate regional goods movement throughout Southern California.	**Consistent**
Goal 5 Reduce greenhouse gas emissions and improve air quality.	The Project would involve development of an industrial use that inherently involves the emission of GHG and air contaminant emissions. However, the Project would incorporate all feasible mitigation measures to reduce impacts to air quality and GHG emissions. In addition, according to the Southern California Association of Governments Comprehensive Regional Goods Movement Plan and Implementation Strategy, the region will run out of suitably zoned vacant land designated for warehouse facilities in or around 2028. Thus, the Project would help meet the growing demand for warehousing space, and would do so in an area that is proximate to regional highways (U.S. Highway 395), thereby reducing the need for longer distance trips which could result in additional air	**Consistent**

Table 4.10-2. Consistency with 2020-2045 RTP/SCS Goals

RTP/SCS Goal	Project Applicable Component(s)	Consistency
	pollutant and GHG emissions. Additionally, the Project would employ approximately 1,130 workers, helping the City better meet its jobs/housing balance, which should shorten commute distances of City residents who choose to work on the Project site, which would have a direct positive effect on tailpipe GHG and air contaminant emissions.	
Goal 6 Support healthy and equitable communities.	The Project would involve development of an industrial use that inherently involves the emission of GHG and air contaminant emissions. However, the Project would incorporate all feasible mitigation measures to reduce impacts to air quality and GHG emissions. In addition, according to the Southern California Association of Governments Comprehensive Regional Goods Movement Plan and Implementation Strategy, the region will run out of suitably zoned vacant land designated for warehouse facilities in or around 2028. Thus, the Project would help meet the growing demand warehousing space, and would do so in an area that is proximate to regional highways (U.S. Highway 395 and I-15), thereby reducing the need for longer distance trips which could result in additional air pollutant and GHG emissions. Additionally, the location of the Project site would provide quick and efficient access to U.S. Highway 395, thereby eliminating the need for truck traffic to take longer routes through residential or commercial/retail areas. The Project would also include a number of components that are designed to reduce energy use, such as incorporating energy efficiency design features in compliance with CALGreen standards. By incorporating these measures, the Project would minimize its potential environmental effects on surrounding sensitive receptors to the maximum extent practicable. Thus, the Project would assist in this goal.	Consistent
Goal 7 Adapt to a changing climate and support an integrated regional development pattern and transportation network.	As climate change continues to increase the number of instances of disruption to local and regional systems, it will become increasingly more urgent for local jurisdictions to employ strategies to reduce their individual contributions. The Project would involve development of an industrial use that inherently involves the emission of GHG and air contaminant emissions. However, the Project would incorporate all feasible mitigation measures to reduce impacts to air quality and GHG emissions to the maximum extent practicable. In addition, according to the Southern California Association of Governments Comprehensive Regional Goods Movement Plan and Implementation Strategy, the region will run out of	Consistent

Table 4.10-2. Consistency with 2020-2045 RTP/SCS Goals

RTP/SCS Goal	Project Applicable Component(s)	Consistency
	suitably zoned vacant land designated for warehouse facilities in or around 2028. Thus, the Project would help meet the growing demand warehousing space, and would do so in an area that is proximate to regional highways (U.S. Highway 395 and I-15), thereby reducing the need for longer distance trips which could result in additional GHG emissions.	
Goal 8 Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	The location of the Project site would provide quick and efficient access to U.S. Highway 395, thereby eliminating the need for truck traffic to take longer routes through residential or commercial/retail areas. In addition, according to the Southern California Association of Governments Comprehensive Regional Goods Movement Plan and Implementation Strategy, the region will run out of suitably zoned vacant land designated for warehouse facilities in or around 2028. Thus, the Project would meet the growing demand warehousing space, and would do so in an area that is proximate to regional highways (U.S. Highway 395 and I-15), thereby reducing the need for longer distance trips which could result in additional air pollutant and GHG emissions.	**Consistent**
Goal 9 Encourage development of diverse housing types in areas that are supported by multiple transportation options.	The Project site is not zoned for housing, but rather for light industrial. Thus, this goal is not applicable.	**Not Applicable**
Goal 10 Promote conservation of natural and agricultural lands and restoration of habitats.	The Project site currently has a land use designation and zoning of Light Industrial. The Project site does not support agriculture. The Project site does support suitable habitat for sensitive plant and wildlife species. Mitigation measures have been outlined in this EIR to offset potentially significant impacts to suitable on-site habitat and sensitive plant and wildlife species. See Section 4.3, Biological Resources, for further detail.	**Consistent**

As shown in Table 4.10-2, the Project would be consistent with the 2020 SCAG RTP/SCS goals. Impacts would be less than significant.

SCAQMD 2022 Air Quality Management Plan

The Project's consistency with the 2022 AQMP was analyzed in detail in Section 4.2. As analyzed therein, the Project would not conflict with the SCAQMD 2022 AQMP. Therefore, impacts would be less than significant.

San Bernardino County Congestion Management Program

The Project's consistency with the San Bernardino County CMP is discussed in detail in Section 4.15. As analyzed therein, the Project would not conflict with the San Bernardino County CMP. Therefore, impacts would be less than significant.

City of Victorville Land Use Plans, Policies, and Regulations

The Project site currently has a General Plan Land Use designation of Light Industrial (LI) and zoning of Light Industrial (M-1). Per Section 16-3.070-010 of the Victorville Code of Ordinances, warehouse/storage facilities are a permitted use in the M-1 zone

Victorville Development Code

The Project would be consistent with the Development Code requirements for the applicable zone (M-1). The Project's consistency with the Victorville Development Code is discussed further in detail in Section 4.1, Aesthetics. Therefore, impacts would be less than significant.

General Plan

Pursuant to state law, general plans establish land use regulations for those areas covered by the General Plan. As depicted in Figure 3-3, Existing Land Use, found in Chapter 3, the City's General Plan designates the Project site's land use as Light Industrial.

According to the General Plan, the Light Industrial land use designation "is characterized by industrial development either located in industrial and/or business parks or in mixed-use areas. The main feature of industrial activities in this category is that they do not require any significant site or structure requirements that are so specialized that would limit future use of the structures and/or site by another industrial activity." Therefore, the Project would be consistent with the site's existing land use designation.

The City's General Plan also includes several goals and policies that are applicable to the Project. An analysis of the Project's consistency with these goals and policies is provided in Table 4.10-3.

Table 4.10-3. Consistency with Land Use Element Objectives/Policies

Land Use Objective/Policy	Project Applicable Component(s)	Consistency
Objective B Achieve and maintain an appropriate balance, variety, and distribution of industrial uses support the City's economy and provide employment opportunities.	The Project would provide industrial employment opportunities to approximately 1,130 Victorville residents.	**Consistent**
Policy B.1 Ensure that the industrial land use designations accommodate a variety of traditional, innovative, and creative industrial land uses, including manufacturing,	The Project would implement all necessary standards and incentives in order to accommodate industrial/ warehouse uses without compromising the environment or residents' quality of life.	**Consistent**

Table 4.10-3. Consistency with Land Use Element Objectives/Policies

Land Use Objective/Policy	Project Applicable Component(s)	Consistency
warehousing and distribution, aviation/airport, technological land uses, with standards and incentives that enable Victorville to attract new jobs and revenues without compromising the environment or negatively impacting quality of life.		
Policy B.2 Provide an appropriate amount of industrially designated land to ensure long-term opportunities for a range of employment options that support a diverse economy and provide well-paying job opportunities.	The Project site is already designated for light industrial uses. The industrial/warehouse buildings would require approximately 1,130 employees to run at full capacity, so upon completion of the Project's construction, the local residents would have many employment options made available to them.	**Consistent**
Policy B.5 Continue to implement the Southern California Logistics Airport Specific Plan and encourage new airport, aviation, industrial, and commercial uses to locate there	The Project would be consistent with this policy as it would comply with the Southern California Logistics Airport Specific Plan. For further detail, refer to the airport discussion in Section 4.8, Hazards, Hazardous Materials, and Wildfire.	**Consistent**
Policy F.6 Facilitate residential, industrial, and business growth in those areas where public infrastructure and services are available, including Opportunity Areas	The Project would include construction of new industrial/warehouse facilities that would expand the industrial and business potential for the area and would provide numerous job opportunities to the local community.	**Consistent**
Policy H.4 Encourage new industrial development to use best available control technology to limit GHG emissions from stationary sources	Construction and operation of the Project would follow all rules and regulations in regard to the control technology that limits GHG emissions from stationary sources.	**Consistent**
Policy I.4 Balance the need to support existing businesses and encourage infill and reuse of existing underutilized or vacant properties within Victorville with need to position the City to attract new commercial, industrial, and tourism-focused uses	The Project would develop an undeveloped, vacant property into industrial/warehouses uses, consistent with the existing land use designation of the site.	**Consistent**

As such, the Project would be subject to the development goals, standards, and guidelines established in the General Plan.

As described in Tables 4.10-2 and 4.10-3, the Project would be consistent with the applicable goals and policies set forth by the General Plan, as well as by SCAG in the RTP/SCS and RCP. Therefore, impacts would be less than significant.

4.10.5 Mitigation Measures and Level of Significance After Mitigation

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

No mitigation measures would be required. The Project would have **less than significant impacts** associated with land use and planning.

4.10.6 Cumulative Impacts

Less-than-Significant Impact. Implementation of the proposed Project combined with the development of ongoing projects and future industrial projects in the greater Project area could potentially result in cumulative impacts associated with land use and planning if these projects collectively conflict with either existing land uses or other future projects in the area. The anticipated impacts of the Project in conjunction with cumulative development in the area of the Project would result in the development of vacant land. However, potential land use impacts require evaluation on a case-by-case basis because of the interactive effects of a specific development and its immediate environment. As described throughout this Draft EIR, the proposed Project would not conflict with the goals and policies of the Victorville General Plan. Additionally, the proposed Project is an allowable use would be permitted and would not conflict with the City's land use or zoning classifications. As such, the proposed Project would be consistent with the goals and policies of the Victorville General Plan, and the Project would therefore not contribute to a cumulatively considerable impact regarding land use.

Furthermore, all related projects would be required to undergo environmental review on a case-by-case basis in accordance with the requirements of CEQA. Each related project would also be required to demonstrate consistency with all applicable planning documents governing the project site, including the Victorville General Plan and the Zoning Ordinance, and any applicable Specific Plans. Should potential impacts be identified, appropriate mitigation would be prescribed that would likely reduce potential impacts to less-than-significant levels. Therefore, the proposed Project would **not result in a cumulatively considerable impact** related to land use.

4.10.7 References

City of Victorville. 2008. General Plan 2030. Adopted October 21, 2008. https://www.victorvilleca.gov/home/showpublisheddocument/1730/636727985816700000

City of Victorville. 2022. 2045 Land Use Element. Adopted December 2022. https://www.victorvilleca.gov/home/showpublisheddocument/13695/638168861150530000

SCAG (Southern California Association of Governments). 2020. 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy. Adopted September 2020. https://scag.ca.gov/read-plan-adopted-final-plan.

SCAQMD. 2022. Air Quality Management Plan. Adopted December 2, 2022. http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2022-air-quality-management-plan/final-2022-aqmp/final-2022-aqmp.pdf?sfvrsn=16

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4.11 Mineral Resources

This section describes the existing conditions of the Mojave Industrial Park Project (Project) site and vicinity related to mineral resources; identifies associated regulatory requirements, thresholds of significance, and methodology; evaluates potential project-level and cumulative impacts; and identifies applicable mitigation measures related to implementation of the proposed Project.

Information contained in this section is based on publicly available data and reports from the California Department of Conservation (DOC) and the County of San Bernardino. Other sources consulted are listed in Section 4.11.8, References.

No comments regarding mineral resources were received during the public review of the notice of preparation. A copy of the notice of preparation and comment letters received are included in Appendix A.

4.11.1 Existing Conditions

Regional Setting

Barstow-Victorville Area

The Project site is located within the Barstow-Victorville Area. The Barstow-Victorville Area boundaries are based on identification of active aggregate operations (Production) and the market area served (Consumption) in the Barstow-Victorville Area. Approximately 7.4 miles northeast to the Project site is an existing cement supply and manufacturing company, CalPortland. According to the CalGEM Well Finder map, there is one oil and gas well (Lease by H. T. Widney and G. G. Widney 1 - API 0407100005) located approximately 5.3 miles northeast of the Project site. The status of this well is plugged and abandoned (CalGEM 2023). The nearest MRZ-2-mapped area is located approximately 5.0 miles northeast of the Project site, in the Mojave River drainage.

Local Setting

The City of Victorville General Plan describes naturally occurring mineral resources including sand, gravel, or stone deposits that are suitable as sources of concreate aggregate, primarily along the Mojave River, within the City. The General Plan designates these areas as “MRZ-2b,” areas underlain by mineral deposits where geologic information indicates that significant resources are present or are inferred. The majority of the City is designated as “MRZ-3a.” The MRZ-3a zone is defined as an area containing known mineral occurrences of undetermined resource significance (City of Victorville 2008).

Project Setting

The Project site is currently vacant undeveloped property.

4.11.2 Relevant Regulations, Plans, Policies, and Ordinances

Federal

There are no applicable federal policies or regulations related to mineral resources.

State

The following state regulations pertaining to mineral resources would apply to the proposed Project.

Surface Mining and Reclamation Act: California Public Resources Code Sections 2710 et seq.

The Surface Mining and Reclamation Act of 1975 (SMARA) is the primary regulator of onshore surface mining in the State. It delegates specific regulatory authority to local jurisdictions. Local jurisdictions are required to enact specific procedures to guide mineral conservation and extraction at particular sites and to incorporate mineral resource management policies into their general plans. A particular concern of state legislators in enacting SMARA was the premature loss of minerals and protection of sites threatened by development practices that might preclude future mineral extraction.

As mandated by the SMARA, the California State Mining and Geology Board classifies California mineral resources with the Mineral Resource Zones (MRZs) system. These zones were established based on the presence or absence of significant sand and gravel deposits and crushed rock source areas (i.e., products used in the production of cement). The classification system emphasizes Portland Cement Concrete aggregate, which is subject to a series of specifications to ensure the manufacture of strong, durable concrete. The following guidelines are presented in SMARA's mineral land classification for the region (DOC 2022a):

- MRZ-1 – Areas where adequate geologic information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- MRZ-2a – Areas underlain by mineral deposits where geological data indicate that significant measured or indicated resources are present. MRZ-2 is divided on the basis of both degree of knowledge and economic factors. Areas classified MRZ-2a contain discovered mineral deposits that are either measured or indicated reserves as determined by such evidence as drilling records, sample analysis, surface exposure, and mine information. Land included in the MRZ-2a category is of prime importance because it contains known economic mineral deposits.
- MRZ-2b – Areas underlain by mineral deposits where geologic information indicates that significant inferred resources are present. For this report, areas classified MRZ-2b contain discovered mineral deposits that are significant inferred resources as determined by their lateral extension from proven deposits or their similarity to proven deposits. Further exploration work could result in upgrading areas classified MRZ-2b to MRZ-2a.
- MRZ-3a – Areas containing known mineral occurrences of undetermined mineral resource significance. Further exploration work within these areas could result in the reclassification of specific localities into MRZ-2a or MRZ-2b categories. MRZ-3 is divided on the basis of knowledge of economic characteristics of the resources.
- MRZ-3b – Areas containing inferred mineral occurrences of undetermined mineral resource significance. Land classified MRZ-3b represents areas in geologic settings that appear to be favorable environments for the occurrence of specific mineral deposits. Further exploration work could result in the reclassification of all or part of these areas into the MRZ-2a or MRZ-2b categories.
- MRZ-4 – Areas of no known mineral occurrences where geologic information does not rule out either the presence or absence of significant mineral resources.

Mineral Resource Classification

The California Geological (CGS) Survey Mineral Resources Project provides information about California's nonfuel mineral resources. The Mineral Resources Project classifies lands throughout the State that contain regionally significant mineral resources as mandated by the SMARA. Nonfuel mineral resources include metals such as gold, silver, iron, and copper; industrial metals such as boron compounds, rare-earth elements, clays, limestone, gypsum, salt and dimension stone; and construction aggregate including sand, gravel, and crushed stone. Development generally results in a demand for minerals, especially construction aggregate. Urban preemption of prime deposits and conflicts between mining and other uses throughout California led to passage of the SMARA, which requires all cities and counties to incorporate in their general plans the mapped designations approved by the State Mining and Geology Board.

The classification process involves the determination of P-C Region boundaries, based on identification of active aggregate operations (Production) and the market area served (Consumption). The P-C regional boundaries are modified to include only those portions of the region that are urbanized or urbanizing and are classified for their aggregate content. An aggregate appraisal further evaluates the presence or absence of significant sand, gravel, or stone deposits that are suitable sources of aggregate. As previously noted, the classification of these mineral resources is a joint effort of the State and local governments and requires that the State Geologist classify the mineral resources area as one of the four MRZs SZs, or IRAs,

As part of the classification process, an analysis of site-specific conditions is utilized to calculate the total volume of aggregates within individually identified Resource Sectors. Resource Sectors are those MRZ-2 areas identified as having regional or statewide significance. Anticipated aggregate demand in the P-C Regions for the next 50 years is then estimated and compared to the total volume of aggregate reserves identified within the P-C Region.

Department of Conservation, Division of Oil, Gas & Geothermal Resources

The Geologic Energy Management Division (CalGEM), formerly the Division of Oil, Gas, and Geothermal Resources oversees the drilling, operation, maintenance, and plugging and abandonment of oil, natural gas, and geothermal wells, while working to help California achieve its climate change and clean energy goals. CalGEM publishes regular GIS data which includes updates to well locations and status, oil field boundaries, lease boundaries, and district boundaries. CalGEM also regulates the drilling, operation, and permanent closure of energy resource wells (DOC 2019).

California Department of Conservation Idle Well Program

Inactive and deserted oil and gas wells that are not maintained (i.e., "idle wells") can pose threats to groundwater and public safety (DOC 2022b).[1] In April 2019, CalGEM revised its idle well regulations to create more stringent testing requirements that better protect public safety and the environment from the potential threats posed by idle wells. The regulations require idle wells to be tested and, if necessary, repaired, or permanently sealed and closed. If an operator becomes insolvent or deserts their idle wells, responsibility for permanently sealing and closing these wells may fall to the state. Since 1977, CalGEM has plugged and abandoned about 1,400 wells at a cost of $29.5 million (DOC 2022b). To reduce the number of idle wells for which the state may become

[1] According to the California Public Resources Code, an idle well is defined as "any well that for a period of 24 consecutive months has not either produced oil or natural gas, produced water to be used in production stimulation, or been used for enhanced oil recovery, reservoir pressure management, or injection. For the purpose of determining whether a well is an idle well, production or injection is subject to verification by the division" (DOC 2022b).

responsible, legislative and regulatory changes have been made to create incentives for operators to manage and eliminate their idle wells by entering into Idle Well Management Plans (IWMPs). If an operator does not have an IWMP, the operator must pay annual idle well fees. In 2018, CalGEM collected approximately $4.3 million in idle well fees (DOC 2022b). These fees are deposited into the Hazardous and Idle-Deserted Well Abatement Fund to help fund the permanent sealing and closure of deserted wells (DOC 2022b).

Local

City of Victorville General Plan

Mineral resources are protected through policies in the City of Victorville's General Plan Resource Element (City of Victorville 2008). The Resource Element calls for consideration of mineral resources in land use planning decisions. The nearest mapped Mineral Resource Zone in the General Plan is the Mojave River drainage, approximately 5.0 miles east of the Project site. Additionally, the Land Use Element address the distribution of mineral resources and provisions for their continued availability. The General Plan contains additional goals and policies that are more general in nature and not specific to development such as the Project. Therefore, they are not listed below, but as stated in Chapter 2, Introduction, all goals and policies in the City's General Plan are incorporated by reference.

4.11.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to mineral resources are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to mineral resources would occur if the Project would:

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.

Methodology

Analysis of mineral resource impacts regarding known mineral resources that would be of value to the region and the residents of the state was based on the Mineral Land Classification reports and figures developed by the DOC. This analysis assumes that a potentially significant impact would occur if the Project site were identified as MRZ-2 by the DOC, and whether the Project would result in a loss of known mineral resources of statewide importance. MRZ-2 are important in this analysis because they contain known mineral resources, while MRZ-1, MRZ-3, and MRZ-4 either do not contain these resources or there is not enough information available to determine whether resources are present. Therefore, impacts to areas identified as MRZ-2 are more likely to be significant to mineral resources than impacts in areas that are not identified as MRZ-2.

Analysis of mineral resource impacts regarding locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan was based on the Mineral Land Classification reports and figures developed by the DOC, existing and past uses on the Project site, and mineral resource information from the City of Victorville's General Plan, Resource Element. This analysis assumes that a potentially significant impact would occur if the Project site were identified as MRZ-2 by the DOC, or if the City of Victorville's General

Plan identified existing mineral extraction areas within the Project site or vicinity. The analysis would then consider whether the Project would result in a loss of known mineral resources of local importance.

4.11.4 Impacts Analysis

Threshold A: Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. The City of Victorville General Plan Resource Element designates the Project site as MRZ-3, which indicates the site may contain significant aggregate deposits (City of Victorville 2008). MRZ-3a is defined as an area containing mineral occurrences of undetermined mineral resource significance that could be reclassified into MRZ-2a or MRZ-2b categories through further exploration work, the significance of which cannot be evaluated from available data. (City of Victorville 2008) The Project site is not an MRZ-2 zone. According to Figure RE-1: Victorville Planning Area Mineral Land Classification Map in the Victorville General Plan, the nearest MRZ-2 area is the Mojave River drainage, which is approximately 5.0 miles east of the Project site (City of Victorville 2008).

Additionally, as described in Section 4.11.1, there is one plugged Oil & Gas well (Lease by H. T. Widney and G. G. Widney 1 - API 0407100005) also located approximately 5.3 miles northeast of the Project site that could be considered a source of a mineral recovery site. However, the well has been plugged and abandoned, and is not within the vicinity of the Project site (CalGEM 2023).

As described in Section 4.11.1, a cement supply and manufacturing company is located approximately 7.44 miles northeast of the Project site. The City of Victorville General Plan Initial Study states that sand and gravel mining used in these operations meet the definition of a mineral resource as any form of natural rock materials that have commercial value, however, these deposits are not classified by the Division of Mines and Geology as important mineral resources (City of Victorville 2022).

Therefore, due to the lack of any known significant mineral resources that would be of value to the region and the residents of the state, and due to the distance between the Project site and any known mineral resources, the Project is not expected to result in the loss of availability of a known mineral resource and there would be no impact.

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

No Impact. As described in Threshold A, above, the DOC designated the Project site as MRZ-3a. Additionally, The City of Victorville General Plan Resource Element designates the Project site as MRZ-3a. The General Plan describes this zone as areas containing known mineral occurrences of undetermined mineral resource significance. The nearest mapped Mineral Resource Zone in the General Plan is the Mojave River drainage, approximately 5.0 miles east of the Project site.

There are no known significant mineral resources present on the Project site; the Project site is not within an MRZ-2 zone. In addition, there are no producing oil resources on the Project site. Therefore, the Project would not result in a loss of availability of locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan; there would be no impact.

4.11.5 Mitigation Measures and Level of Significance After Mitigation

No mitigation measures would be required. The Project would have **no impacts** associated with mineral resources.

4.11.6 Cumulative Impacts

Less-than-Significant Impact. The General Plan Initial Study found that the predominance of the City is designated as "MRZ-3a" and that future development within the planning area would not substantially limit the future availability of known mineral resources (City of Victorville 2022). Past, present, and reasonably foreseeable future projects would be consistent with the General Plan land use designations and would not result in cumulatively considerable impacts with regard to mineral resources. Impacts would be **less than significant**.

4.11.7 References

CalGEM. 2023. Well Finder CalGEM GIS. Accessed June 2, 2023. https://maps.conservation.ca.gov/doggr/wellfinder/

City of Victorville. 2008. General Plan 2023. Adopted October 21, 2008. https://www.victorvilleca.gov/home/showpublisheddocument/1730/636727985816700000

City of Victorville. 2022. Initial Study City of Victorville General Plan Update. September 2022. https://files.ceqanet.opr.ca.gov/273359-2/attachment/tV2b34zh1AYYmSzdm3IkLJQxkTiWZEVqhhv7mZs3suMj47ecrvwSLFBrZj0tZ_Xm2VD7RTlUglEYMFhx0

DOC. 2019. Geologic Energy Management Division. Accessed on June 5, 2023. https://www.conservation.ca.gov/calgem.

DOC. 2022a. CGS Information Warehouse: Mineral Land Classification. 2022. Accessed June 5, 2023. https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc

DOC. 2022b. Idle Well Program. Accessed June 5, 2023. https://www.conservation.ca.gov/calgem/idle_well.

4.12 Noise

This section describes the existing noise conditions of the Project site and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Mojave Industrial Park Project (Project).

In addition to the documents incorporated by reference (see Section 2.7, Documents Incorporated by Reference, of Chapter 2, Introduction, of this environmental impact report [EIR]), the following analysis is based, in part, on the following source:

- Noise Technical Report by Dudek in November 2023 (Appendix J)

Comments received from the Sierra Club, San Gorgonio Chapter – Mojave Group in response to the notice of preparation included the request for all the Draft EIR to fully analyze and disclose the Project's impacts on noise and vibration. Comments received by the Office of the Attorney General – Department of Justice in response to the notice of preparation include a request for the consideration and incorporation of the Attorney General Office's Bureau of Environmental Justice's best practices and mitigation measures for warehouse projects document. All of the concerns raised are addressed in this section. A copy of the notice of preparation and comments received is provided in Appendix A.

4.12.1 Existing Conditions

Noise and Vibration Characteristics

Noise

Sound may be described in terms of level or amplitude (measured in decibels [dB]), frequency or pitch (measured in hertz [Hz] or cycles per second), and duration (measured in seconds or minutes). The standard unit of measurement of the amplitude of sound is the decibel. Because the human ear is not equally sensitive to sound at all frequencies, a special frequency-dependent rating scale is used to relate noise to human sensitivity. The A-weighted decibel scale (dBA) performs this compensation by discriminating against low and very high frequencies in a manner approximating the sensitivity of the human ear. Several descriptors of noise (noise metrics) exist to help predict average community reactions to the adverse effects of environmental noise, including traffic-generated noise, on a community. These descriptors include the equivalent noise level over a given period (L_{eq}), the statistical sound level (L_n), the day–night average noise level (L_{dn}), and the community noise equivalent level (CNEL). Each of these descriptors uses units of dBA. Table 4.12-1 provides examples of A-weighted noise levels from common sounds. In general, human sound perception is such that a change in sound level of 3 dB is barely noticeable; a change of 5 dB is clearly noticeable; and a change of 10 dB is perceived as doubling or halving of the sound level.

Table 4.12-1. Typical Sound Levels in the Environment and Industry

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
—	110	Rock band
Jet flyover at 300 meters (1,000 feet)	100	—
Gas lawn mower at 1 meter (3 feet)	90	—

Table 4.12-1. Typical Sound Levels in the Environment and Industry

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
Diesel truck at 15 meters (50 feet), at 80 kph (50 mph)	80	Food blender at 1 meter (3 feet) Garbage disposal at 1 meter (3 feet)
Noisy urban area, daytime gas lawn mower at 30 meters (100 feet)	70	Vacuum cleaner at 3 meters (10 feet)
Commercial area Heavy traffic at 90 meters (300 feet)	60	Normal speech at 1 meter (3 feet)
Quiet urban daytime	50	Large business office Dishwasher, next room
Quiet urban nighttime	40	Theater, large conference room (background)
Quiet suburban nighttime	30	Library
Quiet rural night time	20	Bedroom at night, concert hall (background)
—	10	Broadcast/recording studio
Lowest threshold of human hearing	0	Lowest threshold of human hearing

Source: Caltrans 2013.
Notes: dBA = A-weighted decibels; kph = kilometers per hour; mph = miles per hour.

L_{eq} is a sound energy level averaged over a specified period (typically no less than 15 minutes for environmental studies). L_{eq} is a single numerical value that represents the amount of variable sound energy received by a receptor during a time interval. For example, a 1-hour L_{eq} measurement would represent the average amount of energy contained in all the noise that occurred in that hour. L_{eq} is an effective noise descriptor because of its ability to assess the total time-varying effects of noise on sensitive receptors (see below for definition of sensitive receptors). L_{max} is the greatest sound level measured during a designated time interval or event.

Unlike the L_{eq} metrics, L_{dn} and CNEL metrics always represent 24-hour periods, usually on an annualized basis. L_{dn} and CNEL also differ from L_{eq} because they apply a time-weighted factor designed to emphasize noise events that occur during the evening and nighttime hours (when speech and sleep disturbance is of more concern). "Time weighted" refers to the fact that L_{dn} and CNEL penalize noise that occurs during certain sensitive periods. In the case of CNEL, noise occurring during the daytime (7:00 a.m.–7:00 p.m.) receives no penalty. Noise during the evening (7:00 p.m.–10:00 p.m.) is penalized by adding 5 dB, while nighttime (10:00 p.m.–7:00 a.m.) noise is penalized by adding 10 dB. L_{dn} differs from CNEL in that the daytime period is defined as 7:00 a.m.–10:00 p.m., thus eliminating the evening period. L_{dn} and CNEL are the predominant criteria used to measure roadway noise affecting residential receptors. These two metrics generally differ from one another by no more than 0.5 dB to 1 dB, and as such are often treated as equivalent to one another.

Vibration

Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Vibration can be a serious concern, causing buildings to shake and rumbling sounds to be heard. In contrast to noise, vibration is not a common environmental problem. It is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads. Some common sources of vibration are trains, buses on rough roads, and construction activities, such as blasting, pile driving, and heavy earthmoving equipment.

Several different methods are used to quantify vibration. Peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. PPV is most frequently used to describe vibration impacts to buildings and is usually measured in inches per second. The root mean square amplitude is most frequently used to describe the effect of vibration on the human body and is defined as the average of the squared amplitude of the signal. Decibel notation (VdB) is commonly used to measure root mean square. VdB acts to compress the range of numbers required to describe vibration.

High levels of vibration may cause physical personal injury or damage to buildings. However, vibration levels rarely affect human health. Instead, most people consider vibration to be an annoyance that can affect concentration or disturb sleep. In addition, high levels of vibration can damage fragile buildings or interfere with equipment that is highly sensitive to vibration (e.g., electron microscopes). Most perceptible indoor vibration is caused by sources within buildings, such as operation of mechanical equipment, movement of people, or slamming of doors. Typical outdoor sources of perceptible vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If the roadway is smooth, the vibration from traffic is rarely perceptible.

Sensitive Receptors

Noise- and vibration-sensitive land uses are typically considered locations where people reside or where the presence of unwanted sound could adversely affect the use of the land. Residences, schools, and hospitals are usual examples, with others depending on what the local jurisdiction may have defined or established. Based on context from the City of Victorville General Plan 2030 Noise Element (City of Victorville 2008), sensitive receptors include residences, schools, hospitals, convalescent homes, churches and sensitive wildlife habitat. Residences and schools are the nearest noise-sensitive land uses in the vicinity of the Project site. Existing single-family residences and are located near the Project site's southern boundary, and three schools (Gus Franklin Jr. Elementary School, Melva Davis Academy of Excellence Middle School, and West Creek Elementary School) are located to the northeast. These existing sensitive receptors represent the nearest land uses with the potential to be impacted by construction and operation of the Project. In addition, residential land uses located further from the Project site may be impacted by noise associated with the addition of Project-related traffic on the local roadway network.

Existing Noise Conditions

The approximately 81.1-acre, rectangular-shaped Project site is currently undeveloped property bound to the east by Onyx Road, to the west by vacant land and Topaz Road, to the south by Mojave Drive, and to the north by Cactus Road/Tawney Ridge Lane. The Project site currently has a land use designation and zoning of Light Industrial (M-1).

Ambient noise measurements were conducted in the vicinity of Project site to characterize the existing noise environment. The measurements were conducted on August 31, 2022, using a Piccolo II Integrating Sound Level Meter equipped with a 0.5-inch, pre-polarized condenser microphone with pre-amplifier. The sound level meter meets the current American National Standards Institute (ANSI) standard for a Type 2 (General Use) sound level meter. The calibration of the sound level meter was verified before and after the measurements, and the measurements were conducted with the measurement microphone covered with a windscreen and positioned approximately five feet above the ground.

Four noise measurement locations were selected (ST1–ST4), representing existing noise-sensitive receptors in the Project vicinity. The measurement locations are shown in Figure 4.12-1, Noise Measurement and Modeling Locations, and the measured average noise levels and measurement locations are provided in Table 4.12-2. Noise measurement data is also included in Appendix J. As shown in Table 4.12-2, measured ambient noise levels ranged from approximately 40 dBA L_{eq} at ST4 to 66 dBA L_{eq} at ST3. The primary noise source at the measurement locations consisted of traffic along the adjacent roadways. Secondary noise sources included distant traffic, conversations, distant landscaping activities, and birdsong.

Table 4.12-2. Measured Noise Levels

Receptors[1]	Location/Address	Date	Time	Leq (dBA)	Lmax (dBA)
ST1	Adjacent to Caliente Road, east side of 11991 Moss Creek Court	August 31, 2022	12:31 p.m. – 12:46 p.m.	48.0	51.7
ST2	Adjacent to Diamond Road at the south end of Gus Franklin Jr. Elementary School	August 31, 2022	10:43 a.m. – 10:58 a.m.	45.1	51.2
ST3	Southeast corner of Mojave Drive across from 12698 Alveda Street	August 31, 2022	12:01 p.m. – 12:16 p.m.	66.3	69.5
ST4	Adjacent to Diamond Road at the south end of Melba Davis Academy of Excellence	August 31, 2022	11:11 a.m. – 11:26 a.m.	39.6	47.3

Source: Appendix J.
Notes: L_{eq} = equivalent continuous sound level (time-averaged sound level); L_{max} = maximum sound level during the measurement interval.
1 Corresponds with Figure 4.12-1, Noise Measurement and Modeling Locations.

In addition, one long-term, unattended 24-hour noise measurement was taken from August 31 to September 1, 2022. This measurement was intended to determine the existing noise levels in the Project vicinity near noise-sensitive land uses throughout a typical daytime/evening/nighttime cycle, resulting from traffic or from other sources. As shown in Table 4.12-3, the long-term hourly average noise levels ranged from approximately 55dBA Leq (from 1:00 a.m. to 2:00 a.m.) to approximately 67 dBA Leq (from 7:00 a.m. to 8:00 a.m.). The 24-hour weighted average noise level at LT1 was approximately 68 dBA CNEL. The primary noise source was traffic on the local roadways.

Table 4.12-3. Measured Long-Term (LT1) Noise Levels 8/31/2022 to 9/01/2022

Time Interval	dBA Leq
11:00 a.m.–12:00 p.m.	63.4
12:00 p.m.–1:00 p.m.	63.3
1:00 p.m.–2:00 p.m.	64.0
2:00 p.m.–3:00 p.m.	65.6
3:00 p.m.–4:00 p.m.	65.6
4:00 p.m.–5:00 p.m.	65.3
5:00 p.m.–6:00 p.m.	65.0
6:00 p.m.–7:00 p.m.	64.3
7:00 p.m.–8:00 p.m.	63.3

Table 4.12-3. Measured Long-Term (LT1) Noise Levels 8/31/2022 to 9/01/2022

Time Interval	dBA Leq
8:00 p.m.–9:00 p.m.	62.5
9:00 p.m.–10:00 p.m.	61.3
10:00 p.m.–11:00 p.m.	60.3
11:00 p.m.–12:00 p.m.	58.5
12:00 a.m.–1:00 a.m.	57.1
1:00 a.m.–2:00 a.m.	55.2
2:00 a.m.–3:00 a.m.	55.9
3:00 a.m.–4:00 a.m.	57.3
4:00 a.m.–5:00 a.m.	61.8
5:00 a.m.–6:00 a.m.	61.9
6:00 a.m.–7:00 a.m.	63.9
7:00 a.m.–8:00 a.m.	67.2
8:00 a.m.–9:00 a.m.	66.6
9:00 a.m.–10:00 a.m.	64.2
Lowest Hourly Average Noise Level: 55 dBA L_{eq} at 1:00 a.m.	
Highest Hourly Average Noise Level: 67 dBA L_{eq} at 7:00 a.m.	
24-Hour Average Noise Level: 63.4 dBA $L_{eq\ 24\text{-}Hr}$	
24-Hour Weighted-Average Noise Level: 67.8 dBA CNEL	

Source: Appendix J.
Note: The location of LT1 is depicted on Figure 4.12-1, Noise Measurement and Modeling Locations.

4.12.2 Relevant Regulations, Plans, Policies, and Ordinances

Federal

Federal Transit Administration

Although no federal regulations are applicable to this Project, guidance and methodologies from the Federal Transit Administration's (FTA's) Transit Noise and Vibration Impact Assessment Manual (FTA 2018) pertaining to construction noise and vibration are used in this analysis. For example, in its Transit Noise and Vibration Impact Assessment guidance manual (FTA 2018), the FTA offers guidance on the estimation of construction noise levels from a construction Project site. It also provides suggested thresholds that include no more than 80 dBA L_{eq} (over an 8-hour daytime period) as received at a residential land use. Since the City does not provide a quantified construction noise limit, this analysis adopts the 80 dBA $L_{eq\ 8\text{-}hr}$ FTA guidance for quantitative construction noise impact assessment.

Federal Interagency Committee on Noise

In 1992 the Federal Interagency Committee on Noise (FICON) assessed the annoyance effects of changes in ambient noise levels resulting from aircraft operations. Although the FICON recommendations were developed to address aircraft noise impacts, they are used in this analysis to define a substantial increase in community noise levels related to roadway traffic, as detailed in Section 4.12.3, Thresholds of Significance.

State

California Department of Transportation

In its Transportation and Construction Vibration Guidance Manual, recommends a vibration velocity threshold of 0.2 ips PPV (Caltrans 2020) for assessing annoying vibration impacts to occupants of residential structures. Although this Caltrans guidance is not a regulation, it can serve as a quantified standard in the absence of such limits at the local jurisdictional level. Similarly, thresholds to assess building damage risk due to construction vibration vary with the type of structure and its fragility but tend to range between 0.2 ips and 0.3 ips PPV for typical residential structures (Caltrans 2020).

Government Code Section 65302(g)

California Government Code Section 65302(g) requires the preparation of a Noise Element in a general plan, which shall identify and appraise the noise problems in the community. The Noise Element shall recognize the guidelines adopted by the Office of Noise Control in the State Department of Health Services and shall quantify, to the extent practicable, current and projected noise levels for the following sources:

- Highways and freeways
- Primary arterials and major local streets
- Passenger and freight on-line railroad operations and ground rapid transit systems
- Aviation and airport-related operations
- Local industrial plants
- Other ground stationary noise sources contributing to the community noise environment

California General Plan Guidelines

The California General Plan Guidelines, published by the Governor's Office of Planning and Research, provides guidance for the acceptability of specific land use types within areas of specific noise exposure. Table 4.12-4 presents guidelines for determining acceptable and unacceptable community noise exposure limits for various land use categories. The guidelines also present adjustment factors that may be used to arrive at noise acceptability standards that reflect the noise control goals of the community, the particular community's sensitivity to noise, and the community's assessment of the relative importance of noise pollution. The Office of Planning and Research guidelines are advisory in nature. Local jurisdictions, including the City of Pomona, have the responsibility to set specific noise standards based on local conditions.

Table 4.12-4. Land Use Compatibility for Community Noise Environments

Land Use Type	Community Noise Exposure (CNEL)			
	Normally Acceptable[1]	Conditionally Acceptable[2]	Normally Unacceptable[3]	Clearly Unacceptable[4]
Residential-low density, single-family, duplex, mobile homes	50–60	55–70	70–75	75–85
Residential – multiple-family	50–65	60–70	70–75	70–85
Transit lodging – motel, hotels	50–65	60–70	70–80	80–85

Table 4.12-4. Land Use Compatibility for Community Noise Environments

Land Use Type	Community Noise Exposure (CNEL)			
	Normally Acceptable[1]	Conditionally Acceptable[2]	Normally Unacceptable[3]	Clearly Unacceptable[4]
Schools, libraries, churches, hospitals, nursing homes	50–70	60–70	70–80	80–85
Auditoriums, concert halls, amphitheaters	NA	50–70	NA	65–85
Sports arenas, outdoor spectators' sports	NA	50–75	NA	70–85
Playgrounds, neighborhood parks	50–70	NA	67.5–77.5	72.5–85
Golf courses, riding stables, water recreation, cemeteries	50–70	NA	70–80	80–85
Office buildings, business commercial and professional	50–70	67.5–77.5	75–85	NA
Industrial, manufacturing, utilities, agriculture	50–75	70–80	75–85	NA

Source: OPR 2017.
CNEL = Community Noise Equivalent Level; NA = not applicable

1 Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

2 Conditionally Acceptable: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features have been included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning, will normally suffice.

3 Normally Unacceptable: New construction or development should be discouraged. If new construction of development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise-insulation features must be included in the design.

4 Clearly Unacceptable: New construction or development should generally not be undertaken.

California Code of Regulations Title 24

The State of California has adopted noise standards in areas of regulation not preempted by the federal government. State standards regulate noise levels of motor vehicles, sound transmission through buildings, occupational noise control, and noise insulation. State regulations governing noise levels generated by individual motor vehicles and occupational noise control are not applicable to planning efforts, nor are these areas typically subject to CEQA analysis. State noise regulations and policies applicable to the Project include Title 24 requirements and noise exposure limits for various land use categories. The 2019 California Building Code (CBC, Part 2, Title 24, Section 1204.6, California Code of Regulations) stipulates "interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise metric shall be either the day-night average sound level (L_{dn}) or the community noise equivalent level (CNEL)."

Local

City of Victorville General Plan Noise Element

The City of Victorville General Plan Noise Element (City of Victorville 2008) is intended to mitigate excessive noise levels from reaching the local community. Excessive noise can be caused by major noise sources such as highways and freeways, local streets, trains, aircrafts, industrial plants, and other ground stationary sources identified by local agencies. To ensure that noise does not affect the health of Victorville residents, this element includes policies, standards, and criteria related to public health and welfare for the community.

The following goals and policies from the Noise Element would be applicable to the Project (City of Victorville 2008):

Goal 1: Identify significant noise sources that could adversely affect community.

Objective 1.1: Locate noise sensitive land uses away from existing excessive noise sources and locate new excessive noise generators away from existing sensitive land uses.

Policy 1.1.1: Implement Table N-3 (reproduced in this report as Table 4.12-5) regarding placement of new land uses.

Implementation Measure 1.1.1.1: Continue to assess projects through the subdivision, site plan, conditional use permit, and other development review processes and incorporate conditions of approval which ensure noise compatibility where appropriate.

Goal 2: Manage the effects of noise emissions to help ensure reduction of adverse effects on the community.

Objective 2.1: Ensure existing and future noise sources are properly attenuated.

Policy 2.1.1: Continue to implement acceptable standards for noise for various land uses throughout the city.

Implementation Measure 2.1.1.2: Monitor noise complaints and enforce provisions of the City noise ordinance.

Implementation Measure 2.1.1.5: Continue to restrict noise and require mitigation measures for any noise-emitting construction equipment or activity.

Table 4.12-5. City of Victorville Noise/Land Use Compatibility Guidelines

	Community Noise Exposure Ldn or CNEL, db						
Land Use Categories	**55**	**60**	**65**	**70**	**75**	**80+**	**—**
Residential – Low Density, Single Family, Duplex, Muti-family, Mobile Home	1	1	2	2	3	4	4
Transient Lodging – Motels, Hotels	1	1	2	2	3	3	4
Schools, Libraries, Churched, Hospitals, Nursing Homes	1	1	2	3	3	4	4
Auditoriums, Concert Halls, Amphitheaters	2	2	3	3	4	4	4
Sports Arena, Outdoor Spectator Sports	2	2	2	2	3	3	3
Playgrounds, Neighborhood Parks	1	1	1	2	3	3	3
Gold Courses, Riding Stables, Water Recreation, Cemeteries	1	1	1	2	2	4	4
Office Buildings, Business Commercial, Retail Commercial and Professional	1	1	1	2	2	3	3
Industrial, Manufacturing, Utilities	1	1	1	1	2	2	2
Agriculture	1	1	1	1	1	1	1

Legend:

1 NORMALLY ACEEPTABLE: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

2 CONDITIONALLY ACCEPTABLE: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and Schools Libraries, Churches, Hospitals, Nursing Homes 1 needed noise insulation

features included in the design. Conventional construction, with closed windows and fresh air supply systems on air conditioning will normally suffice.

3 NORMALLY UNACCEPTABLE: New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the nose reduction requirements must be made and needed noise insulation features included in the design.

4 CLEARLY UNACCEPTABLE: New construction or development should generally not be undertaken.

Source: City of Victorville 2008.

City of Victorville Municipal Code

The City of Victorville Municipal Code Noise Ordinance establishes noise regulations within the city through Sections 13.01.04 and 13.01.05:

Section 13.01.04 - Noise Measurement Criteria

All ambient noise measurements shall commence in decibels within the respective zones and times as shown in Table 4.12-6.

Table 4.12-6. Noise Measurement Criteria

Region	Time	Sound Level dB
Residential Zone	Day (7:00 a.m.–10:00 p.m)	65
Residential Zone	Night (10:00 p.m.–7:00 a.m.)	55
All Commercial Zones	Anytime	70
All Industrial Zones	Anytime	75

Section 13.01.050 - Noise Levels Prohibited

Noise levels shall not exceed the ambient noise levels in Section 13.01.040 by the following dB(A) levels for the cumulative period of time specified:

- Less than 5 dB(A) for a cumulative period of more than thirty minutes in any hour;
- Less than 10 dB(A) for a cumulative period of more than fifteen minutes in any hour;
- Less than 15 dB(A) for a cumulative period of more than five minutes in any hour;
- Less than 20 dB(A) for a cumulative period of more than one minute in any hour;
- 20 dB(A) or more for any period of time.

For construction noise, the Victorville Municipal Code prohibits the use of construction equipment between the hours of 7:00 p.m. and 7:00 a.m., Monday through Saturday, or at any time on Sunday or federal holidays.

4.12.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts related to noise are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to noise would occur if the Project would:

A. Result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
B. Result in generation of excessive groundborne vibration or groundborne noise levels.
C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels.

Quantitative thresholds of significance have been established for the purposes of this analysis based on the local polices and regulations described in Section 4.12.2, as well as those of federal and state agencies, and are listed below.

- **Construction Noise:** During construction activities, an exceedance of the FTA's 80 dBA $L_{eq\ 8\text{-}hr}$ threshold is considered a significant noise impact.
- **Traffic Noise:** Guidance regarding the determination of a substantial permanent increase in transportation noise levels in the Project vicinity above existing levels is provided by the 1992 findings of FICON, which assessed the annoyance effects of changes in ambient noise levels resulting from aircraft operations. The FICON recommendations are based upon studies that relate aircraft noise levels to the percentage of persons highly annoyed by the noise. Annoyance is a qualitative measure of the adverse reaction of people to noise that generates speech interference, sleep disturbance, or interference with the desire for a tranquil environment.

The rationale for the FICON recommendations is that it is possible to consistently describe the annoyance of people exposed to transportation noise in terms of L_{dn} (and, by extension, CNEL[1]). The changes in noise exposure that are shown in Table 4.12-7 are expected to result in equal changes in annoyance at sensitive land uses. Although the FICON recommendations were developed to address aircraft noise impacts, they are used in this analysis to define a substantial increase in community noise levels related to all transportation noise sources.[2]

Table 4.12-7. Measures of Substantial Increase for Transportation Noise Sources

Ambient Noise Level Without Project (Ldn/CNEL)	Significant Impact Assumed to Occur if the Project Increases Ambient Noise Levels by:
<60 dB	+ 5 dB or more
60–65 dB	+ 3 dB or more

1 As discussed in Section 4.12.1, the L_{dn} and CNEL noise metrics are very similar and often used interchangeably.
2 Traffic noise and other transportation noise sources are similar to aircraft/airport noise in that all of these noise sources can and do operate throughout the daytime and nighttime hours. The FICON recommendations use a weighted 24-hour noise metric, in which noise occurring during nighttime hours has a penalty applied to account for the increased sensitivity of persons to noise at night. Additionally, the graduated levels of the FICON guidance for substantial increase account for the diminishing tolerance of the typical person to noise increases as ambient noise levels are increased. Such is the case whether the dominant noise source is aircraft, or some other transportation source.

Table 4.12-7. Measures of Substantial Increase for Transportation Noise Sources

Ambient Noise Level Without Project (Ldn/CNEL)	Significant Impact Assumed to Occur if the Project Increases Ambient Noise Levels by:
>65 dB	+ 2 dB or more

Source: FICON 1992.

- **Project-Related Stationary Noise:** A noise impact would be considered significant if predicted noise from typical operation of heating, ventilation and air conditioning (HVAC) and other electro-mechanical systems exceeds the applicable City Municipal Code standards as detailed in Section 4.12.2.
- **Construction Vibration:** Groundborne vibration from construction and operation of the Project would be considered significant if the Project resulted in vibration levels exceeding the Caltrans recommendations (for construction).

4.12.4 Impacts Analysis

Threshold A: Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Short-Term Construction Impacts

Less-than-Significant Impact. Construction activities would take place during permitted hours (between 7:00 a.m. and 7:00 p.m., Monday through Saturday) and would not occur on Sundays or federal holidays as specified in the City of Victorville Municipal Code. Construction of the Project would generate noise that could expose nearby receptors to elevated noise levels that may disrupt communication and routine activities. The magnitude of the impact would depend on the type of construction activity, equipment, duration of the construction, distance between the noise source and receiver, and intervening structures. The following discussion addresses the noise levels estimated to result from construction of the Project at nearby sensitive receptors (i.e., residences).

Construction – Equipment Inventory

Consistent with the Project's air quality/greenhouse gas analyses, the California Emissions Estimator Model (CalEEMod) was used to identify the construction equipment anticipated for development of the Project. Based on this information, CalEEMod identified the anticipated equipment for each phase of Project construction, listed in Table 4.12-8.

Table 4.12-8. Construction Equipment by Phase

Construction Phase	Equipment	
	Equipment Type	Quantity
On-Site Construction		
Site Preparation	Crawler Tractors	1
	Tractors/Loaders/Backhoes	1
Mass Grading	Excavators	2

Table 4.12-8. Construction Equipment by Phase

Construction Phase	Equipment	
	Equipment Type	Quantity
On-Site Construction		
	Graders	1
	Rubber Tired Dozers	1
	Scrapers	4
	Tractors/Loaders/Backhoes	2
Building Construction	Aerial Lifts	3
	Cranes	1
	Forklifts	7
	Generator Sets	3
	Tractors/Loaders/Backhoes	9
	Welders	2
Paving	Pavers	10
	Paving equipment	10
	Rollers	15
Architectural Coating	Aerial Lifts	3
	Air Compressors	3
Off-Site Construction		
Road Removal/ Utility Install	Concrete/Industrial Saws	3
	Excavators	3
	Pumps	3
	Tractors/Loaders/Backhoes	3
Paving (Continual and Final)	Pavers	3
	Paving Equipment	3
	Rollers	3
Architectural Coating (Striping)	Air Compressors	3
Testing	Generator Sets	3

Source: Table 4.2-5 (Section 4.2, Air Quality).

Construction Noise – Project Site Assessment

With the construction equipment noise sources identified in Table 4.12-8, a noise analysis was performed using the Federal Highway Administration's Roadway Construction Noise Model (RCNM) (FHWA 2008). Input variables for RCNM consist of the receiver/land use types, the equipment type (e.g., backhoe, grader, scraper), the number of equipment pieces, the duty cycle for each piece of equipment (i.e., percentage of time the equipment typically works in a given time period), and the distance from the noise-sensitive receiver to the construction zone. The RCNM has default duty cycle values for the various pieces of equipment, which were derived from an extensive study of typical construction activity patterns. Those default duty cycle values were utilized for this analysis. Refer to Appendix J for the inputs used in the RCNM model and the detailed results.

Sensitive receptors in the vicinity of the Project site include residential uses to the southwest and southeast. These sensitive receptors represent the nearest land uses with the potential to be impacted by construction and operation of the Project. Project construction would take place both near and far from existing land uses. For example, construction would take place as near as approximately 170 feet from residential land uses southwest of the Project site, but (because of the Project's size) construction work would also take place as far as 2,800 feet from the same residences. Most construction activities associated with the Project would occur at an average distance of approximately 1,400 feet from the residences to the southwest, which represents activities both near and far, as is typical for construction projects. Similarly, the construction noise estimates for the other modeled receptors in the Project vicinity were calculated for both the nearest construction activity/receiver distances and for typical construction activity/receiver distances.

The results of the Project site's on-site construction noise analysis using the RCNM are summarized in Table 4.12-9. As shown, typical construction noise levels at the nearest noise-sensitive land uses (residences to the southwest) are estimated to range from approximately 45 dBA L_{eq} 8-hr during the architectural coating phase to approximately 56 dBA L_{eq} 8-hr during the grading phase. Table 4.12-9 also show construction noise level predictions at distances between the noise-sensitive receptor position and the anticipated nearest boundary associated with a construction phase, which are thus shorter than those with respect to the acoustic centroid for the same phase; these levels would range from approximately 56 dBA L_{eq} 8-hr during the architectural coating phase to approximately 68 dBA L_{eq} 8-hr during the grading phase. These noise levels would be lower than the 80 dBA L_{eq} 8-hr suggested FTA threshold for construction noise. Therefore, noise from Project site construction would be less than significant. No noise mitigation is necessary.

Table 4.12-9. On-Site Construction Noise Analysis Summary

Land Use	Off-Site Receptor Location	Distance from Construction Activity to Noise Receptor (feet)	Site Preparation	Grading	Building Construction	Paving	Architectural Coating	Applicable Noise Standard[1]	Applicable Noise Standard Exceeded?
Residential	Southwest of the Project	Typical Construction Activity/ Receiver Distance (1,400')	48	56	52	55	45	80	No
		Nearest Construction Activity/ Receiver Distance (170')	64	68	59	64	56	80	No
Residential	Southeast of the Project	Typical Construction Activity/ Receiver Distance (1,800')	46	54	50	53	43	80	No
		Nearest Construction Activity/ Receiver Distance (750')	53	58	52	56	48	80	No

Source: Appendix J.
Note: dBA = A-weighted decibel; L_{eq} = equivalent continuous sound level (time-averaged sound level).
1 Applicable noise standard per Federal Transit Administration guidance, as discussed in Section 4.12.2.

Construction Noise – Project Site Assessment

As shown in Figure 3-10, Proposed Utilities, in Chapter 3, Project Description, the Project would include off-site street and utilities construction activities. Similar to the noise assessment for on-site construction work as summarized above, the resulting noise from off-site construction activities was assessed using the RCNM. The nearest noise-sensitive receivers to the off-site construction activities (and thus the receivers the most affected) would be the residences to the southwest and southeast of the Project site, during street and improvements and utilities installation within the Mojave Drive alignment. Noise levels at other locations would be lower because they would be further from the construction work. Because of the linear nature of the work, the amount of time that construction work would occur adjacent to any one noise-sensitive receiver would generally be relatively short (typically, one to two days for open-trench pipeline installation). The resulting noise levels are summarized in Table 4.12-10. As shown, the worst-case noise level from street and utilities construction is estimated to be approximately 72 dBA $L_{eq\ 8\text{-}hr}$ at the nearest noise-sensitive receivers (single-family residences approximately 100 feet from the nearest construction work).

Typically, road removal and utilities installation would take place further away (an average distance of approximately 800 feet from the residences to the southwest and southeast) and thus construction noise levels would be substantially lower at approximately 61 dBA $L_{eq\ 8\text{-}hr}$. These noise levels would be lower than the 80 dBA $L_{eq\ 8\text{-}hr}$ FTA construction noise standard. Also, the estimated noise levels during the other off-site Project construction phases (such as paving, architectural coating and testing) would be considerably lower than road removal and utilities installation phase.

Therefore, noise impacts from off-site construction activities would be less than significant. No noise mitigation is necessary.

Table 4.12-10. Off-Site Construction Noise Analysis Summary

Land Use	Off-Site Receptor Location	Distance from Construction Activity to Noise Receptor (feet)	Road Removal / Utility Install	Paving (Continual and Final)	Architectural Coating (Striping)	Testing	Applicable Noise Standard[1]	Applicable Noise Standard Exceeded?
Residential	Southwest of the Project	Typical Construction Activity /Receiver Distance (800')	61	55	50	45	80	No
		Nearest Construction Activity /Receiver Distance (100')	72	65	64	59	80	No
Residential	Southeast of the Project	Typical Construction Activity /Receiver Distance (800')	61	55	50	45	80	No
		Nearest Construction Activity /Receiver Distance (100')	72	65	64	59	80	No

Source: Appendix J
Note: dBA = A-weighted decibel; L_{eq} = equivalent continuous sound level (time-averaged sound level).
[1] Applicable noise standard per Federal Transit Administration guidance, as discussed in Section 4.12.2.

Construction Noise – Project-Related Construction Vehicles (On-Road)

The Project would result in local, short-term increases in roadway noise as a result of construction traffic. Based on information developed as part of the Project's air quality analysis, Project-related traffic would include workers commuting to and from the Project site as well as vendor and haul trucks bringing or removing materials. The highest number of average daily worker trips would be 406 trips, occurring during the building construction phase. The highest number of average daily vendor truck trips would be 478 trips, also occurring during the building construction phase. The highest number of average daily haul truck trips during Project construction would be 182, occurring during the grading phase.

Based upon available data provided as part of the Project's transportation analysis, Mojave Drive between U.S. 395 and Onyx Road carries approximately 22,107 daily trips in the Project vicinity; between Onyx Road and Cobalt Road, Mojave Drive carries approximately 22,452 daily trips. Comparing the maximum number of daily construction-related trips (406 worker trips and 478 vendor trips) to the average daily traffic volume of the lowest-volume street (22,107 daily trips on Mojave Drive between U.S. 395 and Onyx Road), the additional vehicle trips would amount to an increase of approximately 4%. Based upon the fundamentals of acoustics, a doubling (i.e., a 100% increase) would be needed to result in a 3 dB increase in noise levels, which is the level corresponding to an audible change to the typical human listener. An increase in traffic volumes of 4% (all other things being equal) would amount to an increase of well under 1 dB. Therefore, traffic related to construction activities would not result in 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. Impacts from Project-related construction traffic noise would be less than significant. No mitigation measures are required.

Long-Term Operational Impacts

Traffic Noise

Less-than-Significant Impact. The Project would result in the creation of additional vehicle trips on local roadways (primarily Mojave Drive and US 395), which could result in increased traffic noise levels at adjacent noise-sensitive land uses. Potential noise effects from vehicular traffic were assessed using the FHWA's Traffic Noise Model (TNM) version 2.5 (FHWA 2004). Information used in the model included the site geometry, existing, existing plus Project, future (Year 2026) without Project, and future (Year 2026) with Project traffic volumes and posted traffic speeds (Appendix K). Noise levels were modeled at representative noise-sensitive receiver ST1 as well as at additional modeled-only locations (M1 through M5) as shown in Figure 4.12-1. Detailed traffic noise modeling input and output is provided in Appendix J.

Table 4.12-11 shows that the maximum noise level increase would be 2 dB (when rounded to whole numbers), occurring at modeled receivers M2 and M3 (representative of residences to the southeast and east of the Project site, respectively). An increase of 2 dB or less would typically not be a perceptible change in the context of community noise. The proposed Project would not result in an increase in noise levels of 5 dB or more in locations with an ambient noise level of less than 60 dBA CNEL, nor would the proposed Project result in an increase of 3 dB or more in locations with an ambient noise level of 60 to 65 dBA CNEL or an increase of 2 dB or more in locations with an ambient noise level greater than 65 dBA CNEL. Based upon these results, off-site traffic noise impacts would be less than significant. No mitigation measures are required.

Table 4.12-11. Off-Site Traffic Noise Modeling Results

Modeled Receptor	Existing Noise Level (dBA CNEL)	Existing Plus Project Noise Level (dBA CNEL)	Noise Level Increase (dB)	Horizon Year (2040) Noise Level (dBA CNEL)	Future Horizon Year (2040) Plus Project Noise Level (dBA CNEL)	Noise Level Increase (dB)
ST1	52	53	1	56	56	0
M1	62	63	1	64	64	0
M2	62	64	2	63	64	1
M3	48	50	2	50	51	1
M4	56	57	1	58	58	0
M5	47	48	1	50	50	0

Source: Appendix J.

On-Site Operational Noise

Less-than-Significant Impact. The implementation of the Project would result in changes to existing noise levels on the Project site by developing new stationary sources of noise, including introduction of outdoor HVAC equipment, and vehicle parking lot and truck loading dock activities. These sources may affect noise-sensitive vicinity land uses off the Project site. The following analysis evaluates noise from exterior mechanical equipment and activities associated with vehicle parking lots and truck loading docks. The propagation of sound from a combination of Project on-site noise sources was modeled with commercially available Datakustik CadnaA software, which incorporates relevant International Organization of Standardization (ISO) 9613-2 algorithms and reference data that are generally considered to be industry standard for outdoor noise modeling. Key modeling assumptions and parameters are summarized in the Project's technical noise report (Appendix J).

As shown in Table 4.12-12, which summarizes the results of the modeling for mechanical equipment and truck loading dock/truck yard activity noise, the resulting noise levels would not exceed the applicable noise standards for daytime or nighttime noise. Additionally, the estimated noise levels from the Project would be below the existing measured daytime ambient noise levels in the Project vicinity, which ranged from approximately 40 to 66 dBA L_{eq}.

Table 4.12-12. Mechanical Equipment and Truck Loading Dock / Truck Yard Activity Noise

Modeled Receptor	Daytime (7:00 a.m. to 10:00 p.m.) Noise Level (dBA L_{eq})	Nighttime (10:00 p.m. to 7:00 a.m.) Noise Level (dBA L_{eq})	Applicable Daytime/ Nighttime Noise Standard[1] (dBA L_{eq})	Applicable Standard Exceeded?
M1 – Residential uses to the southwest	37	32	65/55	No
M2 – Residential uses to the southeast	31	26	65/55	No
M3 – Residential uses to the east	31	26	65/55	No

Source: Appendix J.
Notes: dBA = A-weighted decibel; L_{eq} = equivalent continuous sound level (time-averaged sound level).
1 Applicable exterior noise standard per City of Victorville Municipal Code Section 13.01.04, detailed in Section 4.12.2.

Parking Lot Activity

Less-than-Significant Impact. A comprehensive study of noise levels associated with surface parking lots was published in the Journal of Environmental Engineering and Landscape Management (Baltrënas et al. 2004). The study found that average noise levels during the peak period of use of the parking lot (generally in the morning with arrival of commuters, and in the evening with the departure of commuters), was 47 dBA at 1 meter (3.28 feet) from the outside boundary of the parking lot. The parking area would function as an area source for noise, which means that noise would attenuate at a rate of 3 dBA with each doubling of distance. The employee parking lot adjacent to the nearest noise-sensitive receivers (residences to the southwest) is proposed to be situated on the south side of Building 2, no closer than 270 feet from the center of drive-aisle to the residential property boundary. At a distance of 270 feet, parking lot noise levels would be approximately 28 dBA L_{eq}, which would be well below the daytime (7:00 a.m. to 10:00 p.m.) exterior residential noise standard of 65 dBA L_{eq} and the nighttime (10:00 p.m. to 7:00 a.m.) noise standard of 55 dBA L_{eq}.

Impacts associated with on-site operational noise would be less than significant. No mitigation measures are required.

Threshold B: Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?

Less-than-Significant Impact. During operation, no major sources of groundborne vibration are anticipated. Construction activities that might expose persons to excessive groundborne vibration or groundborne noise could cause a potentially significant impact. The heavier pieces of construction equipment, such as bulldozers, would have PPVs of approximately 0.089 ips or less at a distance of 25 feet (FTA 2018). Groundborne vibration is typically attenuated over short distances. At the distance from the nearest vibration-sensitive receivers (residences located to the south) to where construction activity would be occurring on the Project site (approximately 170 feet), and with the anticipated construction equipment, the PPV vibration level would be approximately 0.005 ips. As such, vibration levels would be less than the Caltrans threshold of 0.20 inches per second for human annoyance or the standard used by Caltrans for the prevention of structural damage to typical residential buildings of 0.3 ips PPV (Caltrans 2020). Because groundborne vibration from Project construction would not exceed recognized standards, and due to the temporary and intermittent occurrence of vibration levels, vibration impacts would be less than significant. No mitigation measures are required.

The major concern with regards to construction vibration is related to building damage, which typically occurs at vibration levels of 0.5 ips or greater for buildings of reinforced-concrete, steel, or timber construction. As discussed above, the highest anticipated vibration levels at vibration-sensitive uses from with on-site Project construction would be approximately 0.005 ips, which would be well below the threshold of 0.5 ips for building damage. Therefore, impacts associated with vibration-produced damage would be less than significant. No mitigation measures are required.

Threshold 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. No private airstrips exist in the Project vicinity. The nearest airport is Southern California Logistics Airport (former George Air Force Base), located approximately 3 miles to the north of the Project site. The Project site is not located within 2 miles of any public airport, nor is it located within the boundaries of any airport land

use plans. Therefore, the proposed Project would not expose or result in excessive noise for people residing or working in the Project area, and no impact would occur. No mitigation measures are required.

4.12.5 Mitigation Measures and Level of Significance After Mitigation

Threshold A: Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

The Project would result in **less-than-significant impacts** associated with the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards as a result of the Project during construction and operation. No mitigation is required.

Threshold B: Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?

The Project would result in **less-than-significant impacts** associated with groundborne vibration during construction and operation. No mitigation is required.

Threshold 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?

The Project would result in **no impact** with regard to excessive noise from airports or airstrips. No mitigation is required.

4.12.6 Cumulative Impacts

Less-than-Significant Impact. The cumulative context for traffic noise is the traffic volume increases on roadways in the Project vicinity as a result of implementation of the proposed Project. The Project transportation analysis considered the addition of traffic trips from cumulative projects as identified by the City.

Non-transportation noise sources (e.g., Project operation) and construction noise impacts are typically project-specific and highly localized (i.e., these do not generally affect the community noise level at distances beyond several hundred feet). Construction activities associated with proposed or future development within the area would contribute to cumulative noise levels, but in a geographically limited and temporary manner. As other development occurs in the area, noise from different types of uses (e.g., traffic, aircraft, and fixed noise sources) would continue to combine, albeit on a localized basis, to cause increases in overall background noise conditions within the area. As a result, such sources do not significantly contribute to cumulative noise impacts at distant locations and are not evaluated on a cumulative level.

The analysis of off-site Project-related traffic noise levels included an evaluation of traffic volumes and resulting roadway traffic noise levels from cumulative (i.e., Year 2040) projects. Table 4.12-11 shows that the maximum noise level increase for the Year 2040 versus Year 2040 plus Project scenario would be 1 dB or less at every studied road segment. Therefore, the traffic noise increase would be **less than significant** and would not be cumulatively considerable.

4.12.7 References

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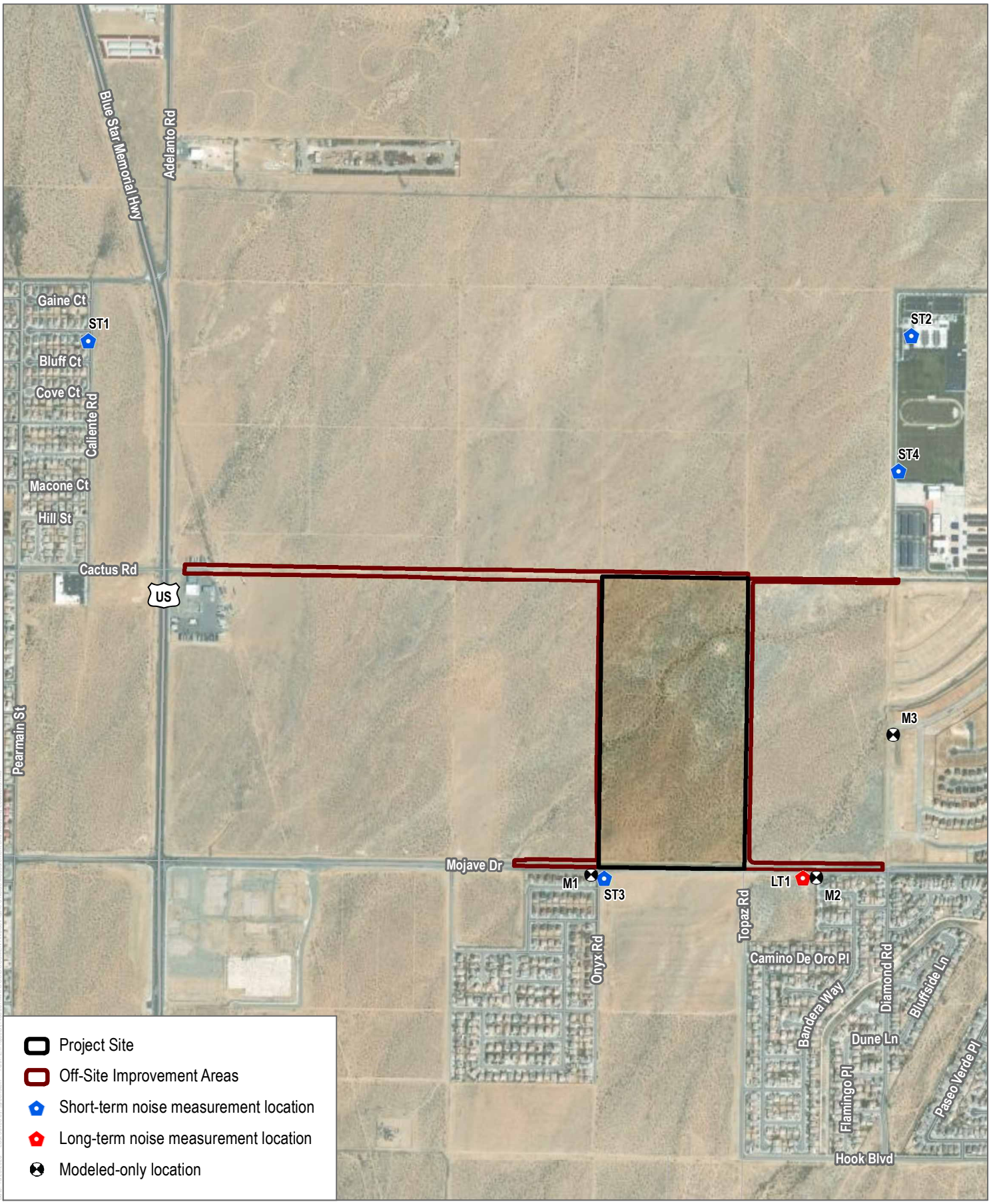

SOURCE: Maxar 2020; Open Street Map 2023

DUDEK

0 400 800 Feet

FIGURE 4.12-1

Noise Measurement and Modeling Locations

Mojave Industrial Park Project

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4.13 Population and Housing

This section describes the existing population and housing conditions within the Mojave Industrial Park Project (Project) site and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Project. This section assesses potential effects on population and housing that could result from implementation of the Project.

In addition to the documents incorporated by reference (see Section 2.7 of Chapter 2, Introduction, of this EIR), the following analysis is based, in part, on information from the California Department of Finance (DOF), the California Department of Housing and Community Development (HCD 2018), the U.S. Census Bureau, the Southern California Association of Governments (SCAG), and other sources.

No comments were received related to population and housing during the public review of the notice of preparation. A copy of the notice of preparation and comment letters received are included in Appendix A.

4.13.1 Existing Conditions

Statewide Setting

Population

California is the most populous state in the United States, with 38.9 million residents as of July 2023 (DOF 2023a). Between the years 2020 and 2023, California's population decreased by approximately −1.51% (DOF 2023a). California is estimated to grow at a rate of approximately 200,000 to 400,000 persons annually as a result of strong migration from other states and nations, high birth rates among segments of California's population, and longer life spans resulting from the advances of research and medicine. The strong growth rate is expected to continue to increase over the next several decades, although at a slower rate than in previous years. The population of California is expected to increase approximately 1.6% between 2022 and 2032, from 38.9 million to 39.6 million (DOF 2023b).

Employment

The Employment Development Department (EDD), California's civilian labor force totaled 19,362,400 as of July 2023. Of those people, 18,431,200 are employed and 913,200 are unemployed (EDD 2023). The statewide unemployment rate was 4.8% as of July 2023, which is higher than the nationwide rate of 3.5% (BLS 2023a). Compared to the other states, California holds the 49th position for highest unemployment rate in the nation (BLS 2023b). No future unemployment projection is available.

Housing

According to the DOF, housing in California has increased to 0.85% (DOF 2023a). As of January 2023, the DOF estimates there are approximately 14,707,698 housing units in California. Approximately 57% of these homes are single-family residences, 24.1% are multifamily residences, and 3.66% are mobile homes (DOF 2023a). In addition, California has a vacancy rate of 6.6% (DOF 2023a).

Regional Setting

San Bernardino County

The Project is located within San Bernardino County; therefore, this section presents population, housing, and employment data at the regional for the entire County. The following section is based on the San Bernardino County Housing Element, California Department of Finance, SCAG, and the U.S. Census.

Population

According to DOF population estimates, the population of San Bernardino County was 2,182,056 as of January 2023 (DOF 2023b). Between 2020 and 2023, the County witnessed an exponential growth of 0.02%. (DOF 2023b). The projected growth rate for the County between 2020 and 2060 is an average of approximately 2.73%.

Table 4.13-1 shows population projections countywide from 2020 through 2060. The total population countywide is to increase to 2,241,161 by 2060, an increase of 55,164 over 40 years (DOF 2023b).

Table 4.13-1. Population Projections (San Bernardino County 2020-2060)

Year	Population	Percent Change
2020	2,185,997	N/A
2025	2,206,224	0.9%
2030	2,257,518	2.3%
2035	2,289,104	1.4%
2040	2,302,286	0.6%
2045	2,300,687	-0.1%
2050	2,287,280	-0.6%
2055	2,265,665	-0.9%
2060	2,241,161	-1.1%
Average Change per Year	2,259,547	0.3%

Source: DOF 2023b.
Note: N/A = not applicable.

Employment

According to the California EDD July 2023 Monthly Labor Force Data for Cities and Census Designated Places, the civilian labor force in the County totaled approximately 999,200 (EDD 2023). In addition, according to the California EDD, the total unemployment rate for the County as of July 2023 is 4.8%, approximately 48,200. This unemployment rate is equal to the total unemployment rate of the state (4.8%) and higher than the National rate of (3.5%).

Housing

As of January 2023, the DOF estimates there are approximately 2,142,788 housing units in the County. Between 2020 and 2023 the number of households in the County have increased from 2,142,788 homes to 2,144,993 homes (DOF 2023a). The total housing units in 2023 is approximately 1,256,497 compared to 731,899 in 2021. Approximately 603,704 of these homes are single-family residences, 38,488 are multifamily residences, and 77,357 are mobile homes (DOF 2023a). In addition, the County has a vacancy rate of 10.1% (DOF 2023a).

Local Setting

City of Victorville

This section presents population, housing, and employment data at the local level for the City.

Population

The City of Victorville is a moderately-sized, urban community located along State Route 15 in Victor Valley in San Bernardino County. Table 4.13-2 shows population growth from 2012 to 2022 by approximately 17,621 people. The City experienced growth rate of 2.7% during this time. Table 4.13-3 shows SCAG's population projection for the City.

Table 4.13-2. City of Victorville Population

City	2012	2022	Growth Rate from 2012 to 2022
Victorville	119,600	137,221	1.5%

Source: U.S. Census Bureau 2022.

Table 4.13-3. City of Victorville Population Projections

City	2012	2035	Growth Rate from 2012 to 2035
Victorville	119,600	171,100	1.9%

Source: SCAG 2020a.

Employment

Table 4.13-4 identifies the number of residents in the civilian labor force. Of the 48,500 residents in the City who fall within this category 45,100 (93.1%) are employed, which is generally consistent with employment rates in the neighboring cities including City of Adelanto (90.5%), City of Hesperia (93.6%), and Town of Apple Valley (94.5%) (EDD 2023).

Table 4.13-4. Employment (Cities of Victorville, Adelanto, Town of Apple Valley Tulare, and San Bernardino County)

City	Civilian Labor Force	Employed	Percent Employed
Victorville	48,500	45,100	93.1%
Adelanto	10,200	9,200	90.5%
Hesperia	37,700	35,200	93.6%
Town of Apple Valley	30,200	28,500	94.5%
San Bernardino County	999,200	951,000	95.2%

Source: EDD 2023.

Housing

The U.S. Census defines a household as persons occupying a housing unit for their residence. Similar to population, there has been steady growth in the number of households citywide. Between 2020 and 2023 the number of households in the City have increased from 130,162 homes to 132,597 homes (DOF 2023a). The total housing units in 2023 is approximately 40,473 compared to 38,928 in 2021. Approximately 31,060 of these homes are single-family residences, 4,951 are multifamily residences, and 844 are mobile homes (DOF 2023a). In addition, the City has a vacancy rate of 4.9% (DOF 2023a). As of 2012, the City had 33,100 households, a net increase of 22,300 during this 24-year period (Table 4.13-5).

Table 4.13-5. Household Growth Forecast (City of Victorville 2016-2040)

Year	Number	Average Annual Growth Rate (percent)
2012	33,100	N/A
2020	37,700	2.2
2035	51,400	2.7
2040	55,400	2.3

Source: SCAG 2020a.
Note: N/A = not applicable.

4.13.2 Relevant Regulations, Plans, Policies, and Ordinances

Federal

There are no federal regulations regarding population and housing that are applicable to the proposed Project.

State

California Planning and Zoning Law

The legal framework in which California cities and counties exercise local planning and land use functions is provided in the California Planning and Zoning Law (Sections 65000 through 66499.58 of the California Government Code). Under state planning law, each city and county must adopt a comprehensive, long-term general plan. State law gives cities and counties wide latitude in how a jurisdiction may create a general plan, but there are fundamental requirements that must be met. These requirements include eight mandatory elements described in the Government Code. Each of the elements must contain text and descriptions setting forth objectives, principles, standards, policies, and plan proposals; diagrams and maps that incorporate data and analysis; and implementation measures.

State Housing Element Law

Pursuant to Section 65583 of the Government Code, the housing element of a general plan must contain local commitments to:

- Provide sites with appropriate zoning and development standards and with services and facilities to accommodate the jurisdiction's Regional Housing Needs Allocation for each income level;
- Assist in the development of adequate housing to meet the needs of lower and moderate income households;
- Address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities;
- Conserve and improve the condition of the existing affordable housing stock;
- Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability; and
- Preserve assisted housing developments for lower income households.

State housing element law mandates specific topics and issues that must be addressed in the housing element. These include:

- An analysis of population and employment trends, documentation of projections, and quantification of existing and projected housing needs for all income levels;
- An analysis and documentation of household characteristics, such as the age of housing stock, tenancy type, overcrowded conditions, and the level of payment compared to ability to pay;
- An analysis and documentation of special needs, such as female-headed households, homeless individuals, persons with disabilities, large households, farmworkers, and the elderly;
- A regional share of the total regional housing need for all income categories;
- An inventory of land suitable for residential development, including vacant land and infill/redevelopment opportunities; this analysis also looks at potential residential sites and their accessibility to adequate infrastructure and services;
- Identifying actual and potential governmental and non-governmental constraints that could potentially impede the maintenance, improvement, and development of housing for all income groups;
- Identifying and analyzing opportunities for energy conservation in residential developments;
- An inventory of at-risk affordable units that have the possibility of converting to market rate; and
- A statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the improvement, maintenance, and development of housing.

State law requires that adequate opportunity for participation be solicited from all economic segments of the community toward preparation of the housing element. Specifically, the jurisdiction must reach out to lower- and moderate-income persons as well as persons with special needs. Preparation of the housing element must also be coordinated with other local jurisdictions within the regional housing market area.

Regional and Local

2020-2045 Connect SoCal (Regional Transportation Plan/Sustainable Communities Strategy)

The 2020-2045 Connect SoCal Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) is a long-range plan that every Metropolitan Planning Organization is required to complete. The plan's purpose is to provide a long-range, fiscally constrained guide for the future of Southern Californians including San Bernardino County's Transportation system (SCAG 2020b). The long-range plan extends to the year 2045 in its scope. The plan accomplishes its goals by forecasting future growth, identifying regional priorities, and planning for infrastructure improvements. This plan is required to include four elements which include: the Policy Element (Chapter B), the Action Element (Chapter D), the Fiscal Element (Chapter E), and the Sustainable Communities Strategy (SCS; Chapter C) mandated by the state of California. In addition, the San Bernardino Countywide Transportation Plan: Interim 2021 Update is currently being drafted.

City of Victorville General Plan 2030

The Housing Element is one of the seven required General Plan elements mandated by state law. State law requires that each jurisdiction's Housing Element consist of "identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, and scheduled program actions for the preservation, improvement and development of housing." The Housing Element must analyze and plan for housing for all segments of the community. The City's General Plan Housing Element covers the planning period from 2021 to 2029, consistent with the state-mandated update required for all jurisdictions within the SCAG region (City of Victorville 2022). The goals and policies in the Housing Element for population and housing applicable to the Project are provided below. The General Plan also contains additional goals and policies that are more general in nature and not specific to development such as the Project. Therefore, they are not listed below, but as stated in Chapter 2 of this EIR, all goals and policies in the City's General Plan are incorporated by reference.

2014-2029 Housing Element

Goals:

Goal 7: Improve quality of life and promote placemaking

Objective M: Encourage developments that will provide community benefits, especially in lower resource areas.

Objective N: Increase community participation in planning process.

Policies:

HE-M.1: Encourage placemaking and public spaces to serve residents of all incomes, interested, ages, physical abilities, and cultures.

HE-M.2: Encourage infill development that includes capital improvements like sidewalk repair and lighting improvements.

HE-N.1: Allow for continued virtual meetings alongside in-person public meetings to enable more residents and other stakeholders to participate in public meetings conveniently.

City of Victorville Municipal Code

The Development Code, Title 16 of the Municipal Code, replaces the previous Zoning Code (Title 18), Buildings and construction Code (Title 15), and Fire Code (Title 8). The purpose of the Development Code, Title 16 is to implement the Victorville General Plan and regulate development within the City of Victorville. The Victorville General Plan is implemented to guide all land use designations established by the Victorville General Plan. The Development Code provides maximum efficiency while ensuring quality and safe development for the City and population.

4.13.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to population and housing are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to population and housing would occur if the Project would:

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.

4.13.4 Impacts Analysis

Threshold 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 proposed industrial/warehouse space and associated improvements. These short-term positions are anticipated to be filled primarily by construction workers who reside in the Project site's vicinity; therefore, construction of the Project would not generate a permanent increase in population within the Project area.

The exact number of jobs that the Project would generate cannot be precisely determined at this time. The Project would include approximately 1,351,400 square feet of industrial/warehouse space, excluding associated improvements. As such, the estimated number of employees required for operation would be approximately 1,130 (Appendix K).

The population of the City is 137,193 persons as of January 2023 (DOF 2023b). According to the City's Housing Element, the growth forecast for 2045 is 194,500 (City of Victorville 2022). As such, the Project's related increase of approximately 1,130 employees would not exceed the City's projected future population.

In addition, data provided by the California Employment Development Department in August 2023 found that the unemployment rate for San Bernardino County is at 5.1%, which is the same as the state average (EDD 2023). As such, the Project's temporary and permanent employment requirements could likely be met by the City's existing labor force without people needing to relocate into the Project region, and the Project would not stimulate population growth or a population concentration above what is assumed in local and regional land use plans.

Indirect Population Growth

The Project site is located adjacent to Onyx Road to the west, Topaz Road to the east, Cactus Road to the north, and Mojave Drive to the south. The Project would involve the extension of Topaz Road and Onyx Road and utilities and other infrastructure, as well as fair-share contributions for intersection improvements in the vicinity of the Project site. More specifically, implementation of the proposed Project would include the construction of new water supply and wastewater infrastructure, roadways, telecommunication facilities, electrical utility infrastructure, and natural gas pipelines to service the Project site. The new infrastructure improvements would extend through and connect to the City's existing infrastructure near the Project site. The proposed infrastructure improvements would be sized to serve the Project itself and to serve future development of areas to the north, east, and west of the Project site, should the area be developed in the future.

These improvements would not be designed to extend services to non-Project-related undeveloped areas. Development of the proposed Project site is identified as a planned improvement in the City's zoning plan and therefore, would not induce or encourage substantial unplanned population growth within undeveloped areas adjacent to the Project. Therefore, the potential direct and indirect effects of the Project on population growth would be less than significant.

Threshold B: Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Less-than-Significant Impact. The Project site consist of undeveloped, vacant land and contains no housing or other residential uses. Given that no residential uses are located on site, it follows that the site does not support a residential population. The Project is located approximately 0.25 miles from the residential uses, however there are no existing residences within the Project site. Accordingly, no people or housing would be displaced by the Project. Construction and operation of the Project would occur within the Project's boundaries and would not result in the displacement of any existing housing or people. No replacement housing would be required because of construction and operation of the Project. As such, no impact would occur.

4.13.5 Mitigation Measures and Level of Significance After Mitigation

No mitigation measures would be required. The Project would have **less than significant impacts** associated with population and housing.

4.13.6 Cumulative Impacts

Cumulatively, population growth in the City has the potential to result in significant environmental impacts. The City planning documents, such as the General Plan have been prepared to be consistent with the population forecasts identified for the region. As mentioned above, the proposed Project would result in a direct and indirect population growth. Although the Project is expected to lead to direct population growth, employees are anticipated to be current residents of the City. In terms of indirect impacts, perimeter improvements may allow future growth to occur in undeveloped areas. However, those improvements would not be designed to extend services to non-Project-related undeveloped areas and would not service demand for utilities not associated with Project operations. As such, impacts related to population and housing would not be cumulatively considerable.

Additionally, any future development would be required to comply with applicable federal, state, and local regulations related to population and housing. Required compliance with these regulations would ensure impacts related to population and housing would be less than significant. Therefore, impacts related to population and housing would not be cumulatively considerable.

4.13.7 References

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4.14 Public Services

This section describes the existing public services conditions of the Mojave Industrial Park Project (Project) site and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to the implementation of the Project.

No comments were received related to public services during the public review of the notice of preparation. A copy of the notice of preparation and comment letters received are included in Appendix A.

4.14.1 Existing Conditions

Fire Protection

Fire protection and emergency response services for the Project site are provided by the Victorville Fire Division. The Victorville Fire Division operates five fire stations within the City, with the closest being Fire Station 312 (15182 El Evado Road), located approximately 2.2 miles east of the Project site (City of Victorville 2023a).

The Victorville Fire Division provides fire prevention, suppression, inspection, fire safety, and emergency response services. They also monitor the fire hazard in Victorville and have ongoing programs for public education and the investigation and mitigation of hazardous situations. Firefighting resources in Victorville are provided by five fire stations (Table 4.14-1).

The Victorville Fire Division maintains an aid agreement with the San Bernardino County Fire Department. Additionally, the City maintains its own responsibility for fire response; however, there are times when services are executed through mutual aid (City of Victorville 2022a).

Effective fire response and suppression rely on the ability to meet peak load water supply. As such, the City requires all new commercial/industrial development to install adequate water conveyance facilities to meet the following requirements to ensure adequate water supplies. The City requires a minimum fire flow for commercial/industrial with a minimum of 1,500 gallons per minute at 20 PSI and as high as 6,000 gallons per minute at 20 PSI (City of Victorville 2022a). Additionally, the Victorville Water District serves the City, which currently has the total water storage capacity of 74.36 million gallons and the daily production capacity of 54.90 million gallons (City of Victorville 2022a).

Table 4.14-1. Fire Stations in City of Victorville

Fire Station No.	Address	Distance to Project Site (approx.)
Fire Station 311	16200 Desert Knoll Drive	4.8 miles
Fire Station 312	15182 El Evado Road	2.2 miles
Fire Station 313	13086 Amethyst Road	3.9 miles
Fire Station 314	17008 Silica Drive	8.5 miles
Fire Station 315	12802 Eucalyptus Street	6.8 miles

Note: Distances were calculated using roadway miles.

Police Protection

The City is patrolled by the Victorville Sheriff Department, which is under the San Bernardino County Sheriff's Department. The Victorville Sheriff serves a population of approximately 135,950 people in the area of 74 square miles. The Victorville Sheriff's Department is located at 14200 Amargosa Road, approximately 3.3 miles southeast of the Project site.

Police services are provided by contract with San Bernardino County. The Victorville Sheriff's Department at 14200 Amargosa Road, approximately 4.3 miles southeast of the Project site, serves as the main sheriff's station for the area. Typically, impacts on police services are analyzed based on increases in permanent residents from projects involving residential developments. Although the Project does not involve an increase in residential development, the proposed Project could generate a typical range of police service calls, such as vehicular burglaries or thefts and disturbances.

Emergency Medical Services

The City is served by three local hospitals, which include Desert Valley Hospital, Saint Mary Regional Medical Center, and Victor Valley Community Hospital (Victor Valley Global Medical Center). The closest hospital to the Project site, the Victor Valley Community Hospital, is located at 15248 Eleventh Street, Victorville, California, which is approximately 5.6 miles east of the Project site. Per the City of Victorville's General Plan, the Desert Valley Hospital has 76 patient beds, Saint Mary Regional Medical Center has 195 patient beds, and Victor Valley Community Hospital has 119 patient beds (City of Victorville 2008a).

Schools

There are three school districts that provide public education throughout the City, the Hesperia Unified School District, the Snowline Joint Unified School District, and the Victorville Valley Union District. The school closest to the Project is Melva Davis Academy of Excellence (MDAE), which serves sixth-grade through eighth-grade students and is located approximately 0.50 miles northeast of the Project site. MDAE is part of the Adelanto Elementary School District (AESD n.d.).

Parks

The City of Victorville Recreation Division has 18 park facilities within the City that are available to the residents. These include Avalon, Brentwood, Center Street, Doris Davies, Eagle Ranch, Eva Dell, Grady Trammel, Hollyvale, Hook, Las Haciendas, Liberty, Mesa Linda, Mojave Vista, Old Victor, Rockview, Schmidt, Sunset Ridge, and Village parks. The City recreation facilities also include the Green Tree Golf Course, Activities Center, Hook Community Center, Sunset Ridge Community Center, and Westwinds Activities Center. Of these, Brentwood Park (14026 Hook Blvd) is the closest park to the Project site, which is located approximately 2.0 miles southeast of the Project site. Most City parks consist of picnic shelters, a playground area, walking paths, grass area, restrooms, and ample parking spaces (City of Victorville n.d.).

Other Public Facilities

Libraries

The Victorville City Library services the City and would service the Project site. The Victorville City Library (15011 Circle Drive) is located 8.7 miles northeast of the Project.

4.14.2 Relevant Regulations, Plans, Policies, and Ordinances

Federal

No federal regulations pertaining to public services would apply to the Project.

State

California Occupational Safety and Health Administration

In accordance with California Code of Regulations Title 8 Sections 1270 "Fire Prevention" and 6773 "Fire Protection and Fire Equipment" the California Occupational Safety and Health Administration (Cal/OSHA) has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to, guidelines on the handling of highly combustible materials, fire hose sizing requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance and use of all firefighting and emergency medical equipment.

California Fire Code

California Code of Regulations (CCR), Title 24, Part 9, incorporates adoption of the 2015 International Fire Code of the International Code Council with necessary California amendments. The California Fire Code and Office of the State Fire Marshal provides regulations and guidance for local agencies in the development and enforcement of fire safety standards. The California Fire Code also establishes minimum requirements that would provide a reasonable degree of safety from fire, panic, and explosion. The California Fire Code applies to construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure within the State of California. The California Fire Code includes a mandate for automatic sprinkler systems in new buildings and structures, including floors of buildings where the fire area exceeds 5,000 square feet, has an occupant load of 100 or more, or is located on a floor other than the level of exit discharge[1] (24 CCR Part 9). Part 2 of Title 24 of the CCR refers to the California Building Code, which contains complete regulations and general construction building standards of state adopting agencies, including administrative, fire and life safety, and field inspection provisions. Part 2 was updated in 2019 to reflect changes in the base document from the Uniform Building Code to the International Building Code.

California Education Code

The California Code of Regulations (CCR), Title 5, Education Code governs all aspects of education within the state. The California Education Code authorizes the California Department of Education (CDE) to develop site selection standards for school districts which require districts to select a site that conforms to certain net acreage requirements established in the CDE's 2000 School Site Analysis and Development guidebook. The guide includes the assumption that the land purchased for school sites will be in a ratio of approximately 2:1 between the developed grounds and the building area. If the "availability of land is scarce and real estate prices are exorbitant," the site size may be reduced. CDE policy states that if a school site is less than the recommended acreage required, the district shall demonstrate how the students will be provided an adequate educational program, including

[1] Exit discharge refers to the part of the exit route that leads directly outside.

physical education, as described in the district's adopted course of study. Through careful planning, a reduced project area school site could follow the recent trend of school downsizing and meet the CDE's criteria.

California Government Code 66000

According to California Government Code 66000, a qualified agency, such as a local school district, may impose fees on developers to compensate for the impact that the project will have on existing facilities or services. The State of California legislature passed SB 50 in 1998 that inserted new language into the Government Code (Sections 65995.5-65995.7), which authorized school districts to impose fees on developers of new residential construction in excess of mitigation fees authorized by Government Code 66000. School districts must meet a list of specific criteria, including the completion and annual update of School Facility Needs Analysis, in order to be legally able to impose the additional fees.

Local

The following local regulations pertaining to public services would apply to the Project.

City of Victorville General Plan

Public services are protected through policies in the City's General Plan Land Use and Safety Elements (City of Victorville 2022a, 2022b). The goals and policies in the City's General Plan for public services applicable to the Project are provided below. The General Plan contains additional goals and policies that are more general in nature and not specific to development such as the Project. Therefore, they are not listed below, but as stated in Chapter 2, Introduction, all goals and policies in the City's General Plan are incorporated by reference.

Land Use Element

Goal 1: A balanced land use pattern to accommodate Victorville's future housing, commerce, industry, recreation and open space, education, employment, social, and health needs.

Goal 4: A safe city where community members have a high quality of life and healthful lifestyle, and where equity is routinely considered in land use policies and decision-making.

Policy LU-E.4**:** Ensure that new development contributes its fair share towards the establishment and maintenance of parks, bikeways, and recreational trails, and recreational facilities and provides integrated pedestrian and bicycle linkages to the City's bicycle/trails network.

Policy LU-M.1**:** Provide a wide range of accessible public facilities and community services, including fire and police protection; flood control and drainage; educational, cultural, and recreational opportunities; and other governmental and municipal services to meet the current and future needs of the community.

Safety Element

Goal 1: Protect the community against natural and human-made hazards.

Goal-2: Integrate Public Health and Safety Issues into Planning and Development Policies.

Policy SAF-1.3.1: Continue Fire Department operation as the local Certified Unified Program Agency with respect to hazardous materials hazards concerns, throughout the Planning Area. This shall include a responsibility to comment on all proposed industrial, medical, research and development or other types of land uses that involve the generation, storage, use, transportation, disposal, or recycling of hazardous materials and/or hazardous wastes.

Policy SAF-2.1.1: Ensure that new private or public development has sufficient fire protection, police, and emergency medical services available. Such developments shall not strain capabilities to a level where service standards could not be met.

City of Victorville Municipal Code

Section 16-5.01.080 (Development Impact Fees) of the Municipal Code imposes development fees on all new projects and is collected at the time of issuance of building permits by the City. The charges imposed by this regulation serves as a means to defray the cost of public facilities (including public improvements, public services and community amenities) resulting from the increased demand for public facilities reasonably related to the development project. As such, the proposed Project would be required to comply with this regulation.

4.14.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to public services and recreation are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to the Project would occur if the Project would:

A. 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:
   i. Fire protection.
   ii. Police protection.
   iii. Schools.
   iv. Parks.
   v. Other public facilities.

4.14.4 Impacts Analysis

Threshold A: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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:

i. Fire protection?

Less-than-Significant Impact. Fire protection requirements are based on the number of residents and workers in the SFD service areas. Service demand is primarily tied to population, not building size, because emergency medical calls typically make up the majority of responses provided by the Victorville Fire Division. As the number of workers increases, so does the number of emergency medical calls.

Service demands during Project construction activities could increase. However, the presence of construction workers on site would be temporary and would cease after construction of the Project is complete. It would therefore not substantially increase the service demand for fire protection services in the City.

In addition, the proposed Project would be designed and constructed in accordance with all applicable provisions of the 2019 California Fire Code, which includes requirements for adequate fire flows, width of emergency access routes, turning radii for equipment, automatic sprinkler systems, fire alarms, and floor to sky height limits along emergency access routes. As part of the standard development practices, Project plans would be reviewed by the City and Fire Department, prior to construction. Compliance with fire code standards would reduce the potential demand for fire services by decreasing the likelihood and/or severity of a fire emergency at the site.

As previously discussed, the nearest fire station to the Project site is Fire Station 312 (15182 El Evado Road), located approximately 2.2 miles east. The Victorville Fire Division's response times vary within the City, with the City's general plan listing the average response time at approximately 6.18 minutes (City of Victorville 2008b). In the event that Fire Station 312 could not meet the immediate needs of a call for services independently or does not have capability to address the full extent of a larger incident, the second closest station (Fire Station 313) is located approximately 3.9 miles from the Project site. If needed, fire stations from adjacent cities, such as Hesperia and Apple Valley, may respond to emergency calls in Victorville. Based on the proximity of the Project site to the existing Victorville Fire Division facilities, the average response times in the Project area, the ability for nearby cities to respond to emergency calls, and the fact that the Project site is already located within Victorville Fire Division service area, the Project could be adequately served by the Victorville Fire Division without the construction of new, or the expansion of existing, facilities.

The proposed Project would be subject to the payment of a Development Impact Fees (DIF), per Section 16-5.01.080 (Development Impact Fees) of the City's Municipal Code. This fee would be used for future facility improvements necessary to ensure that the development contributes its fair share of the cost of facilities and equipment determined to be necessary to adequately accommodate new development in the City (City of Victorville 2023b).

Therefore, the Project would be located within the Victorville Fire Division's response area, with additional nearby services of Fire Station 312, as well as fire stations in neighboring jurisdictions. The Project would be served by sufficient fire protection services, and it is not anticipated that the Project would hinder the Victorville Fire Division

from meeting its response time targets. Furthermore, payment of DIFs would ensure the Project contributes its fair share towards future facility improvements and equipment.

In addition, the Project would introduce a temporary construction workforce and a permanent operational workforce. Although Project implementation would result in an incremental increase in calls for service to the Project site compared to existing conditions, this increase is expected to be nominal. Overall, it is anticipated that the Project would be adequately served by existing Victorville Fire Division facilities, equipment, and personnel. Therefore, impacts would be less than significant, and no mitigation would be required.

ii. Police protection?

Less-than-Significant Impact. Police services are provided by contract with the County of San Bernardino. The Victorville Sheriff's Department at 14200 Amargosa Road, approximately 4.3 miles southeast of the Project site serves as the main sheriff's station for the area. Typically, impacts on police services are analyzed based on increases in permanent residents from projects involving residential developments. Although the Project does not involve an increase in residential development, the proposed Project could generate a typical range of police service calls, such as vehicular burglaries or thefts and disturbances.

The site will have perimeter fences/walls and will be secured during closure hours. The Project site is within the Victorville Sheriff's Station service area, and the Project would not require an expansion of San Bernardino County Sheriff's Department/Victorville City service area. The applicable Developer Impact Fees (DIFs) would be assessed to the Project which includes police services that could be used to add additional officers if deemed necessary by the Sheriff's Department.

Development of the Project site would not result in the need for new or physically altered police protection facilities. Therefore, potential impacts associated with police protection would be less than significant, and no mitigation would be required.

iii. Schools?

No Impact. The proposed Project is located within the Victor Elementary School District (VESD) and the Victor Valley Union High School District (VVHSD) service boundaries. The Project will not directly increase the City's population as it does not increase residential land use designations nor construct any housing. Therefore, it would not generate the need for new or altered school facilities. It may indirectly affect schools by providing a source of employment that may draw new residents into the area; however, appropriate developer impact fees, as required by state law, shall be assessed and paid to the school district. Since the proposed Project does not include any new housing, any potential impacts would be considered incremental and can be offset through the payment of the appropriate development impact fees. Thus, the proposed Project will not result in substantial adverse physical impacts related to schools. Therefore, there are no impacts, and no mitigation would be required.

iv. Parks?

No Impact. The Project would construct two industrial/warehouse buildings within undeveloped, vacant land. The Project would not include residential uses and would not directly or indirectly induce unplanned population growth in the City. As such, the Project would not increase the use of existing neighborhood parks or regional parks in the City and surrounding area. Therefore, no impacts would occur and no mitigation would be required.

v. Other public facilities?

No Impact. Other public facilities, including the library and community centers are located within the City. Desert Valley Medical Hospital (16850 Bear Valley Road) is an 83-bed acute care private for-profit hospital and Victor Valley Community Hospital (15248 11th Street) is a nonprofit 115-bed hospital with a heliport. The proposed Project is subject to development impact fees that are used to construct new facilities or expand existing facilities subsequent to increased demand. Since the proposed Project does not include new housing, any impacts will be considered incremental and can be offset through the payment of the appropriate mitigation fees. Therefore, impacts related to public services are less than significant, and no mitigation is required.

4.14.5 Mitigation Measures and Level of Significance After Mitigation

Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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?

The Project would result in **less-than-significant impacts** with regard to fire protection services. No mitigation measures are required.

Police protection?

The Project would result in **less-than-significant impacts** with regard to police protection services. No mitigation measures are required.

Schools?

The Project would result in **no impact** with regard to schools. No mitigation measures are required.

Parks?

The Project would result in **no impact** with regard to parks. No mitigation measures are required.

Other public facilities?

The Project would result in **no impact** with regard to other public facilities. No mitigation measures are required.

4.14.6 Cumulative Impacts

Less-than-Significant Impact. Cumulative impacts are two or more individual impacts that, when considered together, are considerable or that compound or substantially increase other environmental impacts. Cumulative impacts for a project are considered significant if the incremental effects of the individual projects are considerable when viewed in connection with the effects of past projects, and the effects of other projects located in the vicinity of the Project site. The cumulative study area is based on the service area for each of the fire, sheriff and other

governmental offices/facilities serving the Project site. As discussed above, fire and sheriff service impacts related to the proposed Project would be less than significant. Compliance with the appropriate general plan policies regarding service ratios and response times along with the payment of DIFs, any slight contribution to the Project related needs for additional fire or law enforcement protection services would be appropriately funded. Similar to the proposed Project, all other past, present, and reasonably foreseeable future projects located within these fire and sheriff service areas were or would be required to pay this mitigation fee.

In addition, that the proposed Project would not increase demand for local schools, parks, or public facilities. Since impacts were not found to be significant, further analysis was not performed on this issue. Thus, the Project would not cumulatively combine with related projects to have an impact on these facilities. Furthermore, cumulative projects would also be required to undergo environmental review, in compliance with the requirements of CEQA. Should potential impacts to public services be identified, appropriate mitigation would be prescribed that would reduce impacts to less-than-significant levels.

Because the Project would not create a significant impact on public services, and the other related projects would also be expected to avoid or mitigate impacts on public services, the Project would comply with the goals, policies, and implementation measures of the City's General Plan; thus, cumulatively significant impacts are anticipated to be less than significant. Therefore, the Project would not create a cumulatively considerable impact related to public services and cumulative impacts would be **less than significant**.

4.14.7 References Cited

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4.15 Transportation

This section describes the existing transportation conditions of the Project site and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Mojave Industrial Park Project (Project).

In addition to the documents incorporated by reference (see Section 2.7, Documents Incorporated by Reference, of Chapter 2, Introduction, of this environmental impact report [EIR]), the following analysis is based, in part, on the following sources:

- Mojave Industrial Park Project Transportation Impact Study, prepared by Dudek, February 2024 (Appendix K of this EIR).
- Supplemental VMT Analysis for the Mojave Industrial Park Project, prepared by Urban Crossroads, December 2023 (Appendix K of this EIR)

A comment letter was received from the Sierra Club, San Gorgonio Chapter – Mojave Group in response to the notice of preparation that included a request for all the Draft EIR to fully analyze and disclose the Project's impacts on related to vehicle traffic generated by the Project. Comments received by the Office of the Attorney General – Department of Justice in response to the notice of preparation include a request for the consideration and incorporation of the Attorney General Office's Bureau of Environmental Justice's best practices and mitigation measures for warehouse projects document. All of the concerns raised are addressed in this section. A copy of the notice of preparation and comments received is provided in Appendix A.

4.15.1 Existing Conditions

This section provides a summary of the existing street network, including the major roadways serving the Project site, the existing transit service, and bicycle and pedestrian facilities in the study area. Figure 4.15-1, Project Location and Study Area, provides a regional location map and the transportation study area.

Roadway Network

Figure 4.15-2, City of Victorville Circulation Plan, provides the City of Victorville General Plan roadway network. Regional access to the site would be provided from I-15 approximately 3.75 miles east of the site and from US Highway 395 approximately 1 mile west of the Project site. Local access to the Project is provided via Mojave Drive and Onyx Road. Characteristics of the primary existing street system roadways within the study area are described below. A map of the City's designated truck routes is also provided as Figure 4.15-3.

- I-15 is a north-south, divided, four- to eight-lane freeway located approximately 3.75 miles east of the site. I-15 is a major interstate freeway that begins near the Mexico—US Border and extends to Alberta, Canada, and serves as a critical connection for many other regional roadways, freeways, and highways. Caltrans classifies I-15 as a designated truck route (City of Victorville 2008). The nearest interchange to the site is provided at I-15 and Mojave Drive.
- US Highway (Hwy) 395 is a north-west two- to six-lane, generally undivided highway located to the west of the Project site. The highway's northern terminus is at the US-Canada border, while the southern terminus is at I-15 near Hesperia. The City of Victorville classifies US Hwy 395 as a Super Arterial. US Hwy 395 conveys local traffic to the I-15 freeway and provides access to a several cities in the region,

including, Adelanto, Victorville, and Hesperia. Caltrans classifies US Hwy 395 as a designated truck route, as shown in Figure 4.15-3 (City of Victorville 2008). Bike and pedestrian facilities are not located along this portion of the roadway. A memorandum of understanding (MOU) regarding the existing US-395 among Victorville, Caltrans, SANBAG, San Bernardino County, Hesperia and Adelanto became effective on June 18, 2002. The MOU established US-395 in the local agency general plans as a 6-lane conventional highway with the minimum right-of-way width of 130 feet. Typical cross sections for segments and signalized intersections are included in the MOU (City of Victorville 2008).

- SR-18 is a four-lane divided highway with turn lanes in the Town of Apple Valley, where it is also called Happy Trails Highway, and a four-lane divided road with a continuous left turn lane through most of the City of Victorville (D Street). When SR-18 joins I-15, travelers must follow I-15 south to Palmdale Road, where SR-18 proceeds west and is called Palmdale Road. SR-18 is a designated truck route within the City of Victorville and provides access to and from Antelope Valley to the west and the Town of Apple Valley, continuing further eastward to Lucerne Valley.
- Mojave Drive is an east-west arterial, ranging from two to four lanes with a two-way-left-turn lane or median. Along the Project frontage, Mojave Drive is four lanes with a raised median. Mojave Drive is a designated truck route between I-15 and US Highway 395. Mojave Drive is classified as a Super Arterial Roadway in the City's General Plan.
- Onyx Road is a two-lane north-south road that connects to Mojave Drive and extends approximately 0.36 miles to the south. As part of the proposed Project, Onyx Road would be extended from Mojave Drive north to Tawney Ridge Road. Onyx Road would be located along the west side of the Project site.
- Cactus Road is an east-west designated Collector. Cactus Road is currently constructed between Fremontia Avenue to the west and approximately 375 feet east of US 395. Cactus Road is two lanes between Fremontia Avenue and Jonathon Street. East of Jonathon Street, Cactus Road widens to four lanes. As part of the proposed Project, Cactus Road would be improved between US Highway 395 and Topaz Road.
- Topaz Road is a north-south designated Arterial. Currently, Topaz Road has only been constructed between Hook Boulevard and approximately Camino De Oro Place. As part of the proposed Project, Topaz Road would be extended from Mojave Drive north to Tawney Ridge Road. Topaz Road would be located along the east side of the Project site.

Transit

The City of Victorville is primarily served by bus services provided by Victor Valley Transit Authority (VVTA), which provides regional and local services throughout Victor Valley. Regionally, the City is served by passenger rail services offered by the National Railroad Passenger Corporation (Amtrak). Victor Valley and its neighboring communities are also expected to benefit from the development of Brightline West, a high-speed passenger rail system that will connect Los Angeles with Las Vegas and will include a stop in Victor Valley (Brightline 2023). The transit providers are described below.

Amtrak

Amtrak is a national rail operator, with 21,000 route miles in 46 states, the District of Columbia, and three Canadian Provinces. Amtrak operates more than 300 trains each day to more than 500 destinations. Amtrak is the chosen operator for state-supported corridor services in 17 states and four commuter rail agencies (Amtrak 2023a). The closest passenger rail station is the Victorville Amtrak Station, located at 16858 South D

Street in Victorville, located approximately 5.5 miles northwest of the Project site. The Victorville Amtrak Station is part of the Southwest Chief Route, an east-west rail line extending from Los Angeles, California, to Chicago, Illinois (Amtrak 2023b).

Brightline West

Brightline West is a proposed high-speed passenger rail system that would be designed to connect the extended communities of Los Angeles, Palmdale, Cajon Pass, and Victor Valley with Las Vegas through 200 to 300 miles of rail. At full operations, approximately 11 million one-way trips are expected to be made between California and Las Vegas. Moreover, vehicle trips are expected to be reduced by more than 3 million vehicles annually once in operation (Brightline 2023). The Project is expected to break ground in 2023 and could begin moving passengers in 2026.

Victor Valley Transit Authority

VVTA provides local bus service for the communities of Adelanto, Apple Valley, Hesperia, Victorville, and unincorporated areas of San Bernardino County. VVTA operates eight bus routes in Victorville and three routes in Adelanto, providing bus connections between shopping areas, the Hesperia Post Office, schools and colleges, and residential areas. Routes 31 and 33 shown in Figure 4.15-4, Existing Transit Facilities, are the closest bus routes to the Project site, with bus stops located near the intersection of Mojave Drive and Johnathon Street, approximately 1.5 miles east of the Project site.

Route 31 connects Adelanto Market Place, Columbia Middle School, Desert Trails Preparatory Academy, High Desert Veteran Center, Hook Jr. High School. Silverado High School, Stater Bros Markets, Theodore Vick School, University Preparatory School, Victor Community Support Services, Victor Valley Transportation Center, Walmart Supercenter, and WinCo Foods. Route 33 connects Adelanto Elementary School, Adelanto High School, Adelanto Stadium, the City of Adelanto, Desert Trails Preparatory Academy, Desert View Modified Community Correctional Facility, Donald F Bradach Elementary School, Harold George Visual and Performing Arts School, High Desert Detention Center, Kicks Café Senior Citizen Club, San Bernardino County Human Services, Stater Bros Markets, and Victoria Magathan Elementary School. The routes operate weekdays, between 6:00 a.m. and 9:00 p.m., Saturday between 7:00 a.m. and 8:00 p.m., and Sunday between 8:00 a.m. and 6:00 p.m. (VVTA 2023).

VVTA also offers paratransit services for persons with special needs on any paved street within Apple Valley as long as it is within their service boundaries. The VVTA paratransit services do not travel a fixed route and provide a flexible alternative to the fixed bus routes (VVT 2023).

Pedestrian and Bicycle Facilities

The Project site is primarily surrounded by vacant land with limited pedestrian or bicycle infrastructure provided. Where new development has occurred, sidewalks typically have been constructed along Project site frontages and within residential developments. Sidewalks are provided along several segments of the south side of Mojave Drive near the Project site. As the adjacent areas surrounding the Project site continue to become developed, connectivity to other areas of the City will be realized.

Additionally, the City of Victorville Non-Motorized Transportation Plan serves as a guiding document for the City to improve its bicycle and pedestrian infrastructure and programs. It complements the Circulation Element of the General Plan which discusses the necessity for developing non-motorized facilities (City of Victorville 2010). Figure 4.15-5, Existing and Future Bicycle Facilities, presents the City's proposed bicycle trails and paths. The City's plan follows standard bicycle facility designations, as outlined below:

- **Class I bikeways,** such as 'bike paths', provide a completely separated right-of-way designated for exclusive use of bicycles and pedestrians with minimum cross flows by motorists. These are shared use paths that may be used by pedestrians, skaters, wheelchair users, joggers and other non-motorized users.
- **Class II bikeways,** such as 'bike lanes', provide a restricted right-of-way designated for the exclusive or semi-exclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with permitted vehicle parking and cross flows by pedestrians and motorists. This is a portion of roadway that has been designated by striping, signing, pavement delineation, and pavement markings for preferential or exclusive use of bicyclists.
- **Class III bikeways,** such as on-street or off-street 'bike routes,' provide a right-of-way designated by signs or permanent markings and shared with pedestrians or motorists. Under the Caltrans Design Standards, Class III bikeways are designated by signage as a preferred route for bicycle use.

As shown in Figure 4.15-5, Class II bicycle lanes are proposed on Cactus Road, Mojave Drive, Cantina and Mesa Linda Avenue in the immediate vicinity of the site. A Class I bike trail/path is also proposed along the Sothern California Edison (SCE) Power Line Corridor, beginning near the intersection of Cactus Road and U.S. Highway 395 and continuing southeast to I-15. This trail is recommended to have a bike path, a decomposed granite (DG) path, and an equestrian path.

4.15.2 Relevant Plans, Policies, and Ordinances

Federal

There are no federal regulations related to transportation that are directly applicable to the proposed Project.

State

Senate Bill 743

On September 27, 2013, Senate Bill (SB) 743 was signed into law, which created a process to change the way transportation impacts are analyzed under the California Environmental Quality Act (CEQA). SB 743 required the Governor's Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to level of service (LOS) as the metric for evaluating transportation/traffic impacts. Under the new transportation guidelines, LOS or vehicle delay, is no longer considered an environmental impact under CEQA. Amendments to the CEQA Guidelines required under SB 743 were approved on December 28, 2018, and the new Section 15064.3 identifies vehicle miles traveled (VMT) as the most appropriate measure of transportation impacts under CEQA and is currently being implemented as of July 1, 2020. Related legislation, SB 32 (2016) requires California to reduce greenhouse gas emissions 40% below 1990 levels by 2030. The California Air Resources Board has determined that it is not possible to achieve this goal without reducing VMT growth and specifically California needs to reduce per capita VMT across all economic sectors. SB 743 is primarily focused on passenger-cars and the reduction in per capita VMT as it relates to individual trips.

The OPR Technical Advisory (OPR 2018) provides guidance and tools to properly carry out the principles within SB 743 and how to evaluate transportation impacts in CEQA. In accordance with SB 743, the City of Victorville adopted the City of Victorville Vehicle Miles Traveled (VMT) Analysis Guidelines (Resolution No. 20-031; Attachment A), which identify VMT-related screening criteria, methodologies, and impact criteria to be used to evaluate a project's potential impact on VMT, as further described in Section 4.15.4.

Caltrans

As the owner and operator of the State Highway System, Caltrans implements established state planning priorities in all functional plans, programs, and activities. Caltrans has the responsibility to coordinate and consult with local jurisdictions when proposed local land use planning and development may impact state highway facilities. To comply with SB 743 implementation, the Caltrans Transportation Impact Study Guide (Caltrans 2020a), replaced the Guide for the Preparation of Traffic Impact Studies (Caltrans 2002). Per the 2020 Transportation Impact Study Guide, Caltrans' primary review focus is VMT, replacing LOS as the metric used in CEQA transportation analyses. Caltrans recommends use of OPR's recommended thresholds and guidance on methods of VMT assessment found in OPR's Technical Advisory (OPR 2018). In addition to VMT, Caltrans has developed an Interim Local Development and Intergovernmental Review Safety Review Practitioners Guidance (December 2020b) which may request a targeted operational and safety analysis to address a specific geometric or operational issue related to the State Highway System and connections with the State Highway System (Caltrans 2020b). To comply with this requirement, an assessment of queuing at I-15 off-ramps in the Project study area has been included in the EIR.

Sustainable Communities Strategies: Senate Bill 375

The Sustainable Communities and Climate Protection Act of 2008 (Sustainable Communities Act, SB 375, Chapter 728, Statutes of 2008) supports the state's climate action goals to reduce greenhouse gas emissions through coordinated transportation and land use planning with the goal of more sustainable communities. Under the Sustainable Communities Act, the California Air Resources Board sets regional targets for greenhouse gas emissions reductions from passenger vehicle use. In 2010, the California Air Resources Board established these targets for 2020 and 2035 for each region covered by one of the state's Metropolitan Planning Organizations (MPOs). The California Air Resources Board will periodically review and update the targets, as needed.

Each of California's MPOs must prepare a Sustainable Communities Strategy (SCS) as an integral part of its Regional Transportation Plan (RTP). The SCS contains land use, housing, and transportation strategies that, if implemented, would allow the region to meet its greenhouse gas emission reduction targets. Once adopted by the MPO, the RTP/SCS guides the transportation policies and investments for the region. California Air Resources Board must review the adopted SCS to confirm and accept the MPO's determination that the SCS, if implemented, would meet the regional greenhouse gas targets. If the combination of measures in the SCS would not meet the regional targets, the MPO must prepare a separate alternative planning strategy to meet the targets. The alternative planning strategy is not a part of the RTP. The Project is within the Southern California Association of Governments (SCAG) MPO which has adopted Connect SoCal (2020–2045 Regional Transportation Plan/Sustainable Communities Strategy) as their SCS, as discussed below.

Regional

Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy

The SCAG 2020–2045 RTP/SCS (also known as the Connect SoCal Plan) was made available in March 2020 and presents the land use and transportation vision for the region through the year 2045, providing a long-term investment framework for addressing the region's challenges (SCAG 2020). Connect SoCal is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. The SCAG RTP/SCS lays the framework for sustainable development in the SCAG region, which includes the City of Victorville. Priorities of the plan include increasing investment in transit and investing in transportation strategies and projects that will result in improved air quality, public health, and reduced greenhouse gas emissions. The Proposed Final Connect SoCal Plan was adopted by SCAG's Regional Council on September 3, 2020.

San Bernardino County Congestion Management Plan (CMP)

The Project is located in San Bernardino County and therefore, the San Bernardino County Transportation Authority (SBCTA) Congestion Management Plan (CMP) is applicable. To address the increasing public concern that traffic congestion is impacting the quality of life and economic vitality of the State of California, Proposition 111 created the CMP in 1990. The intent of the CMP is to provide the analytical basis for transportation decisions through the State Transportation Improvement Program (STIP) process. In 1990, the San Bernardino Associated Governments (SANBAG) was designated the CMA for San Bernardino County. Although implementation of the CMP was made voluntary by the passage of AB 2419, the CMP requirement has been retained in San Bernardino County. The goals of the San Bernardino County CMP (SANBAG 2016) are to:

Goal 1: Maintain or enhance the performance of the multimodal transportation system and minimize travel delay.

Goal 2: Assist in focusing available transportation funding on cost-effective responses to subregional and regional transportation needs.

Goal 3: Provide for technical consistency in multimodal transportation system analysis.

Goal 4: Help to coordinate development and implementation of subregional transportation strategies across jurisdictional boundaries.

Goal 5: Anticipate the impacts of proposed new development on the multimodal transportation system, provide consistent procedures to identify and evaluate the effectiveness of mitigation measures and provide for adequate funding of mitigations.

Goal 6: Promote air quality and improve mobility through implementation of land use and transportation alternatives or incentives that reduce both vehicle trips and miles traveled and vehicle emissions.

To meet the goals above, the CMP includes a System LOS Element, Performance Measures Element, Land Use/Transportation Analysis Element, Travel Demand Management Element, and a Five-Year Capital Improvement Program.

Local

City of Victorville General Plan Circulation Element

The Circulation Element is intended to provide guidance to decisions that expand and improve the transportation system for local and regional trips, and to accommodate the diverse transportation needs of the residents of the Planning Area. Furthermore, this element is intended to specify the City's policies for coordination of transportation infrastructure planning with planning of public utilities and facilities, where joint benefits can be achieved. The City of Victorville General Plan Circulation Element contains the following goals, policies, and programs applicable to transportation and the Project (City of Victorville 2008):

Goal 1: Good Mobility - provide a safe, efficient transportation system that enhances mobility for local residents and businesses, and facilitates regional travel for automobiles and trucks.

Objective 1.4: Maintain smooth traffic flow, reduce and minimize traffic conflicts.

Policy 1.4.2: Minimize through traffic in residential neighborhoods through a variety of land use controls, traffic control devices, signs, traffic calming techniques, etc.

Policy 1.4.3: Support and participate in regional efforts to improve/expand freight movement via trucks and train services, without increasing conflicts with passenger car traffic and without increasing congestion on the highway and arterial roadway networks.

Policy 1.4.4: Continue to enforce truck route restrictions throughout the Planning Area.

Goal 3: Adequate infrastructure - Develop and maintain infrastructure that supports the transportation and circulation needs of the community in a cost-effective and environmentally sensitive manner.

Objective 3.3: Provide adequate infrastructure improvements in conjunction with new development and redevelopment projects.

Policy 3.3.1: Require private and public development projects to be responsible for constructing road improvements along all frontages abutting a public street right of way, in accordance with the design specifications for that roadway. Such road frontage improvements shall be constructed concurrently with and completed prior to opening of the project.

City of Victorville Non-Motorized Transportation Plan

As part of the San Bernardino County Non-Motorized Transportation Plan, the City of Victorville Non-Motorized Transportation Plan was developed and approved by City Council in 2011, which designates various corridors, thoroughfares, and facilities to encourage bicycle and pedestrian use. The plan helps in meeting the goals and objectives of the General Plan and guides the future, orderly development of trails and bikeways, by requiring developers to install the segments adjoining their projects. Supplemental to coordinating and guiding the San Bernardino County's bicycle and pedestrian plans, programs, and projects, the NMTP for the Victor Valley area includes regional and intra-jurisdictional bicycle connections and pedestrian facilities.

4.15.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to transportation are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to transportation would occur if the Project would:

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.

4.15.4 Impacts Analysis

Threshold A: Would the Project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Less-than-Significant Impact. The Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, as discussed below. Impacts would be less than significant.

Regional Transportation Plan/Sustainable Communities Strategy

The Project would be consistent with the 2020–2045 RTP/SCS as analyzed in Table 4.10-2, Consistency with 2020–2045 RTP/SCS Goals, in Section 4.10, Land Use and Planning.

San Bernardino County CMP

The Project would be consistent with the applicable goals and elements of the San Bernardino County CMP. Within the study area, State Route 18 is a designated CMP roadway. The Project would not impede the ability to maintain or enhance the performance of the multimodal transportation system. The Project would include on and off-site roadway improvements to minimize impacts to travel delay and would participate in the City's Development Impact Fee program, which is coordinated with regional planning efforts in Victor Valley. The Project would also not result in an increase in vehicle miles traveled as further discussed under Threshold B.

City of Victorville General Plan Circulation Element

The Project would be consistent with the applicable goals and policies of the General Plan Circulation Element. The Project would not hinder the City's ability to provide a safe, efficient transportation system that enhances mobility for local residents and businesses, and facilitates regional travel for automobiles and trucks. The Project would also not hinder the City's ability to provide adequate infrastructure improvements in conjunction with new development. The Project is also located in an area that would not encourage traffic to utilize local residential street for access or parking needs. The Project location takes advantage of the location along Mojave Road (City designated truck route) with direct access to US Hwy 395 and I-15. The Project would include on and off-site roadway improvements to serve internal circulation needs, as well as to mitigate impacts of increased traffic on

the existing road system. The road frontage improvements would be completed prior to opening of the Project, and in accordance with the design specifications for that roadway and consistent with the Circulation Element of the City's General Plan. The Project would also participate in the City's Development Impact Fee program to mitigate impacts.

Transit, Bicycle, and Pedestrian Facilities

The Project would construct sidewalks along all Project frontages, as well as Class II bike lanes on Cactus Road, Mojave Road, Onyx Road, and Topaz Road. The City of Victorville Non-Motorized Transportation Plan proposes a Class I bike trail/path along the Southern California Edison (SCE) Power Line Corridor, beginning near the intersection of Cactus Road and U.S. Highway 395 and continuing southeast to I-15. The applicant shall work with the City to identify when the future bike lane should be installed. Additionally, as the adjacent areas surrounding the Project site continue to become developed, connectivity to other areas of the City will be realized.

Routes 31 and 33 shown are the closest bus routes to the Project site, with bus stops located near the intersection of Mojave Drive and Johnathon Street, approximately 1.5 miles east of the Project site. The VVTA Routes could potentially serve the Project in the future. Transit service is reviewed and updated by VVTA periodically to address ridership, budget, and community demand needs. Changes in land use can affect these periodic adjustments which may lead to either enhanced or reduced service where appropriate.

Based on analysis provided above, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, and its impact to transportation plans and programs would be less than significant.

Threshold B: Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Less-than-Significant Impact. CEQA Guidelines Section 15064.3(b) focuses on VMT for determining the significance of transportation impacts. As shown in the following analysis, the Project is estimated to generate VMT per service population less than the City's VMT General Plan Buildout per service population The Project would be consistent with CEQA Guidelines Section 15064.3(b); therefore, impacts would be less than significant.

VMT Screening

The City of Victorville Vehicle Miles Traveled (VMT) Analysis Guidelines (Resolution No. 20-031; Attachment A) (Victorville 2020) identifies projects that can be screened from conducting a project-specific VMT analysis based on the following two screening criteria:

- **Daily Vehicle Thresholds:** The project results in a net increase of 1,285 or less weekday daily trips. The Institute of Transportation Engineers (ITE) Trip Generation Manual, latest edition will be used to estimate the daily trip generation. If the ITE Trip Generation Manual does not have specific studies to a land use, other trip generation traffic studies may be used. The Transportation Impact Study prepared for the Project (Appendix K) estimated that the Project would generate 5,171 daily trips and therefore does not meet this screening criterion.
- **Land Use Types:** The following land used types will be used for screening:
  - Single Family or Multifamily Residential- 136 dwelling units or less
  - Office- 227,000 square feet
  - Retail- 122,000 square feet

- Warehousing- 829,000 square feet
- Light Industrial- 296,000 square feet
- K-12 Public schools
- Day care/Childcare/Pre-K
- Affordable housing
- Student Housing
- Community Institutions, Social Service and Public Buildings

While the Project is a warehouse use, it exceeds the square footage used in the City's screening criterion for land uses. Therefore, the Project does not meet the screening criteria identified above and a Project-specific VMT analysis was prepared.

VMT Analysis Approach

Project VMT has been calculated using the most current version of the SBTAM and Project generated VMT has been estimated using the Production/Attraction (PA) method. Detailed calculations and model outputs are included in Appendix K. The City Guidelines states that for projects with a single land use type the PA method shall be used. Consistent with City Guidelines, VMT has been estimated based on PA Home-Based Work (HBW) VMT per employee. The Production/Attraction (PA) method for calculating VMT sums all weekday VMT generated by Home-Based (HB) and Home-Based Work (HBW) trips with at least one trip-end in the study area (i.e., Project Traffic Analysis Zone or TAZ) by trip purpose. Productions are land use types that generate trips (residences), and attractions are land use types that attract trips (employment). The PA method allows Project VMT to be evaluated based on trip purpose, which is consistent with OPR's Technical Advisory (OPR 2018).

The OPR Technical Advisory (2018) provides technical assistance and recommendations for the analysis of VMT. The methodology recommendations for the VMT analysis include a discussion on vehicle types. An excerpt from the OPR Technical Advisory regarding vehicle types is below (OPR 2018):

> **Vehicle Types.** Proposed Section 15064.3, subdivision (a), states, "For the purposes of this section, 'vehicle miles traveled' refers to the amount and distance of automobile travel attributable to a project." Here, the term "automobile" refers to on-road passenger vehicles, specifically cars and light trucks. Heavy-duty truck VMT could be included for modeling convenience and ease of calculation (for example, where models or data provide combined auto and heavy truck VMT). For an apples-to-apples comparison, vehicle types considered should be consistent across project assessment, significance thresholds, and mitigation.

Per Section 21099 of the California Public Resources Code, the selection of the VMT criteria for determining the significance of transportation impacts was intended to promote reductions of GHG emissions; to develop multimodal transportation networks; and to diversify land uses. As mentioned in the OPR's Technical Advisory, there are various legislative mandates and state policies that establish quantitative GHG emission reduction targets. Pursuant to Senate Bill 375, the CARB GHG emissions reduction targets for MPOs call for reductions in GHG emissions only from cars and light trucks. Therefore, a custom model run using the SBTAM was conducted to estimate VMT from automobiles (i.e., cars and light trucks) only, and the Project's VMT and the threshold VMT were extracted only for automobile VMT. This allows for an apples-to-apples comparison of VMT generated by vehicle types across project assessment, significance thresholds, and mitigation (if any). While the abovementioned OPR Technical Advisory allows for heavy-duty truck VMT to be included in modeling, it is important to note that this allowance was provided for modeling convenience and ease of calculation; however, in

keeping with the intent of Section 21099 of the California Public Resources Code and Section 15064.3(a) of the CEQA Guidelines (which specify that automobile VMT is the primary metric that should be evaluated), the extra step of removing heavy truck VMT from SBTAM was undertaken to provide for a project-level analysis that most appropriately meets the intent of SB 743. Additionally, as noted during an informational question-and-answer session conducted by OPR to provide information and guidance on conducting project-level VMT analysis (OPR 2020), it is automobile VMT (i.e., cars and light-duty trucks) that needs to be quantified for all land uses, including warehouses. Therefore, a custom model run using the SBTAM was conducted to estimate VMT from automobiles (i.e., cars and light trucks) only, and the Project's VMT and the threshold VMT were extracted only for automobile VMT. However, in an effort to fully disclose potential VMT impacts, a supplemental VMT evaluation that measures the Project's estimated total VMT and total VMT per service population, which includes all vehicles (passenger cars and trucks), was performed. The supplemental evaluation is provided in Appendix K.

Impact Thresholds

The City of Victorville adopted Resolution No 20-031 identifies the following significance threshold for determining project impacts on VMT:

- A projects' VMT generation per service population shall be less than the City's VMT General Plan Buildout per service population. However, feasible mitigation measures may be identified to reduce the project VMT below the thresholds.

To establish the impact threshold for this analysis, published data from the San Bernardino County Transportation Authority (SBCTA) was used. SBCTA previously published HBW VMT per employee metrics from the SBTAM travel demand model for each of its member agencies. The City of Victorville's General Plan buildout VMT per employee impact threshold as obtained from SBCTA is 17.1 VMT per employee (see Appendix K).

VMT Analysis

To estimate Project generated VMT, standard land use information such as building square footage must first be converted into a SBTAM compatible dataset. The SBTAM model utilizes socio-economic data (SED) (e.g., population, households, and employment) for the purposes of vehicle trip estimation. Table 4.15-1 summarizes the SED inputs used to represent the Project. Table 4.15-1 summarizes the Project's HBW VMT, the resulting VMT per employee value and comparison to the City's impact threshold.

Table 4.15-1. Project VMT Summary

Metric	Project VMT
Employment	1,130
Production/Attraction (PA) Home-Based Work (HBW) VMT	14,169
VMT per Employee	12.5
City PA HBW VMT Threshold	17.1
PA HBW VMT Potentially Significant?	No

Note: VMT = vehicle miles traveled;
Source: Appendix E of Appendix K.

As shown, the Project was found to generate PA HBW VMT (i.e., commute VMT) below the City's adopted impact threshold and would result in a less-than-significant VMT impact.

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

Significant and Unavoidable Impact. Roadway design has the potential to increase hazards via sharp curves that are difficult to negotiate or if intersections provide poor lines of sight. In addition, there may be potential safety impacts related to queuing at off-ramps resulting in slow or stopped traffic on the mainline or speed differentials between adjacent lanes; or if queuing exceed turn pocket length that impedes through-traffic. The following discussion describes the potential for increased hazards as a result of geometric design features of the Project, and/or as a result of the addition of Project traffic to adjacent roadways and Caltrans facilities.

Project Site Access

Access to the site would be provided from the following Project driveways:

- **D1:** Topaz Road/Driveway 1 - full access; trucks/passenger vehicles
- **D2:** Topaz Road/Project Driveway 2 - full access; trucks/passenger vehicles
- **D3:** Mojave Drive/ Project Driveway 3 - right in/right out only; passenger vehicles only
- **D4:** Onyx Road/Project Driveway 4 - full access; trucks/passenger vehicles
- **D5:** Onyx Road/Project Driveway 5 - full access; passenger vehicles only
- **D6**: Onyx Road/Project Driveway 6 - full access; trucks only
- **D7**: Onyx Road/Project Driveway 7 - full access; trucks only

A queuing analysis was prepared for all Project driveways to assess the adequacy of any off-site storage lanes into the Project site, as well as the adequacy of driveway throat lengths and space on-site for vehicles to queue without effecting the internal circulation on the Project site. All queuing analysis data and SimTraffic queuing worksheets are provided in Appendix K of this EIR. Based on the analysis, the proposed Project would not result in unacceptable queueing conditions into or out of the Project site.

Figure 4.15-6, On-Site Truck Turning Template, shows truck inbound and outbound paths within the internal drive aisles and other areas within the Project site accessed by trucks. As shown, the internal drive aisles are anticipated to accommodate the wide turning radius of trucks as currently designed.

Proposed Site Access Improvements

The Project would include improvements along Cactus Road, Mojave Road, Onyx Road, and Topaz Road, including frontage landscaping, pedestrian improvements, and bicycle improvements as outlined by the Circulation Element in the General Plan. Figure 4.15-7, Proposed Project Street Improvements, presents the proposed cross sections along these roads.

As the Project continues through design review, detailed roadway improvements will continue to be developed in coordination with the City. These improvements would be overseen by the applicable lead agency and their qualified traffic engineers. This approach would ensure compliance with all applicable roadway design requirements. As such, no hazardous design features would be part of the Project's roadway improvements or site access.

Off-Site Queuing Analysis

A queuing analysis was performed for the southbound and northbound I-15 ramps at Mojave Drive to assess vehicle queues for the off ramps that may potentially result in deficient peak hour operations at the ramp-to-arterial intersections and may potentially "spill back" onto the I-15 mainline. The queuing analysis was prepared for the Caltrans freeway ramps as part of the Caltrans safety analysis and to evaluate the intersections from a safety perspective. Queuing was analyzed utilizing the SimTraffic 11 software, which calculates the 95th percentile (design) queue. All queuing analysis data and SimTraffic queuing worksheets are provided in Appendix K. Based on the analysis, several of the calculated 95th percentile (design) queues exceed the storage capacities within the existing left and right turn pockets at both ramps. The results of the queuing analysis are presented in Table 4.15-2.

Table 4.15-2. Horizon Year (2040) plus Project Peak-Hour Freeway Queuing Summary

No.	Intersection	Movement	Storage Capacity[1]	Horizon Year (2040) plus Project			
				AM Peak Hour		PM Peak Hour	
				95th Percentile Queue[2]	Exceeds Turn Pocket Length?	95th Percentile Queue[2]	Exceeds Turn Pocket Length?
13	I-15 SB Ramps/Mojave Dr.	EBR	125	173	**Yes**	175	**Yes**
		WBL	370	514	**Yes**	501	**Yes**
		SBL	200	259	**Yes**	294	**Yes**
		SBLTR[3]	1,390	1,339	No	1,389	No
		SBR	200	236	**Yes**	249	**Yes**
14	I-15 NB Ramps/Mojave Dr.	EBL	370	276	No	401	**Yes**
		WBR	125	159	**Yes**	166	**Yes**
		NBL	215	248	**Yes**	244	**Yes**
		NBLTR[3]	1,390	1,259	No	1,372	No
		NBR	215	336	**Yes**	336	**Yes**

Source: Appendix K.
Notes: EBR = eastbound right-turn lane; WBL = westbound left-turn lane; SBL = southbound left-turn lane; SBLTR = southbound left-through-right lane; SBR = southbound right-turn lane; EBL = eastbound left-turn lane; WBR = westbound right-turn lane; NBL = northbound left-turn lane; NBLTR = northbound left-through-right lane; NBR = northbound right-turn lane
1 Measured in feet.
2 Based on 95th percentile (design) queue length in SimTraffic 11.
3 Approximate length measured from the intersection to the gore point and auxiliary lane of the I-15 off-ramp.

As shown in Table 4.15-2, queues would exceed the storage capacities within the existing left and right turn pockets at both ramps. Recommended improvements are provided in Appendix K, and would improve the functionality of allowing traffic to more efficiently move off of Caltrans facilities and onto Mojave Drive. However, due to the constraints of each intersection, it may not be feasible to completely improve each intersection to provide instances where queues do not exceed turn pocket lengths for all available lanes. Future analysis should be completed to continually analyze the impact of future developments as additional projects are constructed and approved. Ultimately, the improvements listed in Appendix K would maintain the forecasted queuing and continue to alleviate the potential safety issue of off-ramp queuing impacting the mainline of I-15.

Improvement measures required to mitigate the Project's queuing impacts would include fair-share contributions to these intersections. Since the City does not have jurisdiction over these facilities, these improvements cannot be assumed to be in place prior to Project's occupancy. Therefore, the Project's impact to increase in hazardous conditions (i.e., queuing) would be significant and unavoidable.

Threshold D: Would the Project result in inadequate emergency access?

Less-than-Significant Impact. As described above, the Project has seven access driveways, and in the event of an emergency all the driveways would enable vehicles to enter/exit the Project site. All street improvements will be designed with adequate width, turning radius, and grade to facilitate access by City's firefighting apparatus, and to provide alternative emergency ingress and egress. The site plan would be subject to plan review by the City's Fire Department to ensure proper access for fire and emergency response is provided and required fire suppression features are included. Therefore, the Project's impact due to inadequate emergency access would be less than significant.

4.15.5 Mitigation Measures and Level of Significance After Mitigation

Would the Project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

The Project would result in a **less-than-significant impact** on a program, plan, ordinance, or policy addressing the circulation system. No mitigation is required.

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

The Project would result in a **less-than-significant impact** on VMT and therefore would not be inconsistent with CEQA Guidelines Section 15064.3(b). No mitigation is required.

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)?

The Project could result in potentially significant impacts associated with increasing hazards due to a geometric design feature related to queuing. Improvement measures required to mitigate Project's impact would include fair-share contribution to improvements at the I-15 ramps at Mojave Drive (Intersections #13 and #14 in Appendix K). Since the City does not have jurisdiction over this intersection, improvements cannot be assumed to be in place prior to Project's occupancy. Therefore, the Project's impact related to an increase in hazardous conditions (i.e. queuing) would be **significant and unavoidable.**

Would the Project result in inadequate emergency access?

The Project would result in a **less-than-significant impact** related to emergency access. No mitigation is required.

4.15.6 Cumulative Impacts

The proposed Project, in combination with reasonably foreseeable future development, would not result in a significant cumulative impact related to transportation under Thresholds A, B, D, and E. Under Threshold C, the project would result in a cumulatively considerable impact.

As described under the discussion for Threshold A and examined in Section 4.7, Greenhouse Gas Emissions, and Section 4.10, Land Use and Planning, the Project is consistent with the following plans addressing the circulation system and would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities under cumulative conditions:

- Regional Transportation Plan- the proposed Project in combination of other cumulative projects would not hinder the County's ability to implement the long-term RTP goals. The Project includes on- and off-site improvements that will optimize the existing roadway system while providing improved vehicular and pedestrian access to the site.
- San Bernardino County CMP- The Project would be consistent with the applicable goals and elements of the CMP. The Project would not impede the ability to maintain or enhance the performance of the multimodal transportation system. The Project would include on and off-site roadway improvements to minimize impacts to travel delay and would participate in the City's Development Impact Fee program, which is coordinated with regional planning efforts in Victor Valley.
- City of Victorville General Plan– approval of the proposed Project would ensure the proposed uses for the Project site are consistent with the General Plan.

Therefore, cumulative impacts related to a program, plan, ordinance, or policy related to addressing the circulation system would be less than significant. Impacts related to conflicts with transit, bicycle or pedestrian transportation would be identical to the impacts described in the Project-specific impacts section. The Project would not make a cumulatively considerable contribution to transit, bicycle or pedestrian access; therefore, all impacts would be **less than significant**.

As presented in Threshold B, the Project was found to generate Production/Attraction (PA) Home-Based Work (HBW) VMT (i.e., commute VMT) below the City's adopted impact threshold and would result in a less than significant VMT impact. Based on the guidance provided in California Public Resources Code, Section 21083(b)(2) and CEQA Guidelines, Section 15064(h)(1), "A project's cumulative impacts are based on an assessment of whether the "incremental effects of an individual 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." In the context of VMT, when the VMT threshold is an efficiency-based threshold, the OPR Technical Advisory states, "[a] project that falls below an efficiency-based threshold that is aligned with long-term environmental goals and relevant plans would have no cumulative impact distinct from the project impact. Accordingly, a finding of a less than-significant project impact would imply a less than significant cumulative impact, and vice versa" (OPR 2018). This approach is also consistent the SBTAM model. If a project results in a VMT reduction when modeled under baseline conditions, then the project would likely have the same VMT efficiency or better under future conditions. Likewise, if a project results in a VMT increase when modeled under base year conditions, then the project would likely exhibit the same characteristics under future conditions. Moreover, given that the SBTAM model accounts for build out consistent with the General Plan, and that VMT impacts were determined to be less than significant, the Project's cumulative VMT impacts are **less than significant**.

As discussed in Threshold C, the Project's site access would not result in hazardous conditions into or out of the Project site. As with the proposed Project, driveways and/or circulation modifications proposed for other projects in the surrounding area would comply with applicable federal, state, regional, and/or local requirements. Therefore, the Project would not contribute to cumulative impacts with respect to hazardous design features at the Project site. However, the Project may increase a hazardous condition due to queuing impacts at Mojave Drive and the I-15 ramps. Since the City does not have jurisdiction over the I-15 ramps, improvements cannot be assumed to be in place prior to Project's occupancy. Therefore, Project's impact to increase in hazardous conditions (e.g., queuing) would be significant and unavoidable, and thus, the Project could contribute to a **cumulatively considerable impact** associated with queuing and hazardous design features.

The Project would not result in inadequate emergency access, and Project impacts to emergency access would be less than significant. As with the proposed Project, driveways and/or circulation modifications proposed for other projects in the surrounding area would comply with applicable federal, state, regional, and/or local requirements related to emergency access and evacuation plans. Further, because modifications to access are largely confined to a project site, project-specific emergency access impacts would likely not impact other cumulative projects. Therefore, the Project's contributions to cumulative impacts would be **less than significant.**

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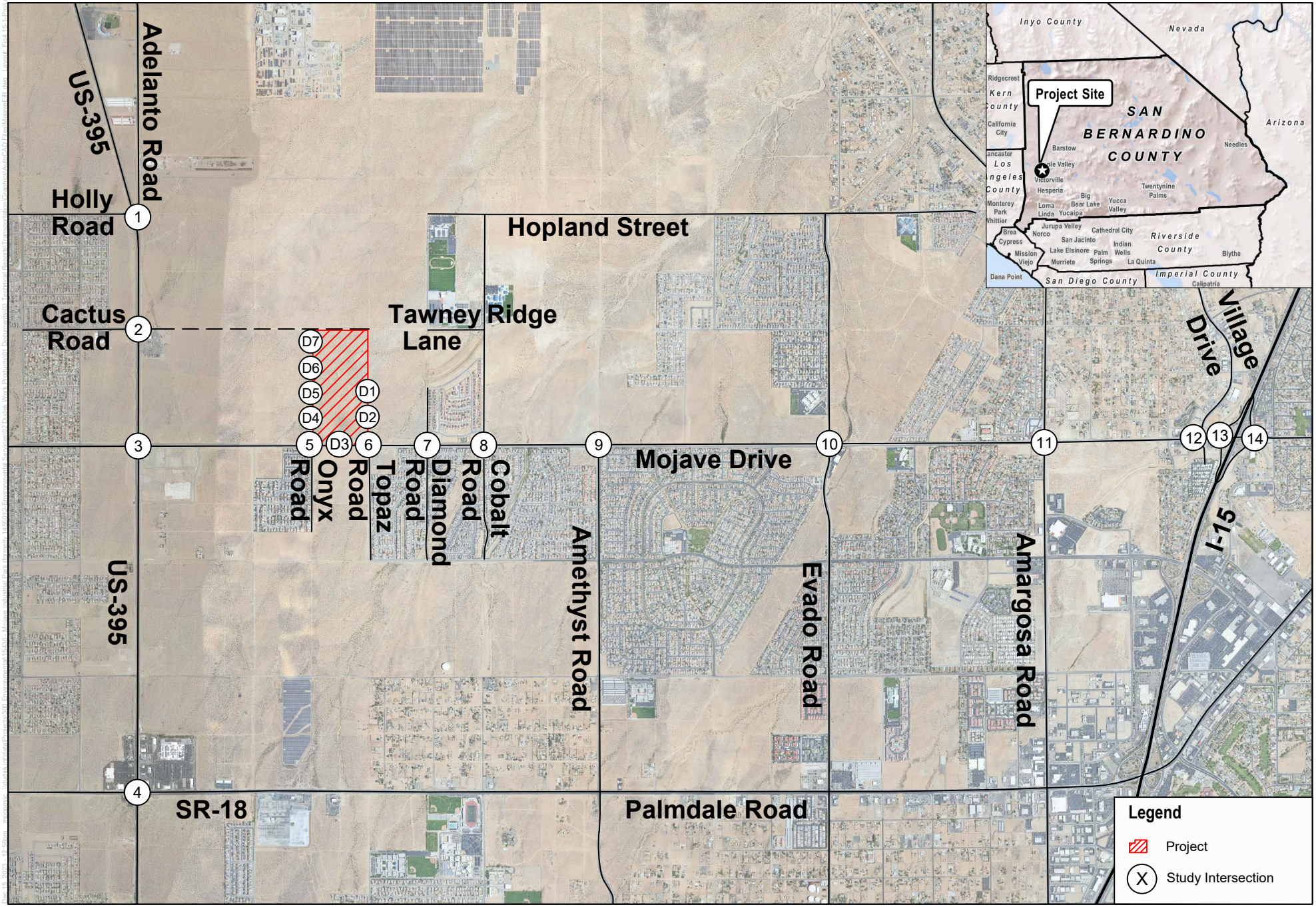

SOURCE: Google Earth 2022

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FIGURE 4.15-1

Project Location and Study Area

Mojave Industrial Park Project

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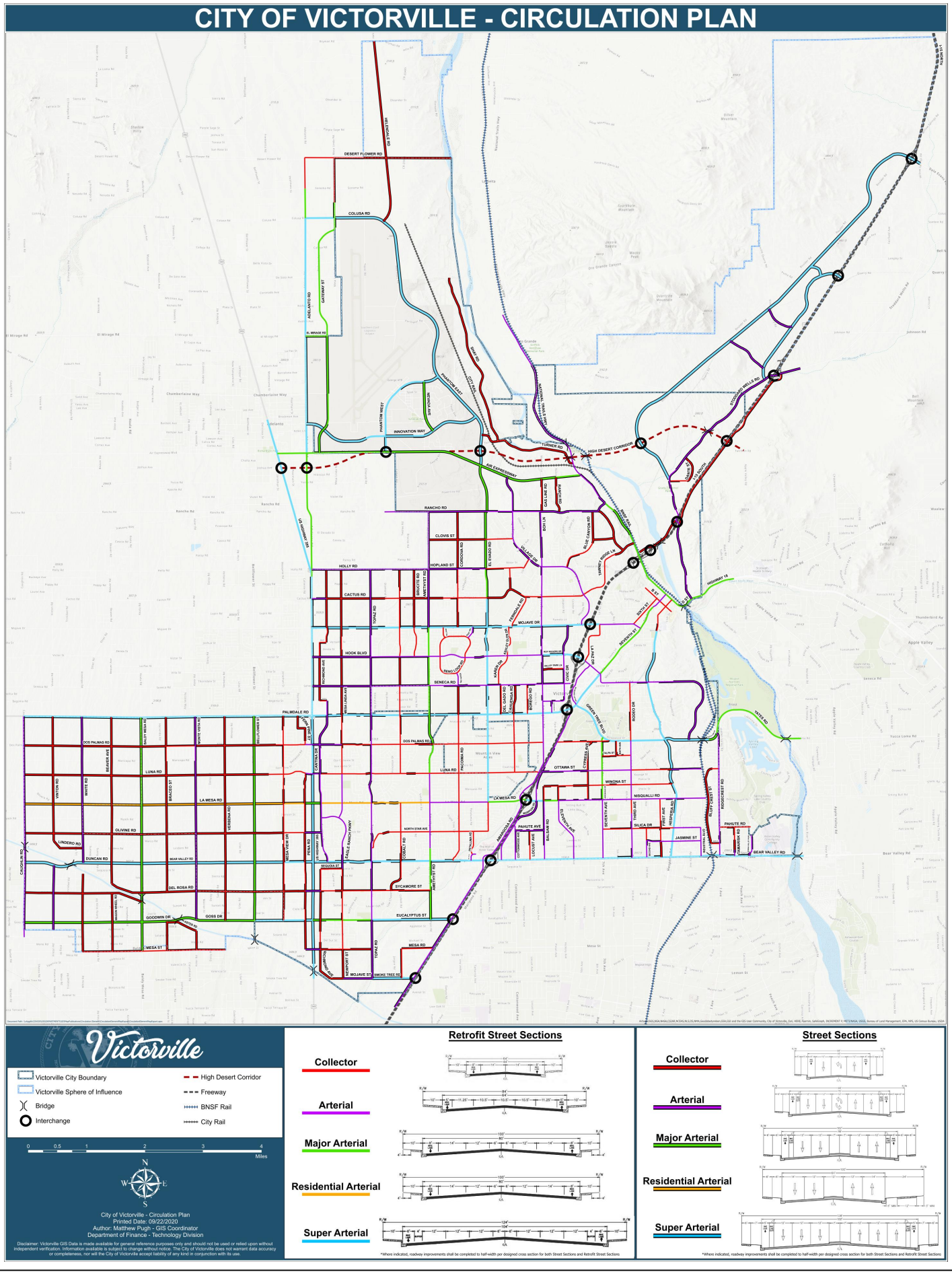

SOURCE: City of Victorville, 2020

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Figure 4.15-2

City of Victorville Circulation Plan

Mojave Industrial Park Project

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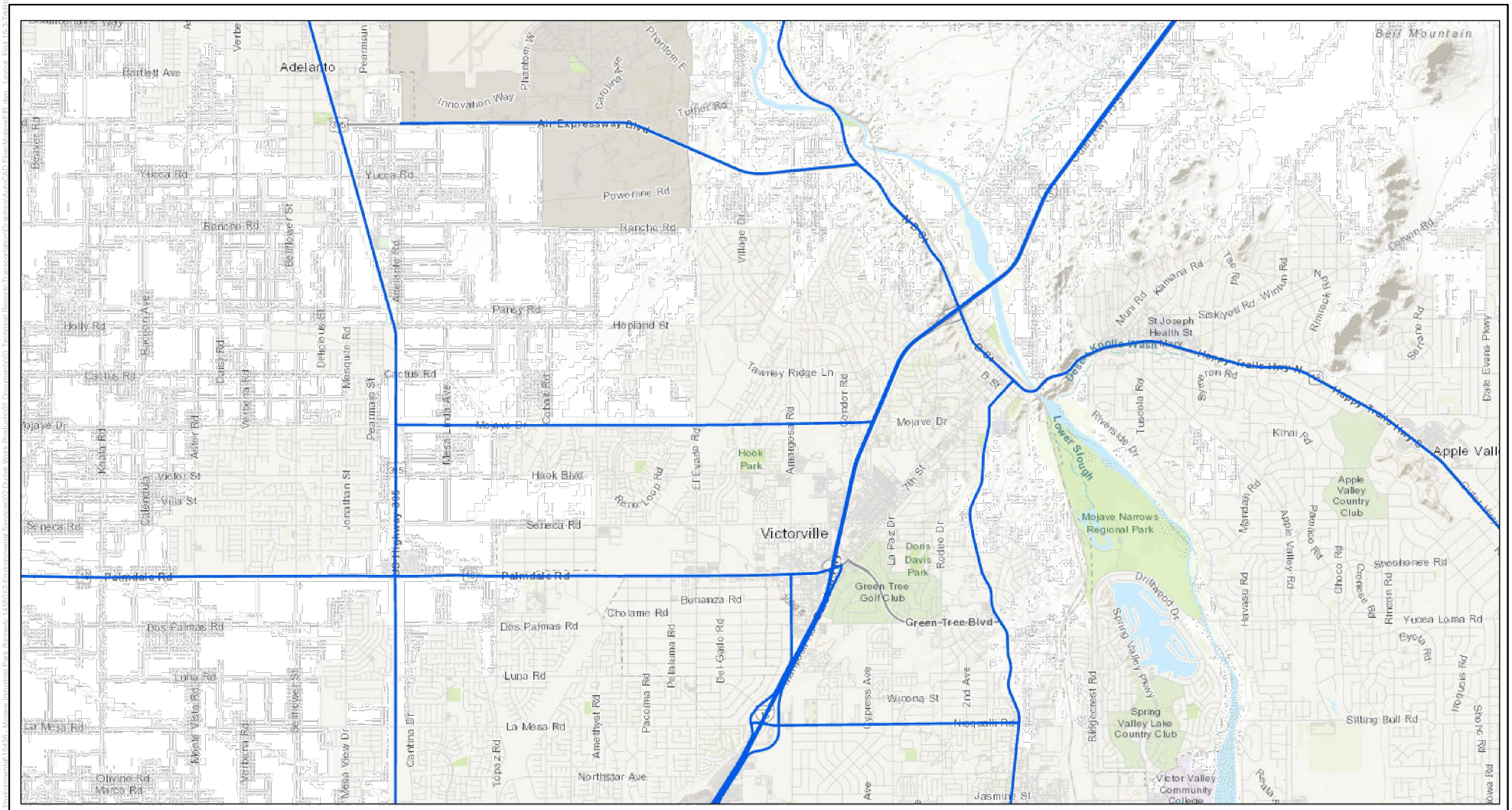

6/2/2023, 12:23:53 PM

Truck Routes

1:72,224

0 0.75 1.5 3 mi

0 1.25 2.5 5 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

ArcGIS Web AppBuilder

City of Victorville, Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, NGA, EPA, USDA | Published by the City of Victorville Administrative Services Department, Technology Division GIS Services. The Technology Division GIS Services can be reached at gis@victorvilleca.gov |

SOURCE: City of Victorville GIS Portal, 6/2/2023

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FIGURE 4.15-3

City of Victorville Local Truck Routes

Mojave Industrial Park Project

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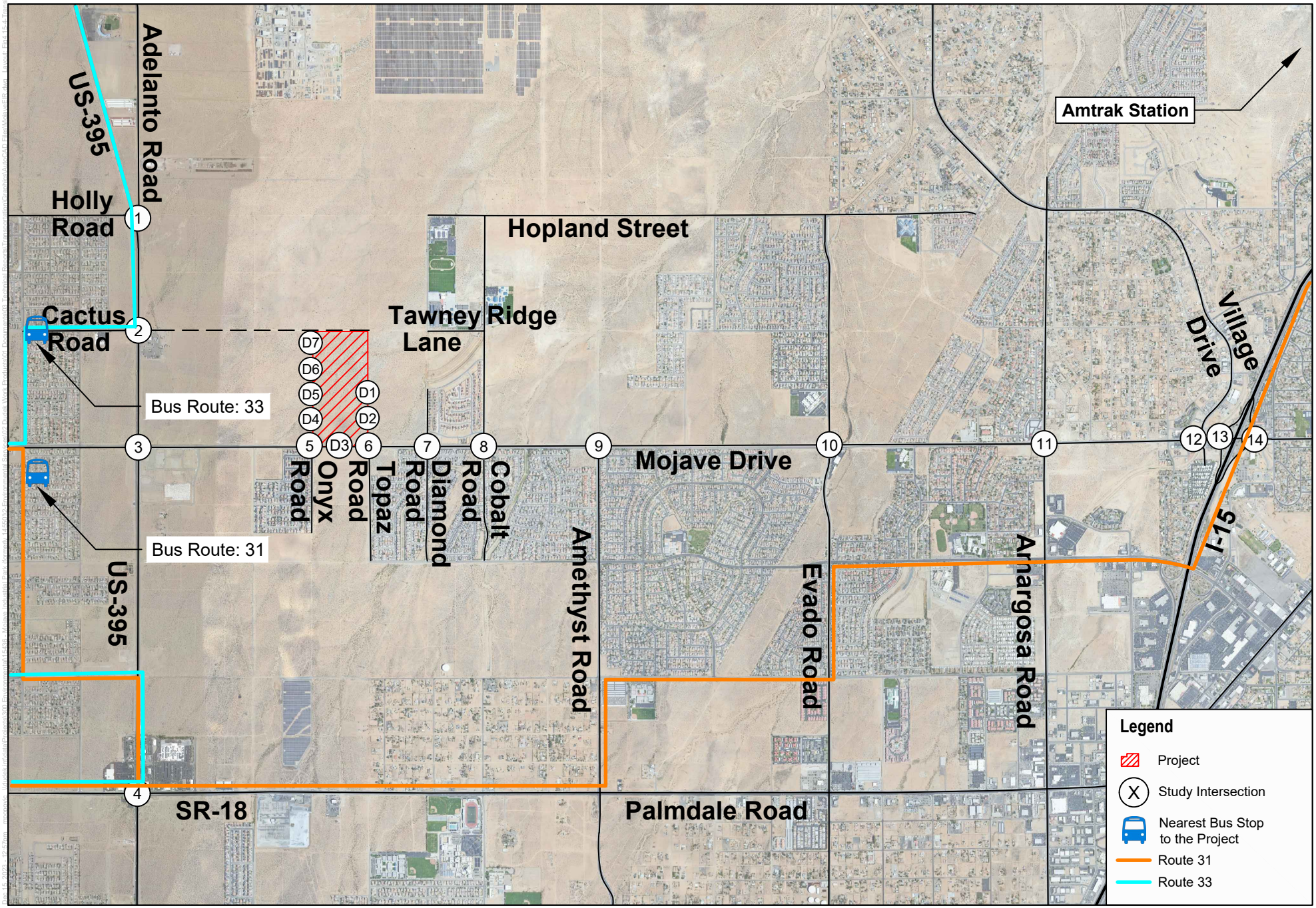

SOURCE: VVTA 2023

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FIGURE 4.15-4

Existing Transit Facilities

Mojave Industrial Park Project

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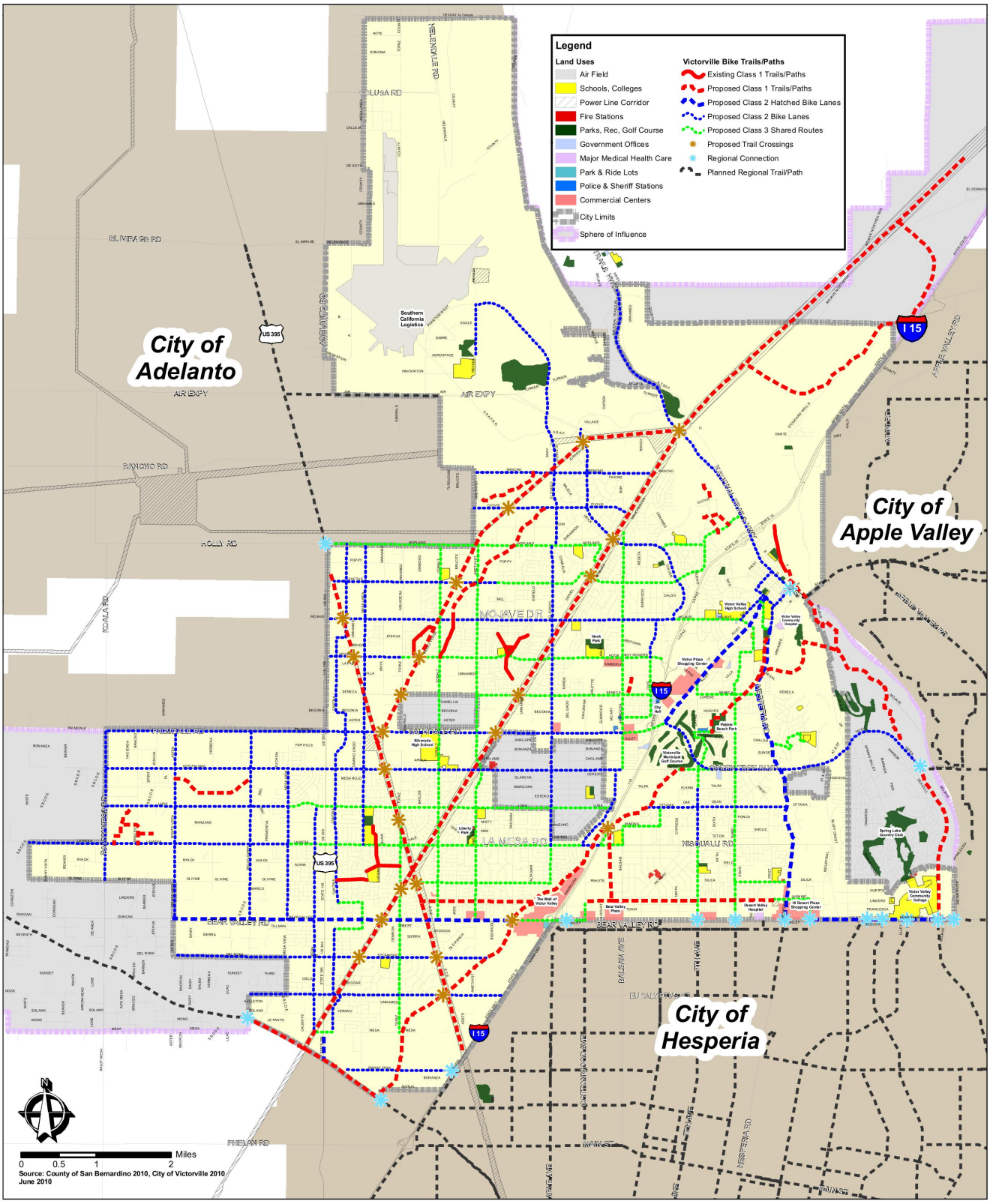

Exhibit 6.1
Non-Motorized Transportation Plan Map

SOURCE: City of Victorville Non-Motorized Transportation Plan, 2010

Figure 4.15-5
Existing and Future Bicycle Facilities
Mojave Industrial Park Project

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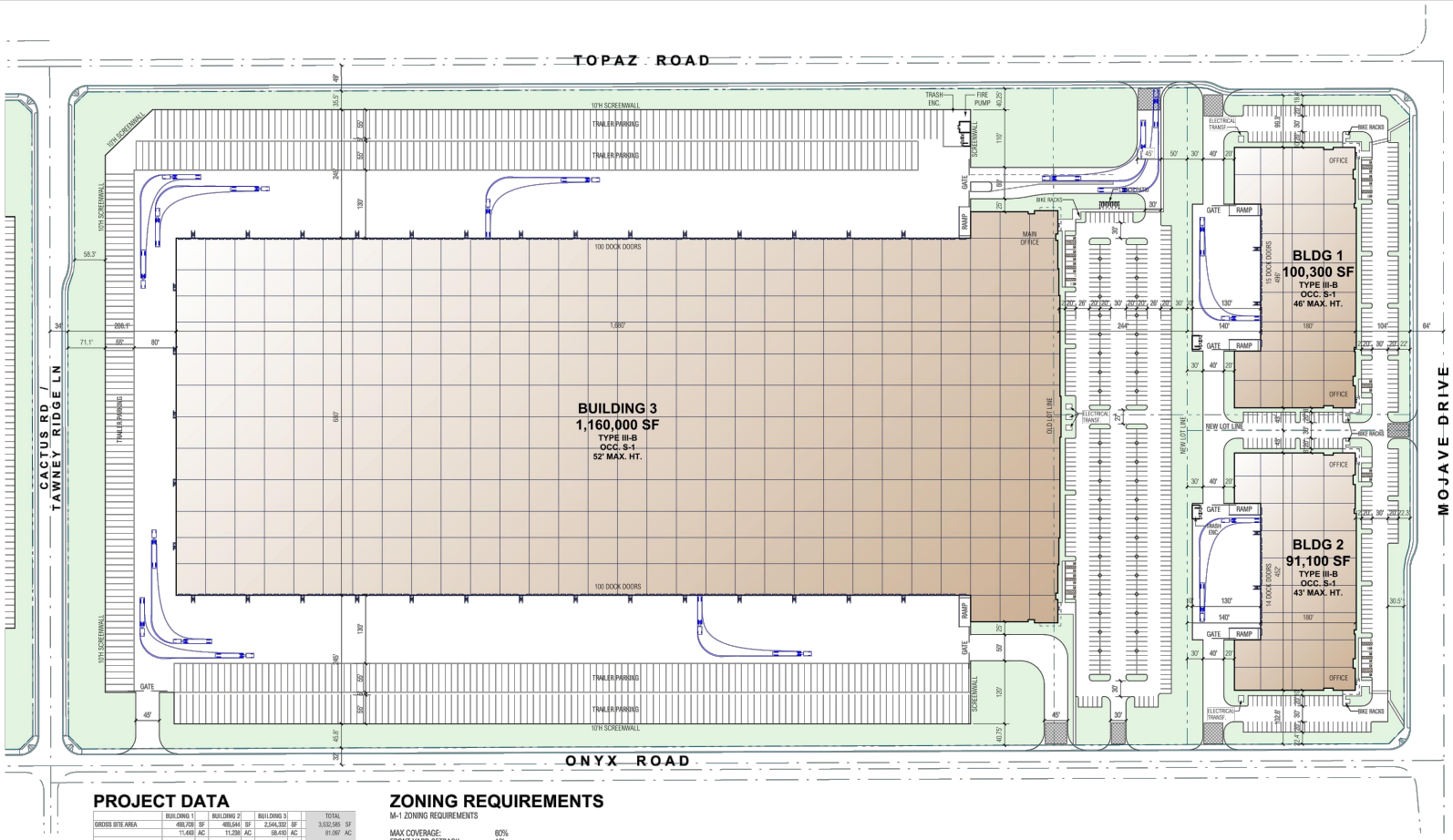

PROJECT DATA

	BUILDING 1		BUILDING 2		BUILDING 3		TOTAL	
GROSS SITE AREA	488,708	SF	489,544	SF	2,544,332	SF	3,532,585	SF
	11.449	AC	11.238	AC	58.410	AC	81.097	AC
NET SITE AREA	370,660	SF	248,746	SF	2,688,412	SF	3,178,812	SF
	8.213	AC	5.710	AC	61.052	AC	72.975	AC
BUILDING AREA	100,300	SF	91,100	SF	1,160,000	SF	1,351,400	SF
COVERAGE	37.08%		36.62%		43.82%		42.51%	
BUILDING AREA BY USE								
OFFICE	12,000	SF	12,000	SF	25,000	SF	49,000	SF
WAREHOUSE	88,300	SF	79,100	SF	1,135,000	SF	1,302,400	SF
AUTO PARKING								
REQUIRED PARKING								
OFFICE @ 1/300 SF	40		40		83		163	
WAREHOUSE < 40K SF	40		40		40		120	
WAREHOUSE > 40K SF	12		10		274		296	
TOTAL REQUIRED	**92**		**90**		**397**		**579**	
PARKING PROVIDED								
STANDARD STALLS	119		139		398		656	
ADA STALLS	6		8		11		23	
EV STALLS	35		33		102		172	
TOTAL PROVIDED	**160**		**180**		**511**		**851**	
DOCK LOADING ZONES								
REQUIRED							0	
PROVIDED	15		14		200		229	
TRAILER PARKING								
PROVIDED	0		0		580		580	
LANDSCAPE AREA	52,500	SF	62,300	SF	375,000	SF	479,800	SF
LANDSCAPE COVERAGE	19.4%		21.0%		14.1%		15.1%	

ZONING REQUIREMENTS

M-1 ZONING REQUIREMENTS

MAX COVERAGE:	60%
FRONT YARD SETBACK:	10'
SIDE / REAR SETBACK	0'
STREET SIDE / REAR SETACK:	10'
INTERIOR SIDE:	0'
INTERIOR REAR:	0'
SETBACK FROM RESIDENTIAL:	30'
MAX. BUILDING HEIGHT:	80'
PARKING REQUIRED	
OFFICE < 6K SF	1/200 SF
OFFICE > 6K SF	1/300 SF
WARHEOUSE < 40K SF	1/1000 SF
WAREHOUSE > 40K SF	1/4000 SF

RGA
Office of Architectural Design
15231 Alton Parkway, Suite 100
Irvine, CA 92618
T 949-341-0920
FX 949-341-0922

COVINGTON DEVELOPMENT PARTNERS

MOJAVE INDUSTRIAL PARK

VICTORVILLE, CA

SCHEMATIC SITE PLAN - BLDGS 1-3

SCALE: 1" = 80'-0"

MARK	DATE	DESCRIPTION
	12/13/23	TRUCK TURN EXHIBIT
	07/4/23	PLANNING SUBMITTAL

RGA PROJECT NO:	21150.00
CAD FILE NAME:	21150-00-A1-1
DRAWN BY:	CS
CHK'D BY:	CS
COPYRIGHT: RGA, OFFICE OF ARCHITECTURAL DESIGN	
SHEET TITLE	

A1-1

SOURCE: RGA 2023

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Figure 4.15-6

On-Site Truck Turning Template

Mojave Industrial Park Project

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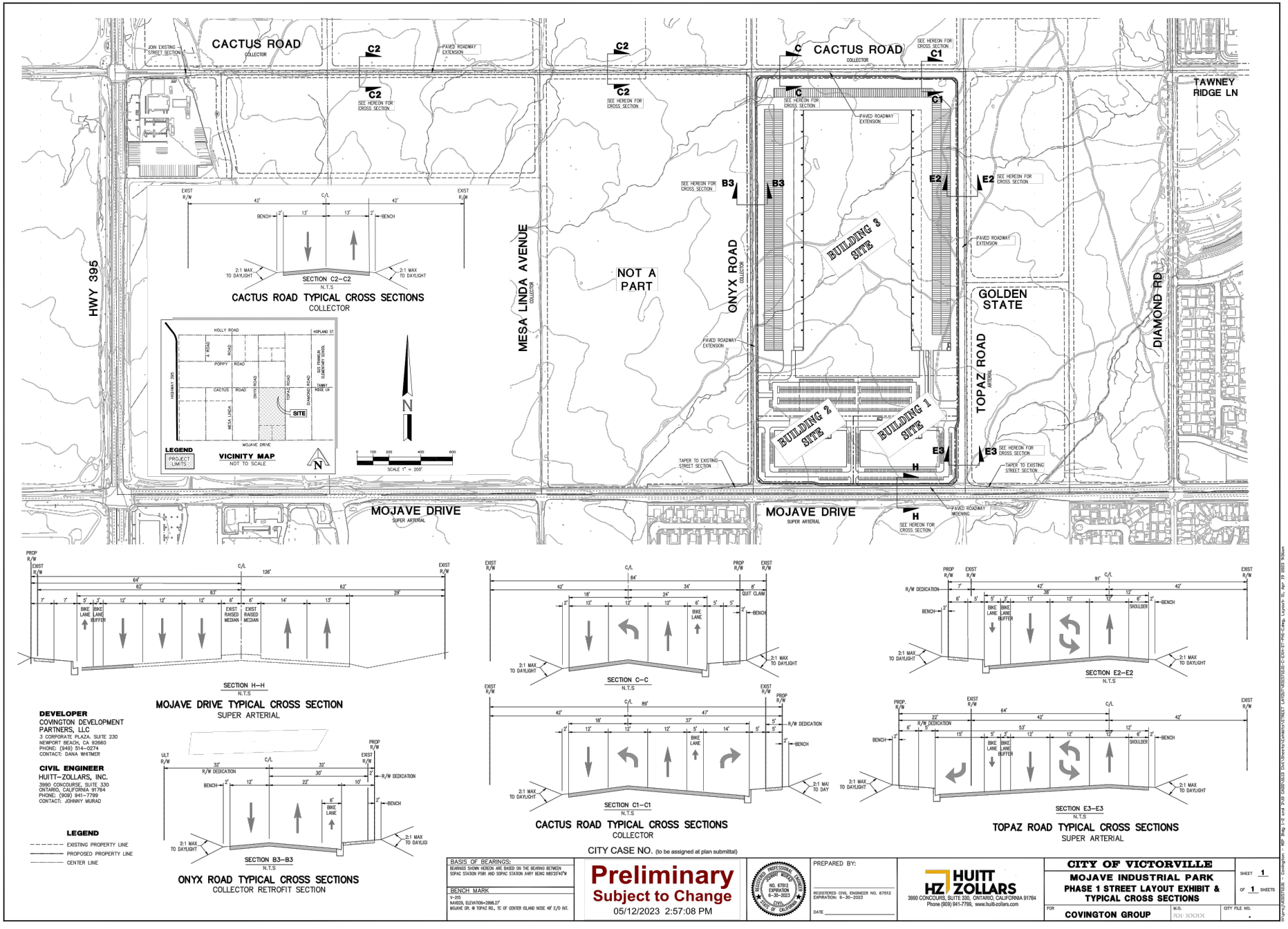

SOURCE: Huitt-Zollars, 2023

FIGURE 4.15-7

Proposed Project Street Improvements

Mojave Industrial Park Project

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4.16 Utilities and Service Systems

This section describes the existing utility conditions of the Mojave Industrial Park Project (Project) site and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to the implementation of the Project.

In addition to the documents incorporated by reference (see Section 2.7 of Chapter 2, Introduction, of this environmental impact report [EIR]), the following analysis is based, in part, on the following sources:

- Water Supply Assessment, prepared by Water Systems Consulting, Inc in June 2023 (Appendix G)
- Executed Will-Serve Letter, prepared by the City of Victorville in August 2023 (Appendix G)
- Water Quality Management Plans, prepared by Huitt-Zollars, Inc. in May 2023 (Appendix H)
- Preliminary Hydrology Report, prepared by Huitt-Zollars, Inc. in May 2023 (Appendix I)
- Sewer Feasibility Report, prepared by Dave Evans and Associates in October 2023 (Appendix L)

No comments were received related to utilities and service systems during the public review of the notice of preparation. A copy of the notice of preparation and comment letters received are included in Appendix A.

4.16.1 Existing Conditions

Water

Water Supply

The Victorville Water District (VWD) provides water service to the City of Victorville. Pursuant to the Urban Water Management Planning Act, VWD prepares an Urban Water Management Plan (UWMP) on a 5-year basis to evaluate current and projected water supplies and demands amongst other water planning issues including groundwater, imported water, and recycled water. Based on the 2020 UWMP, VWD receives its water from groundwater from the Mojave River Basin. Imported water is purchased from Mojave Water Agency (MWA) when available (VWD 2020).

According to the 2020 VWD UWMP, VWD has the supply needed to meet current and projected water demands through 2045 during normal-, historic single-dry-, and historic multiple-dry-year periods, as shown in Table 4.16-1, which presents the supplies and demands, as estimated for the 2020 report, for the various drought scenarios for the projected planning period of 2025-2045 in 5-year increments. Demands are shown with the effects of assumed urban demand reduction (conservation) measures that would be implemented during drought conditions.

Table 4.16-1. Supply and Demand Comparison (Acre-Feet per Year)

Supply and Demand	2025	2030	2035	2040	2045
Normal Year					
Supply totals	26,505	28,969	30,165	31,299	32,699
Demand totals	26,505	28,969	30,165	31,299	32,699
Difference	0	0	0	0	0

Table 4.16-1. Supply and Demand Comparison (Acre-Feet per Year)

Supply and Demand		2025	2030	2035	2040	2045
Single-Dry Year						
Supply totals		26,505	28,969	30,165	31,299	32,699
Demand totals		26,505	28,969	30,165	31,299	32,699
Difference		0	0	0	0	0
Multiple Dry Years Supply and Demand Comparison						
First Year	Supply totals	26,505	28,969	30,165	31,299	32,699
	Demand totals	26,505	28,969	30,165	31,299	32,699
	Difference	0	0	0	0	0
Second Year	Supply totals	26,505	28,969	30,165	31,299	32,699
	Demand totals	26,505	28,969	30,165	31,299	32,699
	Difference	0	0	0	0	0
Third Year	Supply totals	26,505	28,969	30,165	31,299	32,699
	Demand totals	26,505	28,969	30,165	31,299	32,699
	Difference	0	0	0	0	0
Fourth Year	Supply totals	26,505	28,969	30,165	31,299	32,699
	Demand totals	26,505	28,969	30,165	31,299	32,699
	Difference	0	0	0	0	0
Fifth Year	Supply totals	26,505	28,969	30,165	31,299	32,699
	Demand totals	26,505	28,969	30,165	31,299	32,699
	Difference	0	0	0	0	0

Source: VWD 2020, Table 7-2R through 7-4R.

Existing Water Use

The Project is undeveloped and consists of vacant land. As such, there is no existing water demand on site.

Water Infrastructure

Within the immediate vicinity of the Project site, an existing 12-inch diameter domestic water line is located along Mojave Drive and a recycled water line is located along Topaz Road.

Wastewater

Sewer Infrastructure

The City owns and operates a gravity sewer system where wastewater is collected from within the service boundary of VWD. In addition, VWD owns and operates the Industrial Wastewater Treatment Plant (IWTP) which services wastewater that is generated within the network of sewer mains serving the City. The other portion of wastewater collected is discharged to a regional interceptor, where the wastewater flows to a regional wastewater

treatment plant (WWTP) owned and operated by the Victor Valley Wastewater Regional Authority (VVWRA). The VVWRA serves the City and surrounding cities including the Town of Apple Valley, Hesperia, Spring Valley Lake, and Oro Grande. The VVWRA plant currently treats approximately 12 million gallons per day (mgd) and has a capacity of 18 mgd (VVWRA 2020).

Existing Wastewater Generation

The Project site is vacant and undeveloped. As such, no wastewater is currently generated from the site.

Stormwater Drainage

The Project consists of an approximately 81.1-acre, rectangular-shaped site that consists of vacant land with scattered vegetative cover. The elevation ranges from approximately 3010 feet asml at the southwest corner of Mojave Drive and Onyx Road and 2980 feet asml at the northwest corner near Cactus Road and Topaz Road.

According to the Preliminary Hydrology Report prepared for the Project site, the terrain generally drains in the northeastern direction with a majority of the site tributary to the master planned E-01 storm drain (Appendix I). The tributary area south of Mojave Drive was master planned to drain to the E-07 storm drain along the south side of Mojave Drive and confluence with the E-01 storm drain east of Topaz Road. There is also an existing double 48-inch culvert that crosses Mojave Drive between Mesa Linda Avenue and Onyx Road as an interim condition with flow directed to the culvert system east of Topaz Road for Line E-01.

An existing 60-inch storm drain lateral (Line T) has been extended in Cactus/Tawney Ridge Lane at Diamond Road that has the capacity to accept the tributary runoff from the area north of Mojave Drive between Mesa Linda and Diamond Road (Appendix G). An existing open channel (E-01) has been constructed south of Cactus/Tawney Ridge Lane to intercept the tributary runoff from south of Mojave Drive.

Solid Waste

The collection, transport, and disposal of solid waste and recyclables from business use and residential use in the City of Victorville are operated by the County of San Bernardino Public Works Department, Solid Waste Management Division. After waste is collected, it is delivered to the Victor Valley Materials Recovery Facility located at 17000 Abbey Lane in City of Victorville, approximately 7.3 miles to the northeast of the Project site. Waste is collected and hauled to Victorville Sanitary Landfill. Details on these landfills are provided below (CalRecycle 2023):

> The Victorville Sanitary Landfill is located at 18660 Stoddard Wells Road in Victorville, approximately 9.3 miles to the northeast of the Project site. This is a public landfill is owned and operated by the County of San Bernardino Public Works Department, Solid Waste Management Division. The Victorville Sanitary Landfill has a maximum permitted daily limit of 3,000 tons, has a maximum capacity of 93,400,000 cubic yards, and has a remaining capacity of 79,400,000 cubic yards. As of 2018, this landfill was expected to remain open until 2047 (CalRecycle 2019).
>
> The Victor Valley Materials Recovery Facility and Transfer Station is located at 17000 Abbey Lane in City of Victorville, approximately 7.3 miles to the northeast of the Project site. This facility is co-owned and operated by the Town of Apple Valley and City of Victorville. The Victor Valley Recovery Facility and Transfer Station has a maximum daily throughput of 985 tons and has a maximum capacity of 1,135 cubic yards. As of 2019, this landfill was expected to remain open is unknown.

Construction waste is typically disposed of at inert landfills, which are facilities that accept materials such as soil, concrete, asphalt, and other construction debris. San Bernardino County has 14 other Active Solid Waste Landfills and Transfer Stations, including Victorville Landfill, Mid-Valley Landfill, San Timoteo Landfill, Phelan Transfer Station, and Heaps Peak Transfer Station (San Bernardino County 2023). The Mid-Valley Landfill is located at 2390 Alder Avenue in Rialto, approximately 38 miles to the southwest of the Project site. The Mid-Valley Landfill has a maximum daily throughput of 7,500 tons and a maximum capacity of 101,300,000 tons per year (CalRecycle 2019). However, Victorville Sanitary Landfill and Victor Valley Materials Recovery and Transfer Station are listed in the City of Victorville's General Plan Draft EIR as the landfill and transfer station serving Menifee, therefore taking precedence over other landfill facilities in the vicinity.

Existing Solid Waste Generation

The Project site is currently vacant and undeveloped. As such, no solid waste is currently generated from the site.

Electricity

Electrical power for the City is provided by Southern California Edison (SCE). SCE, a subsidiary of Edison International, serves approximately 180 cities in 11 counties across central and Southern California. According to the California Energy Commission (CEC), approximately 104,125 gigawatt-hours of electricity were used in SCE's service area in 2019 (CEC 2021). Demand forecasts anticipate that approximately 115 gigawatt watt-hours of electricity will be used in SCE's service area in 2025 under a high demand forecast (CEC 2021). SCE receives electric power from a variety of sources. According to CPUC's 2019 California Renewables Portfolio Standard Annual Report, 36% of SCE's power came from eligible renewables, such as biomass/waste, geothermal, small hydroelectric, solar, and wind sources during 2018 (CPUC 2019).

California's electricity industry is an organization of traditional utilities, private generating companies, and state agencies, each with a variety of roles and responsibilities to ensure that electrical power is provided to consumers. In order to ensure projected supply meets demand, SCE tracks planned development and coordinates with the California Independent System Operator (ISO). The California ISO is a nonprofit public benefit corporation and is the impartial operator of the state's wholesale power grid and is charged with maintaining grid reliability, and to direct uninterrupted electrical energy supplies to California's homes and communities. While utilities (such as SCE) still own transmission assets, the ISO routes electrical power along these assets, maximizing the use of the transmission system and its power generation resources. The ISO matches buyers and sellers of electricity to ensure that enough power is available to meet demand. To these ends, every five minutes the ISO forecasts electrical demands, accounts for operating reserves, and assigns the lowest cost power plant unit to meet demands while ensuring adequate system transmission capacities and capabilities.

Part of the ISO's charge is to plan and coordinate grid enhancements to ensure that electrical power is provided to California consumers. To this end, transmission owners (investor-owned utilities such as SCE) file annual transmission expansion/modification plans to accommodate the state's growing electrical needs. The ISO reviews and either approves or denies the proposed additions. In addition, and perhaps most importantly, the ISO works with other areas in the western United States electrical grid to ensure that adequate power supplies are available to the state. In this manner, continuing reliable and affordable electrical power is assured to existing and new consumers throughout the state.

As the Project site is currently undeveloped, there is no electric consumption or electric infrastructure located on site.

Natural Gas

Natural gas service for the City is provided by Southwest Gas (SWGas), which maintains local underground service lines throughout the City.

Telecommunications

There are a number of service providers in the City that provide telecommunications services (i.e., landline phone service, internet service, and cable television service), including Frontier Communications, AT&T, Spectrum, Verizon, and Viasat. These companies are private companies that provide connections to their communication systems on an as-needed basis, and maintain existing infrastructure in the vicinity of the Project site.

The Project site is currently vacant and undeveloped. As such, no telecommunications services are currently used at the site.

4.16.2 Relevant Plans, Policies, and Ordinances

Federal

National Pollutant Discharge Elimination System Permit Program

The National Pollution Discharge Elimination System (NPDES) permit program was established in the Clean Water Act (CWA) to regulate municipal and industrial discharges to surface waters of the United States. Discharge from any point source is unlawful unless the discharge is in compliance with an NPDES permit. Federal NPDES permit regulations have been established for broad categories of discharges, including point-source municipal waste discharges and nonpoint-source stormwater runoff. NPDES permits generally identify effluent and receiving water limits on allowable concentrations and/or mass emissions of pollutants contained in the discharge; prohibitions on discharges not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (Code of Federal Regulations, Title 40, Section 268, Subpart D), contains regulations for municipal solid waste landfills and requires states to implement their own permitting programs that include federal landfill criteria. The federal regulations address the location, operation, design, and closure of landfills, as well as groundwater monitoring requirements.

Safe Drinking Water Act

The U.S. Environmental Protection Agency (EPA) administers the Safe Drinking Water Act (SDWA), the primary federal law that regulates the quality of drinking water and establishes standards to protect public health and safety. The Department of Health Services (DHS) implements the SDWA and oversees public water system quality statewide. DHS establishes legal drinking water standards for contaminants that could threaten public health.

Clean Water Act

In 1972, the Federal Water Pollution Control Act Amendments were enacted to address water pollution problems. After an additional amendment in 1977, this law was renamed the Clean Water Act (CWA). Thereafter, it established the regulation of discharges of pollutants into the waters of the United States by EPA. Under the CWA, EPA can implement pollution control programs and set water quality standards. Additionally, the CWA makes it unlawful for any person to discharge any pollutant from a point source into navigable waters unless a permit is obtained pursuant to its provisions.

State

California Code of Regulations, Titles 14 and 27

Title 14 (Natural Resources, Division 7) and Title 27 (Environmental Protection, Division 2 [Solid Waste]) of the California Code of Regulations govern the handling and disposal of solid waste and operation of landfills, transfer stations, and recycling facilities.

Assembly Bills 939 and 341: Solid Waste Reduction

The California Integrated Waste Management (CIWM) Act of 1989 (AB 939) was enacted as a result of a national crisis in landfill capacity, as well as a broad acceptance of a desired approach to solid waste management of reducing, reusing, and recycling. AB 939 mandated local jurisdictions to meet waste diversion goals of 25% by 1995 and 50% by 2000 and established an integrated framework for program implementation, solid waste planning, and solid waste facility and landfill compliance. AB 939 requires cities and counties to prepare, adopt, and submit to the California Department of Resources Recycling and Recovery (CalRecycle) a source reduction and recycling element to demonstrate how the jurisdiction will meet the diversion goals. Other elements included encouraging resource conservation and considering the effects of waste management operations. The diversion goals and program requirements are implemented through a disposal-based reporting system by local jurisdictions under CIWM Board (CIWMB) regulatory oversight. Since the adoption of AB 939, landfill capacity is no longer considered a statewide crisis. AB 939 has achieved substantial progress in waste diversion, program implementation, solid waste planning, and protection of public health, safety, and the environment from landfill operations and solid waste facilities.

In 2011, AB 341 was passed, making a legislative declaration that it is the policy goal of the state that not less than 75% of solid waste generated be source reduced, recycled, or composted by the year 2020. AB-341 requires that local agencies adopt strategies that will enable 75% diversion of all solid waste by 2020. This bill requires all commercial businesses and public entities that generate 4 cubic yards or more of waste per week to have a recycling program in place. In addition, multifamily apartments with five or more units are also required to form a recycling program.

Senate Bill 1374: Construction and Demolition Waste Reduction

Senate Bill (SB) 1374 requires that annual reports submitted by local jurisdictions to CIWMB include a summary of the progress made in the diversion of construction and demolition waste materials. In addition, SB 1374 requires the CIWMB to adopt a model ordinance suitable for adoption by any local agency that required 50% to 75% diversion of construction and demolition waste materials from landfills. Local jurisdictions are not required to adopt their own construction and demolition ordinances, nor are they required to adopt CIWMB's model by default.

Assembly Bill 1327: California Solid Waste Reuse and Recycling Access Act of 1991

AB 1327, which was established in 1991, required CalRecycle to develop a model ordinance for the use of recyclable materials in development projects. Local agencies were then required to adopt the model ordinance, or an ordinance of their own, governing adequate areas for collecting and loading recyclable materials in development projects.

Assembly Bill 1826: Mandatory Commercial Organics Recycling

In October 2014, Governor Brown signed AB 1826 (Chapter 727, Statutes of 2014), requiring businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste generated per week. (Organic waste is defined as food waste, green waste, landscape, and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste.) This law also requires local jurisdictions across the state to implement an organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwellings that consist of five or more units. This law phases in the mandatory recycling of commercial organics over time. In particular, the minimum threshold of organic waste generation by businesses decreases over time, which means an increasingly greater proportion of the commercial sector will be required to recycle organic waste.

Senate Bill X7-7

SB X7-7, which became effective on February 3, 2010, is the water conservation component to the Delta legislative package (SB 1, Delta Governance/Delta Plan). The bill implements water use reduction goals established in 2008 to achieve a 20% statewide reduction in urban per capita water use by December 31, 2020. The bill requires each urban retail water supplier to develop urban water use targets to help meet the 20% goal by 2020 and an interim 10% goal by 2015. The bill establishes methods for urban retail water suppliers to determine targets to help achieve water reduction targets. The retail water supplier must select one of the four compliance options. The retail agency may choose to comply with SB X7-7 as an individual or as a region in collaboration with other water suppliers. Under the regional compliance option, the retail water supplier must report the water use target for its individual service area.

Sustainable Groundwater Management Act

On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package—AB 1739, SB 1168, and SB 1319—collectively known as SGMA. This act requires governments and water agencies of high-and medium-priority basins to halt overdrafts and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. For critically over-drafted basins, sustainability should be achieved by 2040. For the remaining high- and medium-priority basins, 2042 is the deadline. Through SGMA, the CDWR provides ongoing support to local agencies through guidance, financial assistance, and technical assistance. SGMA empowers local agencies to form Groundwater Sustainability Agencies (GSAs) to manage basins sustainably and requires those GSAs to adopt GSP for crucial groundwater basins in California. The Upper Mojave River Groundwater Basin is adjudicated and considered by Department of Water Resources as a low priority basin and not subject to the requirements of SGMA.

Urban Water Management Plans

Pursuant to the California Urban Water Management Act (California Water Code Sections 10610-10656), urban water purveyors are required to prepare and update a UWMP every 5 years. UWMPs are prepared by California's urban water suppliers to support long-term resource planning and ensure adequate water supplies. Every urban water supplier that either delivers more than 3,000 AFY of water annually or serves more than 3,000 connections are required to assess the reliability of its water sources over a 20-year period under normal-year, dry-year, and multiple-dry-year scenarios in a UWMP. UWMPs must be updated and submitted to the CDWR every five years for review and approval. The Project site is within the area addressed by the VWD UWMP.

Senate Bill 610 and Senate Bill 221: Water Supply Assessments

SB 610 and SB 221, amended into state law effective January 1, 2002, improve the linkage between certain land-use decisions made by cities and counties and water supply availability. The statutes require detailed information regarding water availability and reliability with respect to certain developments to be included in the administrative record, to serve as the evidentiary basis for an approval action by the City or County on such projects. Under Water Code Section 10912[a], projects subject to the California Environmental Quality Act (CEQA) requiring a water supply assessment (WSA) include: residential development of more than 500 dwelling units; shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space; commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space; hotel, motel or both, having more than 500 rooms; industrial, manufacturing, or processing plants, or industrial parks planned to house more than 1,000 persons, occupying more than 40 acres of land or having more than 650,000 square feet of floor area; mixed-use projects that include one or more of the projects specified; or a project that would demand an amount of water equivalent to or greater than the amount required by a 500 dwelling units. A fundamental source document for compliance with SB 610 is the UWMP. The UWMP can be used by the water supplier to meet the standard for SB 610. SB 221 applies to the Subdivision Map Act, conditioning a tentative map on the applicant to verify that the public water supplier has sufficient water available to serve the proposed development.

Pursuant to the requirements of SB 610, a WSA was prepared for the Project and includes a comprehensive assessment of historical demands and a projection of future demands based on forecasted development of the remaining developable lands within the City's water service area (Appendix G).

Executive Order B-29-15

In response to the ongoing drought in California, Executive Order (EO) B-29-15 (April 2015) set a goal of achieving a statewide reduction in potable urban water usage of 25% relative to water use in 2013. The term of the EO extended through February 28, 2016, although many of the directives became permanent water-efficiency standards and requirements. The EO includes specific directives that set strict limits on water usage in the state. In response to EO B-29-15, the CDWR modified and adopted a revised version of the Model Water Efficient Landscape Ordinance that, among other changes, significantly increases the requirements for landscape water use efficiency and broadens its applicability to include new development projects with smaller landscape areas.

Sanitary Sewer General Waste Discharge Requirements

On May 2, 2006, the State Water Resources Control Board (SWRCB) adopted a General Waste Discharge Requirement (Order No. 2006-0003) for all publicly owned sanitary sewer collection systems in California with more than 1.0 mile of sewer pipe. The order provides a consistent statewide approach to reducing sanitary sewer

overflows by requiring public sewer system operators to take all feasible steps to control the volume of waste discharged into the system in order to prevent sanitary sewer waste from entering the storm sewer system, and to develop a Sewer System Management Plan. The General Waste Discharge Requirement also requires that storm sewer overflows be reported to the SWRCB using an online reporting system.

California Code of Regulations Title 24, Part 11

In 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code, Part 11 of Title 24, commonly referred to as CALGreen, establishes minimum mandatory standards as well as voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency, water conservation, material conservation, and interior air quality. The CALGreen standards took effect in January 2011 and instituted mandatory minimum environmental performance standards for all new construction of residential and non-residential buildings. CALGreen standards are updated periodically. The latest version (CALGreen 2022) became effective on January 1, 2023.

Mandatory CALGreen standards pertaining to water, wastewater, and solid waste include the following (24 CCR Part 11):

- Mandatory reduction in indoor water use through compliance with specified flow rates for plumbing fixtures and fittings.
- Mandatory reduction in outdoor water use through compliance with a local water-efficient landscaping ordinance or the California Department of Water Resources' Model Water Efficient Landscape Ordinance.
- Diversion of 65% of construction and demolition waste from landfills.

Local

City of Victorville General Plan

The following objectives and policies from the Circulation Element, Resource Element, and Safety Element of the City of Victorville General Plan are applicable to the proposed Project (City of Victorville 2008, 2022a, 2022b).

Circulation Element

Objective 3.1: Meet multiple infrastructure needs within common public rights-of-way.

Policy 3.1.1: Planning and design of new roadways and expansion/completion of existing roadways shall include consideration of water, sewer, storm drainage, communications, and energy facilities that can be co-located within the road right-of-way.

Objective 3.2: Design infrastructure that minimizes impacts to the environment.

Policy 3.2.1: Minimize or prohibit the use of landscape materials that require regular watering in the design of landscaping for public streets.

Policy 3.2.2: Include in the design specifications for public and private streets structural and non-structural techniques to filter storm water runoff to conveyance to storm drain inlets.

Resource Element

Objective 7.1: Promote alternative energy sources.

Policy 7.1.1: Support development of solar, hybrid, wind, and other alternative energy generation plants.

Objective 7.2: Promote energy conservation.

Policy 7.2.1: Support energy conservation by requiring sustainable building design and development for new residential, commercial, and industrial projects.

Policy 7.2.2: Support energy conservation by using low-emission non-fossil fuel reliant vehicles.

Objective 1.1: Reduce Rate of Groundwater Extraction for Municipal Water Supply to no more than 80% of 2006 levels, by the year 2012, and maintain or reduce that lower level over the long term.

Policy 1.1.1: Require water conservation measures in the design of new development and major redevelopment, for both R-25 Resource public and private projects, such as low water consuming indoor plumbing devices and use of xerophytic landscape materials that require minimal irrigation.

Objective 1.2: Expand sources of water supply and delivery systems through alternatives to ground water extractions.

Policy 1.2.1: Support VVWRA's development and expansion of recycled wastewater treatment and delivery capacity for appropriate water uses such as irrigation of outdoor landscapes.

Policy 1.1.2: Penalize high volume water consumers that operate with wasteful water consumption practices.

Policy 1.1.3: Support conversions of wasteful water practices to water conserving practices, including public and private water consumers.

Policy 1.2.2: Participate in regional efforts to acquire imported water from the State Water Project, along with 'water wheeling' from fallowed agricultural areas and other lands with significant ground water resources.

Objective 1.3: Protect ground water quality.

Policy 1.3.1: Require new development and major redevelopment projects public and private, to prepare and implement water quality management plans that incorporate a variety of structural and nonstructural best management practices to minimize, control and filter construction site runoff and various forms of developed site urban runoff, prior to discharge to receiving waters.

Safety Element

Objective 1.1: Restrict land uses in areas identified as susceptible to natural and man-made hazards.

Policy 1.1.2: Develop and maintain strategies to restrict development in areas susceptible to flooding hazards.

Objective 2.3: Maintain Sufficient Peak Load Water Supplies.

Policy 2.3.1: Ensure that new development proposals (private or public) do not over-consume the City's water supplies to the extent that the minimum volume of water storage required to meet the City's peak load water supply standard could not be met.

City of Victorville Municipal Code

Chapter 6.36: Solid Waste Services explains in detail the City's regulations regarding waste management. This includes the guidelines for service and requirements for both the collectors of waste and the owners of the waste-generating properties. This section also details the unlawful acts associated with trash collection, such as prohibited containers and refuse burning. The purpose of Article 14: Construction Site Maintenance and Trash Containment is to increase the amount of construction and demolition debris that is recycled or reused so as to reduce the amount that is disposed of in landfills in compliance with CALGreen and the City of Victorville Development Code.

Chapter 10.04: Victorville Water District Water Regulations and Service includes rules and procedures that all new water service connections shall comply with. This chapter is adopted pursuant to the applicable provisions of Division 12 of the Water Code, the applicable provisions of the Government Code, and further pursuant to the Constitution of the State of California. The VWD is further authorized by the Water Code Section 31027 to prescribe and define by ordinance those restrictions, prohibitions, and exclusions it may determine to be necessary pursuant to the California Constitution Article X, Section 2 and Water Code Sections 31026, 375-377 and 1009 to restrict the use of district water during threatened or existing water shortages. In addition, the submission of an application for water service connection(s) must be made in writing to the VWD in the form of a "will serve" letter, any and all letters must be approved in writing by the authorized administrator, or his or her approved designee.

Chapter 10.30: Storm Water/Urban Runoff Management and Discharge Control includes Best Management Practices (BMPs), lists non-stormwater discharge requirements, and details prohibited discharges. Per Section 15.01.015(B)(2): Any person performing construction work in the city shall be regulated by the State Water Resources Control Board in a manner pursuant to and consistent with applicable requirements contained in the General Permit No. CAS000002, State Water Resources Control Board Order Number 2009-0009-DWQ. The city may notify the State Board of any person performing construction work that has a non-compliant construction site per the General Permit.

4.16.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to utilities and service systems are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to utilities and service systems would occur if the Project would:

A. Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.
B. 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.

4.16.4 Impacts Analysis

Threshold A: Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less-than-Significant Impact. As discussed in further detail below, the Project would result in less-than-significant impacts with regard to the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

Water Facilities

The Project would involve the construction of water distribution infrastructure (i.e., pipes, valves, meters, etc.) to provide domestic water, firewater, and irrigation to the Project site. As discussed in Section 4.16.1, Existing Conditions, there are existing water lines within Mojave Drive. The proposed Project would connect to these existing water lines.

The construction of the proposed water improvements described above has the potential to cause environmental effects associated with the buildout of the Project as a whole. The aforementioned water pipeline improvements have been considered as part of the Project, and their disturbance footprints and construction techniques, as well as their associated impacts, have been accounted for within this Draft EIR. There are no unique impacts associated with the installation of water infrastructure to serve the Project that have not been discussed and accounted for elsewhere in this document. Therefore, impacts associated with water facilities would be less than significant.

Water Treatment Facilities

The Project would not result in in an incremental increase in demand for water treatment capacity, the Project's water demand would not result in or require new or expanded water treatment facilities beyond those facilities that are already planned as part of MWA's 2020 UWMP. The total demands would be lower than the projection demands of the MWA's 2020 UWMP. WSA was prepared for the Project to evaluate the VWD's projected supplies and demands and is included in Appendix G. As concluded by the WSA (Appendix G):

> This WSA concludes that the total projected water supplies available to Victorville Water District during normal, single-dry, and multiple-dry water years over the next 20 years will be sufficient to meet the projected water demands for the proposed Project.

As also concluded in the WSA, the existing water storage systems have sufficient capacity to accommodate the water that would be stored to serve the Project. As such, implementation of the Project would not result in the need to expand water treatment facilities. Therefore, impacts associated with water treatment facilities would be less than significant.

Wastewater Conveyance Facilities

As previously discussed, within the immediate vicinity of the Project site, proposed sewer lines include a gravity line starting north of Onyx Road. The construction of the proposed sewer has the potential to cause environmental effects associated with buildout of the Project as a whole. However, the proposed sewer improvements have been considered as part of the Project, and their disturbance footprints and construction techniques, as well as their associated impacts, have been accounted for within this Draft EIR. There are no unique impacts associated with the installation of sewer infrastructure to serve the Project that have not been discussed and accounted for in this document. Therefore, impacts associated with wastewater conveyance facilities would be less than significant.

Wastewater Treatment Facilities

Upon build-out of the Project, the Project's wastewater would be conveyed to the WWTP, which has a treatment capacity of 18 mgd and currently produces an average flow of 12 mgd, or approximately 66% of its total capacity. According to the wastewater generation rates used in the Project's air quality, greenhouse gas emissions, and energy analyses, the Project would generate approximately 0.03244 mgd of wastewater. Projected wastewater from the Project would represent approximately 0.54% of the remaining capacity of the treatment facility. Given the remaining capacity of the WWTP should be able to adequately accommodate the Project's contribution of wastewater. As such, no improvements to any of the City's or VVWRA's facilities would be required to ensure sewer service to the Project site. Therefore, impacts associated with new wastewater treatment facilities would be less than significant.

Stormwater Drainage Facilities

The Project site and a majority of the surrounding area are characterized as a rural, undeveloped, vacant land comprised of pervious surfaces. Ground surface cover within the Project site is low to moderately densities of native brush and shrub growth, with occasional juniper and Joshua trees located throughout the site. The predominance of pervious surfaces currently allows for the percolation of water into the underlying soils. Typically developed land has a much lower rate of percolation, increasing the amount of runoff reaching the storm drain infrastructure.

The Project-specific preliminary hydrology report (Appendix I) includes analysis of existing and proposed hydrologic conditions to determine whether the post-construction runoff would have any impact on the receiving storm drain system. An analysis was completed for the 10-year and 100-year storm event, in accordance with the San Bernardino County Hydrology Manual, to calculate the existing and Project conditions. The proposed stormwater drainage system basins would be sized and designed to prevent flooding from a 100-year storm while also accommodating the required retention volume for water quality purposes. The basins would be designed to capture the entire volume generated from a 100-year storm, meaning no runoff would be discharged off-site (Appendix I).

The three Project-specific Preliminary Water Quality Management Plans (Appendix H) indicates that stormwater runoff from the Project site would be conveyed to three on-site underground infiltration/detention basins and the stormwater runoff will infiltrate through the bottom of the basins, which would be designed to capture and infiltrate more than the difference between the existing drainage and propose drainage conditions.

The construction of the proposed storm drain system described above has the potential to cause environmental effects associated with buildout of the Project as a whole. The proposed storm drain improvements have been considered as part of the Project, and their disturbance footprints and construction techniques, as well as their associated impacts, have been accounted for within this Draft EIR. There are no unique impacts associated with the installation of storm drain improvements to serve the Project that have not been discussed and accounted for in this document. Therefore, impacts associated with stormwater drainage facilities would be less than significant.

Electric Power, Natural Gas, and Telecommunications

Development of the Project would increase demands for electricity and natural gas and would increase requirements for telecommunication technology infrastructure. Upgrades would be required with respect to electric power, natural gas, and telecommunication facilities (i.e., cable television services), based on the change in land use (i.e., greater intensification). These utilities would be part of a dry utility package that would be installed on site and in the adjacent public roadways to provide service to the Project. Upgrades would be confined to the connections to the Project site and not any off-site centralized facilities. Connection to these existing utilities would require limited construction, which would be temporary and limited to trenching, to the depth of the underground lines. Project construction would occur in accordance with all applicable regulatory requirements. These upgrades and connections have been considered as part of the Project, and their disturbance footprints and construction techniques, as well as their associated impacts, have been accounted for within this Draft EIR.

Electricity would be provided to the Project site by SCE. In addition, there are a number of private telecommunications service providers that provide connections to their communication systems on an as-needed basis and maintain existing infrastructure in the vicinity of the Project site. Project demand for electricity, natural gas and telecommunications would be adequately served by existing infrastructure and capacity. Therefore, impacts associated with electric, natural gas, and telecommunication lateral connections would be less than significant.

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

Less-than-Significant Impact. Implementation of the Project would result in the construction of three industrial/warehouse buildings and associated improvements areas on an approximately 81.1-acre site. The proposed Project is estimated to result in an increase in potable water demand of 85,900 gallons per day (gpd), which is equivalent to approximately 96 acre-feet per year (AFY). As there is currently no existing water demand for the Project site, the net increase in water demand would be equivalent to the Project's proposed water demand of 96 AFY.

The 2020 VWD UWMP has planned for growth within its service area over the next 20 years. VMD has made an allowance for future demand estimates. Future demand services are based on historical growth rates in the service area. According to Table 7-2 in the VWD 2020 UWMP (Table 4.16-1 in this document), VWD projects a water demand increase of 6,194 AFY from 2025 (25,505 AFY) to 2045 (32,699 AFY). The net water demand of the Project development would be accounted for within this growth, as the Project is consistent with the underlying City land use designations for the Project site. In addition, the City has provided an executed will-serve letter for the Project (Appendix G). Therefore, impacts associated with water supply would be less than significant.

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

Less-than-Significant Impact. As previously discussed, upon build-out of the Project, the Project's wastewater would be conveyed to the IWTP. The IWTP, which has a treatment capacity of 18 mgd and currently produces an average flow of 12 mgd, or approximately 66% of its total capacity. According to the wastewater generation rates used in the Project's air quality, greenhouse gas emissions, and energy analyses, the Project would generate approximately 0.03244 mgd of wastewater. Projected wastewater from the Project would represent approximately 0.54% of the remaining capacity of the treatment facility. Given the remaining capacity of the VVWRA, should be able to adequately accommodate the Project's contribution of wastewater. Therefore, impacts associated with wastewater treatment capacity would be less than significant.

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

Less-than-Significant Impact. Construction and operation of the Project would result in less-than-significant impacts with regard to the generation of 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.

Short-Term Construction Impacts

Construction of the Project would result in the generation of solid waste such as scrap lumber, concrete, residual wastes, packing materials, plastics, and soils. Per CALGreen, at least 65% of construction and demolition waste must be diverted from landfills. The City also has construction and demolition debris diversion requirements; however, the CALGreen standards require an equivalent level of diversion (65% diversion). Any hazardous wastes that are generated during construction activities would be managed and disposed of in compliance with all applicable federal, state, and local laws. The remaining 35% of construction material that is not required to be recycled would either be disposed of or voluntarily recycled at a solid waste facility with available capacity. As previously described, the Victorville Sanitary Landfill serves the City. The Victorville Sanitary Landfill has a maximum capacity of 93,400,00 cubic yards and a remaining capacity of 79,400,000 cubic yards and is predicted to remain open until 2047.

For the reasons stated above, Project construction would not 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.g., CALGreen standards). Therefore, short-term construction impacts associated with solid waste disposal would be less than significant.

Long-Term Operational Impacts

Once operational, the Project would produce solid waste on a regular basis, in association with operation and maintenance activities. Anticipated solid waste generation attributable to the Project is 348 tons per year, or 0.95 tons per day (Appendix B-1). The solid waste generation rates assume compliance with the California Code of Regulations Title 24, Part 11.

The Victorville Sanitary Landfill has a maximum daily capacity of 3,000 tons. Assuming solid waste is collected weekly, the net solid waste that is anticipated to be produced by the Project would equate to approximately 0.0003% of the available capacity of the Victorville Sanitary Landfill through its estimated closure date.

For the reasons described above, Project operations would not 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.

Therefore, long-term operational impacts associated with solid waste disposal would be less than significant.

Threshold E: Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less-than-Significant Impact. As described above, solid waste from commercial uses in the City is brought to the Victor Valley Materials Recovery Facility and Transfer Station, where waste is sorted for recyclable materials. From there, the remainder of the waste is taken to the Victor Valley Landfill. This facility is regulated under federal, state, and local laws. Additionally, the City is required to comply with the solid waste reduction and diversion requirements set forth in AB 939, AB 341, AB 132, and AB 1826.

In addition, as previously described, waste diversion and reduction during Project construction and operations would be completed in accordance with CALGreen standards and City diversion standards. As a result, the Project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Therefore, impacts associated with solid waste statutes and regulations would be less than significant.

4.16.5 Mitigation Measures and Level of Significance After Mitigation

All impacts are **less than significant**. No mitigation is required.

4.14.6 Cumulative Impacts

Less-than-Significant Impact. The Project would not result in cumulatively considerable impacts related to utilities and service systems, as discussed below.

Water Supply

The development of the Project would increase land-use intensities in the area, resulting in increased water usage. The Project would be served by VWD. As such, the development of the Project would increase the amount of water used in the VWD's service area. VWD 2020 UWMP estimates the annual water demand for its service area in 2025 is projected to be 26,505 acre-feet. The UWMP states that VWD and other water agencies in Southern California have planned provisions for regional water for the growing population, including drought scenarios for its service area. This plan includes a new water demand forecast prepared for the major categories of demand and uses regional population, demographic projections, the dry climate, historical water use to develop these forecasts. As such, the Project would not be expected to result in increased water usage causing the need for new entitlements, resources, and/or treatment facilities that are not already being planned to accommodate regional growth forecasts. In addition, the Project-specific WSA (Appendix G) concluded that water

demand and supply for water demand and supply projections for VWD, including the Project, demonstrate that projected supplies do not exceed demand through the year 2045.

Lastly, compliance with the CALGreen Building Code would be required for new development. In addition, CALGreen Building Code standards require a mandatory reduction in outdoor water use, in accordance with the CDWR Model Water Efficient Landscape Ordinance. This would ensure that the Project does not result in wasteful or inefficient use of limited water resources and may, in fact, result in an overall decrease in water use per person.

Due to water planning efforts and water conservation standards, impacts would not be cumulatively considerable.

Wastewater

The Project would increase the amount of wastewater that is being generated in the area. However, as previously described, with the upsizing and installation of the sewer improvements, the wastewater treatment facilities in the Project would have the capacity to convey and treat regional flows. Additionally, VWD addresses its long-term planning efforts through the development of a long-term capital plan, which serves as a fundamental roadmap of required water, recycled water, and water reclamation facilities needed to support the build out of existing jurisdictional general plans throughout its service area. VWD's UWMP relies on its Wastewater Master Plan (VWD 2020) which identifies the wastewater and recycled water infrastructure projects that will be necessary to accommodate future build-out in its service area. As cumulative increases in wastewater treatment demand within the service area require facility upgrades, VWD charge service connection fees. Such fees would ensure that capital improvements are completed sufficiently to accommodate increased wastewater inflows associated with the Project area. As such, due to VWD's long-term planning efforts, VWD would have adequate capacity to serve the Project and cumulative projects' projected demand in addition to the provider's existing commitments using existing entitlements and infrastructure, and impacts would not be cumulatively considerable.

Solid Waste

Development of the Project would increase land-use intensities in the area, resulting in increased solid waste generation in the service area for the Victorville Sanitary Landfill. However, per CALGreen, 65% of construction and debris waste must be diverted from landfills. Once operational, AB 939 mandates that cities divert from landfills, at a minimum, 50% of the total solid waste generated to recycling facilities. In addition, to reduce on-site solid waste generation, the Project would be required to implement waste reduction, diversion, and recycling during both construction and operation. Therefore, through compliance with state and local solid waste diversion requirements, Project impacts would not be cumulatively considerable.

Electric Power, Natural Gas, and Telecommunication

Development of the Project would add to demands for energy and would increase requirements for telecommunication technology infrastructure. As part of the Project, natural gas and telecommunication lines would be extended onto the Project site from their existing locations within the vicinity of the Project site, resulting in localized less-than-significant impacts. Given the nature of telecommunication and gas lines (which are not typically subject to the constraints of existing facilities), once telecommunication lines are extended to the Project site, no additional telecommunication or gas line construction is anticipated to be required. Additionally, cumulative development would be subject to review on a case-by-case basis. Should the applicable service provider determine that upgrades or extensions of infrastructure be required, any such

upgrades would be included within each project's environmental review. As a result, impacts associated with upgrades of electric, natural gas, and telecommunication facilities would not be cumulatively considerable.

Because the comprehensive utility and service planning and coordination activities described above would ensure that new development projects do not disrupt or degrade the provision of utility services, **cumulatively considerable impacts to utilities and service systems would not occur**.

4.16.7 References

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5 Effects Found Not to Be Significant

Section 15128 of the California Environmental Quality Act (CEQA) guidelines requires that an environmental impact report (EIR) briefly describe potential environmental effects that were determined not to be significant in the Initial Study (Appendix A) and therefore were not discussed in detail in the EIR. The environmental issues discussed in the following sections are not considered significant for the Mojave Industrial Park Project (Project), and the reasons for these less-than-significant impact or no impact determinations are discussed herein.

5.1 Agricultural and Forestry Resources

Conversion of Agricultural Lands and Forestlands

According to the California Department of Conservation's California Important Farmland Finder, the Project site contains grazing land (DOC 2022). 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"). In addition, the land surrounding the site is designated as "Grazing Land" and "Urban and Built-Up Land" (DOC 2022). Therefore, no impacts would occur.

Agricultural Zoning and Williamson Act Contracts

The Project site and surrounding area are not zoned for agricultural uses. 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.

Conversion of Forest Lands

According to the City's Zoning Map, the Project site is not located on or adjacent to forestland, timberland, or timberland zoned timberland production (City of Victorville 2008). Therefore, no impacts would occur.

Loss of Forest Lands

The Project site is not located on or adjacent to forestland. No private timberlands or public lands with forests are located in the City. Therefore, no impact would occur.

Other Changes in the Existing Environment Resulting in Conversion of Farmland or Forest Land

The Project site is not located on or adjacent to any parcels identified as Important Farmland or forestland (DOC 2022). In addition, the Project would not involve changes to the existing environment that would result in the indirect conversion of Important Farmland or forestland located away from the Project site. Therefore, no impacts would occur.

5.2 Hazards and Hazardous Materials

Hazardous Materials Site Complied Pursuant to Government Code Section 65962.5

According to the Department of Toxic Substance and Control's EnviroStor database, there are no clean-up sites located within or near the Project site (DTSC 2022). Other state and local government agencies are required to provide additional hazardous materials release information for the Cortese List. The State Water Resources Control Boards's GeoTracker database identifies leaking underground storage tanks, waste discharge sites, oil and gas sites, and other waste or cleanup sites. A review of GeoTracker did not identify any sites or facilities within or adjacent to the Project site (SWRCB 2022). Therefore, no impacts would occur.

5.3 Hydrology and Water Quality

Release of Pollutants in a Flood Hazard, Tsunami, or Seiche Zone

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 an enclosed body of water. Flooding from tsunami conditions is not expected, since the Project site is located approximately 72.8 miles east of the Pacific Ocean.

In addition, according to the Federal Emergency Management Agency Flood Map Service Center, the Project site is not located within a flood hazard zone (FEMA 2022). As such, the Project would not risk release of pollutants due to inundation. Therefore, impacts associated with seiche, tsunami, or flooding would be less than significant.

5.4 Land Use and Planning

Divide an Established Community

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.

Under the existing condition, the Project site consists of approximately 81.1 acres of undeveloped, vacant land and is not used as a connection between established communities. Instead, connectivity within the area surrounding the Project site is facilitated via local roadways. As such, the Project would not impede movement within the Project area, within an established community, or from one established community to another. Therefore, no impacts would occur.

5.5 Recreation

Existing, Expanded, and New Recreation Facilities

The Project would include the construction of three industrial/warehouse buildings and associated improvements. 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 Project area. As such, the Project would not increase the use of existing neighborhood parks or regional parks in the City and surrounding area. In addition, as an industrial use, the Project does not propose recreational facilities or require the construction or expansion of recreational facilities. Therefore, no impacts would occur.

5.6 References

City of Victorville. 2008. General Plan Land Use and Zoning District. https://www.victorvilleca.gov/home/showpublisheddocument/95/636655210529070000.

DOC. 2022. California Important Farmland Finder. Accessed September 2022. https://maps.conservation.ca.gov/DLRP/CIFF/.

DTSC (Department of Toxic Substances Control). 2022. "EnviroStor." Accessed September 2022. https://www.envirostor.dtsc.ca.gov.

FEMA (Federal Emergency Management Agency). 2022. FEMA Flood Map Service Center. Accessed September 2022. https://msc.fema.gov/portal/home

SWRCB (State Water Resources Control Board). 2022. "GeoTracker." Accessed September 2022. https://geotracker.waterboards.ca.gov.

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6 Other CEQA Considerations

6.1 Growth-Inducing Impacts

As stated in Section 15126.2(e) of the California Environmental Quality Act (CEQA) Guidelines, an environmental impact report (EIR) is required to include a discussion of a project's growth-inducing effects. The CEQA Guidelines generally describe such effects as follows: (1) economic growth, population growth, or additional housing in the surrounding environment; (2) removal of obstacles to population growth (e.g., a major expansion of a wastewater treatment facility that allows for more construction in the service area); (3) increases in population that tax existing services requiring construction of new facilities that could cause significant environmental effects; and (4) characteristics of a project that would encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

The Mojave Industrial Park Project (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 three industrial/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.

Because the future tenants are not known yet, the number of jobs that the Project would generate cannot be precisely determined. The Project would include approximately 1,351,400 square feet of industrial/warehouse space, excluding associated improvements. As such, the estimated number of employees required for operation would be approximately 1,130 (Appendix K).

According to the Department of Finance, the population of the City is 137,193 persons as of January 2023. Growth predictions within the City's January 2022 Housing Element state that Victorville will grow in population from approximately 123,000 residents in 2020 to approximately 184,000 residents by 2040 (City of Victorville 2022). As such, the Project's related increase of approximately 1,130 employees would not exceed the City's projected future population. As such, the Project's temporary and permanent employment requirements could likely be met by the City's existing labor force without people needing to relocate into the Project region, and the Project would not stimulate population growth or a population concentration above what is assumed in local and regional land use plans.

Projects that physically remove obstacles to growth, or projects that indirectly induce growth, are those that may provide a catalyst for future unrelated development in the area. The Project would involve the installation of new water and sewer lines in the Project vicinity. The purpose of these new utilities is solely to serve the needs of the Project, and not to provide capacity for future projects or growth. Although new roadway construction is planned as part of the Project (i.e., widening of Topaz Road, Onyx Road) the construction of these roadways is necessary to provide for adequate circulation in the Project area; thus, the Project would not result in indirect population growth by providing vehicular access to an area presently lacking such access.

Based on the proximity of the Project site to existing facilities, the average response times in the Project area, the ability of nearby cities to respond to emergency calls, and the fact that the Project site is already located within the Victorville Fire Department and Victorville Police Department service areas, the Project would be adequately served by public services without the construction of new, or the expansion of existing, facilities. 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 a greater increase in calls for service) and would not result in the need for new or expanded fire or police facilities. Lastly, since the Project would not directly or indirectly induce unplanned population growth in the City, it is not anticipated that many people would relocate to the City as a result of the Project, and an increase in school-age children requiring public education is not expected to occur as a result. Thus, the need for new or expanded school facilities is not required.

In conclusion, the Project could cause population growth through new job opportunities. However, this growth falls well within City and regional growth projections for population and housing. The Project would not remove obstacles to population growth and would not cause an increase in population such that new community facilities or infrastructure would be required outside of the Project site. Lastly, the Project is not expected to encourage or facilitate other activities that could significantly affect the environment, as explained above. For these reasons, the Project is not considered to be significantly growth-inducing.

6.2 Significant Irreversible Changes

The CEQA Guidelines requires that an EIR address any significant irreversible changes that would be caused by implementation of a project. According to CEQA Guidelines Section 15126.2(c), an environmental change would fall into this category if (1) the primary and secondary impacts of the project would generally commit future generations to similar uses, (2) the project involves uses in which irreversible damage could result from any potential environmental accidents, (3) the project would involve a large commitment of non-renewable resources, or (4) the proposed consumption of resources is not justified (e.g., the project results in the wasteful use of energy). Such a change would involve one or more of the scenarios discussed below.

6.2.1 Change in Land Use that Commits Future Generations to Similar Uses

According to the General Plan, the Project site has a Land Use designation of Light Industrial (LI) and zoning of Light Industrial (M-1). Per section 16-3.070-010 of the Victorville Code of Ordinances, warehouse/storage facilities are permitted use in a M-1 zone. Although construction of the Project would develop a total of 1,351,4000 square feet of industrial/warehouse space on the Project site, the City already committed the site to industrial/warehouse (and similar) uses when the City designated and zoned the site as Light Industrial Transitional (M-1).

Land uses surrounding the Project site primarily consist of vacant land. However, existing and proposed large-scale industrial facilities, including industrial warehouses, are located in the adjacent to Project area within 0.25 mile of the Project site. Since the Project site is located near existing urbanized uses, including other industrial uses, the Project would not result in land use changes that would commit future generations to uses that already occur in the Project area. Thus, implementation would not commit future generations to similar uses, given that this proposed use is already found throughout the City.

6.2.2 Irreversible Damage from Environmental Accidents

Potential environmental accidents of concern include those events that would adversely affect the environment or public due to the type of quantity of materials released and the receptors exposed to that release. Construction activities associated with the Project would involve some risk of environmental accidents. However, these activities would be conducted in accordance with all applicable federal, state, and local regulations and would follow

professional industry standards for safety. Once operational, any materials associated with environmental accidents would comply with applicable federal, state, and local regulations. Use of any such materials would not adversely affect the environment or public due to the type or quantity of materials released and the receptors exposed to that release.

6.2.3 Large Commitment of Nonrenewable Resources

Commitment to nonrenewable resources includes issues related to increased energy consumption, loss of agricultural lands, and lost access to mining reserves. There would be an irretrievable commitment of labor, capital, and materials used during the construction and operation of the Project. Nonrenewable resources would primarily be committed in the form of fossil fuels such as fuel, oil, natural gas, and gasoline used by equipment associated with the construction of the Project. Consumption of other nonrenewable or slowly renewable resources would also occur. These resources would include lumber and other forest products, sand and gravel, asphalt, and metals such as steel, copper, and lead.

To ensure that energy implications are considered in project decisions, CEQA requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy (California Public Resources Code Section 21100[b][3]). Energy conservation implies that a project's cost-effectiveness be reviewed not only in dollars but also in terms of energy requirements. For many projects, cost-effectiveness may be determined more by energy efficiency than by initial dollar costs. A lead agency may consider the extent to which an energy source serving a project has already undergone environmental review that adequately analyzed and mitigated the effects of energy production.

Consistent with California Public Resources Code Section 211009(b)(3), CEQA Guidelines Appendix G, and a ruling set forth by the court in *California Clean Energy Committee v. City of Woodland*, potentially significant energy implications of a project must be considered in an EIR to the extent relevant and appliable to that project. Accordingly, based on the energy consumption thresholds set forth in both Appendix F and Appendix G of the CEQA Guidelines, the Project's estimated energy demands (both short-term construction and long-term operational demands) were evaluated (see Section 4.5, Energy, of this EIR). The overall purpose of the energy analysis was to evaluate whether the Project would result in the wasteful, inefficient, or unnecessary consumption of energy.

As further assessed in the energy analysis, for new development, such as that proposed by the Project, compliance with California Title 24 energy efficiency requirements is considered demonstrable evidence of efficient use of energy. The Project would provide for and promote energy efficiencies beyond those required under other applicable federal and state standards and regulations, and in doing so would meet or exceed all Title 24 standards. On this basis, the Project would not result in the inefficient, wasteful, or unnecessary consumption of energy.

6.3 Significant and Unavoidable Impacts

Pursuant to CEQA Guidelines Section 15126.2(b), an EIR must address any significant environmental impacts, including those that can be mitigated but not reduced to less than significant as a result of the implementation of a project. As discussed throughout Chapter 4, Environmental Analysis, of this EIR, at the Project and cumulative levels, the Project would result in significant and unavoidable impacts related to air quality, greenhouse gas emissions, and transportation. For all other environmental issue areas, the Project would result in either less-than-significant impacts or no impact.

6.4 References

City of Victorville. 2022. 2021-2029 Housing Element of the Victorville General Plan. https://www.victorvilleca.gov/home/showpublisheddocument/13963/638237238900330000

7 Alternatives

7.1 Alternatives to the Proposed Project

In accordance with California Environmental Quality Act (CEQA) Section 15126.6, this chapter of the environmental impact report (EIR) contains a comparative evaluation of the Mojave Industrial Park Project (Project) with alternatives to the Project, including a No Project Alternative. Consistent with CEQA Section 15126.6, this chapter focuses on alternatives to the Project that are capable of avoiding or substantially reducing any significant adverse impacts associated with the Project, even if the alternatives may impede attainment of Project objectives or prove less cost-efficient. In addition, implementation of a project alternative may potentially result in new impacts that would not have resulted from the Project.

The CEQA Guidelines require that the analysis of alternatives provide sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with a proposed project. Specifically, CEQA Guidelines Section 15126.6(a) outlines the scope of alternatives to a proposed project that must be evaluated:

> An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selection of a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Under case law and CEQA Guidelines Section 15126.6(f), the discussion of alternatives is subject to a rule of reason and need not be exhaustive. CEQA Guidelines Section 15126.6(d) states that "if an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternatives shall be discussed, but in less detail than the significant effects of the project as proposed." Determining factors that may be used to eliminate alternatives from detailed consideration in an EIR are (a) failure to meet most of the basic project objectives, (b) infeasibility, or (c) inability to avoid significant environmental impacts. CEQA Guidelines Section 15364 defines "feasibility" as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."

An EIR need not consider a project alternative whose effects cannot be reasonably ascertained, whose implementation is remote and speculative, or whose execution does not substantially lessen or avoid the significant effects of a proposed project.

As discussed throughout Chapter 4, Environmental Analysis, of this EIR, at the project and cumulative levels, the Project would result in significant and unavoidable air quality, greenhouse gas (GHG) emissions, and transportation impacts. For all other environmental issue areas, the Project would result in either less-than-significant impacts or no impact.

7.2 Project Alternatives Considered and Rejected

An EIR is required to identify any alternatives that were considered by the lead agency but were rejected as infeasible. Among the factors described by CEQA Guidelines Section 15126.6 in determining whether to exclude alternatives from detailed consideration in an EIR are failure to meet most of the basic objectives of the project, infeasibility, or inability to avoid significant environmental impacts.

With respect to the feasibility of potential alternatives to a proposed project, CEQA Guidelines Section 15126.6(t)(l) states the following:

> Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries … and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.

In determining an appropriate range of project alternatives to be evaluated in this EIR, a number of possible alternatives were initially considered and then rejected. Project alternatives were rejected because they could not accomplish the basic objectives of the Project, they would not have resulted in a reduction of significant adverse environmental impacts, or they were considered infeasible to construct or operate.

Alternative Land Uses

According to the City's General Plan, the land use designation of the Project site is Light Industrial (LI) and the zoning is Light Industrial (M-1). The alternative land uses for the Project site, including residential, standalone retail, mining, and residential mixed-use, were considered and rejected because these land uses are not consistent with the M-1 zoning designation.

Per Section 16-3.070-010 of the Victorville Code of Ordinances, warehouse/distribution facilities are a permitted use in an M-1 zone.

Other permitted uses in the M-1 designation include appliance and auto repair, light manufacturing, research services, and contractor storage and equipment yards. Land uses that deviate from these activities, including residential, standalone retail, mining, and residential mixed-use, are not identified in the City's Development Code as being suitable within the M-1 zone.

As such, without approval of a General Plan Amendment and Zone Change, which are discretionary approvals, residential, residential mixed-use, and stand-alone retail land uses could not be developed on the Project site.

Alternate Sites

CEQA does not require that an analysis of alternate sites always be included in an EIR. However, if the surrounding circumstances make it reasonable to consider an alternate site, then a project alternative should be considered and analyzed in the EIR. Pursuant to CEQA Guidelines Section 15126.6(f)(2), in making the decision to include or exclude analysis of an alternate site, the "key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need to be considered for inclusion in the EIR."

Development of the Project in an alternate location would have similar impacts as would occur with implementation of the Project at its proposed location. Thus, moving the Project to an alternative site—assuming that another approximately 81.1-acre property exists within the City and is available—would merely displace environmental impacts instead of avoiding or minimizing them.

Further, if the alternate site were to be located farther from major regional transportation routes (e.g., U.S. Route 395 and other local truck routes), operational impacts associated with traffic congestion, truck noise, and tailpipe air contaminant emissions would likely be greater than those associated with the Project and disclosed in this EIR, as the vehicles would need to travel farther on local roads to reach regional highway systems.

Moreover, according to the Southern California Association of Governments (SCAG) Comprehensive Regional Goods Movement Plan and Implementation Strategy, the region will run out of suitably zoned vacant land designated for warehouse facilities in or around 2028. At that time, forecasts show that the demand for warehousing space will be more than 1 billion square feet. The Comprehensive Regional Goods Movement Plan and Implementation Strategy also states that unless other land not currently zoned for warehousing becomes available, SCAG forecasts that by 2035, a projected shortfall of space of approximately 227 million square feet will occur (SCAG 2013). Thus, it is likely that the selection of an alternate site would merely displace the development activity proposed by the Project to another location, resulting in the same or greater environmental effects, given the regional demand for logistics and warehousing space in the SCAG region.

7.3 Project Alternatives Under Further Consideration

The following provides an analysis of the No Project/No Development Alternative (Alternative 1) and two build alternatives: the Other Development Project Alternative (Alternative 2) and the Reduced Development Intensity Alternative (Alternative 3).

The evaluation below provides a relative comparison between the Project and each of the three alternatives. The analysis considers the issue areas evaluated in Chapter 4, Environment Analysis, and Chapter 5, Effects Found Not To Be Significant, of this EIR. In many cases, the Project and an alternative may share the same level of significance (i.e., both scenarios would result in a less-than-significant impact). However, although they might share the same level of significance under CEQA, the actual degree of impact may be slightly different for each scenario, and this relative difference is the basis for a conclusion of greater or lesser impacts compared to the Project.

An environmentally superior alternative is identified among the alternatives evaluated in this EIR. An alternative would be environmentally superior to the Project if it would result in fewer or less significant environmental impacts while achieving most of the Project objectives.

7.3.1 No Project/No Development Alternative (Alternative 1)

Alternative 1 Summary

Under Alternative 1, construction of the Project would not occur. The Project site would remain unchanged, and development activities related to construction and operation of the proposed industrial/warehouse buildings, associated office spaces, surface parking and loading areas, and all other proposed on- and off-site improvements would not occur.

In the short term, consistent with the existing conditions, the Project site would continue to be undeveloped. Under Alternative 1, the Project site would remain vacant, undeveloped land, although the site would presumably continue to be subject to illegal dumping, trespassing, and unpermitted off-road vehicle use, similar to the existing conditions.

Alternative 1 Impact Analysis

The Project site would remain unchanged and would remain a vacant, undeveloped, yet disturbed property. On-site conditions would remain similar to existing conditions, and because development activities associated with the Project would not occur, nearly all environmental impacts would be reduced compared with Project conditions. Exceptions would include impacts related to agricultural and forestry resources and recreation, which would result in no impact, whether or not the Project is constructed on the Project site.

Impacts associated with hydrology and water quality would likely be greater under Alternative 1 than with the Project, as the new engineered stormwater drainage system would not be constructed on the Project site as proposed under the Project. Under existing conditions, no storm drainage or stormwater treatment facilities are currently found or planned to be constructed on site, and thus, stormwater is not presently collected or treated on the Project site prior to being discharged off site. Due to historic illegal dumping activities on the Project site, stormwater runoff potentially contributes to water quality impacts by discharging trash, debris, sediments, and other pollutants that would otherwise be remediated and mitigated under the Project. Additionally, culverts presently used to control stormwater flows are undersized to convey 10-year and 100-year peak discharges, and thus floodwater leaving the site is currently expected to breach south of Mojave Drive and east of Topaz Road. This same stormwater drainage scenario would continue to occur under Alternative 1, resulting in greater impacts related to surface drainage, water quality, erosion, and potentially periodic isolated flooding.

In addition, based on observed on-site tires and debris, shallow soil contamination may be encountered during Project construction. Under the Project scenario, implementation of **Mitigation Measure** (**MM) HAZ-1** requires the removal and disposal of on-site tires and debris from the Project area in accordance with all applicable local, state, and federal guidelines. Further, for excavation and grading activities that occur in areas with the potential for residual contamination, **MM-HAZ-1** requires that a qualified environmental professional shall screen soils in the identified area prior to excavation and grading based on the nature of the potential contamination. In the event that potential contamination is encountered, the contamination shall be evaluated by a qualified environmental professional using the appropriate collection and sampling techniques as determined by the environmental professional based on the nature of the contamination, and the nature and extent of contamination shall be determined and the appropriate handling, disposal, and/or treatment shall be implemented in accordance with applicable regulatory requirements.

Under Alternative 1, the Project site would remain undeveloped, and no construction or operational activities would occur. The Project site would remain in its current condition. As such, Alternative 1 would not involve the routine transport, use, or disposal of hazardous materials. Therefore, Alternative 1 would result in less impacts related to hazards and hazardous materials as compared to the Project.

Alternative 1 Impact Conclusion

Overall, none of the mitigation measures required for the Project would be necessary with Alternative 1, and this Project alternative would not result in any significant adverse and unavoidable impacts. However, Alternative 1 would not satisfy any of the Project objectives, including developing a large-format industrial warehouse along a City truck route in an industrial zoned area, to meet the existing and growing demand for large-format logistics

and warehouse buildings in the region (Objective 1); developing a new fiscally sound, jobs-producing, and tax-generating warehouse in northwest Victorville to help reduce the need of local workforce to travel outside the City for employment (Objective 2); concentrating warehouse development on industrial zoned land near existing roadways, highways, and freeways in an effort to isolate and reduce any potential environmental impacts related to truck traffic congestion, air emissions, industrial noise, and biological resources to the greatest extent feasible (Objective 3); Creating a project that takes advantage of and enhances existing infrastructure, including the proximity to Interstate 15, which is defined in the RTP/SCSP as a Major Freight Highway Corridor, Main Line Rail, and other similar infrastructure (Objective 4).

7.3.2 Other Development Project Alternative (Alternative 2)

Project Alternative 2 Summary

Under Alternative 2, the Project site would be developed with other land uses, consistent with the property's M-1 zoning.

The Light Industrial zone designation allows industrial uses that serve not only the residents and businesses of Victorville, but also of the surrounding region. Permitted uses in this designation include primarily trade schools, large and small appliance repair, auto repair, truck stops, utility facilities and transmission, building material storage and sales (including contractor equipment storage yard), and entertainment venues. The minimum size for a light industrial project site is 10,000 square feet.

It is assumed that Alternative 2 would involve development of a land use that would be permissible either by right or by a Conditional Use Permit, including the aforementioned land uses listed above. It is also assumed that those uses would share a similar development intensity/floor-area-ratio/site coverage as the Project. Land uses that are expressly not allowed in the M-1 zone—specifically residential and community serving retail—would not be considered under Alternative 2.

Moreover, given the Project site's proximity to major regional transportation routes (e.g., Interstate 15 and other local truck routes), it is assumed that the Project constructed under Alternative 2 would consist of primarily transit oriented uses such as truck stops, auto-repair, and contractor equipment storage or other allowed industrial land uses of similar size as the Project. Such an alternative could take the form of many smaller buildings instead of three larger buildings.

Project Alternative 2 Impact Analysis

It is assumed that Alternative 2 would involve construction and operation of a land use of similar development and operational intensity as the Project, would have a similar floor-area-ratio as the Project, and would be subject to the same federal, state, and local requirements (e.g., incorporation of a new engineered stormwater drainage system, architectural design review) as the Project. Thus, it is expected that environmental impacts associated with Alternative 2 would be similar—if not identical—to those environmental impacts resulting from implementation of the Project.

In addition, the trip generation rate used to analyze the Project's estimated trip generation (refer to the Traffic Impact Analysis prepared for the Project [Appendix K]) assumed that the Project would support general light industrial and high-cube warehousing uses. These land uses often have lower trip generation rates (either daily or peak hour) than some of the other land uses that are permitted by right or conditional permitted in the M-1 zone,

including but not limited to primarily truck stops, contractor equipment storage and building material storage and sales (higher daily and peak hour trip generation rates).

As such, other land uses that are allowed on the Project site (either by right or by Conditional Use Permit) could potentially result in greater peak hour or daily trip generation compared with the Project, even if the development footprint is similar or identical. Thus, there would be a potential for increased impacts associated with traffic congestion, tailpipe air and GHG emissions, and traffic noise under Alternative 2. Given that Project impacts related to traffic congestion, and tailpipe air emissions, have been determined to be significant and unavoidable, an increase in impacts would continue to be significant.

Alternative 2 Impact Conclusion

All of the mitigation measures required for the Project would also apply to Alternative 2, as the land use type, development intensity, and/or site coverage would be similar to the Project, and thus, construction and operation characteristics should also be relatively similar. There is the possibility under Alternative 2, however, that some impacts associated with air quality and GHG, and noise may be greater than those resulting from implementation of the Project, given that some of the other allowed land uses in the M-1 zone have a higher peak hour and/or daily trip generation rate.

As a truck stop, auto repair facility, or other permissible land use on the Project site, Alternative 2 would not be expected to satisfy many of the Project objectives, including developing a large-format industrial warehouse along a City truck route in an industrial zoned area, to meet the existing and growing demand for large-format logistics and warehouse buildings in the region (Objective 1); developing a new fiscally sound, jobs-producing, and tax-generating warehouse in northwest Victorville to help reduce the need of local workforce to travel outside the City for employment (Objective 2); concentrating warehouse development on industrial zoned land near existing roadways, highways, and freeways in an effort to isolate and reduce any potential environmental impacts related to truck traffic congestion, air emissions, industrial noise, and biological resources to the greatest extent feasible (Objective 3); Creating a project that takes advantage of and enhances existing infrastructure, including the proximity to Interstate 15, which is defined in the RTP/SCSP as a Major Freight Highway Corridor, Main Line Rail, and other similar infrastructure (Objective 4).

7.3.3 Reduced Development Intensity Alternative (Alternative 3)

In accordance with CEQA Section 15126.6, the purpose of conducting a Project alternative comparative analysis is to identify potential alternatives to the Project that are capable of avoiding or substantially reducing any significant adverse impacts associated with the Project, even if the alternatives may impede attainment of project objectives or prove less cost efficient. As a reminder, this EIR has identified the following Project impacts that would be significant and unavoidable.

As discussed in Section 4.2, Air Quality, of this EIR, the Project would exceed the numerical thresholds of significance established by the Mojave Desert Air Quality Management District (MDAQMD) for emissions of oxides of nitrogen (NO_x) and particulate matter with a diameter equal to or less than 10 microns (PM_{10}) during operation. Although mitigation measures have been recommended to minimize operational-related air quality impacts (**MM-AQ-1**, **MM-AQ-2**, and **MM-AQ-3**), no feasible mitigation measures or Project design features beyond those already identified exist that would reduce these emissions to levels that are less than significant. Therefore, even with the incorporation of mitigation, long-term impacts associated with a cumulatively considerable net increase of criteria pollutants for which the Project region is non-attainment would be significant and unavoidable.

Operation of the Project could result in exceedances of the MDAQMD significance thresholds for NO_x and PM_{10}, and the Project would potentially result in health effects associated with those pollutants. Because construction of the Project would not exceed any MDAQMD thresholds (after implementation of **MM-AQ-1** and **MM-AQ-2**), and operation of the Project would not exceed the MDAQMD thresholds for carbon monoxide (CO), VOC, SO_x or $PM_{2.5}$, and because the MDAQMD thresholds are based on levels that the Mojave Desert Air Basin can accommodate without affecting the attainment date for the ambient air quality standards and the ambient air quality standards are established to protect public health and welfare, the Project is not anticipated to result in health effects associated with CO, VOC, SO_x, or $PM_{2.5}$. However, because operation of the Project could result in exceedances of MDAQMD significance thresholds for NO_x and PM_{10}, even after implementation of mitigation measures, the potential health effects associated with criteria air pollutants are conservatively considered significant and unavoidable. For these reasons, impacts associated with the conflicting with the MDAQMD would be significant and unavoidable.

As discussed in Section 4.7, Greenhouse Gas Emissions, of this EIR, the Project would result in potentially significant impacts with regard to generating GHG emissions. Additionally, construction and operation of the Project would result in the generation of approximately 46,424.31 metric tons of carbon dioxide (CO_2) equivalent, which would exceed the numerical greenhouse gas threshold established by the South Coast Air Quality Management District of 3,000 metric tons of CO_2 equivalent per year. While the Project is located within the jurisdiction of the MDAQMD, because the South Coast Air Quality Management District's thresholds are more stringent and are backed by substantial evidence from an expert agency, the South Coast Air Quality Management District's recommended thresholds have been utilized for determining the significance of the Project's greenhouse gas emission impacts. Implementation of **MM-AQ-2** and **MM-AQ-3** would reduce potential air quality impacts (in Section 4.2 in this EIR) and **MM-GHG-1**, **MM-GHG-2**, and **MM-GHG-3** would also reduce operation-related GHG emissions. However, the effectiveness of the mitigation and the associated emission reductions cannot be accurately quantified at this time and GHG emissions impacts are inherently cumulative in nature. As such, impacts on the project-level and cumulatively would remain significant and unavoidable.

Further, as outlined in Section 4.15, Transportation, an intersection in the vicinity of the Project site is expected to experience periodic queuing issues during peak hours, which can lead to potential safety concern if a significant speed differential exists between queue vehicles and vehicles proceeding beyond the queue. The Project would result in additional traffic that would exacerbate these conditions under the Horizon Year (2040) Plus Project Conditions (queueing issues would continue to occur without Project-generated traffic for this intersection regardless of the Project). Improvement measures have been identified for which the Project would be required to either construct or contribute fair-share costs to address these conditions. However, this intersection is not within the City's jurisdiction, but rather within the jurisdiction of other agencies, such as the California Department of Transportation. Since the City does not have jurisdiction over these facilities, these improvements cannot be assumed to be in place prior to Project's occupancy, and these impacts are considered significant and unavoidable.

Project Alternative 3 Summary

Presently, the only approach to reducing the Project's operational-related air quality, GHG emission, and transportation impacts would be to reduce the total number of daily trips and employees generated by the Project. As such, in an effort to reduce the Project's significant and unavoidable impacts, the City considered a Reduced Development Intensity Alternative (Alternative 3).

Under Alternative 3, the Project would be constructed and operated as planned on the Project site, with the exception that the size of the proposed development would be reduced by 15%, equating to an industrial/ warehouse project consisting of approximately 1,148,690 square feet, compared to the Project's

1,351,400 square feet. Since the building footprint would be reduced by 202,710 square feet (approximately 4.7 acres), this extra space on the Project site would remain vacant. All other on- and off-site improvements proposed as part of the Project are assumed to still be required under Alternative 3.

Alternative 3 Impact Analysis

Under Alternative 3, the Project's development footprint would be reduced by 15% compared to the Project. As a result, it is assumed that a similar reduction in the operational intensity and duration of construction activities would occur. Likewise, a smaller building footprint would be expected to support fewer operational activities than the larger footprints proposed as part of the Project. Thus, the severity of many environmental impacts related to construction and operational phases would be either the same or incrementally reduced under Alternative 3. However, because the development intensity would be reduced under Alternative 3 compared to the Project, certain environmental impacts would differ as a result of this reduction, as the following analysis demonstrates.

Aesthetics

Under Alternative 3, the Project would be constructed and operated as planned on the Project site, with the exception that the size of the proposed development would be reduced by 15%, equating to the 202,710 square feet (approximately 4.7 acres) of extra space on the Project site that would likely be developed with a similar landscape concept to that surrounding the industrial buildings. A reduction in building square footage would reduce the scale and massing of the buildings. Additionally, the increase in landscaped area would soften the visual impact of the buildings. Nonetheless, Alternative 3 would still involve the development of approximately, 1,148,690 square feet of industrial space, which would still be the primary visual feature on the Project site. For these reasons, aesthetics impacts would be similar but lessened under Alternative 3.

Air Quality

Under Alternative 3, the extent of construction activities would be reduced compared to the Project. Thus, construction-related air quality emissions would be lessened. As with the Project, Alternative 3 would require mitigation measures to reduce short-term construction emissions of VOC. With required mitigation, Alternative 3, would not exceed the numerical thresholds of significance established by the MDAQMD; this is the same outcome that would occur under the Project.

Alternative 3 would generate fewer vehicle trips per day due to the reduction in the amount of building space. Accordingly, air pollutant emissions associated with long-term operation of Alternative 3 would be lessened compared to the Project.

However, Alternative 3 would still require implementation of mitigation measures similar to those imposed for the Project. Even with incorporation of mitigation measures, long-term operation of Alternative 3 would still likely result in significant and unavoidable impacts due to emissions of NO_x and PM_{10}, which would violate the MDAQMD regional air quality standard and would contribute to an existing air quality violation. Because Alternative 3 would generate fewer average daily vehicle trips than would occur under the Project, impacts due to a conflict with the regional air quality standard and the level of contribution to an existing air quality violation would be minimized, but still not eliminated or reduced to less-than-significant levels. As such, Alternative 3 would reduce, but not avoid, the Project's significant and unavoidable impact due to operational air contaminant emissions.

As with the Project, impacts to nearby sensitive receptors would be significant and unavoidable under Alternative 3. Similar to the Project, emissions under Alternative 3 would be above the MDAQMD thresholds of significance. However, these impacts to sensitive receptors would be slightly reduced under Alternative 3 due to the reduction in daily vehicular trips compared to the Project. Therefore, air quality impacts would be lessened, but not reduced to less-than-significant levels, under Alternative 3.

Biological Resources

Under Alternative 3, the Project would be constructed and operated as planned on the entire Project site, although the development intensity would be reduced. Compared to the Project, Alternative 3 would develop less of the Project site, resulting in a smaller overall building footprint. However, in accordance with the City's development standards, these areas would not be allowed to be completely unimproved, but instead would still need to be landscaped. As such, any vacant land and potential suitable habitat in these areas would still be disturbed as a result of landscaping activities, reducing any benefits from a biological resources perspective. Therefore, biological resources impacts would be similar under Alternative 3.

Cultural Resources and Tribal Cultural Resources

Under Alternative 3, the Project would be constructed and operated as planned on the Project site, but with a reduced development intensity. Compared to the Project, Alternative 3 would develop less of the Project site with buildings, parking and loading areas, and other associated improvements, resulting in a smaller overall building footprint on the site that would disturb less land. However, as previously discussed, Alternative 3 would likely not be able to maintain vacant areas on the Project site, but instead would still need to landscape these locations. As such, the entirety of the Project site would need to be disturbed to various extents, which would result in the same potential to disturb presently unknown/unrecorded cultural resources and tribal cultural resources as the Project. Therefore, cultural resources and tribal resources impacts would be similar under Alternative 3.

Energy

The level of construction activities would be reduced under Alternative 3 compared to the Project. Thus, construction-related energy usage would be lessened. Alternative 3 would also generate fewer vehicle trips per day due and would have a less building space than the Project as proposed, result in less on-site and mobile energy consumption. Accordingly, energy usage associated with long-term operation of Alternative 3 would be lessened compared to the Project. Therefore, energy impacts would be reduced under Alternative 3.

Geology, Soils, and Paleontological Resources

Similar to the proposed Project, implementation of Alternative 3 would result in less than significant impacts related to geology, soils, and paleontological resources. Alternative 3 would adhere to the 2022 CBC design standards which would minimize the long-time effects of the potential for structure distress as a result of seismically induced ground shaking. A Stormwater Pollution Prevention Plan (SWPPP) would be submitted prior to construction to incorporate BMPs to ensure that potential water quality impacts during construction from erosion would be minimized. Similar to the proposed Project, no paleontological findings were noted during the paleontological records search to the San Bernardino County Museum. **MM-GEO-1** would be required in case any paleontological resources are unearthed during grading. Due to the reduced development intensity of Alternative 3 when compared to the proposed Project, impacts would be similar, but less than those of the proposed Project.

Greenhouse Gas Emissions

Similar to air quality, the extent of construction activities would be reduced under Alternative 3 compared to the Project. Thus, construction-related GHG emissions would be lessened. Alternative 3 would also generate fewer vehicle trips per day due to the reduction in the amount of building space. Accordingly, GHG emissions associated with long-term operation of Alternative 3 would be lessened compared to the Project. As discussed above, the Project would result in significant and unavoidable impacts with regard to generating GHG emissions. Implementation of the mitigation measures under the Project and Alternative 3 would reduce potential operation-related GHG emissions. However, the effectiveness of the mitigation measures and the associated emission reductions cannot be accurately quantified at this time and GHG emissions impacts are inherently cumulative in nature. Therefore, GHG emissions impacts would be reduced under Alternative 3, but would still remain significant and unavoidable.

Hazards and Hazardous Materials

Under Alternative 3, the Project would be constructed and operated as planned on the site, with the exception that the development intensity would be reduced. Incorporation of **MM-HAZ-1** would still be required under Alternative 3, which mandates, among other requirements, the removal and disposal of on-site debris and used tires from the Project area in accordance with all applicable guidelines, and that a qualified environmental professional shall screen soils in the identified area prior to excavation and grading based on the nature of the potential contamination. As such, under Alternative 3, the cleanup activities required pursuit of **MM-HAZ-1** would be initiated, and the Project would still help to remediate the Project site through compliance with **MM-HAZ-1**. Therefore, hazards and hazardous materials impacts would be similar under Alternative 3.

Hydrology and Water Quality

Under Alternative 3, the new engineered stormwater drainage system would be constructed on the Project site as proposed under the Project. Under existing conditions, no storm drain or treatment facilities are currently found on-site, and thus, stormwater is not presently collected or treated on the Project site prior to being discharging off-site. However, under Alternative 3, the Project and its on-site stormwater drainage system would be designed to comply with all state, regional, and local regulation related to site stormwater drainage and water quality during both construction and operation of the Project, regardless of the size of the Project. Therefore, hydrology and water quality impacts would be similar under Alternative 3.

Land Use and Planning

Similar to the proposed Project, Alternative 3 would be consistent with the Project site's existing General Plan and Zoning Code. Given the substantial similarities in uses between the Project and Alternative 3, Alternative 3 would otherwise not conflict with any plans, policies, or ordinances adopted for the purposes of mitigating or avoiding environmental effects. Therefore, land use and planning impacts would be similar under Alternative 3.

Mineral Resources

Implementation of Alternative 3 would be similar to the proposed Project given that the Project site is designated as MRZ-3, however, no known significant mineral resources are present. The Alternative 3 site does not contain an MRZ-2 zone and there are no oil, gas, or geothermal wells on site. However, in the unlikely event that unknown wells are discovered during project development would be implemented. However, because the development area is less than the proposed Project by approximately 12.2 acres and there are no known significant mineral resources

present, there is less likelihood of encountering unknown wells, and therefore, impacts would be similar under Alternative 3 when compared to the proposed Project.

Noise

Noise associated with Alternative 3 would occur during short-term construction activities and under long-term operation. The types of construction activities conducted on the Project site would be similar under Alternative 3 and would generally cover the same physical area. However, because Alternative 3 would result in the construction of less building area on site, it is anticipated that the duration of noise impacts during the building construction and architectural coating phase would slightly decrease under Alternative 3 compared to the Project. Nonetheless, the types of construction equipment used, and the types of construction activities conducted on site would be similar under Alternative 3, and the peak daily noise levels generated during the construction phase would also be similar.

Under long-term operational conditions, noise generated by Alternative 3 would primarily be associated with vehicles traveling to and from the site, and on-site vehicle idling, maneuvering, and parking. Alternative 3 would generate fewer daily trips than the Project, and, as such, would contribute less traffic-related noise to local roadways than the Project. However, the increase in traffic noise associated with Alternative 3 would still be noticeable to residents along the roadway segments impacted by the Project. Therefore, noise impacts would be similar under Alternative 3.

Population and Housing

Similar to the proposed Project, Alternative 3 would require a temporary construction workforce and a permanent operational workforce, that could potentially induce population growth. In addition, Alternative 3 would be required to comply with applicable federal, state, and local regulations related to population and housing and impacts would be less than significant. Similar to the proposed Project, Alternative 3 would include perimeter improvements such as sidewalks, curbs, and gutters. Development under this alternative would be required to pay a fair share of costs for intersection improvements in the vicinity of the project site for queuing impacts directly related to the implementation of Alternative 3. The proposed infrastructure improvements would be adequately sized to serve the proposed Alternative only. The proposed infrastructure would not be oversized to accommodate any growth beyond the Alternative site into areas that were not previously served. As such, the implementation of Alternative 3 would have impacts that are similar to those of the proposed Project.

Public Services

Implementation of Alternative 3 would be similar to the proposed Project with regard to public services. Similar to the proposed Project, development under this alternative would also be subject to the payment of Development Impact Fees (DIFs), as per Title 16-5-01-080 (Development Impact Fees) of the City's Municipal Code. This fee would be used for future facility improvements necessary to ensure that the Project contributes its fair share of the cost of facilities and equipment determined to be necessary to adequately accommodate new development in the City. The DIF amount is determined through evaluation of the need for new public service facilities as it relates to the level of service demanded by new development, which varies in proportion to specific land uses. As such, impacts related to public services would be the similar for Alternative 3 as those of the proposed Project.

Transportation and Traffic

VMT is largely dependent on the specific land use type of a particular project and the location of that project. While a reduction in a Project's size could reduce the overall VMT associated with a given project, reducing a project's square footage would not necessarily have an effect on a project's average trip length. Thus, while under Alternative 3 the Project's development footprint would be reduced by 15% compared to the Project, the average trip length for passenger vehicle and truck trips associated with the Project would essentially remain constant. In addition, because a reduction in Project size would correlate to a similar reduction in on-site workforce, the Project's VMT per employee would also stay relatively the same under Alternative 3 as the Project's VMT per employee. Therefore, transportation impacts with regard to VMT would be similar under Alternative 3.

With regard to the Project's significant and unavoidable queueing and hazards impacts, the intersection that is anticipated to experience queueing issues under the Horizon Year (2040) conditions would experience these issues regardless of the Project. As such, even with the reduction in building-square footage and corresponding reduction in trip generation, this intersection would continue to experience these issues. Improvement measures would still be required for Alternative 3; however, because the affected intersection is outside of the City's jurisdiction, these improvements cannot be assumed to be in place prior to occupancy, and these impacts are considered significant and unavoidable. As such, transportation impacts with regard to queueing and hazards impacts would be similar under Alternative 3.

Utilities and Service Systems

Under Alternative 3, the Project would be constructed and operated as planned on the Project site, with the exception that the size of the proposed development would be reduced by 15%. All other on- and off-site improvements proposed as part of the Project are assumed to still be required under Alternative 3. As such, the same wet and dry utilities would be required, with construction and operational characteristics of these on- and off-site improvements being similar to the Project. Therefore, utilities and service systems impacts would be similar under Alternative 3.

Alternative 3 Impact Conclusion

Based on the above, given that Alternative 3 would result in incremental reductions in both construction activity, daily operational trips on Project area roadways, and a reduction in the scale of the proposed buildings, Alternative 3 would result in incremental reductions in the severity of impacts related to aesthetics, air quality, energy, GHG emissions, and noise. However, the reductions in Project-related trips under Alternative 3 would not be substantial enough to reduce impacts to less than significant, and therefore would not avoid the significant and unavoidable impacts related to air quality and GHG as compared to the Project. Impacts associated with aesthetics, energy, and noise are less than significant under both the Project and Alternative 3 scenarios.

Impacts associated with agriculture and forestry resources, biological resources, cultural, tribal cultural, and paleontological resources, geology and soils, hazards, hazardous materials, and wildfire, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, transportation, and utilities and service systems would generally be the same under Alternative 3 compared to the Project.

All of the same mitigation measures required for the Project would be necessary for Alternative 3, although no new measures would be required. Additionally, Alternative 3 would meet all Project objectives, albeit to a lesser extent as proposed under the Project because of the approximately 15% reduction in the Project's size. In particular,

because of its reduced size, Alternative 3 would produce fewer jobs (Objective 1), would generate less tax revenue (Objective 1), and would not create as much revenue- and employment-generating land use as the Project (Objectives 1 and 3).

7.4 Environmentally Superior Alternative

Section 15126(e)(2) of the State CEQA Guidelines requires an EIR to identify an "environmentally superior alternative." If the No Project/No Development Alternative is the environmentally superior alternative, the EIR must also identify an environmentally superior alternative from among the other Project alternatives.

Each of the three Project alternatives considered herein would lessen at least one environmental impact relative to the Project. As previously addressed, if the No Project/No Development Alternative is the environmentally superior alternative, this EIR analysis also evaluates another environmentally superior alternative among the remaining alternatives. Table 7-1 provides a comparison of the Project with the Project alternatives based on the environmental topic areas addressed in Chapter 4, Environmental Impact Analysis, of this EIR. Table 7-2 presents how the Project and each of the Project alternatives compare in terms of meeting the Project objectives.

Table 7-1. Project Alternatives Environmental Impacts Comparison

Environmental Issue	Project	No Project/No Development Alternative (Alternative 1)	Other Development Project Alternative (Alternative 2)	Reduced Development Intensity Alternative (Alternative 3)
Aesthetics	Less-than-Significant	Avoided	Similar	Similar but reduced
Air Quality	Significant and Unavoidable	Avoided	Greater	Lessened, but significant and unavoidable impacts still not avoided
Biological Resources	Less-than-Significant with Mitigation	Avoided	Similar	Similar
Cultural and Tribal Cultural Resources	Less-than-Significant with Mitigation	Avoided	Similar	Similar
Energy	Less-than-Significant	Avoided	Similar	Lessened
Geology Soils and Paleontological	Less-than Significant with Mitigation	Avoided	Similar	Similar
Greenhouse Gas Emissions	Significant and Unavoidable	Avoided	Greater	Lessened, but significant and unavoidable impacts still not avoided
Hazards, Hazardous Materials, and Wildfire	Less-than-Significant with Mitigation	Less	Similar	Similar
Hydrology and Water Quality	Less-than-Significant	Greater	Similar	Similar
Land Use and Planning	Less-than-Significant	Similar	Similar	Similar

Table 7-1. Project Alternatives Environmental Impacts Comparison

Environmental Issue	Project	No Project/No Development Alternative (Alternative 1)	Other Development Project Alternative (Alternative 2)	Reduced Development Intensity Alternative (Alternative 3)
Mineral Resources	—	—	—	—
Noise	Less-than-Significant	Avoided	Greater	Similar
Population and Housing	Less-than-Significant	Avoided	Similar	Similar
Public Services	Less-than-Significant	Avoided	Similar	Similar
Transportation and Traffic	Significant and Unavoidable	Avoided	Similar	Similar
Utilities and Service Systems	Less-than-Significant	Avoided	Similar	Similar

Based on a comparison of Alternative 2 and Alternative 3, environmental impacts associated with aesthetics, air quality, energy and GHG emissions, and noise would be less under Alternative 3 compared to Alternative 2. Impacts associated with biological resources, cultural, tribal cultural, and paleontological resources, hazards and hazardous materials, hydrology and water quality, transportation, and utilities and services systems would be similar under Alternative 3 compared to Alternative 2. Overall, based on these findings, Alternative 3 would be considered the environmentally superior alternative.

Table 7-2. Comparison of Project Alternatives and Project Objectives

Project Objective	Would the Project or alternative meet the Project Objective?			
	Project	No Project/No Development Alternative (Alternative 1)	Other Development Project Alternative (Alternative 2)	Reduced Intensity Alternative (Alternative 3)
Objective 1: Develop large-format industrial warehouse, along a City truck route, in an industrial zoned area, to meet the existing and growing demand for large-format logistics and warehouse buildings in the region.	Yes	No	No	Yes, albeit to a less degree than the Project
Objective 2: Develop a new fiscally sound, jobs-producing, and tax-generating warehouse in northwest Victorville to help reduce the need of local workforce to travel outside the City for employment.	Yes	No	No	Yes, albeit to a less degree than the Project
Objective 3: Concentrate warehouse development on industrial zoned land near existing roadways, highways, and freeways in an effort to isolate and reduce any potential environmental impacts related to	Yes	No	No	Yes, albeit to a less degree than the Project

Table 7-2. Comparison of Project Alternatives and Project Objectives

Project Objective	Would the Project or alternative meet the Project Objective?			
	Project	No Project/No Development Alternative (Alternative 1)	Other Development Project Alternative (Alternative 2)	Reduced Intensity Alternative (Alternative 3)
truck traffic congestion, air emissions, industrial noise, and biological resources to the greatest extent feasible.				
Objective 4: Create a project that takes advantage of and enhances existing infrastructure, including the proximity to Interstate 15, which is defined in the RTP/SCSP as a Major Freight Highway Corridor, Main Line Rail, and other similar infrastructure.	Yes	No	No	Yes, albeit to a less degree than the Project

7.5 References Cited

SCAG (Southern California Association of Governments). 2013. Southern California Association of Governments Comprehensive Regional Goods Movement Plan and Implementation Strategy. http://www.freightworks.org/Pages/default.aspx.

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