Appendix A

Initial Study, Notice of Preparation, and Scoping Comments

Initial Study
Mojave Industrial Park Project

Prepared for:

City of Victorville
14343 Civic Drive
Victorville, California 92392
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Acronyms and Abbreviations

Acronym/Abbreviation	Definition
APN	Assessor's Parcel Number
CEQA	California Environmental Quality Act
City	City of Victorville
EIR	Environmental Impact Report
FHSZ	Fire Hazard Severity Zone

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1 Introduction

1.1 Project Overview

Mojave 80 Grey, LLC (Project Applicant) is submitting an application to the City of Victorville (City) for the development of the Mojave Industrial Park Project (Project) [see Figure 1, Project Location]. The Project site consists of three parcels: Assessor's Parcel Numbers (APNs) 3128-631-02, 3128-631-03, and 3128-631-04 (see Figure 2, Aerial Photograph). The Project involves the construction and operation of an approximately 1,351,400 square-foot industrial/warehouse facility 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, 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 (see Figure 3, Conceptual Site Plan).

The Project site currently has a General Plan Land Use designation of Light Industrial (LI) and zoning of Light Industrial Transitional (M-1 T) and General Commercial (C-2) [see Figure 4, Existing Land Use and Figure 5, Existing Zoning]. Per section 16-3.070-010 of the Victorville Code of Ordinances, warehouse/storage facilities are a permitted use in a M-1 zone and not permitted in a C-2 Zone. As such, a change in zoning from C-2 to M-1 would be required for Project implementation (see Figure 6, Proposed Zoning).

1.2 California Environmental Quality Act Compliance

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

The intent of this document is to provide an overview and analysis of the environmental impacts associated with the proposed Project by the City, acting as the lead agency. The document is accessible to the public, in accordance with CEQA, in order to receive feedback on the Project's potential impacts, as well as the scope of the Project's environmental impact report (EIR) (14 CCR Section 15121[a]).

1.3 Availability of the Notice of Preparation and Initial Study

The Initial Study/Notice of Preparation for the Project is being distributed directly to agencies, organizations, and interested groups and persons during the scoping period. The Initial Study/Notice of Preparation is also available for review at the City of Victorville, Development Department, 14343 Civic Drive, Victorville, California 92392.

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2 Project Description

2.1 Project Location

The approximately 81.1-acre (gross) Project site is located in the western part of the City, which is within the Victor Valley region of San Bernardino County (Figure 1, Project Location). The Project site is located north of Mojave Drive, east of Onyx Road, west of Topaz Road, and south of Cactus Road/Tawney Ridge Lane, approximately one-mile east of Highway 395, northwest of Interstate 15 (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 (see Figure 2, Aerial Photograph). Regional access to the Project site is provided via Highway 395, approximately one mile west of the Project site. Local access to the Project is provided via Mojave Drive and Onyx Road.

2.2 Environmental Setting

City of Victorville

The City is approximately 74 square miles in the Victor Valley region of San Bernardino County. The City is located within the Mojave Desert, which is a region containing desert plains, dry lakebeds, and scattered mountains. 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 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 State Route 18 passes through the eastern portion of the City.

Existing Project Site

The Project site is currently vacant undeveloped property. The Project site currently has a General Plan designation of Light Industrial (LI) and zoning of General Commercial (C-2) and Light Industrial Transitional (M-1 T) (see Figure 4, Existing Land Use Designations, and Figure 5, Existing Zoning).

Surrounding Land Uses

Land uses immediately surrounding the Project site primarily consist of vacant undeveloped property to the north by Cactus Road/Tawney Ridge Lane, west by vacant land and Onyx Road, east by Topaz Road and by single family homes south of Mojave Drive (see Figure 2, Aerial Photograph). Approximately 0.25 miles northeast of the project site is the Melva Davis Academy of Excellence. 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

2.3 Project Characteristics

The Project would include construction of three industrial/warehouse buildings and associated improvements on approximately 81.1 acres of vacant land (see Figure 3, Conceptual Site Plan). The Project would provide a total of 1,351,400 square feet of industrial/warehouse space. Building 1, the southeast building, would be approximately 100,300 square feet, Building 2, the southwest building, would be approximately 91,100 square feet, Building 3, the northern building, would be approximately 1,160,000 square feet. Project would also include associated improvements, such as loading docks, trailer parking stalls, passenger vehicle parking spaces, stormwater detention basins, and landscape area.

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%.

Site Access, Circulation, and Parking

Access to the Project site would be provided by U.S. Highway 395, off Mojave Drive, and Cactus Road/Tawney Ridge Lane. Off-site roadway, traffic signage/signal, and sidewalk improvements would be developed to provide access to these roadways. Proposed street improvements include the following:

- Widen Mojave Drive from east of Topaz Road to west of Onyx Road (+/-34 feet widening along +/-1,900 feet)
- Extend east half of Onyx Road from Mojave Drive to Cactus (+/-50 feet wide along +/-2650 feet)
- Extend west half of Topaz Road from Mojave Drive to Cactus (+/-70 feet wide along +/-2650 feet)
- Extend south half of Cactus Road from Topaz to Onyx (+/-70 feet along +/-1350 feet)
- Extend two lane road along Cactus from Onyx to east of Highway 395 (+/-40 feet wide along +/-3550 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. Proposed Utility improvements include the following:

Water Improvements (anticipate 5 foot wide trench, 48" depth of bury):

- Mojave Drive from Diamond Rd to Onyx Road (+/-2680 feet)
- Onyx Road from Mojave Dr to Cactus Road (+/-2650 feet)
- Cactus Road from Onyx Road to Topaz Road (+/-1285 feet)
- Topaz Road from Mojave Drive to Cactus Road (+/-2650 feet)

Storm Drain Improvements (anticipate 20 foot wide disturbance, 8 to 15 feet deep):

- Mojave Drive from east of Topaz Road to west of Onyx Road (+/-2750 feet)
- Cactus Road from Diamond Road to Onyx Road (+/-2750 feet)
- Onyx Road from Cactus Road to north of Mojave Drive (+/-2500 feet)
- Topaz Road from Cactus Road to north of Mojave Drive (+/-2500 feet)

Sewer Improvements (anticipate 20 foot wide disturbance, 8 to 20 feet deep):

- Cactus Road from east of Diamond Road to Onyx Road (+/-3900 feet)
- Topaz Road from Cactus Road to south of Mojave Drive (+/-2500 feet)

Stormwater would be managed on site by the off-site stormwater system to capture and treat on-site stormwater.

Operations

All business operations would be conducted within the enclosed buildings, with the exception of the ingressing and egressing of trucks and passenger vehicles accessing the Project 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. It is anticipated that the facilities would be operated 24 hours a day, 7 days a week.

Construction, Phasing, and Schedule

Construction was assumed 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 preliminary design plans, it is anticipated a total of 14,546 CY of material will be exported from the site.

General Plan Land Use Designation, Specific Plan Land Use Designation, and Zone Designation

The Project site's existing General Land Use Designation is Light Industrial (LI) and the existing Zoning Classification is General Commercial (C-2) and Light Industrial Transitional (M-1 T). Implementation of the Project would require a change in the zone classification in order to be consistent with the General Plan.

2.4 Project Approvals

As part of the Project, the Project Applicant is requesting approval of the following entitlements:

- Zone Change Classification to change the Project site's zoning designation from Light Industrial Transitional (M-1 T) and General Commercial (C-2) to Light Industrial (M-1).
- Height Variance in order to approve the height of Building 3 to be greater than 50' and 10' high screening fence.

- Site Plan Review in order to approve the construction and operation of an approximately 1,351,400 square-foot industrial/warehouse facility along with associated infrastructure and roadway improvements.
- A Development Agreement may be requested 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.
- Subsequent non-discretionary approvals (which would require separate processing through the City) would include, but may not be limited to, grading permits, building permits, and occupancy permits.

3 Initial Study Checklist

1. **Project title:**

   Mojave Industrial Park Project

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

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

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

   Contact: Travis Clark, Senior Planner
   City of Victorville Development Department
   Phone: 760.955.5135
   Email: TClark@victorvilleca.gov

4. **Project location:**

   The approximately 81.1-acre Project site is located in the western 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. The Project site consists of three parcels: Assessor's Parcel Numbers (APNs) 3128-631-02, 3128-631-03, and 3128-631-04. Regional access to the Project site is provided via U.S. Highway 395.

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

   Mojave 80 Gray LLC
   3 Corporate Plaza, Suite 230
   Newport Beach, California 92660

6. **General Plan Designation:**

   Existing: Light Industrial

7. **Zoning:**

   Existing: Light Industrial Transitional (M-1 T) and General Commercial (C-2)

   Proposed: Light Industrial Transitional (M-1 T)

8. **Description of project:**

   The Project would include construction of three industrial/warehouse buildings and associated improvements on approximately 81.1 acres of vacant land (see Figure 3, Conceptual Site Plan). The Project would provide 1,351,400 square feet of industrial/warehouse space, Building 1, the southeast

building, would be approximately 100,300 square feet, Building 2, the southwest building, would be approximately 91,100 square feet, Building 3, the northern building, would be approximately 1,160,000 square feet. In addition, 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.

See Section 2, Project Description, for further Project details.

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

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

- **North:** Vacant land within the City of Adelanto, Cactus Road/Tawney Ridge Lane
- **East:** Vacant land, single-family residential uses, and Topaz Road
- **South:** Vacant land, Mojave Drive, single-family residential
- **West:** Vacant land, Onyx Road

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

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

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

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

Environmental Factors Potentially Affected

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

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

Determination:

On the basis of this initial evaluation:

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

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

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

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

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

Signature Date

Evaluation of Environmental Impacts

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an Environmental Impact Report (EIR) is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
    a. Earlier Analysis Used. Identify and state where they are available for review.
    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
    c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
    a. The significance criteria or threshold, if any, used to evaluate each question; and
    b. The mitigation measure identified, if any, to reduce the impact to less than significance

3.1 Aesthetics

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the Project:				
a) Have a substantial adverse effect on a scenic vista?	☒	☐	☐	☐
b) Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☒	☐	☐	☐
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?	☒	☐	☐	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☒	☐	☐	☐

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

b) Would the Project 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, 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?

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

Potentially Significant Impact a) – d). The Project would include construction of industrial/warehouse space and associated improvements on currently undeveloped, vacant land. In total, the Project would provide approximately 1,351,400 square feet of industrial/warehouse space and associated improvements, including loading docks, tractor-trailer stalls, office space, passenger vehicle parking spaces, and landscape areas. As such, the Project would result in an increase in on-site development intensity, and there is a potential for the Project to affect public views of scenic vistas or otherwise alter the existing visual character or quality of public views, despite the fact that the Project must be designed and constructed in accordance with the design

standards set forth in the City's Building Code. In addition, implementation of the Project would include the installation of new nighttime lighting, which could potentially adversely affect nighttime views in the area, including drivers on U.S. Highway 395. Such lighting would include lighting for on-site parking and facilities and light generated by vehicles entering and exiting the Project site. Therefore, impacts are potentially significant, and these issues will be analyzed in the EIR.

3.2 Agriculture and Forestry Resources

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

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

No Impact. According to the California Department of Conservation's California Important Farmland Finder, the Project site contains grazing land (DOC 2022a). Grazing land is described as land on which the existing vegetation is suited to the grazing of livestock. Grazing land does not include land designated or previously designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (collectively "Important Farmland"). In addition, land surrounding the site is designated as "Grazing Land" and "Urban and Built-Up Land" (DOC 2022a). Therefore, no impacts would occur, and no further analysis is proposed for the Draft EIR.

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

No Impact. As previously discussed, 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, and no further analysis is proposed for the EIR.

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

No Impact. According to the 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, and no further analysis is proposed for the EIR.

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

No Impact. As previously discussed, 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, and no further analysis is proposed for the EIR.

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

No Impact. The Project site is not located on or adjacent to any parcels identified as Important Farmland or forestland (DOC 2022a). In addition, the Project would not involve changes to the existing environment that would result in the indirect conversion of Important Farmland or forestland located away from the Project site. Therefore, no impacts would occur, and no further analysis is proposed for the EIR.

3.3 Air Quality

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

a) Would the Project conflict with or obstruct implementation of the applicable air quality plan?

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?

c) Would the Project expose sensitive receptors to substantial pollutant concentrations?

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

Potentially Significant Impact. Project construction and operations would involve activities that would generate both short-term and long-term criteria pollutant and other emissions. Further air quality analysis is required to determine whether the Project could potentially result in any adverse effects related to air quality. These issues will be analyzed in the EIR.

3.4 Biological Resources

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

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

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 Game or U.S. Fish and Wildlife Service?

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?

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?

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

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?

Potentially Significant Impact. The Project site consists of three parcels totaling approximately 81.1 acres within the City. Implementation of the Project would result in construction and operational activities upon a currently undeveloped, vacant site. Such activities could potentially have an adverse effect on candidate, sensitive, or special-status species; sensitive natural communities; migratory wildlife corridors; and protected trees. Further biological resources analysis is required to determine whether the Project could potentially result in any adverse effects related to biological resources. Therefore, these issues will be analyzed further in the EIR.

3.5 Cultural Resources

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

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

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

c) Would the Project disturb any human remains, including those interred outside of dedicated cemeteries?

Potentially Significant Impact. The Project site consists of three parcels totaling approximately 81.1 acres within the City. Implementation of the Project would result in construction and operational activities upon a currently undeveloped, vacant site. Such activities could potentially have an adverse effect on currently unrecorded, unknown historical, archaeological, or Tribal cultural resources. Further cultural resources analysis is required to determine whether the Project could potentially result in any adverse effects related to cultural resources. Therefore, these issues will be analyzed further in the EIR.

3.6 Energy

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

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

b) ***Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?***

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

3.7 Geology and Soils

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

a) Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Less-than-Significant Impact. The Alquist–Priolo Earthquake Zoning Act (Alquist–Priolo Act) requires the delineation of fault zones along active faults in California. The purpose of the Alquist–Priolo Act is to regulate development on or near active fault traces to reduce hazards associated with fault rupture. The Alquist–Priolo Earthquake Fault Zones are the regulatory zones that include surface traces of active faults. According to the California Department of Conservation, the Project site is not located in an Alquist–Priolo Earthquake Fault Zone (DOC 2022b). The nearest fault is the Ord Mountains Fault located approximately 13.15 miles southeast of the Project site. Thus, the potential for surface rupture is low on the Project site. Therefore, impacts would be less than significant, and this issue will not be evaluated further in the EIR.

ii) 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. However, the Project site is not located within an Alquist–Priolo Earthquake Fault Zone, and the site would not be affected by ground shaking more than any other area in this seismic region. The Project would comply with the City's Municipal Code and the latest version of the California Building Code (CBC) which would ensure that the Project would adequately resist seismic ground shaking. Furthermore, the Project would prepare a geotechnical report which would provide specific design recommendations to ensure the structural integrity of the Project in the event that seismic ground shaking is experienced at the Project site. Additionally, the CBC which includes universal standards relating to seismic load requirements. Compliance with the CBC requirements and the City's Municipal Code would reduce potential impacts associated with strong seismic ground shaking to less than significant. No further analysis will be conducted in the EIR.

iii) Seismic-related ground failure, including liquefaction?

No Impact. Soil liquefaction is a seismically induced form of ground failure that has been a major cause of earthquake damage in Southern California. Liquefaction is a process by which water-saturated granular soils transform from a solid to a liquid state because of a sudden shock or strain such as an earthquake. The Project site is not located in an identified liquefaction hazard zone (DOC 2022b). 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 occur, and no further analysis will be conducted in the EIR.

iv) Landslides?

No Impact. The Project site is not located in an area identified as a landslide hazard zone (DOC 2022b). 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 further analysis will be conducted in the Draft EIR.

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

Less-Than-Significant Impact. The Project would involve earthwork and other construction activities that would disturb surface soils and temporarily leave exposed soil on the ground's surface. Common causes of soil erosion from construction sites include stormwater, wind, and soil being tracked off site by vehicles. 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 buidlings on an approximately 81.1-acre site. Since Project construction activities would disturb one (1) or more acres, the Project must adhere to the provisions of the National Pollutant Discharge Elimination System 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 stormwater pollution prevention plan (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 further analysis will be conducted in the Draft EIR.

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. 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. No further analysis will be conducted in the EIR.

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

Less-Than-Significant Impact. As discussed previously, the potential for the Project to result in or be affected by landslides and liquefaction is considered low, and these issues are not anticipated at the Project site. Project activities may occur on geologically unstable soils such as those susceptible to lateral spreading, subsidence, or collapse. The Project would continue through full project design, which would include engineering design standards that incorporate pertinent geotechnical information. Furthermore, due to the project site's distance to Ord Mountains Fault, the Project is unlikely to result in impacts associated with seismic hazards. Therefore, impacts would be less the significant and no further analysis will be conducted in the EIR.

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

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

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 2022). Therefore, impacts would be less than significant, and no further analysis will be conducted in the EIR.

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

No Impact. The Project would not require septic tanks or alternative wastewater disposal systems. Therefore, no impacts would occur, and no further analysis will be conducted in the EIR.

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

Potentially Significant Impact. According to the City's General Plan, the City is considered sensitive to paleontological finds (City of Victorville 2008). As such, development and construction activities associated with the Project have the potential to unearth potentially significant paleontological resources. Therefore, impacts would be potentially significant, and further analysis will be conducted in the EIR.

3.8 Greenhouse Gas Emissions

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

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

and

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

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

3.9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the Project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☒	☐	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☒	☐	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☒	☐	☐	☐
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☒	☐	☐	☐

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☒	☐	☐	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☒	☐	☐	☐

a) 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. Development of the Project would result in the construction of industrial/warehouse space and associated improvements on undeveloped, vacant land. Project implementation would require the transport, use, and disposal of hazardous materials which could potentially result in impacts related to hazardous materials and wildland fire. Therefore, these issues will be analyzed in the EIR.

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?

Potentially Significant Impact. Development of the Project would result in the construction of industrial/warehouse space and associated improvements on undeveloped, vacant land. Project implementation could potentially result in impacts related to hazardous materials. Therefore, these issues will be analyzed in the EIR.

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

Potentially 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 previously discussed, Project implementation would require the transport, use, and disposal of hazardous materials which could potentially result in impacts related to hazardous materials. Storage, handling, and transport of potentially hazardous materials would occur in compliance with applicable local, state, and federal regulations implemented to minimize risk of hazardous materials release. Furthermore, Project BMPs would likely include control practices to reduce the potential impact associated with hazardous materials during construction. However, these issues will be analyzed in the EIR.

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

No Impact. According to the DTSC'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 SWRCB'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 area (SWRCB 2021). Therefore, no impacts would occur, and this issue will not be evaluated further in the EIR.

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

Potentially Significant Impact. The nearest operational public-use airport to the Project site is the Southern California Logistics Airport, which is located approximately 2.8 miles to the northeast. According to the airport's land use compatibility plan, the Project site is located within both the Marginal Effect and Significant Effect noise contour (Coffman Associates, Inc. 2008). The Project would include the construction and operation of industrial/warehouse space and would introduce new habitable structures and new sources of noise into the area. As such, impacts would be potentially significant, and thus will be evaluated further in the EIR.

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

Potentially Significant Impact. 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 Town requirements include prior notification of any land or road closures with sufficient signage before and during any closures, flag crews with radio communication when necessary to coordinate traffic flow, etc. The Project developer would be required to comply with these requirements, which would maintain emergency access and allow for evacuation if needed during construction activities, however, Project implementation could potentially result in impacts related to emergency access. Therefore, this issue will be evaluated further in the EIR.

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

Potentially Significant Impact. Development of the Project would result in the construction of industrial/warehouse space and associated improvements on currently undeveloped, vacant land. Project implementation could potentially result in impacts related to hazardous materials. Therefore, these issues will be analyzed in the EIR.

3.10 Hydrology and Water Quality

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY – Would the Project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☒	☐	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?	☒	☐	☐	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on or off site;	☒	☐	☐	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or 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?	☒	☐	☐	☐

a) ***Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?***

and

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?

and

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;

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?

Potentially Significant Impact. Implementation of the Project would result in construction and operational activities upon a currently undeveloped, vacant site. Such activities could potentially have an adverse effect on existing drainage patterns, which could subsequently impact surface water and groundwater quality, as well as both on-site and local hydrology. Therefore, these issues will be analyzed in Draft EIR.

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

Less-Than-Significant Impact. The Project would not be susceptible to flood hazards, tsunami, or seiche. Seiche is generally associated with oscillation of enclosed bodies of water (e.g., reservoirs, lakes) typically caused by ground shaking associated with a seismic event; however, the Project site is not located near 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, and this issue will not be evaluated further in the EIR.

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

Potentially Significant Impact. Implementation of the Project would result in construction and operational activities upon a currently undeveloped, vacant site. Such activities could potentially have an adverse effect on existing drainage patterns, which could subsequently impact surface water and groundwater quality, as well as both on-site and local hydrology. Therefore, these issues will be analyzed in the EIR.

3.11 Land Use and Planning

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

a) Would the Project physically divide an established community?

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

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, and this issue will not be evaluated further in the EIR.

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

Potentially Significant Impact. The Project would include the construction of industrial/warehouse space and associated improvements. The Project site is currently designated Light Industrial in the City's general plan, which would permit the implementation of industrial/warehouse uses, however, the project site has a zoning designation of Light Industrial Transitional (M-1 T) and General Commercial (C-2). Industrial warehouse is not an allowable use in the General Commercial (C-2) zoning district. As such, implementation of the Project would require the approval of the proposed zone change. Further analysis is required to determine if the Project would 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. Therefore, these issues will be analyzed in the EIR.

3.12 Mineral Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES – Would the Project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☒	☐	☐
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☒	☐	☐

a) ***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?***

and

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?***

Less-Than-Significant Impact. According to the City's General Plan, the Project site is located within Mineral Resource Zone (MRZ) 3a. Land designated MRZ-3a includes areas that contain mineral resources of undetermined mineral resource significance (City of Victorville 2008). The Project would be located within an area that is not zoned for mineral resource extraction operations, and thus, such activities cannot currently occur on the Project site. However, due to the MRZ-3a designation, impacts are potentially significant and will be further analyzed in the EIR.

3.13 Noise

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

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) 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, would the project expose people residing or working in the project area to excessive noise levels?	☒	☐	☐	☐

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?

and

b) Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?

and

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?

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

3.14 Population and Housing

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

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

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

Less-Than-Significant Impact. The Project would require a temporary construction workforce and a permanent operational workforce, both of which could potentially induce population growth in the Project area. The temporary workforce would be needed to construct the 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. Thus, for purposes of analyses, employment estimates were calculated using average employment density factors reported by Southern California Association of Governments. Southern California Association of Governments reports that for every 2,111 square feet of warehouse space in San Bernardino County, the median number of jobs supported is one (SCAG 2001). The Project would include 1,351,400 square feet of industrial/warehouses space, excluding associated improvements. As such, the estimated number of employees required for operation would be approximately 640.

The population of the City is 137,193 persons as of January 2023 (DOF 2023). According to the City's Housing Element, the growth forecast for 2045 is 194,500 (City of Victorville 2021). As such, the Project's related increase of approximately 640 employees would not exceed the City's projected future population.

In addition, data provided by the California Employment Development Department in March 2023 found that the unemployment rate for San Bernardino County is at 4.5%, which is below the state average of 4.8% (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. However, this topic will be further analyzed in the EIR.

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

No Impact. The Project site is 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. Therefore, no impacts would occur, and no further analysis will be conducted in the EIR.

3.15 Public Services

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

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

Fire protection?

Less-Than-Significant Impact. Fire protection and emergency response services for the Project site are provided by the Victorville Fire Division, which operates five fire stations within the City. The nearest fire station to the Project site is Fire Station 312 (15182 El Evado Road) located approximately 1.95 miles east of the site.

According to the City's General Plan, the average response time within the City is approximately 6.18 minutes for fire. (City of Victorville 2008) 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.

In addition, as previously analyzed in response to threshold 3.14(a), the Project would not directly or indirectly induce unplanned population growth in the City. Although Project implementation 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.

Overall, it is anticipated that the Project would be adequately served by existing Victorville Fire Division facilities, equipment, and personnel. Therefore, impacts are anticipated to be less than significant but will be further analyzed in the EIR.

Police protection?

Less-Than-Significant Impact. Police protection and emergency response services for the Project site are provided by the Victorville Police Department (14200 Amargosa Road), located approximately 3.23 miles east of the site. As previously addressed, the Project would not directly or indirectly induce unplanned population growth in the City. Although the Project could potentially result in a slight incremental increase in calls for service to the Project site compared to existing conditions, this increase is expected to be nominal and would not result in the need for new police protection facilities.

Overall, it is anticipated that the Project would be adequately served by existing Victorville Police Department facility, equipment, and personnel. Therefore, impacts are anticipated to be less than significant but will be further analyzed in the EIR.

Schools?

No Impact. As previously discussed, the Project would not directly or indirectly induce unplanned population growth in the City. Although the Project would require employees to construct and operate the Project, these short-term and long-term employees would likely already reside within the Project area. As such, 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.

The Project would be subject to Senate Bill 50, which requires payment of mandatory impact fees to offset any impact to school services or facilities. The provisions of Senate Bill 50 are deemed to provide full and complete mitigation of school facilities impacts, notwithstanding any contrary provisions in CEQA or other state or local laws (Government Code Section 65996). In accordance with Senate Bill 50, the Project Applicant would pay required impact fees based on the Project's square footage per Government Code Section 65995(h). These impact fees are required of most residential, commercial, and industrial development projects in the City. Therefore, no impacts are anticipated to occur, but will be further analyzed in the EIR.

Parks?

No Impact. The Project would construct three 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 are anticipated to occur, but will be further analyzed in the EIR.

Other public facilities?

No Impact. Given the industrial nature of the Project, it is unlikely that the Project would increase the use of libraries and other public facilities. Therefore, no impacts are anticipated to occur, but will be further analyzed in the EIR.

3.16 Recreation

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. RECREATION				
a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

and

b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

No Impact. The Project would include the construction of three industrial/warehouse buildings and associated improvements. As discussed in Section 3.14, Population and Housing, 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, and no further analysis will be conducted in the EIR.

3.17 Transportation

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

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

and

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

and

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)?

and

d) Would the Project result in inadequate emergency access?

Potentially Significant Impact. Project operations would involve industrial/warehouse activities that would generate truck and passenger vehicle traffic that may conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, or otherwise result in both localized and broader transportation impacts. Further traffic impact analysis is required to determine whether the Project could potentially result in any adverse effects related the local and regional circulation system. Therefore, these issues will be analyzed in the EIR.

3.18 Tribal Cultural Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES				
Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☒	☐	☐	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☒	☐	☐	☐

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

a) ***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?***

Potentially Significant Impact. Project implementation would result in construction and operational activities upon approximately 81.1 acres of undeveloped, vacant land. Such activities could potentially have an adverse effect on currently unrecorded, unknown, historical, archaeological, or Tribal cultural resources. Further cultural resources analysis is required to determine whether the Project could

potentially result in any adverse effects related to cultural resources. Therefore, these issues will be analyzed further in the EIR.

3.19 Utilities and Service Systems

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS – Would the Project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☒	☐	☐	☐
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☒	☐	☐	☐
c) Result in a determination by the wastewater treatment provider, which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	☒	☐	☐	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☒	☐	☐	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☒	☐	☐	☐

a) Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

and

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?

and

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?

and

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?

and

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

Potentially Significant Impact. Project construction and operation would involve activities that would require the use of energy and would generate the need for domestic water, sanitary sewer, stormwater, and solid waste disposal. The Project site consists undeveloped vacant land. As such, these utilities and likely other dry and wet utilities and services would need to be extended onto the Project site. Further analysis is required to determine whether the Project could potentially result in any adverse effects related to utilities and services systems and to determine whether the Project would have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years. Therefore, these issues will be analyzed in the EIR.

3.20 Wildfire

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☒	☐	☐	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☒	☐	☐	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☒	☐	☐	☐

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☒	☐	☐	☐

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

and

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

and

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

and

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

Potentially Significant Impact. According to the CAL FIRE *Fire Hazard Severity Zone Viewer*, the Project site is located within a Local Responsibility Area (LRA) (CAL FIRE 2022). The Project site is located near a Moderate Fire Hazard Severity Zone (FHSZ) approximately 3.89 miles to the west. Given the Project site's proximity to a Moderate FHSZs, further wildfire risk analysis is required to determine whether the Project could potentially result in any adverse effects related to wildfire. Therefore, these issues will be analyzed in the EIR.

3.21 Mandatory Findings of Significance

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

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

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

b) Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

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

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

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

4 References and Preparers

4.1 References Cited

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

CAL FIRE (California Department of Forestry and Fire Protection). 2022. Fire Hazard Severity Zones Viewer. Accessed September 2022. https://egis.fire.ca.gov/FHSZ/.

California Public Resources Code, Sections 21000–21177. California Environmental Quality Act, as amended.

City of Victorville. 2008. General Plan Land Use and Zoning District. https://www.victorvilleca.gov/home/showpublisheddocument/95/636655210529070000.

Coffman Associates, Inc. 2008. Comprehensive Land Use Plan. http://www.sbcounty.gov/Uploads/lus/Airports/SCLA.pdf.

City of Victorville. 2021 - 2029. Hosing Element. https://www.victorvilleca.gov/home/showpublisheddocument/6685/637607697299070000

DOC. 2022a. California Important Farmland Finder. Accessed September 2022. https://maps.conservation.ca.gov/DLRP/CIFF/.

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

DOF. 2023. 2023 City Population Rankings. Accessed May 2023. https://dof.ca.gov/Forecasting/Demographics/estimates-e1/.

DTSC (Department of Toxic Substances Control). 2022. “EnviroStor.” Accessed September 2022. https://www.envirostor.dtsc.ca.gov.

EDD (Employment Development Department, California). 2022. “California Unemployment Rates.” Accessed September 2022. https://labormarketinfo.edd.ca.gov/file/lfmonth/2303pcou.pdf.

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.

SCAG (Southern California Association of Governments). 2001. Employment Density Study Summary Report. October 31, 2001. https://www.mwcog.org/file.aspx?A=QTTITR24POOOUlw5mPNzK8F4d8djdJe4LF9Exj6lXOU%3D

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

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

USDA (U.S. Department of Agriculture). 2022. Web Soil Survey. https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx.

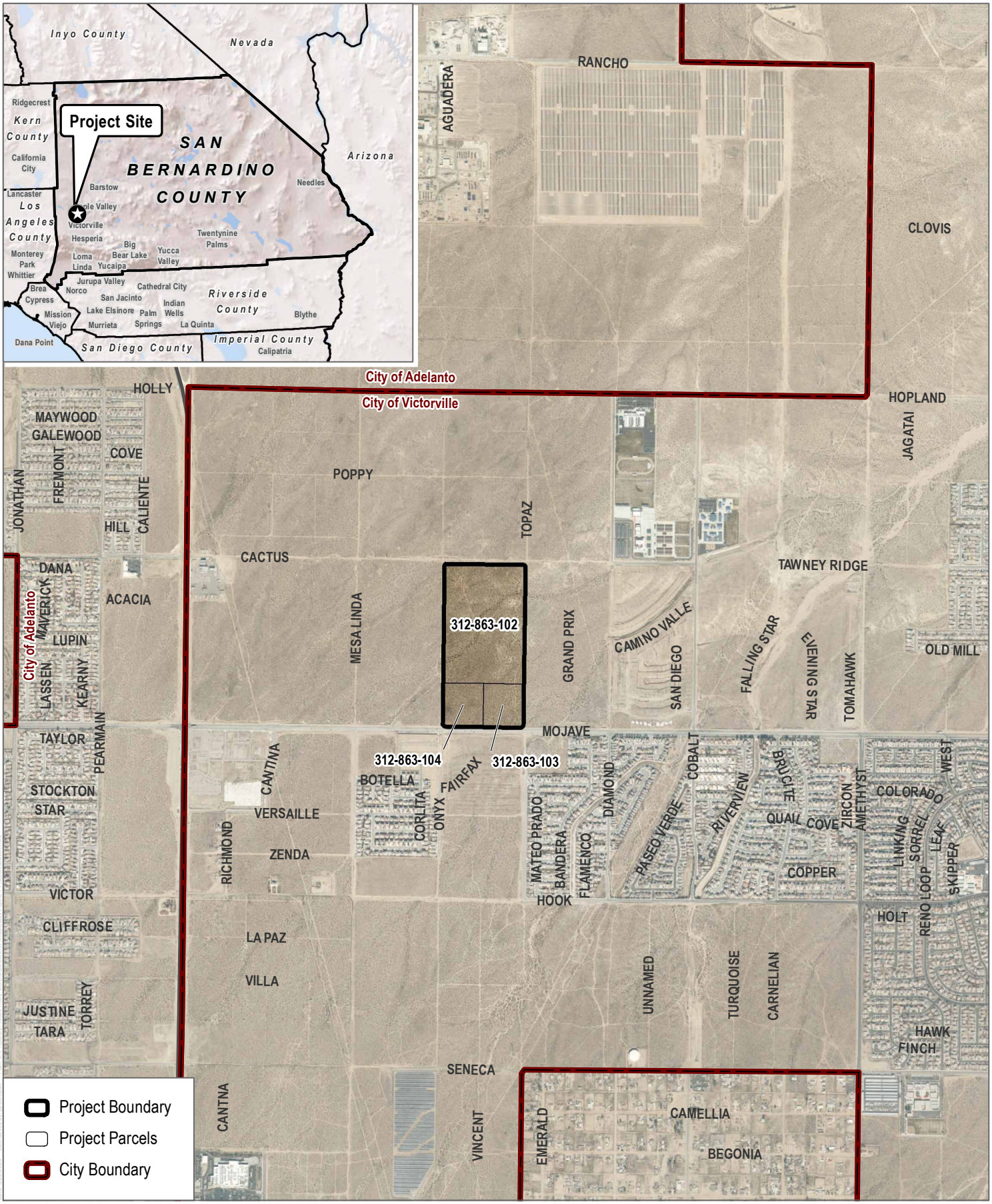
4.2 List of Preparers

City of Victorville

Travis Clark, Senior Planner

Dudek (Environmental Consultant)

Ronelle Candia, Project Manager
Cindi Hoover, AICP, Environmental Planner
Clarisa Olaguez, Environmental Analyst



SOURCE: Maxar 2020; County of San Bernardino 2023

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FIGURE 1

Project Location

Mojave Industrial Park Project

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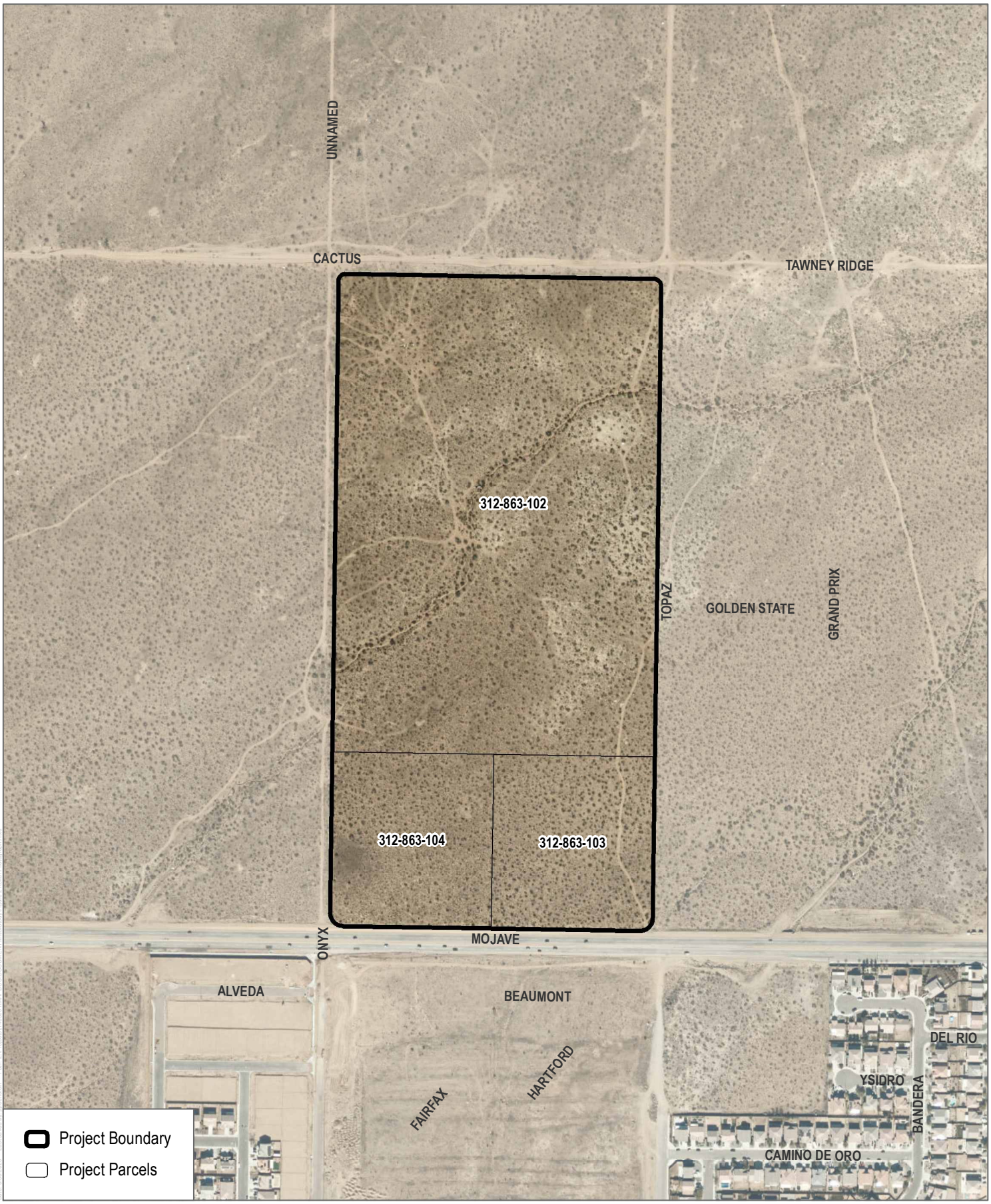

SOURCE: Maxar 2020; County of San Bernardino 2023

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FIGURE 2

Aerial Photograph

Mojave Industrial Park Project

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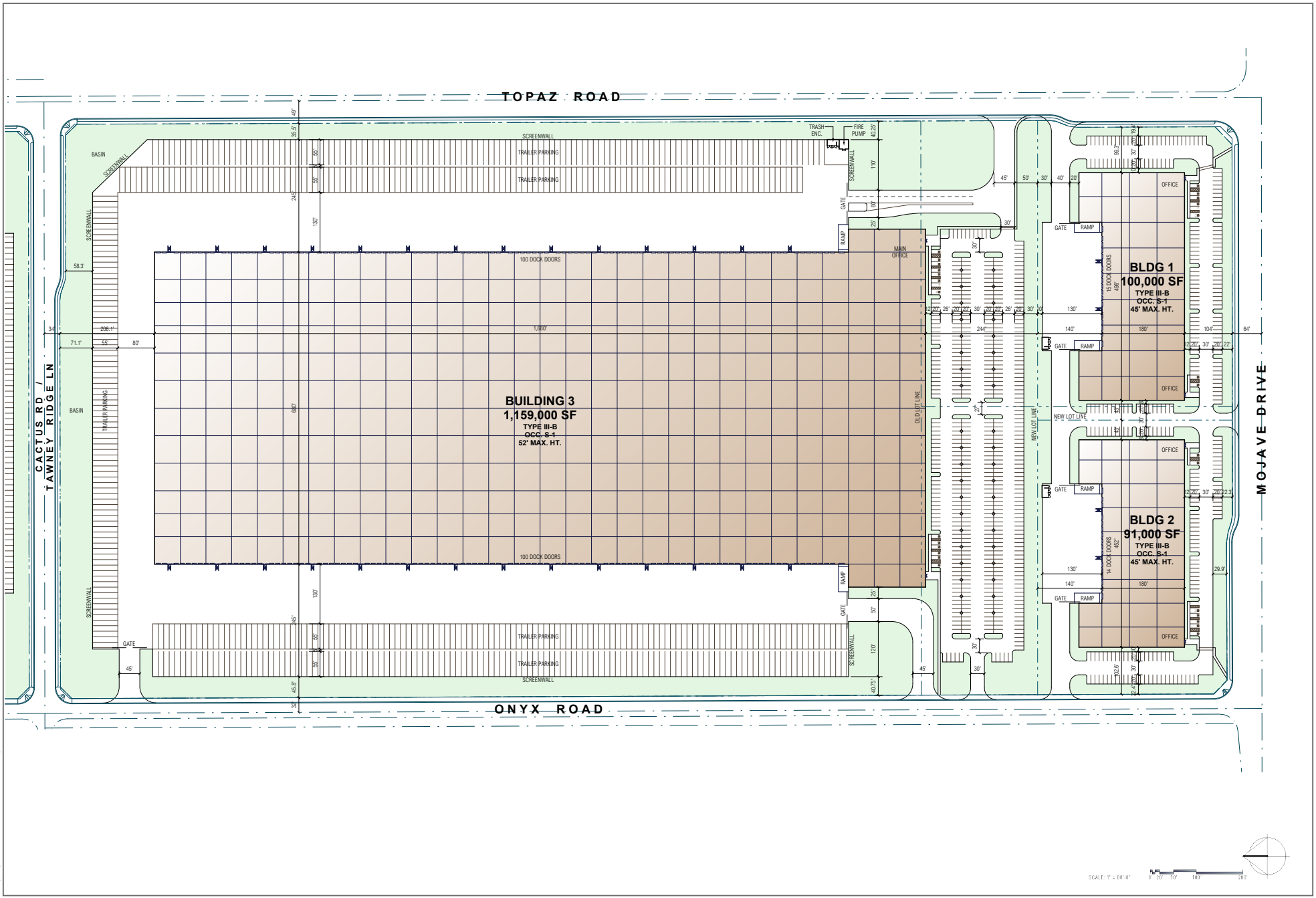

SOURCE: RGA 2023; Covington Development Partners 2023

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FIGURE 3

Conceptual Site Plan

Mojave Industrial Park Project

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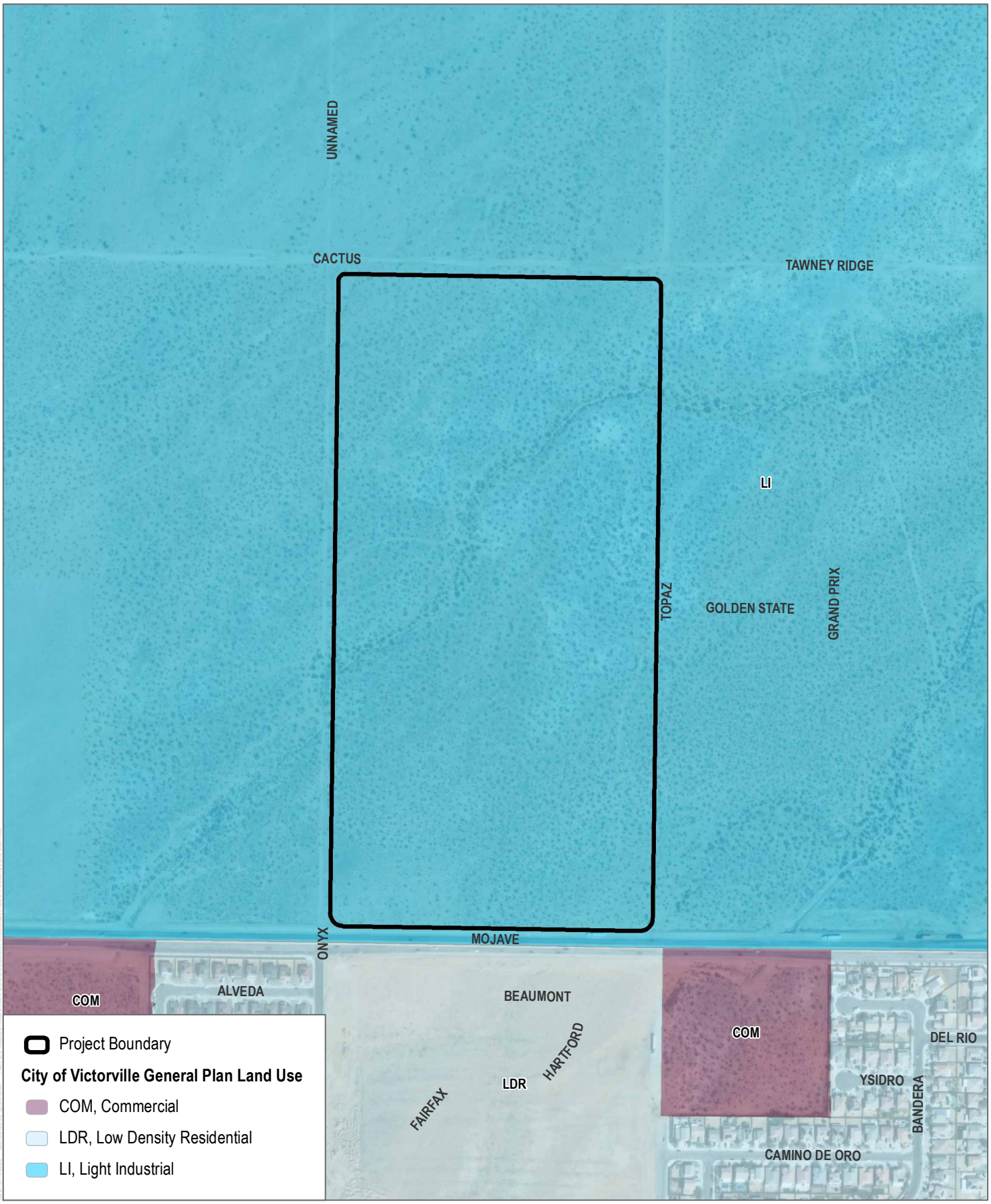

SOURCE: Maxar 2020; County of San Bernardino 2023; City of Victorville 2023

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FIGURE 4

Existing Land Use Designations

Mojave Industrial Park Project

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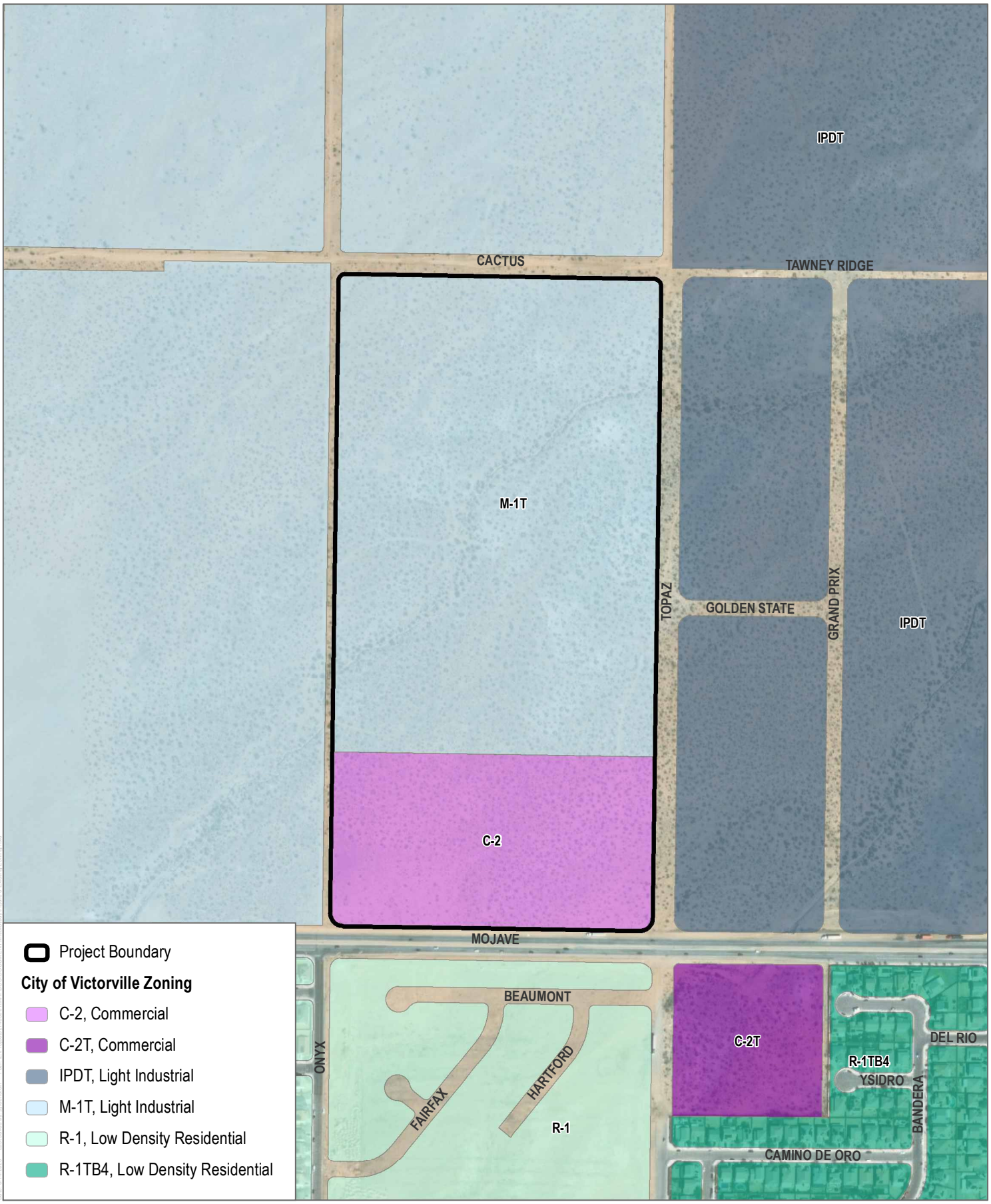

SOURCE: Maxar 2020; County of San Bernardino 2023; City of Victorville 2023

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FIGURE 5

Existing Zoning Designations

Mojave Industrial Park Project

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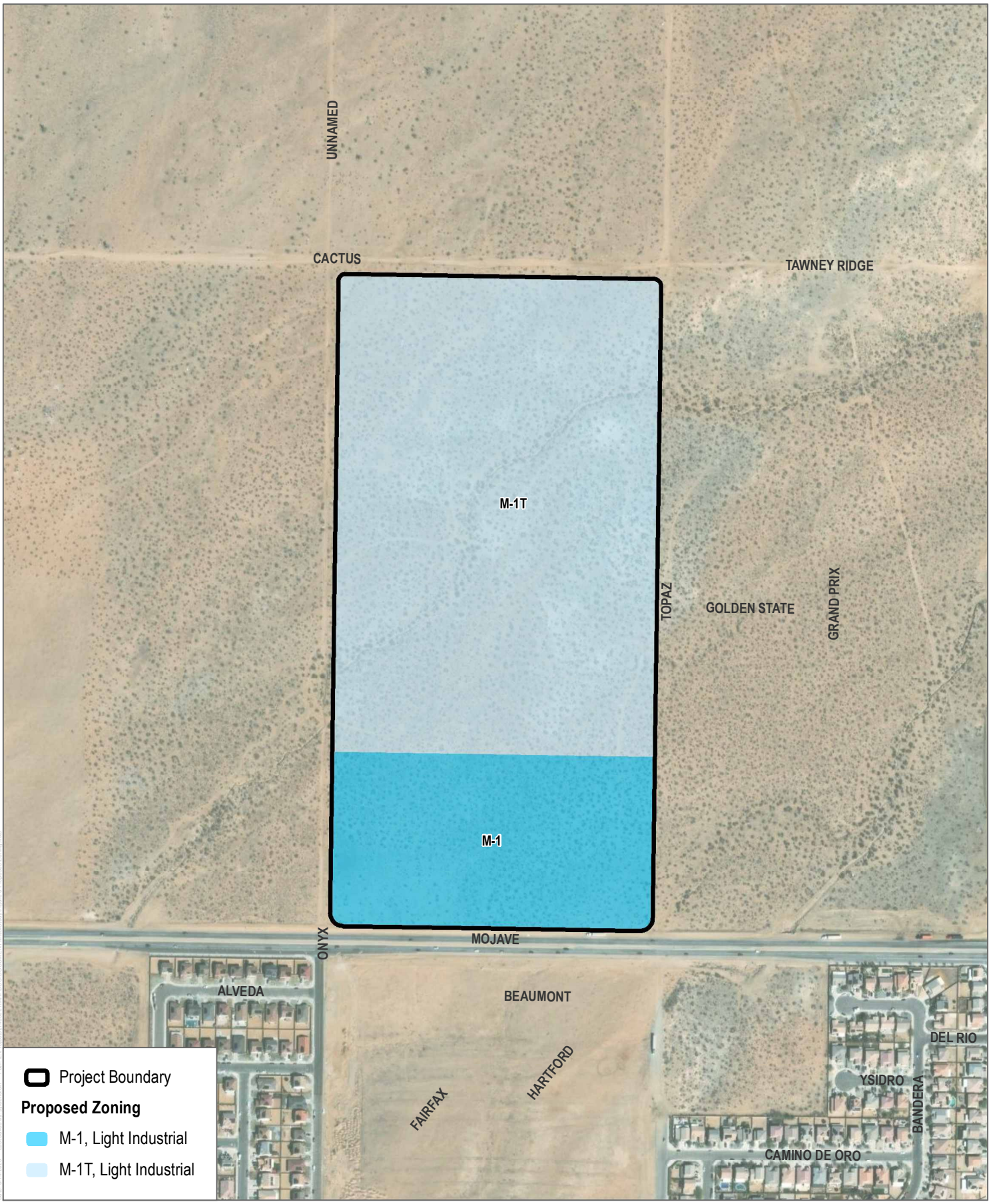

SOURCE: Maxar 2020; County of San Bernardino 2023

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FIGURE 6

Proposed Zoning Designations

Mojave Industrial Park Project

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NATIVE AMERICAN HERITAGE COMMISSION

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

November 21, 2023

Travis Clark
City of Victorville
14343 Civic Drive
Victorville, CA 92392

Re: 2023110478, Mojave Industrial Park Project, San Bernardino County

Dear Mr. Clark:

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

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

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

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

AB 52

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

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

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

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

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

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

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

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

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

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

SB 18

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

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).

2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.

3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).

4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:

- **a.** The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
- **b.** Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

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

NAHC Recommendations for Cultural Resources Assessments

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

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:

- **a.** If part or all of the APE has been previously surveyed for cultural resources.
- **b.** If any known cultural resources have already been recorded on or adjacent to the APE.
- **c.** If the probability is low, moderate, or high that cultural resources are located in the APE.
- **d.** If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- **a.** The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
- **b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

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

Sincerely,

Cameron Vela

Cameron Vela
Cultural Resources Analyst

cc: State Clearinghouse

ROB BONTA
Attorney General

State of California
DEPARTMENT OF JUSTICE

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November 28, 2023

Travis Clark, Senior Planner
City of Victorville
14343 Civic Drive
Victorville, CA 92392

RE: Mojave Industrial Park Project, SCH #2023110478

Dear Mr. Clark:

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

To help lead agencies avoid, analyze, and mitigate warehouses' environmental impacts, the Attorney General Office's Bureau of Environmental Justice has published a document containing best practices and mitigation measures for warehouse projects. We have attached a

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

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

copy of this document to this letter, and it is also available online.[3] We encourage you to consider the information in this document as you prepare the draft environmental impact report for this project.

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

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

Sincerely,

CHRISTIE VOSBURG
Supervising Deputy Attorney General

For ROB BONTA
Attorney General

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

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ROB BONTA
Attorney General

State of California
DEPARTMENT OF JUSTICE

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

Table of Contents

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

I. Background

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

III. Community Engagement

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

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

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

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

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

IV. Warehouse Siting and Design Considerations

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

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

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

V. Air Quality and Greenhouse Gas Emissions Analysis and Mitigation

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

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

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

[21] CEQA Guidelines § 15369.

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

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

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

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

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

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

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

trucks.

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

VI. Noise Impacts Analysis and Mitigation

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

Examples of best practices when studying noise impacts include:

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

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

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

Examples of measures to mitigate noise impacts include:

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

VII. Traffic Impacts Analysis and Mitigation

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

Examples of measures to mitigate traffic impacts include:

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

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

VIII. Other Significant Environmental Impacts Analysis and Mitigation

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

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

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

IX. Conclusion

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

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

12/18/2023

VIA EMAIL ONLY

Travis Clark, Senior Planner
City of Victorville Planning Department
14343 Civic Drive
Victorville, CA 32392
Email: planning@victorvilleca.gov

RE: NOP Comments for Mojave Industrial Park Project

Dear Mr. Clark,

On behalf of Californians Allied for a Responsible Economy ("CARE CA") thank you for the opportunity to provide comments on the Notice of Preparation ("NOP") for environmental review of the Mojave Industrial Park Project (the "Project"). The proposed Project will be the construction of three industrial/warehouse buildings totaling 1,351,400 square feet space and associated improvements on approximately 81.1 acres of vacant land.

The goal of an EIR is to provide decisionmakers and the public with detailed information about the effects of a proposed project on the environment, how significant impacts will be minimized and alternatives to the project (Pub. Res. Code § 21002.2). We, therefore, respectfully request a complete analysis of all identified impacts, imposition of all feasible mitigation and study of a reasonable range of alternatives. In addition, we wish to provide the following comments:

i) Project Description: The Project description contains a statement of the project objectives that the lead agency uses to determine a reasonable range of alternatives. The City should avoid developing objectives that are so narrow as to exclude any meaningful alternative other than the Project. Such a narrow approach for describing project objectives ensures that the alternatives analysis is essentially useless and a foregone conclusion. In *We Advocate Through Envtl. Review v. City of Mount Shasta*, the court found that the project objectives were unreasonably narrow and impacted analysis of the no-project alternative.

ii) Unspecified Industrial Uses: The DEIR should clearly articulate assumptions regarding the type and mix of warehouse uses that would likely occupy the massive warehouse space to ensure that the unique impacts of each use (i.e., both truck and vehicular trips, air quality, GHG

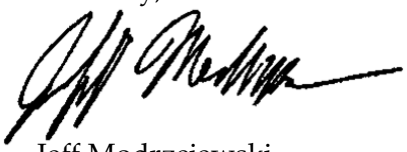
emissions, public health risk and other environmental effects) are comprehensively evaluated and disclosed to the public and City decision makers throughout the CEQA process.

If the Project will not include cold storage, then the City must include California Air Resources Board (CARB) recommended design measures in the DEIR. CARB recommends requiring contractual language in tenant lease agreements or restrictive covenant over parcels to prohibit use of transport refrigeration units (TRU).

iii) Public Health: We all know that the proposed uses will bring in hundreds and hundreds of diesel emitting trucks and cargo handling equipment into the neighborhood. No doubt, this will affect the public's health and we must not ignore the unjust consequences of toxic pollution on surrounding communities and workers. The City must ensure that the DEIR is not deficient in its informational discussion of air quality impacts as they connect to adverse human health effects.

Thank you for the opportunity to submit NOP comments. CARE CA respectfully urges the City to take this opportunity to protect the environment and the community to the maximum extent feasible. We look forward to reviewing and commenting on subsequent environmental review documents when these documents are released for public review.

Sincerely,



Jeff Modrzejewski
Executive Director

San Gorgonio Chapter

Mojave Group

December 18, 2023
Via electronic mail

We are writing to provide input for the scoping process for the Mojave Industrial Park Project (PLAN23-00024). The Mojave Group is the group of the Sierra Club that includes Victorville, the High Desert and most of San Bernardino County. The Sierra Club is a national organization with hundreds of thousands of members across the United States.

The City of Victorville has provided a basic map and diagram for the project, which indicates the project will lie along Mojave Drive between Highways 395 and I-15. It will be located near existing residential housing, as well as across the street from land zoned residential.

The Environment Impact Report (EIR) to be prepared for the project must address several issues vital to the health and well-being of the community. The project must review and reflect best current practices for minimizing impacts, including those detailed in the California Attorney General's report, "Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act" (https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf).

We highlight some of the impacts and considerations that need to be included in the EIR, though thoughtful analysis will of course find further areas to reflect.

Construction Impacts

While temporary, construction can have major impacts on nearby residents, businesses and travelers. Dust, noise and traffic must be kept as low as possible. Minimizing these impacts can include strategies of:

- Requiring construction equipment to be hybrid electric-diesel or zero-emission.
- Avoiding idling of equipment when not in active use.
- Using electric-powered tools, and avoiding fossil-fuel-powered generators.
- Reduction or ceasing of construction activity on days with high levels of air pollution or winds.

Immediate Visual and Environmental Impacts

Impacts from the facilities on the local visual and human environment must be comprehensively assessed. Residents and users of the area should be impacted by the project as minimally as possible.

The Draft EIR must fully analyze the project's impacts on noise, vibration, light, odor. In particular, these factors will impact residents in the nearby neighborhoods across Mojave Road from the project. The EIR must estimate as accurately as possible the amount of each of these factors on surrounding residents, especially vulnerable groups such as children, pregnant women and the elderly.

Measures to ensure minimal impacts should include, but not be limited to:

- Trees around the perimeter of the property and provide a solid wall of evergreen, drought-tolerant greenery, high enough to obscure the facility from any nearby vantage point. Palm trees should not be used. Trees must be maintained for the life of the project. Landscaping should have a dedicated irrigation system that continues in the event that other watering is suspended.
- Trees should also be planted in the parking areas, with a minimum of 50% shading of employee and visitor parking within 10 years, unless otherwise covered by solar carport structures.
- Lights must be kept short enough and directed so as to not impact current or possible future neighbors. Light color should be at 2,700 Kelvin or below.
- Orient dock doors and other areas with significant truck traffic away from sensitive areas, especially residential neighborhoods and land zoned for residential.

Air Quality and Greenhouse Gas Emissions

The construction and operation of the facility will emit considerable amounts of greenhouse gases. The plan and EIR must accurately and completely asses the emissions that will occur due to the operation of the facilities, as well as due to the vehicles traveling to and from the site. The project plan and EIR must ensure that these emissions will be minimized to the highest degree possible. Strategies should include but not be limited to:

- Zero-emission motorized on-site equipment, including forklifts, pallet jacks, yard equipment, yard goats, yard hostlers, sweepers, yard trucks and tractors.
- Photovoltaic (PV) solar arrays should be installed that will provide 100 percent of anticipated electricity used by the entire project facility, equipment and vehicles. These arrays should be operational prior to certificate of occupancy. The PV system should be fully operational for at least 25 years.
- At least 15 percent of passenger vehicle parking spaces should be electric vehicle (EV) ready, with working chargers of at least Level 2 (240 volts, 6+ KW) capacity. Quick-charge stations should be able to be installed when demand increases for EV charging.
- Lockers for bicycles, including charging ability for electric bicycles.
- Any HVAC, water heating, refrigeration, cooktops and other appliances must be electric. Natural gas and propane should not be used within the facility.
- A minimum of ten percent of big rig parking spaces should be equipped with electric vehicle infrastructure for use by future electric trucks.

Vehicle Traffic Generated by the Facility

The big-rig trucks and other traffic generated are some of the largest impacts the project will create. These affect both the neighbors and travelers in the immediate area, as well as the air in the region. The EIR must carefully assess these impacts and reduce them as much as possible. Measures to do so can include:

- Accurately estimating number of trips by the various vehicles to be using the facility, and measuring the energy required and pollutants to be generated.
- Assessing the routes to be taken by vehicles using the facility, and their impacts on traffic, noise, and air quality, including particulates. These effects will impact nearby residents and anticipated residential development in the area.
- Planning and requiring routes that will minimize impacts.
- Planning for, and implementing when feasible, the use of zero-emission trucks and other vehicles.
- Providing sufficient on-site areas for parking, queuing and truck check-in so that vehicles are not parking or idling on public streets.
- Enhancing lighting on the street in front of and near the site. Most pedestrian and bicycle deaths occur at night, and improved lighting can help prevent injuries and fatalities.

Cumulative Impacts of Warehouse Development

Although this project is not sited near other current warehouses, considerable expansion of warehousing is occurring in the High Desert area. This is especially true along the Highway 395 corridor, between Adelanto and the junction with I-15 in Hesperia. The EIR should consider the cumulative impacts of these various warehouse developments on the environment of the region. Effects will include traffic, air quality, greenhouse gas emissions, and biological resources.

Biological Impacts

Although the site is not generally considered to be in an area of high-quality or continuous wildlife habitat, due consideration must be given to its impacts on the wider biological community. Surveys of wildlife activity must of course be included. Measures to prevent impacts on nesting activity during construction must be done.

Community Engagement Prior to Draft EIR

As pointed out by the AG's guidelines, the local community must be included in plans that affect them. The typical CEQA process does not adequately include local residents and businesses in many cases. The planning process here should include more thorough reaching out to those who may be affected by the project, particularly people who are disadvantaged and those more susceptible to negative impacts from development. This can include local community meetings, door-to-door campaigns, mailed flyers, social media engagement and tables at local events. The voice of community members should be genuinely sought, heard, and reflected in the plans for the project.

Zoning Changes

The project will require a revision of zoning; the change from General Commercial (C-2) and Light Industrial Transitional (M-1 T) to Light Industrial (M-1) needs to be fully explained and justified, in terms of the practical impacts it will have, such as the types of businesses that would have been expected in the Commercial zoning area and the difference between M-1 T and M-1 in terms of the types of business allowed.

Thank you for the opportunity to contribute to the scoping process for this project. We look forward to a thorough and complete analysis of impacts, and to the creation and implementation of measures to minimize the environmental impacts of the project.

Sincerely,

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