Adelanto Industrial Center Project

DRAFT ENVIRONMENTAL IMPACT REPORT

Location and Development Plan 23-06
Tentative Parcel Map 20745
State Clearinghouse No. 2023120352

Lead Agency

City of Adelanto
Development Department - Planning
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March 7, 2024

EPC Environmental, Inc invites you to view

this short video summarizing the

Adelanto Industrial Center Project:

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Acronyms and Abbreviations

AAQS	Ambient Air Quality Standards
AB 52	Assembly Bill 52
ADD	Airport Development District
ADT	Average Daily Traffic
AESD	Adelanto Elementary School District
AFY	Acre Feet per Year
AIA	Airport Influence Area
ANSI	American National Standards Institute
APN	Assessor Parcel Number
APUA	Adelanto Public Utilities Authority
AQAP	Air Quality Attainment Plan
AQMIS	Air Quality and Meteorological Information System
AQMP	Air Quality Management Plan
ASTM	American Society of Testing and Materials
AWD	Adelanto Water Department
AWTF	Adelanto Wastewater Treatment Facility
BP	Business Park
BMPs	Best Management Practices
BUOW	Burrowing Owl
BWh	Dry-hot desert
BWhh	Dry-very hot desert
CalEEMod™	California Emissions Estimator Model
CAO	Cleanup and Abatement Order
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CBSC	California Building Standards Code
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CDNPA	California Desert Native Plants Act
CDO	Cease and Desist Order
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CFGC	California Fish and Game Code
CHE	Cargo handling equipment
CLUP	Comprehensive Land Use Plan
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNG	Compressed Natural Gas
CNPS	California Native Plant Society
CO	Carbon Monoxide
CORE	Clean Off-Road Equipment Voucher Incentive Project
Cortese	Hazardous Waste and Substances Sites
CRHR	California Register of Historical Resources
CSSC	California Species of Special Concern
CUP	Conditional Use Permit
CUPA	California Unified Program Agency
CWA	Clean Water Act
CWC	California Water Code
dB	Decibel
dBA	A-weighted Decibels
DIF	Development Impact Fee
DOGGR	Division of Oil, Gas, and Geothermal Resources
DOSH	Division of Occupational Safety and Health
DTSC	Department of Toxic Substances Control
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EIR	Environmental Impact Report

EQ Zapp	California Earthquake Hazards Zone Application
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-To-Know Act
ESA	Environmental Site Assessment
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GHG	Greenhouse Gas
H&S	Health and Safety
HMTA	Hazardous Materials Transportation Act
HMTUSA	Hazardous Materials Transportation Uniform Safety Act
HP	horsepower
HPDF	Historic Property Data File
HRA	Health Risk Assessment
HSWA	Hazardous and Solid Waste Amendments
HWCL	Hazardous Waste Control Law
HVAC	Heating, Ventilation, and Air Conditioning
ICEs	Internal combustion engines
IRWM	Integrated Regional Water Management
ITP	incidental take permit
IWMA	Integrated Waste Management Act of 1989
IWTP	Industrial Wastewater Treatment Plan
JPA	Joint Powers Authority
LDP	Location Development Plan
LDN	Day-night sound level
LEDPA	Least environmentally damaging practicable alternative
LEED	Leadership in Energy and Environmental Design
Leq	equivalent continuous sound pressure
LHMP	Local Hazard Mitigation Plan
LID	Low Impact Development
LLC	Limited Liability Company
LM	Light Manufacturing
Lmax	Maximum level measured over the time interval
LOS	Level of Service
LRA	Local Responsibility Area
LRWQCB	Lahontan Regional Water Quality Control Board
MBA	Mojave Basin Area
MBMI	Morongo Band of Mission Indians
MBTA	Migratory Bird Treaty Act
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
mgd	million gallons per day
MMRP	Mitigation Monitoring and Reporting Program
Mph	Miles per hour
MWA	Mojave Water Agency
n.d.	no date
NAHC	Native American Heritage Commission
NCCPA	Natural Community Conservation Planning Act
NHM	Natural History Museum
NOA	Notice of Availability
NOX	Nitrogen Oxides
NIOSH	National Institute for Occupational Safety and Health
NMFS	National Marine Fisheries Service
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
NPPA	Native Plant Protection Act
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NWI	National Wetlands Inventory
O3	Ozone
OHP	Office of Historic Preservation
OHV	Off Highway Vehicle
OHWM	Ordinary High-Water Mark
OS	Open Space
OSHA	Occupational and Safety Health Act
PA	Production/Attraction
PCBs	Polychlorinated biphenyls

PM	Particulate Matter
$PM_{2.5}$	Fine Particulate Matter (2.5 microns or smaller)
PM_{10}	Fine Particulate Matter (10 microns or smaller)
PPV	peak particle velocity
PRC	Public Resources Code
RCNM	Roadway Construction Noise Model
RCRA	Resource Conservation and Recovery Act
RECs	Recognized Environmental Conditions
REMEL	Reference Mean Emission Level
RR	Regulatory Requirement
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
S&HC	California Streets and Highways Code
SARA	Superfund Amendments and Reauthorization Act
SB 18	Senate Bill 18
SBCFCD	San Bernardino County Flood Control District
SBCTA	San Bernardino County Transportation Authority
SBTAM	San Bernardino County Transportation Analysis Model
SCAG	Southern California Association of Governments
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SCLA	Southern California Logistics Airport Compatibility Plan
SCS	Sustainable Communities Strategy
SGMA	Sustainable Groundwater Management Act
SLF	Sacred Lands File
SNUR	Significant New Use Rule
SO_X	Sulfur Oxides
SWMP	Storm Water Management Plan
SWP	State Water Project
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
subd	Subdivision
TAZ	traffic analysis zone
TNM	Traffic Noise Prediction Model
TPA	Transit Priority Area
TPM	Tentative Parcel Map
TRU	Transport Refrigeration Units
TRU-C	Transportation Refrigeration Unit Calculator
TSCA	Toxic Substances Control Act
USACE	United States Army Corps of Engineers
USDA	United State Department of Agriculture
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
UTRs	Utility tractors
UWMP	Urban Water Management Plan
UWMP Act	Urban Water Management Plan Act
VdB	vibration decibel notation
VMT	Vehicle Miles Traveled
VOCs	Volatile Organic Compounds
VVHSD	Victor Valley Union High School District
VVTA	Victor Valley Transit Authority
WDF	Water Demand Factor
WEAP	Worker Environmental Awareness Program
WOTS	Waters of the State
WOTUS	Waters of the U.S.
YSMN	Yuhaaviatam of San Manuel Nation

EXECUTIVE SUMMARY

ES.1 Introduction

The California Environmental Quality Act (CEQA), codified in the Public Resources Code (PRC), §21000 et seq., and the "CEQA Guidelines," codified in California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387, was established to require public agencies to consider and disclose the environmental implications of their actions before deciding to approve or carry out a project subject to CEQA.[1]

As required by CEQA, Guidelines §15121(a), the purpose of this Draft Environmental Impact Report (EIR) is to: (1) disclose information on a proposed development named "Adelanto Industrial Center" (Project) comprising two logistic/ warehouse buildings totaling 2,483,836 square feet of building area on approximately 128.58 acres of vacant, undeveloped land in the City of Adelanto by informing public agency decision makers and the public generally of the significant environmental effects associated with all phases of the Project, (2) identify possible ways to minimize or avoid those significant effects, and (3) to describe a reasonable range of alternatives to the Project that would feasibly attain most of the basic Project objectives but would avoid or substantially lessen its significant environmental effects.

ES.2 Lead Agency

As the agency with primary land use authority, the City of Adelanto (City) is the Lead Agency under CEQA for this project; as such, the City is responsible for ensuring that the EIR has been prepared in conformance with CEQA and the CEQA Guidelines. The EIR and associated technical studies were reviewed by the various City departments to ensure that the EIR reflects the independent judgment of the Lead Agency.

The City of Adelanto has determined that an EIR is required for this Project. Pursuant to CEQA Guidelines §15063(a), when a lead agency can determine that an EIR will be required for a project, an Initial Study is not required. An Initial Study was not prepared for this Project, however, the City of Adelanto has determined that implementation of the Project has the potential to result in significant environmental effects, and a Project EIR, as defined by CEQA Guidelines §15161, is required. As stated in CEQA Guidelines §15161, a Project EIR should *"…focus primarily on the changes in the environment that would result from the development project," and "…examine all phases of the project including planning, construction, and operation."*

[1] 2024 CEQA Statutes and Guidelines. Available at: https://opr.ca.gov/ceqa/guidelines/

ES.3 Project Overview

Proposed Project Summary

The Adelanto Industrial Center (Project) would develop an approximately 128-acre vacant site with two logistic warehouse buildings totaling 2,483,836-square-feet. Building 1 is comprised of 1,349,358 square feet with 20,000 square feet allocated to office use and Building 2 is comprised of 1,134,478 square feet with 20,000 square feet allocated to office use. The Project includes related site improvements such as landscaping, parking, and infrastructure facilities. Throughout this EIR, the 128-acre area is described as the "Building Site." Additionally, the Project requires the construction of off-site utilities and roadways which will be constructed within the rights-of-way of roadways that are not adjacent to the Building Site. These areas are described as the "Off-Site Improvement Area." A more detailed description of the Project is provided in Section 2, Project Description.

Governmental approvals requested from the City of Adelanto by the Project Applicant to implement the Project include a Location and Development Plan (LDP) 23-06 and Tentative Parcel Map (TPM) 20745. All other related discretionary and administrative actions that are required of the City of Adelanto and other public agencies and entities to construct and operate the Project described in this EIR also are considered part of the Project evaluated herein. Approvals and permits required of other agencies that are currently known to be needed to implement the Project are listed in this EIR, Section 2 - *Project Description*.

Access to the Project Site will be provided by Adelanto Road, Avalon Avenue, Coronado Avenue, Nichols Avenue, and North Perimeter Road via two 40-foot driveways along Adelanto Road, three 40-foot driveways and one 26-foot driveway along Avalon Avenue, one 40-foot driveway along Coronado Avenue, one driveway along Nichols Avenue, and one 40-foot driveway and two 26-foot driveways along North Perimeter Road. The proposed roadway improvements will promote a reduction in Vehicle Miles Travelled (VMT) by constructing sidewalks to facilitate pedestrians and by improving roadways to allow access for transit service. The Project would construct streets that meet City standards and provide sidewalks and pavement that would also accommodate bicycle travel along the paved roadways.

Fire Access: The Project would construct roadway improvements to roadways adjacent to the Project Site and within the Off-Site Improvement Area per City standards. Emergency access would be available from Adelanto Road, Avalon Avenue, Coronado Avenue, Nichols Avenue, and North Perimeter Road connecting to the citywide circulation system.

Parking: The total parking estimated for the Project is 1,626 stalls, with 804 stalls for Building 1 and 822 stalls for Building 2.

Site Lighting: Outdoor lighting will be used for security on the building and to illuminate the parking lots and driveway aisles while minimizing glare onto adjacent properties.

Stormwater Management: The Project applicant has prepared a Preliminary Hydrology Study (Technical Appendix G) and a Water Quality Management Plan (Technical Appendix H) that identifies stormwater management for the building operations/post construction. Storm drainage will be directed towards two upgraded detention/infiltration basins; one is on the middle of the site, north of Nichols Avenue, and the other one the on the southeast corner of Adelanto Road and Coronado Avenue. These basins serve to attenuate peak flows to pre-development levels, improve water quality, and mitigate potential flooding or erosion issues associated with the development.

Utilities and Services:

Water: Water service in the City of Adelanto is provided by the City of Adelanto Water Department through the Adelanto Public Utility Authority (APUA). The Project proposes to connect to the City operated water system and extend the proposed 12-inch water line beyond the Project 's southern boundary starting from the intersection of Adelanto Road and Avalon Avenue, then southerly to Auburn Avenue, then approximately 1,360 feet westerly to the point of connection with the existing water line in Auburn Avenue.

Sewer: Sewer service to the Project site is provided by Adelanto Water Department through the Adelanto Public Utilities Authority (APUA). The Project proposes to extend the proposed 15-inch Force Main beyond the Project's northern boundary northerly approximately 1,425 feet, then easterly approximately 1,430 feet along De Soto Avenue to the point of connection with the Adelanto Interceptor sewer line.

Electrical: Electrical service is readily available through Southern California Edison.

Waste: Solid waste disposal and recycling services for the proposed Project site would be provided by Avco Disposal through Burrtec Waste Industries, Inc. The Project is anticipated to generate 23,352.2 tons of solid waste per year.

Project Location

The Project Site and Off-Site Improvement Area is within the City of Adelanto which is located approximately 85 miles northeast of Downtown Los Angeles and 30 miles north of the City of San Bernardino. The City is located in the Victor Valley area of the Mojave Desert in the northern region of the Inland Empire in the County of San Bernardino. The City is adjacent to the cities of Victorville and Hesperia. The Town of Apple Valley is located further to the east. Specifically, the Project is

located at the northeast corner of Adelanto Road and Avalon Avenue in the City of Adelanto (refer to **Figure 2.2.1** Regional Location Map).

At the local scale, the Project site is bordered by Avalon Avenue on the south, Coronado Avenue on the north, North Perimeter Road on the east, and Adelanto Road on the west. The 128-acre Project site is comprised of six parcels, Assessor Parcel Numbers (APNs) 0459-411-18, 0459-411-30, 0459-411-31, 0459-411-32, 0459-411-33, 0459-411-34 north of Avalon Avenue.

The Project Site is within an area of the City zoned Airport Development District (ADD). The ADD provides for a wide range of nonresidential uses that are supportive of the airport. These allowable uses are light and heavy industrial, retail, office, and other commercial uses that are oriented around airport operation, services, industries, and businesses. The Airport Development District is intended to provide maximum flexibility to the City, landowners, and tenants in establishing and operating non-residential uses.[2]

Project Objectives

The underlying purpose and goal of the Adelanto Industrial Center Project is to construct all required infrastructure to support the development of the site, including roadways, sewer lines, water lines, storm drains, and other utilities, in order to increase employment opportunities and improve the City's economic competitiveness. This underlying purpose aligns with various aspects of the Southern California Association of Governments' (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) primarily related to accommodating goods movement industries and balancing job and housing opportunities in local areas to reduce long commutes from home to work. The Project will be operated as 2 industrial logistics buildings consistent with the Airport Development District (ADD), General Plan, and zoning requirements. described above.

The Project would achieve its underlying purpose and goal through the following objectives.

1. Create a professional, well-maintained, and attractive environment for the development of an industrial complex consistent with the City of Adelanto General Plan Land Use designation of Light Manufacturing (LM) and the land uses allowed by the zoning classification of ADD (Airport Development District).

2. To develop a logistic/warehouse facility near the Southern California Logistics Airport and US 395 in support of the region's goods movement network.

[2] City of Adelanto Municipal Code (MC) Section 17.30.010a

3. Expand economic development, attract new businesses, and provide employment opportunities in the City of Adelanto thereby providing a more equal jobs-to-housing balance in the City that will reduce the need for members of the local workforce to commute outside the area for employment.

4. Design the facility for energy efficiency and sustainability consistent with the State of California's goals to reduce impacts related to climate change.

5. Locate an industrial facility in an area that minimizes conflicts with the surrounding existing uses to the extent possible.

6. Provide the necessary infrastructure to support the development of the Project and other undeveloped properties in the immediate vicinity consistent with the capacity and municipal service capabilities.

Areas of Controversy and Issues to be Resolved

CEQA Guidelines §15123(b)(2) requires that areas of controversy known to the Lead Agency (City of Adelanto) be identified in the Executive Summary. The City has not identified any areas of controversy associated with the Project after considering all comments received in response to the NOP.

Notice of Preparation

Consistent with CEQA Guidelines §15082, a (NOP) was circulated for a 30-day public review period from December 13, 2023 to January 11, 2024 (refer to Technical Appendix A – Notice of Preparation and Comment Letters).

Public Scoping Meeting

An EIR Scoping Meeting was held on January 9th, 2024.

Alternatives to the Proposed Project

Section 15126.6 of the CEQA Guidelines requires that an EIR describe a range of reasonable alternatives to the proposed Project or to the proposed Project location that would feasibly attain most of the proposed Project objectives but would avoid or lessen any significant environmental impacts. An EIR should also evaluate the environmental impacts of the alternatives compared to the proposed Project.

A detailed description of each alternative evaluated in this EIR, as well as an analysis of the potential environmental impacts associated with each alternative, is provided in EIR Section 6 - *Alternatives.*

Also described in Section 6 is a list of alternatives that were considered but rejected from further analysis. The alternatives considered by this EIR include those listed below.

No Project/No Development Alternative

The No Project/No Development Alternative considers no development on the Project Site beyond what occurs under existing conditions (as described in EIR Section 2 – *Project Description*). As such, the approximately 128-acre Building Site would continue to remain vacant and undeveloped. Under this Alternative, no improvements would be made to the Project Site and none of the Project's on-site and off-site roadway, drainage, utility, and other infrastructure improvements would occur. This alternative was selected by the City to compare the environmental effects of the Project with an alternative that would leave the Project site undeveloped in its existing condition.

Reduced Intensity Alternative

The Reduced Intensity Alternative would consider the development of the Building Site with a 20% reduction in building square footage, to reduce vehicle and truck trips and impacts associated with air quality, greenhouse gas emissions (GHG) and vehicle miles traveled (VMT). Under this alternative, a total of 1,987,069 square feet of industrial uses would be constructed, resulting in a reduction of 496,767 square feet from the proposed buildings. By reducing the size of the proposed buildings, the number of daily vehicle trips would be 8,986 and the number of employees would be 2,457. Because the number of employees would be less, the service population would also be less, thus reducing the amount of (VMT) by 20%. Access to the site would be similar to the Project with a proportional reduction in the number of parking spaces.

Summary of Levels of Impact and Mitigation Measures

The Project's potential direct, indirect impacts, and cumulative impacts for all environmental topical areas are addressed in Sections 4.1 through 4.14 of this EIR. Growth-inducing impacts, significant irreversible environmental changes, and environmental justice considerations are addressed in Section 5 - *Other CEQA Considerations*.

Table ES.1, *Summary of Impacts and Mitigation Measures*, below, presents a summary of the environmental impacts resulting from the Project.

Issues to be Resolved by the Decision-Making Body

The Adelanto City Planning Commission serves as the decision-making body for the Project. (unless appealed to the City Council). Issues to be resolved by the Planning Commission include: 1) how to mitigate the significant effects of the Project; 2) whether to reject or approve one of the alternatives to the Project and other environmental findings; and 3) whether to reject or approve the Project.

If the Planning Commission approves the Project, it must also adopt detailed findings regarding each of the Project's significant environmental impacts (see Public Resources Code §21081 and CEQA Guidelines §15091) and if the Project will result in a significant and unmitigated or unavoidable impact the Planning Commission would also have to state in writing the reasons to support the approval in an additional finding known as a statement of overriding considerations (see CEQA Guidelines §15093).

Table ES.1 Summary of Impacts and Mitigation Measures

Environmental Topic/Threshold	Document/ Section	Mitigation Measures (MM) Required to Reduce Impact	Level of Significance
Aesthetics			
	4.1	None required.	
Air Quality			
4.2 a) Conflict with or obstruct implementation of the applicable air quality plan? 4.2 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?	4.2	**AQ-1 The following mitigation measures shall be implemented for Project operations:** • Implement MM-GHG-1 and GHG-2 • All facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site shall meet or exceed 2010 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Facility operators shall maintain records on site demonstrating compliance with this requirement and shall make records available for inspection by the City of Adelanto, MDAQMD, and the State upon request. • The Project's electrical rooms shall be sufficiently sized to hold additional panels _that may be needed to supply power for installation of electric charging systems for electric trucks. Conduit shall be installed from the electrical room to all tractor trailer parking spaces in logical locations on site to facilitate future electric truck charging. • Tenant lease agreements for the Project shall include contractual language requiring the use of Zero-Emission landscape equipment. • All facility operators shall train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks. • Signs shall be posted at every truck exit driveway showing directional information on the available truck route(s). • Tenants shall be provided with information on incentive programs, such as the Carl Moyer Project and Voucher Incentive Program, to upgrade their fleets	Significant and Unavoidable

Environmental Topic/Threshold	Document/ Section	Mitigation Measures (MM) Required to Reduce Impact	Level of Significance
Biological Resources			
4.3 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	4.3	**BIO-1** **Comply with the Western Joshua Conservation Act**. Prior to the initiation of western Joshua tree removal, relocation, replanting, trimming, or pruning, or any activity that may result in take of WJT on site, the Project Proponent shall obtain California Endangered Species Act (CESA) Incidental Take Permit (ITP) under Section 2081 of the CESA, or any other appropriate take authorization under CESA or the Western Joshua Tree Conservation Act (WJTCA) (Fish and Game Code §§ 1927-1927.12). The Project Applicant will adhere to measures and conditions set forth within the Incidental Take Permit, which may consist of mitigation fees, relocation, off-site conservation, a CDFW-approved mitigation bank or a combination thereof.	Potentially significant prior to incorporating mitigation measures.
		BIO-2 **Pre-construction Rare Plant Clearance Survey:** Prior to Project implementation, and during the appropriate season, a qualified biologist shall conduct botanical field surveys within the Project area following protocols outlined in the California Department of Fish and Wildlife's (CDFW) 2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities[3]. The surveys shall be conducted by a CDFW-approved botanist(s) experienced in conducting floristic botanical field surveys, knowledgeable of plant taxonomy and plant community ecology and classification, familiar with the plants of the area, including special-status and locally significant plants, and familiar with the appropriate state and federal statutes related to plants and plant collecting. The botanical field surveys shall be conducted at the appropriate time of year when plants will both be evident and identifiable (usually, during flowering or fruiting) and, in a manner, which maximizes the likelihood of locating special-status plants and sensitive natural communities that may be present. Botanical field surveys shall be conducted floristic in nature, meaning that every plant taxon that occurs in the project area is identified to the taxonomic level necessary to determine	Potentially significant prior to incorporating mitigation measures.

[3] https://wildlife.ca.gov/Conservation/Environmental-Review/WJT/WJTCA#:~:text=The%20WJTCA%20prohibits%20the%20importation,the%20permittee%20meets%20certain%20conditions.

Environmental Topic/Threshold	Document/ Section	Mitigation Measures (MM) Required to Reduce Impact	Level of Significance
		rarity and listing status. If any special-status plants are identified, the Project Applicant shall avoid the plant(s), with an appropriate buffer (i.e., fencing or flagging).	
		BIO-3 Rare Plant Compensatory Mitigation. If complete avoidance of a special status plant is not feasible, the Project Applicant shall mitigate the loss of the plant(s) through off-site compensation including: 1) permanent protection of an existing off-site native population; 2) permanent protection of an off-site introduced population; 3) a combination of 1) and 2); or 4) mitigation banking. The ratio of acquisition to loss must in most cases exceed 1:1 for any species. The ratio should be higher for rarer species, particularly for those that occupy irreplaceable habitats.	Potentially significant prior to incorporating mitigation measures.
		BIO-4 California Desert Native Plant Act Focused Survey. Prior to the issuance of a grading permit, the Project Applicant shall retain a qualified Biologist to conduct focused surveys for plants protected by the California Desert Native Plant Act on the Project site. This includes species of family Burseraceae (elephant tree); Carnegiea gigantea (saguaro cactus); Ferocactus acanthodes (barrel cactus)[4]; Castela emoryi (crucifixion thorn); Dudleya saxosa (Panamint dudleya); Pinus longaeva (bristlecone pine); and Washingtonia filifera (fan palm); all species of the family Agavaceae (century plants, nolinas, yuccas); all species of the family Cactaceae (cacti), except for the plants listed in subdivisions (b) and (c) of Section 80072, which may be harvested under a permit obtained pursuant to that section; all species of the family Fouquieriaceae (ocotillo, candlewood); all species of the genus Prosopis (mesquites); all species of the genus Cercidium (palos verdes); Acacia greggii (catclaw); Atriplex hymenelytra (desert-holly); Dalea spinosa (smoke tree); and Olneya tesota (desert ironwood). If any of the protected species are present in the impact area, the Project Applicant shall obtain the necessary permits, tags, and/or seals, and shall pay the appropriate fees for	Potentially significant prior to incorporating mitigation measures.

[4] *Ferocactus acanthodes* is not currently recognized by the Jepson Flora Project (2024). It is assumed to mean either of the two recognized species of *Ferocactus* in California, the California barrel cactus (*Ferocactus cylindraceus*), or the San Diego barrel cactus (*Ferocactus viridescens*).

Environmental Topic/Threshold	Document/ Section	Mitigation Measures (MM) Required to Reduce Impact	Level of Significance
		the removal of any individuals of a species protected by the California Desert Native Plant Act.	
		BIO-5 Crotch's Bumble Bee Survey. Prior to the initiation of project activities, the Project proponent must obtain a qualified biologist to conduct surveys for the candidate bumble bee species. The qualified biologist will conduct habitat mapping no less than 120 days prior to the initiation of Project activities with the submittal of a complete baseline habitat mapping report encompassing Fish and Game Code 1602 resources. Mapping will identify habitat alliances following Sawyer et al. (2009) and the report will identify species composition for each mapped alliance. If habitat mapping identifies the presence of plants (e.g., genera Antirrhinum, Phacelia, Clarkia, Cordylanthus, Dendromecon, Eschscholzia, Eriogonum Hypericum, Lantana, Lupinus, Salvia, Asclepias, Cirsium, Monardella, Keckiella, Acmispon, Euthamia, Ehrendorferia, Vicia, and/or Trichostema) or other suitable habitats, then a qualified biologist approved by CDFW shall prepare a draft survey plan and conduct surveys for Crotch's bumble bee. The survey plan will identify the timing, number, and duration of survey efforts and procedures to follow if Crotch's bumble bee is detected within the Project area. The survey methodology shall generally follow the U.S. Fish and Wildlife Service protocol for the Rusty Patched bumble bee (USFWS 2019). CDFW also recommends completing multiple surveys, coinciding with the peak bloom periods of the plants listed above. Following the completion of surveys, and no less than 30 days prior to initiation of Project activities, survey results shall be submitted to CDFW for review and comment. If Crotch's bumble bee is detected during surveys, Project activities shall not occur in any occupied habitat areas and the qualified biologist shall immediately notify CDFW.	Potentially significant prior to incorporating mitigation measures.
		BIO-6 Pre-construction Nesting Bird Survey. Migratory Bird Treaty Act Compliance Methods: To avoid violation of the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code, site-preparation activities	Potentially significant prior to incorporating

Environmental Topic/Threshold	Document/ Section	Mitigation Measures (MM) Required to Reduce Impact	Level of Significance
		(removal of trees and vegetation) for all projects shall be avoided, to the greatest extent possible, of potentially occurring native and migratory bird species. If site-preparation activities for implementing projects are proposed during the nesting/breeding season (February 1 to August 31), a pre-activity field survey shall be conducted by a qualified biologist prior to the issuance of grading permits for such project, to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone. If active nests are not located within the implementing project site and an appropriate buffer of 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected bird nests (non-listed), or 100 feet of sensitive or protected songbird nests, construction may be conducted during the nesting/breeding season. However, if active nests are located during the pre-activity field survey, no grading or heavy equipment activity shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected (under MBTA or California Fish and Game Code) bird nests (non-listed), or within 100 feet of sensitive or protected songbird nests until the nest is no longer active.	mitigation measures.
		BIO-7 Burrowing Owl Avoidance and Mitigation Program. Prior to the issuance of a grading permit, the following text shall be included as a note on the grading plan: "Burrowing Owl Avoidance and Mitigation Program: Focused Survey: Prior to any ground disturbance, a survey for potential burrows followed by four breeding season surveys of areas found to have potential for burrowing owl occupation must be conducted in accordance with the Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game, May 7, 2012. The surveys shall include 100 percent coverage of the Project site. A report summarizing the breeding season survey including all requirements for survey reports (page 30 of the 2012 Staff Report) shall be submitted to CDFW for review and approval and an approved copy to the City of Adelanto	Potentially significant prior to incorporating mitigation measures.

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		Development Services Department. If no burrowing owl, active burrowing owl burrows, or sign thereof are found, no further action is necessary. Avoidance, Minimization, Mitigation Measures: If burrowing owl, active burrowing owl burrows, or sign thereof are found, the qualified biologist shall prepare and implement a plan for avoidance, minimization, and mitigation measures to be reviewed and approved by CDFW prior to commencing Project activities. The plan shall include mitigation for permanent loss of occupied burrow(s) and habitat. The mitigation lands may require habitat enhancements including enhancement or expansion of burrows for breeding, shelter and dispersal opportunity, and removal or control of population stressors. Permanent protection of mitigation land through a conservation easement deeded to a nonprofit conservation organization or public agency with a conservation mission, development and implementation of a mitigation land management plan to address long-term ecological sustainability and maintenance of the site for burrowing owls, and funding for the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment. The ratio of acquisition to loss must in most cases exceed 1:1 for any species, particularly burrowing owl. The ratio should be higher for rarer species, particularly for those that occupy irreplaceable habitats. Pre-construction Clearance Survey: To ensure that the Project avoids impacts to burrowing owls, a qualified biologist shall complete a take avoidance survey no less than 14 days prior to initiating ground disturbance activities using the recommended methods described in the 2012 Staff Report. Burrowing owls may re-colonize a site after only a few days. Time lapses between Project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance."	
		BIO-8 **Mohave Ground Squirrel Avoidance and Mitigation Program. Prior to the issuance of a grading permit, the following text shall be included as**	Potentially significant prior to

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		a note on the grading plan: "Mohave Ground Squirrel Avoidance and Mitigation Program: 1. Mojave Ground Squirrel Focused Trapping Survey. Prior to issuance of a grading permit, the Project Applicant shall retain a qualified Biologist to conduct focused trapping surveys for Mohave ground squirrel on the Project site following CDFW (2023c) guidelines; per these guidelines, negative survey results are valid for only the year they are conducted. A Letter Report shall be prepared and submitted to CDFW documenting the results of the survey within 45 days of completion of the survey effort. If no Mohave ground squirrels are observed, no further mitigation shall be required prior to the next active season (i.e., the following March). If construction is not initiated in the season following the focused surveys (i.e., prior to the next active season the following March), the focused surveys shall be updated per CDFW (2023c) protocol requirements. 2. Section 2018 Incidental Take Permit. If a Mohave ground squirrel is observed on the Project site, the Project Applicant shall provide a Section 2081 Incidental Take Permit (ITP) from the CDFW for the Mohave ground squirrel prior to the issuance of a grading permit. The Project Applicant or its designee shall provide compensatory mitigation for permanently impacting 133.19 acres of habitat for Mohave ground squirrels. The goal of this mitigation is to ensure no net loss of habitat following implementation of the Project. Mitigation ratios (i.e., the amount of mitigation acreage compared to the amount of impacted habitat) shall be negotiated with CDFW but shall be no less than 1:1, replacing each acre of habitat lost with of an acre of equivalent or higher quality habitat. This mitigation may be in the form of habitat preservation, restoration, enhancement, and/or establishment (i.e., creation). The Project Applicant shall implement one or a combination of these options, as approved by CDFW. Compensatory mitigation may be in the form of permittee-responsible mitigation, in which the permittee maintains liability for the construction	incorporating mitigation measures.

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		and long-term success of the mitigation site or through mitigation banking/in-lieu fee program, where liability for Project success is transferred to a third party (i.e., a mitigation bank/in-lieu fee sponsor). If the Project Applicant elects to provide mitigation through a mitigation banking/in-lieu fee program, the mitigation bank/program shall be selected by the Project Applicant and approved by CDFW, and payment shall be made prior to the issuance of a grading permit. For permittee-responsible mitigation involving establishment, restoration, or enhancement of habitat, the Project Applicant shall retain a qualified Biologist to prepare a Habitat Mitigation Monitoring Plan (HMMP) to mitigate for loss of Mohave ground squirrel habitat. The HMMP shall be reviewed/approved by the CDFW prior to the issuance of a grading permit. The detailed HMMP shall contain the following items: (1) responsibilities and qualifications of the personnel to implement and supervise the plan, (2) mitigation site selection criteria, (3) site preparation and planting implementation, (4) implementation schedule, (5) maintenance plan/guidelines, (6) monitoring plan, and (7) long-term preservation. The Project Applicant shall implement the Plan as approved. 3. Construction Avoidance and Minimization Measures: If Mohave ground squirrel is observed, the following avoidance and minimization measures shall be implemented during construction activities. a. **Biological Monitor**. Prior to the initiation of construction activities, the Project Applicant shall retain a qualified Biologist to oversee compliance with the protection measures for Mohave ground squirrel, and any other special status species. The Biologist shall monitor vegetation clearance and ground-disturbance activities. Once ground disturbance is completed, monitoring shall be conducted at the frequency determined by the Biologist or as specified in the ITP. The Biologist shall have the authority to halt activities that violate measures designated to	

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		protect the Mohave ground squirrel or other special status species. Work shall proceed only after hazards to Mohave ground squirrel, and/or other special status species are removed, and the species are no longer at risk. The Biologist shall have in his/her possession a copy of all the compliance measures and permits while work is being conducted on-site. b. **Worker Environmental Awareness Program Training**. Prior to the initiation of construction activities, and for the duration of construction activities, all new construction workers for the Project shall attend a Worker Environmental Awareness Program (WEAP) training developed and presented by a qualified Biologist. The training shall address Mohave ground squirrel as well as other special status biological resources that may be encountered during construction activities; their legal protections; the definition of "take" under the Endangered Species Act; specific measures that each worker shall employ to avoid taking of the Mohave ground squirrel, and other special status species; reporting requirements; and penalties for violation of the Federal and State Endangered Species Acts. All workers who attend the WEAP training shall sign a training log, which will also be signed by the qualified Biologist conducting the training. c. **Entrapment**. At the end of each work day, a qualified Biologist shall survey all trenches, bores, and other excavations to ensure no wildlife is trapped; any wildlife observed shall be relocated to a safe area. Only an Authorized Biologist shall handle Mohave ground squirrel (i.e., one approved by CDFW to handle Mohave ground squirrel). Following this final inspection, the Biologist shall ensure that the construction contractor has backfilled or adequately covered all trenches, bores, and other excavations to prevent wildlife from falling into them. If backfilling or covering the trenches, bores, and/or excavations is not feasible, then	

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		wildlife escape ramps shall be provided at least every 50 feet. Additionally, any pipes, culverts, or similar structures shall be inspected before the material is moved, buried, or installed. d. **Pets**. The Project Applicant or its designee shall ensure that no pets are allowed at the construction site. e. **Protection of Wildlife**. Wildlife shall not be intentionally killed or injured during construction. f. **Pesticides**. Use of anticoagulant rodenticides (e.g., difenacoum, brodifacoum, bromadiolone difethialone, warfarin, chlorophaninone, and diphacinone) shall be prohibited from being used on the Project site. If rodent control must be conducted, zinc phosphide should be used. g. **Reporting**. For the duration of construction activities, the Biologist shall complete monitoring forms that shall be summarized into monthly monitoring reports, which shall be provided to the CDFW. The monthly monitoring reports shall document compliance with the mitigation measures and shall include WEAP training logs, and CNDDB forms for any special status species observations. Additionally, the Biologist shall prepare a final report summarizing compliance throughout Project construction.	
		BIO-9 **Pre-construction Desert Kit Fox and American Badger Survey.** Prior to the issuance of a grading permit, the following text shall be included as a note on the grading plan: " Pre-Grading Survey. No more than fourteen (14) days and no less than three (3) days prior to the beginning of surface disturbance, the Designated Biologist shall conduct a pre-Project 10-meter transect survey (or reduced based on topography and vegetation), to attain 100% visual coverage within the Project area and a minimum 200-meter buffer to determine the	Potentially significant prior to incorporating mitigation measures.

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		presence or absence of Desert Kit Fox or American Badger individuals, dens, and sign. The permittee shall provide the results of the survey to CDFW prior to the start of Project activities. If potential dens are located, they shall be monitored by the Designated Biologist. Trail cameras may be used to assist with observation but shall not be the sole basis upon which the status is determined. The permittee shall provide a determination if active dens can be avoided and buffered from Project activities to prevent take and disturbance with the survey results. Should active dens be present within the Project area that cannot be avoided with an adequate buffer, the Permittee shall reschedule Project activities or submit a monitoring and relocation plan for CDFW's review and approval. No disturbance or relocation of active dens may take place when juveniles are present and dependent on parental care. The permittee shall block off inactive dens within the buffer zone with rocks and sticks to discourage use during Project activities and remove them when construction is complete. The Designated Biologist shall periodically check that the inactive burrows remain blocked and are not reoccupied.	
4.3 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?	4.3	**BIO-10 Regulatory Permits-Jurisdictional Waters.** Prior to the issuance of a grading permit, the following text shall be included as a note on the grading plan and the required approvals from the Water Board and CDFW obtained and presented to the City: "Regulatory Permits-Jurisdictional Waters. Prior to issuance of grading permits or other permits authorizing ground disturbance (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging), the Project applicant shall obtain all necessary authorizations from the Water Board for discharging fill material into a total of 0.183 acre of ephemeral stream habitat and authorization from the CDFW for discharging fill material into a total of 0.183 acre of ephemeral stream habitat."	Potentially significant prior to incorporating mitigation measures.

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		BIO-11 **Mitigation and Monitoring Plan-Jurisdictional Waters.** Prior to the issuance of a grading permit, the following text shall be included as a note on the grading plan and the required approvals from the Water Board and CDFW obtained and presented to the City: "Prior to issuance of grading permits or other permits authorizing ground disturbance (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging), the applicant shall either purchase agency-authorized mitigation bank credits or prepare a detailed Mitigation and Monitoring Plan-Jurisdictional Waters (MMP) to be submitted to the Lahontan Regional Water Board and CDFW for review and approval as part of the process for obtaining permits from the agencies. The MMP shall address the loss of ephemeral drainage impact due to the proposed project development. The MMP, once implemented, at a minimum shall compensate for impacts to ephemeral drainages at a minimum 1:1 mitigation ratio of 0.183-acre for impacts to Water Board jurisdiction waters and 0.183-acre for impacts to CDFW jurisdictional waters. A copy of the approved MMP shall be provided to the City of Adelanto Community Development Department-Planning Department."	Potentially significant prior to incorporating mitigation measures.
Cultural Resources			
4.4 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	4.4	**CUL-1: Cultural Resources Management Program**. Prior to the issuance of a grading permit, the Project Proponent shall provide evidence to the City of Adelanto Planning Division that a qualified professional archaeologist (Professional Archaeologist) that that meets the Secretary of the Interiors Standards, has been contracted to implement a Cultural Resources Monitoring Program (CRMP). The CRMP shall identify the details of all ground disturbing activities and provides procedures that must be followed to avoid or reduce potential impacts to cultural resources. The CRMP shall address Tribal Cultural Resources Mitigation Measures- Yuhaaviatam of San Manuel Nation (YSMN) and Tribal Cultural Resources- Morongo Band of Mission Indians (MBMI), either individually or collectively, as included in the certified	Potentially significant prior to incorporating mitigation measures.

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		Final EIR under Section 4.13, Tribal Cultural Resources, related to Location and Development Plan (LDP) 23-06. **Archaeological Monitoring.** Prior to the issuance of a grading permit, the following note shall be placed on the grading plan: **"**Prior to the issuance of a grading permit, the Property Owner/Developer shall provide a letter from an Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI).stating that the Property Owner/Developer has retained this individual, and that the Archaeologist shall be onsite during all grading and other significant ground-disturbing activities in native sediments. The Archaeologist shall attend the pre-grade conference and shall inform construction personnel of the potential for encountering unique cultural resources and how to identify these resources if encountered. This shall include the provision of written materials to familiarize personnel with the range of resources that might be expected, the type of activities that may result in impacts, and the legal framework of cultural resources protection. All construction personnel shall be instructed to stop work in the vicinity of a potential discovery until the Archaeologist assesses the significance of the find and implements appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed that unauthorized collection of cultural resources is prohibited."	
		CUL-2: Inadvertent Discovery of Archaeological Resources. Prior to the issuance of a grading permit, the following note shall be placed on the grading plan: "a) In the event that artifacts of Native American origin are discovered, the Property Owner/Developer and Archaeologist shall notify the City of Adelanto and the Yuhaaviatam of San Manuel Nation (YSMN) Cultural Resources Department, and the Morongo Band of Mission Indian (MBMI). The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA.	Potentially significant prior to incorporating mitigation measures.

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		b) Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. After analysis and reporting, these artifacts shall be subjected to curation or returned to the Property Owner/Developer, as deemed appropriate. c) Once ground-altering activities have ceased or the Archaeologist determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to the City of Adelanto. d) A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City of Adelanto, shall signify completion of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the report shall also be filed with the (SCCIC).	
Energy			
	4.5	None required.	
Geology and Soils			
4.6 f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	4.6	**GEO-1 Inadvertent Discovery of Paleontological Resources.** If paleontological resources are encountered during implementation of the Project, (including areas impacted by off-site street improvements, ground-disturbing activities will be temporarily redirected from the vicinity of the find. A qualified paleontologist (the "Project Paleontologist") shall be retained by the developer to make an evaluation of the find. If the resource is significant, Mitigation Measure GEO-2 shall apply.	Less than significant after incorporating mitigation measures.
		GEO-2 Paleontological Treatment Plan. If a significant paleontological resource(s) is discovered on the property,(including areas impacted by off-site street improvements), in consultation with the Project proponent and the City, the qualified paleontologist shall develop a plan of mitigation which shall include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and	Less than significant after incorporating mitigation measures.

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		categorize the find, curation in the find a local qualified repository, and preparation of a report summarizing the find.	
Greenhouse Gas Emissions			
4.7 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	4.7	**GHG-1 GHG Emissions Screening Table Review Measures:** The project shall implement the Greenhouse Gas Emissions Screening Table Review Measures (GHG Screening Table Measures) providing for a minimum 100 points per the City's Greenhouse Gas Emissions Screening Table Review form. The City shall verify incorporation of the identified GHG Screening Table Measures or equivalent replacement measures within the Project building plans and site design prior to the issuance of building permit(s) and/or site plans as applicable.	Significant and unavoidable.
		GHG-2 Prior to the issue the building permit the developer shall provide the City with specifications for all water fixtures to be installed in the facilities to ensure each is low-flow or high-efficiency fixtures including toilets, urinals, and faucets.	Significant and unavoidable.
Hazards and Hazardous Materials			
	4.8	None required.	
Hydrology and Water Quality			
	4.9	None required	
Land Use and Planning			
	4.10	None required.	
Noise			
	4.11	None required.	
Transportation			
4.12 b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	4.12	**TRANS-1: Transportation Demand Management Program**. Prior to issuance of a certificate of occupancy for Building 1 or Building 2, the entity occupying a building shall provide assurances that the transportation demand management measures described below, will be perpetually implemented, regardless of property ownership, and a mechanism for informing subsequent property owners of the transportation demand	Significant and unavoidable for Project Generated VMT.

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		management plan requirements. These requirements may be accomplished through lease agreements, recordation of covenants, conditions and restrictions and/or the formation of a transportation management association which assumes responsibility for implementation and monitoring of the transportation demand management measures or other measures deemed acceptable by the City. Prior to the issuance of an occupancy permit for any building, the building owner or lessee shall consult with the Victor Valley Transit Authority VVTA) on the need to connect the Project site with transit services. The building owner or lessee shall fund a study on behalf of VVTA to determine whether adding bus service along Adelanto Road in the Project site would be warranted by potential ridership and be practicable for VVTA. Evidence of compliance with this requirement may include correspondence from VVTA regarding the potential need for installing bus turnouts, shelters, or bus stops at the site. Prior to the issuance of an occupancy permit for any building, the building owner shall implement measures including, but not be limited to, the following: ride- matching assistance; preferential carpool parking; flexible work schedules for carpools; transportation coordinators; providing a web site or message board for coordinating rides; designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles; and including bicycle end of trip facilities including bike parking, bike lockers, showers, and personal lockers. The measures chosen must achieve a total estimated VMT reduction not less than 8.3 percent. This list may be updated as new methods become available.	Less than significant for Countywide VMT
Tribal Cultural Resources			
4.13 b) A resource determined by the lead agency, in its discretion and supported by	4.13	**YSMN-TCR-1. Archaeological Monitoring.** Prior to the issuance of a grading permit, the following note shall be placed on the grading plan: "A qualified Archaeologist, who meets the Secretary of the Interior's Professional Qualifications Standards, and San Manuel Tribal Monitor	Less than significant with implementation of mitigation

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substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		shall be onsite during all grading and other significant ground disturbing activities s in native sediments (which includes, but is not limited to, tree/shrub removal and planning, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). Prior to the issuance of a grading permit, the Property Owner/Developer shall provide a letter from a qualified Archaeologist and a representative from the Yuhaaviatam of San Manuel Nation's Cultural Resources Management Department (YSMN, also known as the San Manuel Band of Mission Indians) stating that the Property Owner/Developer has retained these individuals." **YSMN-TCR-2. Pre -Grading Conference.** Prior to the issuance of a grading permit, the following note shall be placed on the grading plan: "The qualified Archaeologist and Tribal Representative, including a representative from YSMN, shall attend the pre-grade conference and shall inform construction personnel of the potential for encountering unique cultural resources and how to identify these resources if encountered. This shall include the provision of written materials to familiarize personnel with the range of resources that might be expected, the type of activities that may result in impacts, and the legal framework of cultural resources protection. All construction personnel shall be instructed to stop work in the vicinity of a potential discovery until the Archaeologist and Tribal Representative assess the significance of the find and implements appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed that unauthorized collection of cultural resources is prohibited".	measures.

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		YSMN-TCR-3. Inadvertent Discovery of Artifacts During Ground Disturbance. Prior to the issuance of a grading permit, the following note shall be placed on the grading plan: "In the event that artifacts of Native American origin are discovered, ground-disturbing activities shall be suspended 60 feet around the resource(s), and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The Property Owner/Developer and Archaeologist shall notify the City of Adelanto and the appropriate local Native American tribe, including YSMN. The Project Archaeologist shall develop a research design that shall include a plan to evaluate the resource for significance under CEQA criteria. Representatives from YSMN, the Archaeologist, and the City shall confer regarding the research design, as well as any testing efforts needed to delineate the resource boundary. Following the completion of evaluation efforts, all par/es shall confer regarding the resource's archaeological significance, its potential as a Tribal Cultural Resource (TCR), and avoidance (or other appropriate treatment) of the discovered resource. The significance of Native American resources shall be evaluated in accordance with the provisions of the CEQA and shall consider the religious beliefs, customs, and practices of the tribe. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site. All items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling. Native American artifacts that cannot be avoided or relocated at the Project site shall be prepared in a manner for curation,	

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		and the Archaeologist shall deliver the materials to an accredited curation facility approved by the City of Adelanto. Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. A peer analysis and reporting, these artifacts shall be subjected to curation or returned to the Property Owner/Developer, as deemed appropriate. Once ground-altering activities have ceased or the Archaeologist determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to the City of Adelanto. A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City of Adelanto, shall signify completion of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the report shall also be filed with the SCCIC. If unknown archaeological resources are present, potentially significant impacts to these resources would be reduced to a level considered less than significant with the implementation of the RR and MMs listed above." **YSMN-TCR-4. Treatment of Cultural Resources During Project Implementation.** Prior to the issuance of a grading permit, the following note shall be placed on the grading plan: "It is the preference of YSMN that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during project implementation not be feasible, then a reburial location for future reburial shall be decided upon by YSMN, the landowner, and the Lead Agency, and all finds shall be reburied within this location. Additionally, in this case, reburial shall not occur until all ground-	

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		disturbing activities associated with the project have been completed, all monitoring has ceased, all cataloging and basic recordation of cultural resources have been completed, and a final monitoring report has been issued to Lead Agency, CHRIS, and YSMN. All reburials are subject to a reburial agreement that shall be developed between the landowner and YSMN outlining the determined reburial process/location, and shall include measures and provisions to protect the reburial area from any future impacts".	
		MBMI-CR-1: Tribal Monitoring Services Agreement. Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Services Agreement with the Morongo Band of Mission Indians (MBMI) for the Project. The Tribal Monitor shall be on-site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources. **MBMI-CR-2: Retention of Archaeologist.** Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a Qualified Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). The Archaeologist shall be present during all grounddisturbing activities to identify any known or suspected archaeological and/or cultural resources. The Archaeologist	Less than significant with implementation of mitigation measures.

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		will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe[s] Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event. **MBMI-CR-3: Cultural Resource Management Plan.** Prior to any ground-disturbing activities the project Archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the project site. This Plan shall be written in consultation with the consulting Tribe[s] and shall include the following: approved Mitigation Measures (MM)/Conditions of Approval (COA), contact information for all pertinent parties, parties' responsibilities, procedures for each MM or COA, and an overview of the project schedule. **MBMI-CR-4: Pre-Grade.** Meeting The retained Qualified Archeologist and Consulting Tribe[s] representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan. **MBMI-CR-5: On-site Monitoring.** During all ground-disturbing activities the Qualified Archaeologist and the Tribal Monitor shall be on-site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Tribal Monitoring will be discontinued when	

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		the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The Qualified Archaeologist, in consultation with the Tribal Monitor, shall be responsible for determining the duration and frequency of monitoring. **MBMI-CR-6: Inadvertent Discovery of Cultural Resources.** In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal Monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly nonsignificant deposits shall be minimally documented in the field and collected so the monitored grading can proceed. If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. All work shall be diverted away from the vicinity of the find, so that the find can be evaluated by the Qualified Archaeologist and Tribal Monitor[s]. The Archaeologist shall notify the Lead Agency and consulting Tribe[s] of said discovery. The Qualified Archaeologist, in consultation with the Lead Agency, the consulting Tribe[s], and the Tribal Monitor, shall determine the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the Qualified Archaeologist In consultation with the Tribe[s] and the Tribal Monitor[s] and be submitted to the Lead Agency for review and approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference: A. Full avoidance. B. If avoidance is not	

Environmental Topic/Threshold	Document/ Section	Mitigation Measures (MM) Required to Reduce Impact	Level of Significance
		feasible, Preservation In place. C. If Preservation in place is not feasible, all items shall be reburied In an area away from any future Impacts and reside In a permanent conservation easement or Deed Restriction. D. If all other options are proven to be infeasible, data recovery through excavation and then curation in a Curation Facility that meets the Federal Curation Standards (CFR 79.1) **MBMI- CR-7: Inadvertent Discovery of Human Remains.** The Morongo Band of Mission Indians requests the following specific conditions to be imposed in order to protect Native American human remains and/or cremations. No photographs are to be taken except by the coroner, with written approval by the consulting Tribe[s]. A. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98. B. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native	

Environmental Topic/Threshold	Document/ Section	Mitigation Measures (MM) Required to Reduce Impact	Level of Significance
		American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5. C. The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98 D. If the Morongo Band of Mission Indians has been named the Most Likely Descendant (MLD), the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). Reburial location of human remains and/or cremations will be determined by the Tribe's Most Likely Descendant (MLD), the landowner, and the City Planning Department. **MBMI-CR-8: FINAL REPORT**: The final report[s] created as a part of the project (AMTP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe[s] for review and comment. After approval of all parties, the final reports are to be submitted to the Eastern Information Center, and the Consulting Tribe[s].	

Environmental Topic/Threshold	Document/ Section	Mitigation Measures (MM) Required to Reduce Impact	Level of Significance
Utilities and Service Systems			
4.14 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?	4.14	Mitigation Measures **BIO-1 through BIO-10, CR-1, CR-2, GEO-1, GEO-2, and TCR-1** are required.	Less than significant with implementation of mitigation measures.

1.0 INTRODUCTION

1.1 Purpose and Intent

As required by CEQA, Guidelines §15121(a), the purpose of this Draft Environmental Impact Report (EIR) is to: 1) disclose information on a proposed logistics/warehouse facility consisting of two buildings totaling 2,483,836-square-foot on an approximately 128 acre building site (Project) by informing public agency decision-makers and the public generally of the significant environmental effects associated with all phases of the Project, 2) identify possible ways to minimize or avoid those significant effects, and 3) to describe a reasonable range of alternatives to the Project that would feasibly attain most of the basic Project objectives but would avoid or substantially lessen its significant environmental effects.[5]

This EIR has been prepared per all criteria, standards, and procedures of CEQA (California Public Resource Code §21000 et seq.[6]) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, §15000 et seq.[7]).

Lead Agency

Pursuant to CEQA Guidelines §21067[8] and CEQA Guidelines Article 4 and §15367[9], the City of Adelanto is the Lead Agency under whose authority this EIR has been prepared. "Lead Agency" refers to the public agency that has the principal responsibility for carrying out or approving a project. Serving as the Lead Agency and before considering action to approve the Project, the City of Adelanto has the obligations to:

[5] Cal. Code Regs. tit. 14 § 15121, Section 15121 – Informational Document, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-9-contents-of-environmental-impact-reports/section-15121-informational-document, accessed December 20, 2023.
[6] California Legislative Information, PUBLIC RESOURCES CODE - PRC
DIVISION 13. ENVIRONMENTAL QUALITY [21000 - 21189.91],
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC&sectionNum=21000, accessed December 20, 2023.
[7] Statutes, codes, and regulations / California Code of Regulations / Title 14 – Natural Resources / Division 6 – Resources Agency / Chapter 3 – Guidelines for Implementation of the California Environmental Quality Act, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act, accessed December 20, 2023.
[8] California Public Law, CA Pub Res Code Section 21067, https://california.public.law/codes/ca_pub_res_code_section_21067, accessed December 20, 2023.
[9] Cal. Code Regs. tit. 14 § 15367, Section 15367 – Lead Agency, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-20-definitions/section-15367-lead-agency, accessed December 20, 2023.

1) ensure that this EIR has been completed per CEQA;

2) review and consider the information contained in this EIR as part of its decision-making process;

3) make a statement that this EIR reflects the City of Adelanto's independent judgment;

4) ensure that all significant effects on the environment are eliminated or substantially lessened where feasible; and, if necessary, and

5)make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or project alternatives identified in this EIR are infeasible and citing the specific benefits of the proposed Project that outweigh its unavoidable adverse effects (CEQA Guidelines §§15090-15093[10][11][12][13]).

Responsible and Trustee Agencies

The California Public Resource Code §21104[14] requires that all EIRs be reviewed by responsible and trustee agencies (see also CEQA Guidelines §15082[15] and §15086(a))[16]. As defined by CEQA Guidelines §15381, *"the term 'Responsible Agency' includes all public agencies other than the Lead Agency that have discretionary approval power over the project."*[17] A "Trustee Agency" is defined in

[10] Cal. Code Regs. tit. 14 § 15090, Section 15090 – Certification of the Final EIR, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-7-eir-process/section-15090-certification-of-the-final-eir, accessed December 20, 2023.
[11] Cal. Code Regs. tit. 14 § 15091, Section 15091 – Findings, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-7-eir-process/section-15091-findings, accessed December 20, 2023.
[12] Cal. Code Regs. tit. 14 § 15092, Section 15092 – Approval, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-7-eir-process/section-15092-approval, accessed December 20, 2023.
[13] Cal. Code Regs. tit. 14 § 15093, Section 15093 – Statement of Overriding Considerations, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-7-eir-process/section-15093-statement-of-overriding-considerations, accessed December 20, 2023.
[14] U.S. Federal and State Cases, Codes, and Articles, California Code, Public resources Code - PRC § 21104, https://codes.findlaw.com/ca/public-resources-code/prc-sect-21104.html#:~:text=(a)%20Prior%20to%20completing%20an,or%20county%20within%20which%20the, accessed December 20, 2023.
[15] Legal Information Institute, Cal. Code Regs. Tit. 14, § 15082 - Notice of Preparation and Determination of Scope of EIR, https://www.law.cornell.edu/regulations/california/14-CCR-15082, accessed December 20, 2023.
[16] Cal. Code Regs. tit. 14 § 15086, Section 15086 - Consultation Concerning Draft EIR, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-7-eir-process/section-15086-consultation-concerning-draft-eir#:~:text=Section%2015086%20%2D%20Consultation%20Concerning%20Draft%20EIR%20(a)%20The%20lead,by%20law%20with%20respect%20to, accessed December 20, 2023.
[17] Cal. Code Regs. tit. 14 § 15381, Section 15381 - Responsible Agency, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-20-definitions/section-15381-responsible-agency, accessed December 20, 2023.

CEQA Guidelines §15386 as *"a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California."*[18]

Table 1.1 identifies the Responsible and Trustee Agencies and various actions needed by these agencies to implement the Project.

Table 1.1 Responsible and Trustee Agencies

Agency	Role/Action
California Department of Fish and Wildlife (CDFW)	CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the state. (Fish & Game Code, §§711.7, subd. (a)[19] & 1802[20]; Public Resources Code §21070[21]; CEQA Guidelines §15386, subd. (a))[22]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Id., §1802.) The CDFW is also a Responsible Agency pertaining to the issuance of a Streambed Alteration Agreement pursuant to the California Fish and Game Code §1602.[23]
Lahontan Regional Water Quality Control Board (LRWQCB)	Responsible Agency for the protection of California's water resources and water quality. The Lahontan RWQCB is responsible for issuance of a National Pollutant Discharge Elimination System ("NPDES") Permit to ensure that during and after Project construction, on-site water flows do not result in siltation, other erosional actions, or degradation of surface or subsurface water quality.[24] The Lahontan RWQCB also oversees the state's responsibility in implementing the Clean Water Act.
Mojave Desert Air Quality Management District (MDAQMD)	Responsible Agency for the issuance of construction-related permits that allow for the construction and operation of the Project to ensure that during and post-Project construction and during Project operation, Project emissions do not result in significant impacts to air quality.
City of Adelanto Water Department	Responsible Agency pertaining to the approval of the Project's proposed water and sewer connections.
San Bernardino County Fire Department	Responsible Agency pertaining to the approval of fire hydrant locations and fire protection features for the Project.
Southern California Edison (SCE)	Responsible Agency pertaining to the installation of new SCE facilities/connections to service the Project.

[18] Cal. Code Regs. tit. 14 § 15386, Section 15386 - Trustee Agency, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-20-definitions/section-15386-trustee-agency, accessed December 20, 2023.
[19] U.S. Federal and State Cases, Codes, and Articles, California Code, *Fish and Game Code - FGC § 711.7*, https://codes.findlaw.com/ca/fish-and-game-code/fgc-sect-711-7/#:~:text=(a)%20The%20fish%20and%20wildlife,by%20and%20through%20the%20department., accessed December 20, 2023.
[20] U.S. Federal and State Cases, Codes, and Articles, California Code, *Fish and Game Code - FGC § 1802*, https://codes.findlaw.com/ca/fish-and-game-code/fgc-sect-1802/, accessed December 20, 2023.
[21] Cal. Pub. Resources Code § 21070, *Section 21070 - Trustee agency*, https://casetext.com/statute/california-codes/california-public-resources-code/division-13-environmental-quality/chapter-25-definitions/section-21070-trustee-agency, accessed December 20, 2023.
[22] Cal. Code Regs. tit. 14 § 15386, *Section 15386 - Trustee Agency*, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-20-definitions/section-15386-trustee-agency, accessed December 20, 2023
[23] U.S. Federal and State Cases, Codes, and Articles, California Code, *Fish and Game Code - FGC § 1602*, https://codes.findlaw.com/ca/fish-and-game-code/fgc-sect-1602/, accessed December 20, 2023.
[24] Code of Federal Regulations, *PART 122—EPA ADMINISTERED PERMIT PROGRAMS: THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM*, https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-122, accessed December 20, 2023.

1.2 Public Review of Draft EIR

Notice of Preparation and EIR Scoping

Consistent with CEQA Guidelines §15082[25], the City circulated a Notice of Preparation (NOP) of a Draft EIR (State Clearinghouse No. 2023120352) for the proposed Project for a 30-day public review period from December 13, 2023, to January 11, 2024 (refer to Technical Appendix A– Notice of Preparation and Comment Letters, for a copy of the NOP and comments received during the scoping meeting and NOP comment period). A virtual EIR Scoping Meeting was held via Zoom at 2:00 pm on January 9, 2024. Participation and viewing of the meeting were available via an internet-based video and phone conferencing service.

The NOP served to elicit comments from governmental agencies and interested parties regarding the scope and content of issues germane to the EIR. The baseline for the Project is established by the physical condition that exists at the time the NOP was published (December 13, 2023). The City will use this EIR to inform the public and City decision-makers of the significant environmental effects of the Project; identify ways to minimize significant effects; and describe a reasonable range of alternatives to the Project.

Table 1.2 provides a concise overview of the significant concerns and matters raised in response to the NOP and during the Scoping Meeting. Its purpose is to present a condensed summary of the environmental subjects that were identified as being of primary interest by public agencies, interested parties, and the general public. This EIR addresses all relevant comments received in response to the NOP and the EIR Scoping Meeting.

Table 1.2 Summary of NOP and Scoping Meeting Comments

Commenter	Date	Comment	Location in EIR Where Comment is Addressed
State and Local Agencies			
California Department of Fish and Wildlife	December 27, 2023	CDFW recommends that the DEIR specifically include an assessment of the various habitat types located within the Project footprint; a general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present; a complete, recent inventory of rare, threatened, endangered, and other sensitive species; an analysis of direct, indirect, and cumulative impacts to biological resources and recommendations for avoidance, alternatives, or mitigation measures if required.	4.3 Biological Resources

[25] Legal Information Institute, Cal. Code Regs. Tit. 14, § 15082 - Notice of Preparation and Determination of Scope of EIR, https://www.law.cornell.edu/regulations/california/14-CCR-15082, accessed December 20, 2023.

Commenter	Date	Comment	Location in EIR Where Comment is Addressed
State of California Department of Justice – Attorney General Office Bureau of Environmental Justice	December 20, 2023	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 encourage you to consider the information in this document as you prepare the draft environmental impact report for this project.	4.2 Air Quality 4.7 Greenhouse Gas Emissions
State of California Native American Heritage Commission	December 19, 2023	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.	4.13 Tribal Cultural Resources
California Air Resources Board	January 16, 2024	The DEIR should quantify and discuss the potential cancer risks from project construction and operation. According to the California Communities Environmental Health Screening Tool Version4.0 (CalEnviroScreen), these communities are located in census tracts that score within the top 11% of State's most impacted from air pollution from an environmental hazard and socio economic standpoint. Based on this CalEnviro Screen score, the area surrounding the Project is home to some of the most vulnerable neighborhoods in the State. Since diesel powered trucks serving the Project could travel through the see residential communities, CARB is concerned with the potential health impacts associated with the construction and operation of the Project.	4.2 Air Quality
Private Organizations or Individuals			
Californians Allied for a Responsible Economy ("CARE CA")	January 11, 2024	The DEIR should provide details of any and all proposed future industrial/warehouse uses of the Project, clearly articulated and quantified. Ideally, the DEIR should study a combination of the five primary logistics-type uses at the site, including providing justification and square footage assumed for each use analyzed to ensure that the unique impacts of each use are comprehensively evaluated (i.e., both truck and vehicular trips, air quality, GHG emissions, public health risk and other environmental effects).	4.2 Air Quality 4.7 Greenhouse Gas Emissions

Submitting Comments on the DEIR

This EIR is being distributed to responsible and trustee agencies, other affected agencies, and interested parties. Additionally, in accordance with Public Resources Code §21092(b)(3)[26], the EIR is being provided to all parties who have previously requested copies. The Notice of Completion (NOC)[27] and Notice of Availability (NOA)[28] of the EIR will be distributed as required by CEQA. During the 45-day public review period, this, EIR its technical appendices, and all documents incorporated by reference, will be made available for review.

After the 45-day public review period, the City will issue written responses to all environmental issues raised. The Final EIR (which includes the Draft EIR, the public comments and responses to the Draft EIR, and findings) will be included as part of the environmental record for consideration by the Planning Commission, unless appealed to the City Council.

Written comments on the EIR may be submitted by email, fax, or mail to:
City of Adelanto Planning Division
Attn: Jim Hirsch
11600 Air Expressway
Adelanto, CA 92301
Phone: (760) 246-2300 ext. 11190
Fax: (442) 249-1181
E-mail: JHirsch@adelantoca.gov

Comments may also be submitted after the end of the formal review period; however, it is possible that they may not be responded to in writing and included in the Final EIR. No comments on the EIR will be responded to outside of the CEQA process, and commenters will not be sent individual responses to their comments. The responses will be contained in the Final EIR. Comments that are received too late for inclusion in the Final EIR will nonetheless be made available to the Planning Commission during their deliberations.

[26] U.S. Federal and State Cases, Codes, and Articles, California Code, Public Resources Code - PRC § 21092, https://codes.findlaw.com/ca/public-resources-code/prc-sect-21092/, accessed December 20, 2023.
[27] Chapter 18.24 – ENVIRONMENTAL CLEARANCE, 18.24.090 - Notice of completion, https://library.municode.com/ca/redding/codes/code_of_ordinances?nodeId=TIT18ZO_DIVIIAD_CH18.24ENCL_18.24.150FEBO, accessed December 20, 2023.
[28] JUSTIA, 2022 California Code Public Resources Code – PRC DIVISION 13 - ENVIRONMENTAL QUALITY CHAPTER 2.6 – General Section 21092.3, https://law.justia.com/codes/california/2022/code-prc/division-13/chapter-2-6/section-21092-3/, accessed December 20, 2023.

Making Effective Comments

The CEQA process encourages public involvement. Comments on the EIR can be submitted in writing (including as an email). Written comments can be submitted during the EIR review period, as discussed below. Verbal comments may also be made at any public meetings held to consider the Project and this EIR.

Written comments are often the most effective method of commenting. They accurately describe the commenter's concerns and can be accompanied by specific references. Whereas the opportunity for verbal comments may be limited to a few minutes at a public hearing, a written comment can be more extensive.

In commenting on this EIR, commenters should address whether they adequately identify and analyze significant environmental impacts and how they may be avoided or reduced. Comments are most helpful when they specifically address impact conclusions, alternatives, or mitigation measures, or the methods of analysis used by the lead agency to evaluate these issues. Commenters should explain the basis for their comments and include supporting evidence such as data, expert opinion, or other facts. This includes providing the City with copies of any references used as the basis for the comments.

If the reference is available on a website, commenters should provide the City with the specific web address where the reference can be accessed.

1.3 EIR Content and Format

This EIR contains all of the information required to be included in an EIR as specified by CEQA (California Public Resources Code, §21000 et seq.[29]) and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 5[30]). CEQA requires that an EIR contain, at a minimum, certain specified content. **Table 1.2** provides a reference guide for locating the CEQA-required sections within this document.

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[29] California Legislative Information, PUBLIC RESOURCES CODE - PRC DIVISION 13. ENVIRONMENTAL QUALITY [21000 - 21189.91], https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC&sectionNum=21000, accessed December 20, 2023.
[30] Department of Toxic Substances Control, Chapter 5: Public Participation During CEQA, https://dtsc.ca.gov/get-involved/policies-procedures-public-participation-program/pp-manual-ch5/, accessed December 20, 2023.

Table 1.3 Location of CEQA Required Topics

CEQA Required Topic	CEQA Guidelines Reference	Location in this EIR
Table of Contents	§15122	Table of Contents
Summary	§15123	1.0 Executive Summary
Project Description	§15124	2.0 Project Description
Environmental Setting	§15125	3.0 Environmental Setting
Consideration and Discussion of Environmental Impacts	§15126	4.0 Environmental Analysis
Significant Environmental Effects Which Cannot be Avoided if the Project is Implemented	§15126.2(c)	4.0 Environmental Analysis
Significant Irreversible Environmental Changes Which Would be Caused by the Project Should it be Implemented	§15126.2(d)	5.0 Other CEQA Considerations
Growth-Inducing Impact of the Project	§15126.2(e)	5.0 Other CEQA Considerations
Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects	§15126.4	1.0 Executive Summary and 4.0 Environmental Analysis
Consideration and Discussion of Alternatives to the Project	§15126.6	6.0 Alternatives
Effects Not Found to be Significant	§15128	4.0 Environmental Analysis
Organizations and Persons Consulted	§15129	7.0 Preparers and Contributors
Discussion of Cumulative Impacts	§15130	4.0 Environmental Analysis
Energy Conservation	§15126.2(b) & Appendix F	4.5 Energy

In summary, the content and format of this EIR are as follows:

Section ES - Executive Summary. Provides an overview of the EIR and CEQA process and provides a brief Project Description, which includes summaries of the Project's objectives, the location and regional setting of the Project site, and potential alternatives to the Project as required by CEQA. The Executive Summary also provides a summary of the Project's impacts, mitigation measures, and conclusions, in a table that forms the basis of the Project's Mitigation, Monitoring, and Reporting Program (MMRP).

Section 1.0 – Introduction. Provides introductory information about the CEQA process and the responsibilities of the City in its role as Lead Agency, a brief Project Description, the purpose of the EIR, and an overview of the EIR's format.

Section 2.0– Project Description. This section serves as the EIR's Project Description for purposes of CEQA and contains a level of specificity commensurate with the level of detail proposed by the

Project, including the summary requirements pursuant to CEQA Guidelines §15123[31]. This section provides a detailed description of the Project, including its location, purpose, main objectives, design features, construction characteristics, and operational characteristics expected over the Project's lifetime. In addition, the discretionary actions required of the City of Adelanto and other government agencies to authorize implementation of the Project are discussed.

Section 3.0 – Environmental Setting. This section of the EIR provides an overall context of the physical environmental conditions that exist in the City of Adelanto. Additional site-specific details are provided in each separate environmental topic Sections 4.1 through 4.14. Section 5 also includes a discussion of the potential environmental effects that were found not to be significant during preparation of this EIR.

Section 4.0 – Environmental Analysis. This section contains the Environmental Checklist Form, as suggested in Section 15063(d)(3)[32] of the CEQA Guidelines, as amended, and includes a series of questions about the project for each of the listed environmental topics. The Form evaluates whether or not there would be significant environmental effects associated with the development of the project and provides mitigation measures, when required, to reduce impacts to a less than significant level. If mitigation measures are not available or feasible to reduce an identified impact to below a level of significance, the environmental effect is identified as a significant and unavoidable adverse impact, for which a Statement of Overriding Considerations would need to be adopted by the City of Adelanto pursuant to CEQA Guidelines §15093[33].

The environmental changes identified in Section 4.0 and throughout this EIR are referred to as "effects" or "impacts" interchangeably. CEQA Guidelines §15358[34] describe the terms "effects" and "impacts" as being synonymous. In each Subsection of Section 4.0, the existing conditions pertaining to the subject area being analyzed are discussed accompanied by a specific analysis of physical impacts that may be caused by implementing the Project. Impacts are evaluated on a direct, indirect, and cumulative basis. Direct impacts are those that would occur directly as a result of the Project. Indirect impacts represent secondary effects that would result from Project

[31] Cal. Code Regs. tit. 14 § 15123, Section 15123 – Summary, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-9-contents-of-environmental-impact-reports/section-15123-summary#:~:text=14%20%C2%A7%2015123,-Download&text=Section%2015123%20%2D%20Summary%20(a),and%20simple%20as%20reasonably%20practical., accessed December 20, 2023.
[32] Cal. Code Regs. tit. 14 § 15063, Section 15063 – Initial Study, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-5-preliminary-review-of-projects-and-conduct-of-initial-study/section-15063-initial-study, accessed December 20, 2023.
[33] Cal. Code Regs. tit. 14 § 15093, Section 15093 – Statement of Overriding Considerations. https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-7-eir-process/section-15093-statement-of-overriding-considerations, accessed December 20, 2023.
[34] Cal. Code Regs. tit. 14 § 15358, Section 15358 – Effects, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-20-definitions/section-15358-effects, accessed December 20, 2023.

implementation. Cumulative effects are defined in CEQA Guidelines §15355 as *"…two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts."*[35]

Section 5.0 – Other CEQA Considerations. This section includes specific topics that are required by CEQA. These include a summary of the Project's significant and unavoidable environmental effects, a discussion of the significant and irreversible environmental changes that would occur should the Project be implemented, as well as potential growth-inducing impacts of the Project. Additionally, this section includes a discussion of environmental justice considerations.

Section 6.0 – Alternatives. This section describes and evaluates alternatives to the Project that could reduce or avoid the Project's adverse environmental effects. CEQA does not require an EIR to consider every conceivable alternative to the Project but rather to consider a reasonable range of alternatives, including a "No Project" alternative, that will foster informed decision making and public participation.

Section 7.0 – Preparers and Contributors. This section provides a list of the agencies and persons that were consulted in preparing this EIR. Section 7 also lists the persons who authored or participated in preparing this EIR.

Section 8.0 – References. All reference sources used in preparing this EIR are cited. Additionally, this section contains Information about the regulatory framework used to analyze environmental Issues.

Potential Project Impacts Discussed in the EIR

The City of Adelanto has determined that an EIR is required for this Project. Pursuant to CEQA Guidelines §15063(a)[36], when a lead agency can determine that an EIR will be required for a project, an Initial Study is not required. An Initial Study was not prepared for this Project, however, the City of Adelanto has determined that implementation of the Project has the potential to result in significant environmental effects, and a Project EIR, as defined by CEQA Guidelines §15161[37], is required.

[35] Cal. Code Regs. tit. 14 § 15355, Section 15355 – Cumulative Impacts, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-20-definitions/section-15355-cumulative-impacts, accessed December 20, 2023.
[36] Cal. Code Regs. tit. 14 § 15063, Section 15063 – Initial Study, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-5-preliminary-review-of-projects-and-conduct-of-initial-study/section-15063-initial-study, accessed December 20, 2023.
[37] Cal. Code Regs. tit. 14 § 15161, Section 15161 – Project EIR, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-11-types-of-eirs/section-15161-project-eir, accessed December 20, 2023.

As stated in CEQA Guidelines §15161[38], a Project EIR should *"…focus primarily on the changes in the environment that would result from the development project," and "…examine all phases of the project including planning, construction, and operation."*

Taking all known information and public comments received during the Notice of Preparation Process into consideration, as well as the technical review of the Project by City staff, there are 14 primary environmental subject areas are evaluated in Section 4.0, *Environmental Analysis*. This EIR contains all of the information required to be included in an EIR as specified by CEQA (California Public Resources Code, §21000 et. Seq.[39]) and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 5[40]) for the following environmental subject areas.

4.1 Aesthetics
4.2 Air Quality
4.3 Biological Resources
4.4 Cultural Resources
4.5 Energy
4.6 Geology and Soils
4.7 Greenhouse Gas Emissions
4.8 Hazards and Hazardous Materials
4.9 Hydrology and Water Quality
4.10 Land Use and Planning
4.11 Noise
4.12 Transportation
4.13 Tribal Cultural Resources
4.14 Utilities and Service Systems

Effects Found Not to be Significant

In compliance with CEQA Guidelines §15128[41], an EIR is required to contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR. The following environmental topics have been determined to pose no potentially significant impacts due to the Project's location and characteristics.

- Agriculture and Forestry Resources
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Wildfire

[38] Cal. Code Regs. tit. 14 § 15161, Section 15161 – Project EIR, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-11-types-of-eirs/section-15161-project-eir, accessed December 20, 2023.
[39] California Legislative Information, PUBLIC RESOURCES CODE - PRC
DIVISION 13. ENVIRONMENTAL QUALITY [21000 - 21189.91],
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC&sectionNum=21000, accessed December 20, 2023.
[40] Department of Toxic Substances Control, Chapter 5: Public Participation During CEQA, https://dtsc.ca.gov/get-involved/policies-procedures-public-participation-program/pp-manual-ch5/, accessed December 20, 2023.
[41] Cal. Code Regs. tit. 14 § 15128, Section 15128 – Effects Not Found to Be Significant, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-9-contents-of-environmental-impact-reports/section-15128-effects-not-found-to-be-significant, accessed December 20, 2023.

Section 4.0, *Environmental Analysis*, includes a discussion as to why these environmental topics have been determined to be not significant.

Documents Incorporated by Reference

CEQA Guidelines §15150[42] allows for the incorporation "by reference, [of] all or portions of another document … [and is] most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of a problem at hand." Documents, analyses, and reports that are incorporated into this EIR by reference are listed below and are also found in Section 8- *References*, of this EIR. The purpose of incorporation by reference is to assist the Lead Agency in limiting the length of an EIR. Where this EIR incorporates a document by reference, the document is identified in the body of the EIR, citing the appropriate section(s) of the incorporated document, and describing the relationship between the incorporated part of the referenced document and this EIR. All references cited in this EIR are available at the website address provided in this EIR, Section 8 - *References*, and/or at the City of Adelanto Planning Division, 11600 Air Expressway, Adelanto, CA 92301.

The following documents are incorporated by reference and cited in this EIR as appropriate. These documents are available for viewing at the City of Adelanto Planning Division, 11600 Air Expressway, Adelanto, CA 92301:

- MIG | Hogle-Ireland, *Adelanto North 2035 Comprehensive Sustainable Plan*, August 27, 2014, https://cms3.revize.com/revize/adelanto/Documents/Services/Community%20Development%20Services/Planning/General%20Plan/Adelanto%20North%202035%20Sustainable%20Plan.pdf, accessed December 21, 2023.
- Michael J. Wagner & Associates, Inc, *Final Program Environmental Impact Report - City of Adelanto General Plan Update (SCH 94082081),* May 1995, https://cms3.revize.com/revize/adelanto/Documents/Services/Community%20Development%20Services/Planning/General%20Plan/General%20Plan%20Update.pdf, accessed December 21, 2023.
- City of Adelanto Zoning Map, https://adelanto.maps.arcgis.com/apps/webappviewer/index.html?id=010f6cf148144804b767260ebde66d7b, accessed December 21, 2023.

[42] Cal. Code Regs. tit. 14 § 15150, Section 15150 – Incorporation by Reference, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-10-considerations-in-preparing-eirs-and-negative-declarations/section-15150-incorporation-by-reference, accessed December 20, 2023.

- City of Adelanto Municipal Code (various chapters), https://codelibrary.amlegal.com/codes/adelanto/latest/adelanto_ca/0-0-0-20747, accessed December 21, 2023.
- American Legal Publishing, Title 17 – Adelanto Zoning Ordinance, https://codelibrary.amlegal.com/codes/adelanto/latest/adelanto_ca/0-0-0-9423, accessed December 21, 2023.
- The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments (Connect SoCal), adopted on September 3, 2020, https://scag.ca.gov/read-plan-adopted-final-connect-socal-2020, accessed December 21, 2023.
- The 2022 Scoping Plan for Achieving Carbon Neutrality, adopted December 15, 2022, https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents, accessed January 3, 2024,
- Water Quality Control Plan for the Lahontan Region (Basin Plan),effective March 31, 1995, including amendments effective August 1995 through September 22, 2021, https://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.html, accessed January 15, 2024.

For any documents not listed above, the document is identified within the EIR and is cited, and incorporated by reference.

Technical Reports

As stated above, this EIR contains detailed technical studies, reports, and supporting documentation summarized herein and bound separately in Technical Appendices in accordance with CEQA Guidelines §15147[43]. The Technical Appendices are available for review at the City of Adelanto Planning Division, 11600 Air Expressway, Adelanto, CA 92301, during the City's regular business hours or can be requested in electronic form by contacting the City's Planning Division by email at planning@adelantoca.gov, or are available on the City's website during the public review period for the EIR at:

https://ci.adelanto.ca.us/services/community_development_services/planning/ceqa_process_policy.php#outer-343.

[43] Cal. Code Regs. tit. 14 § 15147, *Section 15147 – Technical Detail*. https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-10-considerations-in-preparing-eirs-and-negative-declarations/section-15147-technical-detail#:~:text=The%20information%20contained%20in%20an,and%20members%20of%20the%20public., accessed December 20, 2023.

The individual technical studies, reports, and supporting documentation that comprise the Technical Appendices are as follows by topic category. The full citation for the Technical Appendices is provided in Section 8.0, *References*, of this EIR.

A: NOP and NOP Comments

B-1: Air Quality/GHG CalEEMod Data Sheets, and Energy, KPC EHS Consultants, LLC, February 27, 2024

B-2: Mobile Source Health Risk Assessment, Psomas

C-1: Biological Resources Technical Report Psomas, January 2024

C-2: Joshua Tree Survey, Psomas, X

C-3: Focused Desert Tortoise Survey Report, Psomas, January 15, 2024

C-4: Jurisdictional Delineation, Psomas, January 2024

C-5: Habitat Assessment for Off-Site Improvements, L&L Environmental, Nc.

D: Cultural Resources Report, Psomas, January 2024

E: Phase 1 Environmental Site Assessments, Haley & Aldrich, Inc, Various Months, 2023

F: Preliminary Geotechnical Evaluations, Haley & Aldrich, Inc, Various Months, 2022 and 2023

F-1: Preliminary Soils Engineering Report, NTS Geotechnical, October 18, 2023

G: Preliminary Hydrology Report, Blue Engineering, May 2023

H: Water Quality Management Plan, Blue Engineering, May 2023

I: Noise Measurements, Alejandro Garcia,

J-1: Focused Traffic Analysis, David Evans and Associates Inc., February 6, 2024

J-2: VMT Mitigation Memorandum, David Evans and Associates Inc., XX

J-3: Vehicle Miles Traveled (VMT) Analysis, General Technologies and Solutions, October 9, 2023

K: Water Supply Assessment, KPC EHS Consultants, LLC, December 27, 2023

1.4 Mitigation Monitoring and Reporting Program

In compliance with Public Resources Code §21081.6, a Mitigation Monitoring and Reporting Program (MMRP) will be prepared before consideration of the Final EIR. Per CEQA §15091(d), *"When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures."*[44]

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[44] Cal. Code Regs. tit. 14 § 15091, Section 15091 – Findings, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-7-eir-process/section-15091-findings, accessed December 20, 2023.

2.0 PROJECT DESCRIPTION

2.1 Introduction

Throughout this EIR, the term "Project Site" means the areas encompassed by the 128-acre building site and the off-site areas within the street rights-of-way for roadway and utility improvements. See Figure 2.4.

Adelanto Land Owner LLC, (Project Proponent) proposes to construct two industrial buildings for warehouse/logistics use totaling 2,483,836 square feet on approximately 128.58 acres of vacant, undeveloped land. The name of the development is the "Adelanto Industrial Center" (Project).

This section of the EIR provides an overview of the major components of the Project, including, but not limited to, the location, site design, architectural features, infrastructure improvements (e.g. streets, water lines, sewer lines, storm drain facilities), construction activities, and the operational activities (e.g. receiving, storing, packing and distributing of goods once the facility is operational).

Additionally, this section includes a statement of the objectives sought by the Project Proponent for developing the Project and a list of permits and other approvals required by the City of Adelanto and other governmental agencies as applicable.

2.2 Project Location

The Project site is within the City of Adelanto (City) which is located approximately 85 miles northeast of Downtown Los Angeles and 30 miles north of the City of San Bernardino. The City is located in the Victor Valley area of the Mojave Desert in the northern region of the Inland Empire in the County of San Bernardino. The City is west of and adjacent to the cities of Victorville and Hesperia. The Town of Apple Valley is located further to the northeast. The Southern California Logistics Airport (SCLA) is adjacent to the eastern boundary of the Project site. See **Table 2.1**, *Location Data*, **Figure 2.1**, *Regional Location Map* and **Figure 2.2**, *Aerial Photo.*

Table 2.1 Locational Data

City: Adelanto
County: San Bernardino
Region: Southern California- Victor Valley (High Desert)
Cross Streets: SEC of Adelanto Road and Avalon Avenue
Assessor's Parcel Numbers: 0459-411-18,30,31,32,33,34 (portion north of Adelanto Avenue)
USGS 7.5 Minute Topographic Map: Adelanto, California, 2018
Section/Township/Range: 16/6N//5W
Latitude/Longitude: 34°36'20.0"N 117°24'00.0"W

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Figure 2.1 Regional Location Map

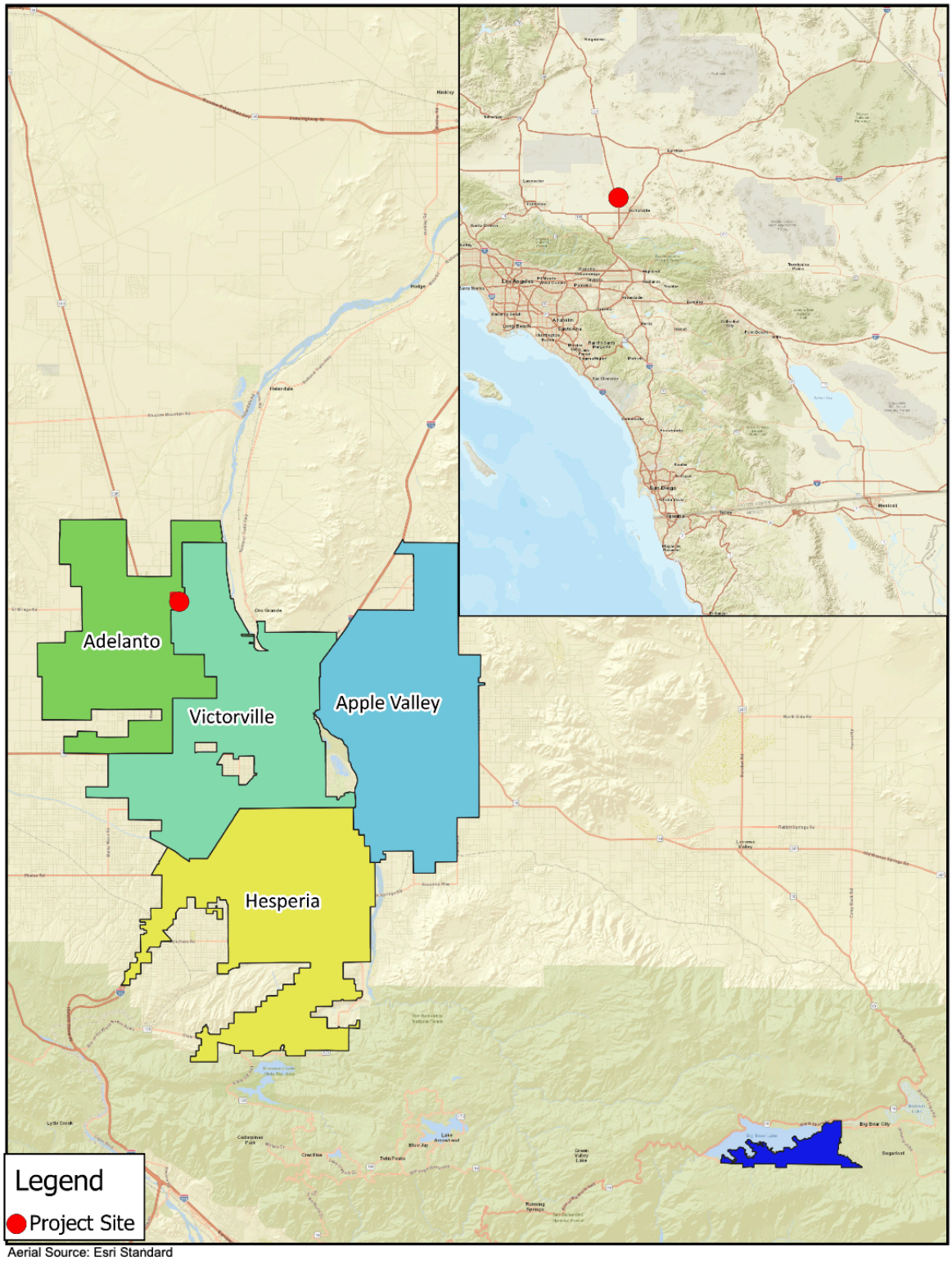
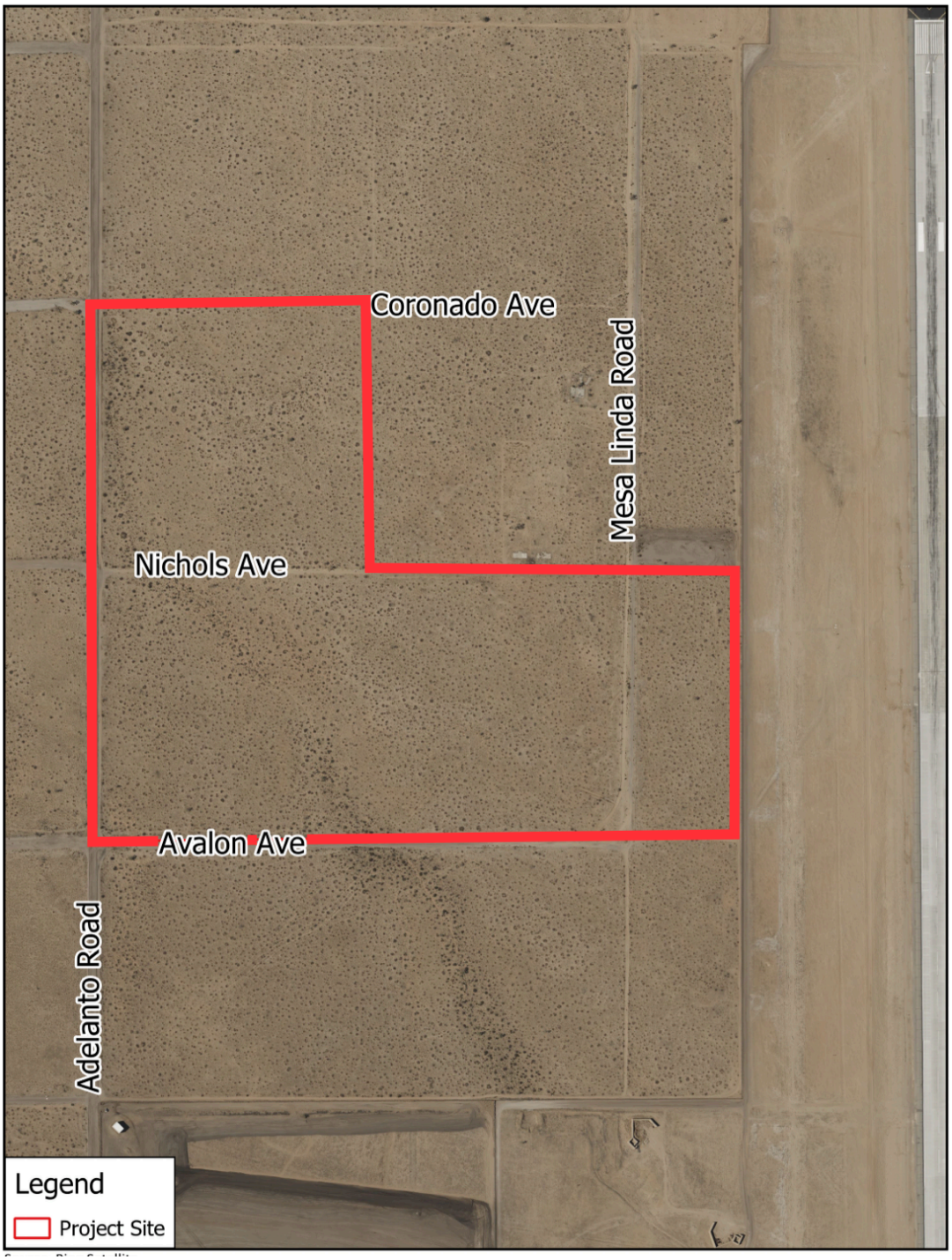


Figure 2.2 Aerial Photo of Project Site (Building Site Portion)



2.3 Statement of Objectives

The Project Proponent has identified the following objectives for developing the Project.

1. Create a professional, well-maintained, state of the art industrial complex consistent with the City of Adelanto General Plan Land Use designation of Light Manufacturing (LM) and the Zoning Classification of ADD (Airport Development District).

2. To develop a warehouse logistics facility near the Southern California Logistics Airport and Highway US 395 in support of the region's goods movement network.

3. Expand economic development, attract new businesses, and provide employment opportunities in the City of Adelanto thereby providing a more equal jobs-to-housing balance in the City that will reduce the need for members of the local workforce to commute outside the area for employment.

4. Design the facility for energy efficiency and sustainability consistent with the State of California's goals to reduce impacts related to climate change.

5. Locate an industrial facility in an area that minimizes conflicts to the extent possible with the surrounding existing uses.

6. Provide the necessary infrastructure to support the development of the Project and other undeveloped properties in the immediate vicinity consistent with the service providers' capacity.

2.4 Intended Uses of this EIR and Required Approvals

City of Adelanto Approvals Required

The following discretionary land use entitlement approvals are required from the City of Adelanto to implement the Project.

- **Certification that the Environmental Impact Report (EIR)** meets all the requirements of CEQA and that it represents the independent judgment of the City of Adelanto.
- **Approval of Location Development Plan (LDP) 23-06** to allow the development of two industrial logistic buildings totaling 2,483,836 square feet on a 128-acre site along with associated parking, landscaping, road improvements, and related infrastructure.
- **Approval of Tentative Parcel Map No. 20745** to subdivide the 128.58-acre site consisting of Assessor's Parcel Numbers 0459-411-18, -30, -31, -32, -33 and -34 (north of Avalon Avenue) into Lot 1 (69.06 acres) and Lot 2 (59.52 acres), and to create a remainder parcel of 14.15 acres which is not a part of the Project site.

Other Agency Approvals Required

The Project requires approval from the following state and local agencies:

State Agencies:

- **California Department of Fish and Wildlife** – Section 1602 Streambed Alteration Agreement for alteration of 0.081 acres of natural drainage courses and an Individual Take Permit for the removal of Western Joshua Trees.
- **Lahontan Regional Water Quality Control Board** – National Pollutant Discharge Elimination System General Permit and Waste Discharge Requirement permit under the Porter-Cologne Act for alteration of 0.081 acres of natural drainage courses.

Local Agencies:

- **Mojave Desert Air Quality Management District** - for the issuance of construction-related permits

Availability of Project Documents

Copies of the EIR documents are available at:

Hard Copies:

City of Adelanto Planning Division
11600 Air Expressway Adelanto, CA 92301
James Hirsch, Contract Planner
jhirsch@adelantoca.gov
760-246-2300 ext. 11190
File: LDP 23-06

City of Adelanto Website:

https://ci.adelanto.ca.us/services/community_development_services/planning/ceqa_process_policy.php#outer-343 (See Folder for LDP 23-06-Adelanto Industrial Center).

File: LDP 23-06

California State Clearinghouse-CEQAnet Web Portal

https://ceqanet.opr.ca.gov/

State Clearinghouse Number: 2023120352

2.5 Project Description

Adelanto Land Owner LLC, (Project Proponent) proposes to construct two industrial logistics buildings totaling 2,483,836 square feet of building area on approximately 128.58 acres of vacant, undeveloped land. The name of the development is the "Adelanto Industrial Center" (Project).

2.6 Subdivision of Land

As shown on **Figure 2.3**, below, the Project proposes to subdivide approximately 128.58 acres into two parcels. Parcel 1 will be 69.06 acres and accommodate Building 1, and Parcel 2 will be 59.52 acres and accommodate Building 2. Existing APN 0459-411-34 is a long narrow parcel on the eastern portion of the Project site. It is bisected by the right-of-way for Avalon Avenue. The land north of Avalon Avenue will become part of the Project site, and the land south of Avalon Avenue will become a “remainder parcel”. As allowed by Government Code § 66424.6, the subdivider may designate as a remainder that portion which is not divided for the purpose of sale, lease, or financing. The remainder parcel is not part of the Project site and it not needed to support the development of the Project site with respect to access or infrastructure improvements. There is no development on the remainder parcel proposed at this time on the remainder parcel. Any future development will be required to go through a new land development entitlement process and is subject to its own CEQA review process.

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Figure 2.3 Tentative Parcel Map No. 20745

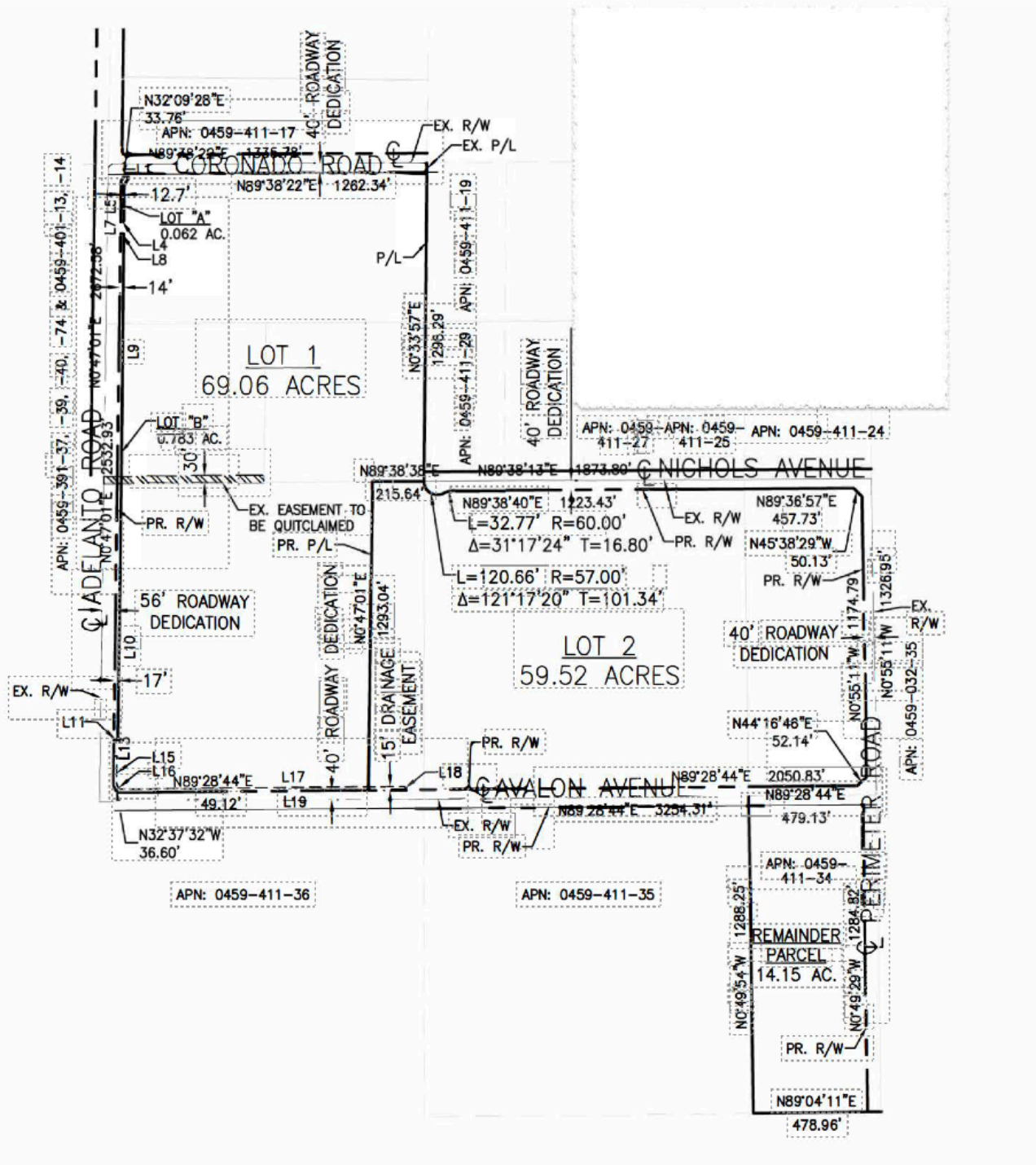
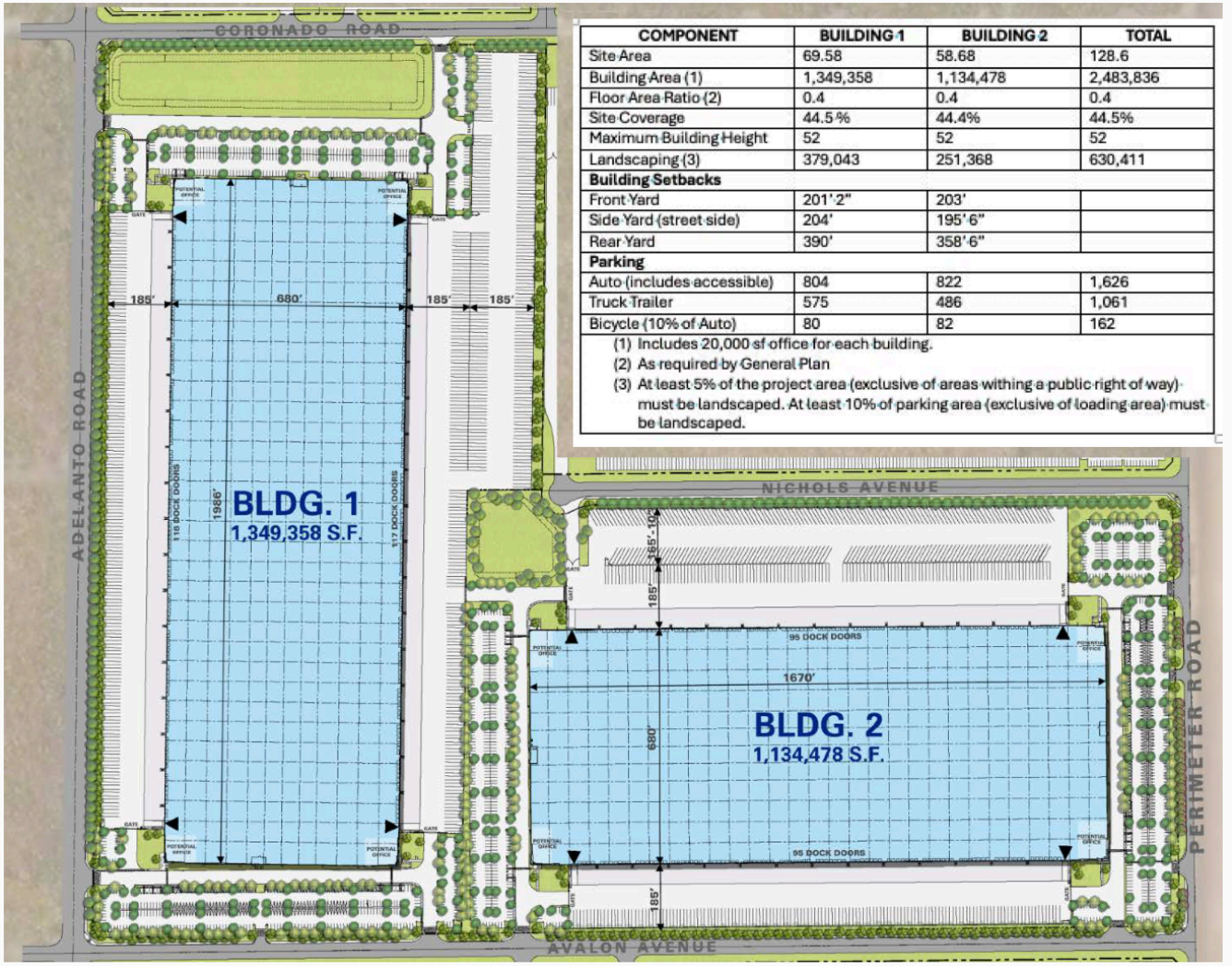


Figure 2.4 Master Site Plan



COMPONENT	BUILDING 1	BUILDING 2	TOTAL
Site Area	69.58	58.68	128.6
Building Area (1)	1,349,358	1,134,478	2,483,836
Floor Area Ratio (2)	0.4	0.4	0.4
Site Coverage	44.5 %	44.4%	44.5%
Maximum Building Height	52	52	52
Landscaping (3)	379,043	251,368	630,411
Building Setbacks			
Front Yard	201' 2"	203'	
Side Yard (street side)	204'	195' 6"	
Rear Yard	390'	358' 6"	
Parking			
Auto (includes accessible)	804	822	1,626
Truck Trailer	575	486	1,061
Bicycle (10% of Auto)	80	82	162

(1) Includes 20,000 sf office for each building.
(2) As required by General Plan
(3) At least 5% of the project area (exclusive of areas withing a public right of way) must be landscaped. At least 10% of parking area (exclusive of loading area) must be landscaped.

2.7 Project Design Features

The Project has been designed to include a number of Project Design Features (PDFs) to incorporate best management practices for warehouse facilities as recommended by the California Attorney General, the California Air Resources Board, and the City of Adelanto General Plan. These measures are summarized below and will be included as Conditions of Approval. The measures listed below are not all inclusive. Additional details are contained in Section 4.2, *Air Quality*, and 4.7, *Greenhouse Gas Emissions*.

- **All Electric Development.** There will be no natural gas provided to the site. As the emissions of the electric grid continue to reduce in order to meet California's requirement for 100% clean energy by 2045, this measure sets these buildings up to support California's long term decarbonization goals.
- **Electric On-site Cargo Handling Equipment.** On-site operational and cargo handling equipment including pallet jacks and forklifts shall be electric with the necessary charging stations included in the design of the Project electrical system, buildings, and equipment storage areas.
- **EV Charging.** Provide EV chargers and EV capable parking 10% beyond code requirements. (an additional 9 EV charging stations and 25 EV capable; project totaling 92 EV Chargers and 267 EV capable). Additionally, Electrical hookups shall be provided as part of the tenant improvements at loading docks for use with electric powered trucks. The electrical hookups shall be provided at loading bays for truckers to plug in for recharging and operating any onboard auxiliary equipment while their truck is stopped.
- **Provide On-Site Photovoltaics (PV).** Each building will include at least 45 kW of PV, which is 33 kW above the minimum requirements of the energy code.
- **Optimized Building Envelope.** Project will provide lower U-Value and SHGC for windows and higher solar reflectance index (SRI) roofs and walls than required by code.
- **High Efficiency Lighting**. The Project will utilize higher lumen/watt efficacy fixtures than required by code.
- **Air Filtration.** Mechanical ventilation systems will include MERV 8 filters to improve the air quality in the building and capture airborne particulate matter. This achieves a BMP per the California Attorney General's Warehouse Projects Best Practices guide.

2.8 Building Design

Figure 2.5 Architectural Concept

As shown in **Figure 2.5**, *Architectural Concept,* the proposed buildings would be single-story and approximately 52 feet tall. The buildings are constructed of concrete tilt-up panels with various architectural features to break up long expanses of walls. Drought tolerant landscaping is employed along the street frontages and throughout the parking lots.

2.9 Infrastructure Improvements

Street Improvements

There are ten intersections that require improvements to meet the City's General Plan Mobility Element with respect to Level of Service (LOS). Although LOS is not an environmental impact that is required to be evaluated under CEQA, the construction of these intersections will result in ground disturbances that may impact the physical environment and may impede the ability to accommodate pedestrian movement, bicycle travel, and bus travel. These are environmental topics that are required to be evaluated under CEQA. As such, this EIR evaluates the impacts to the physical environment as discussed in Sections 4.1 through 4.14 as applicable.

Intersection No. 1-U.S. 395/El Mirage Road

- Install a 6-phased traffic signal (between Adelanto Road and U.S. 395).
- Widen the eastbound, westbound, northbound, and southbound approaches to accommodate turn lanes as follows:
- Northbound approach: widen and configure U.S. 395 to add a left turn lane (300-feet long + 120-foot transition), retain existing two lanes as exclusive through lanes, and provide a right turn lane (300-feet long + 120-foot transition). Provide northbound left turn protected phasing and a northbound right turn overlap phase (green arrow) during the southbound protected left turn movement. Prohibit southbound U-turns.
- Southbound approach: widen and configure U.S. 395 to add a left turn lane (300-feet long + 120-foot transition), add a through lane (300 feet long + 300-foot lateral transition from existing cross-section,) current two-lane segment begins south of El Mirage Rd), and maintain the existing lane as a shared through-right lane. Provide southbound left turn protected-permissive phasing.
- Eastbound approach (future improvements by others): construct El Mirage Road to add a left turn lane (300-feet long + 120-foot transition) and reconstruct the existing lane as a shared through-right lane. Provide eastbound split phasing.
- Westbound approach: construct El Mirage Road to add a left turn lane (350-feet long + 60-foot transition) and reconstruct the existing lane as a shared left-through-right lane. Provide westbound split phasing. (Refer to **Figures 2.6 and 2.7)**

Intersection No. 2-U.S. 395/Auburn Avenue

No improvement is proposed for this intersection in the near-term. Auburn Avenue is a very low volume road. It is unimproved east of U.S 395 and is improved, but in poor condition, west of U.S. 395. This intersection does not meet *California Manual on Uniform Transportation Control Devices* (CA MUTCD) signalization warrant 3 (peak hour) or warrant 7 (crash experience). Auburn Avenue west of U.S. 395 provides access to a small residential neighborhood which has alternative access to U.S. 395 at signalized intersections via Bellflower Street. (Refer to **Figure 2.6)**

Intersection No.3-U.S. 395/Chamberlaine Way

There is an existing traffic signal at this Intersection, no additional improvements are proposed.

Intersection No. 4-U.S. 395/Bartlett Avenue

There is an existing traffic signal at this Intersection, no additional improvements are proposed.

Intersection No. 5 -U.S. 395/Air Expressway

Minor operational improvements include implementing a westbound right turn overlap phase (green arrow) during the southbound protected left turn movement. U-turns are currently prohibited on all approaches. This improvement would require the replacement of the three westbound signal heads with signal heads that include a right turn green arrow indication. Signal timing/optimization would also be required. (Refer to **Figure 2.6**).

Intersection No. 6-Adelanto Rd/Chamberlaine Way/Momentum Road

Although this intersection, analyzed under existing lane geometrics, operates at LOS D, it will require two through lanes in each direction of Adelanto Road which may be implemented as part of the frontage improvements on the City of Victorville side of the street should an agreement be approved between the City of Adelanto and the Project Proponent to fund and construct such improvements. Until that occurs the Project is assumed to be responsible for the required intersection improvements. This intersection becomes deficient as a side-street stop-controlled intersection when project traffic is combined with the construction of two lanes in the northbound direction. The recommended intersection modifications include:

- Construct the northbound and southbound approaches of Adelanto Road to accommodate two lanes (a shared through-right and a shared through-left lane) in both directions. The length of these lanes is to be determined through analysis of deceleration length and vehicle queuing storage under the recommended traffic control. Approaching the intersection in either direction of Adelanto Road, a single lane can transition into the required two-lane configuration.

- The northbound and southbound departures of the intersection require widening for two receiving lanes. The receiving lanes in both directions can be merged into a single lane based on Caltrans' standard merge length based on design speed.
- Convert the current side-street stop-control to all-way stop-control. (Refer to **Figures 2.6 and 2.9**)

Intersection No. 7-Adelanto Rd/Bartlett Ave/Innovation Way

The current all-way stop control is recommended to remain at this intersection. The improvements entails reconfiguring the northbound and southbound approach lanes on Adelanto Road as follows:

- Provide two through lanes in each direction of Adelanto Road. The through lanes may be combined with turn lanes at all-way stop-controlled intersections. Convert the exclusive northbound left turn lane to a shared through-left turn lane and retain the existing northbound shared through right lane. The southbound approach flares out to provide two lanes at the stop bar, but the rightmost lane needs to be lengthened by about 300 feet + 120-foot-long taper back to a single lane.

The northbound departure will require widening to accommodate two receiving lanes which can be merged to a single lane over a distance determined using Caltrans' standard merge length based on design speed. The southbound departure is already two lanes wide until it reaches Air Expressway. (Refer to **Figures 2.6)**

Intersection No. 8-Adelanto Rd/Air Expressway.

This major signalized intersection currently has two through lanes and an exclusive left turn lane at all four approaches. The existing right of way (RW) of both streets is 100-feet. Adelanto Road is classified as a Major Boulevard (128' RW) and Air Expressway as a Major Street (100' RW) by the City of Adelanto General Plan Circulation Map. Recommended improvements to eliminate the level of service deficit include:

- Add a second southbound left turn lane. The RW required to accommodate a second left turn lane is 112-feet, or 6-feet from each side, for approximately 250 feet. Reducing the roadside to 5-foot sidewalks on both sides and narrowing left turn lanes to 11-feet allows for the second left turn lane without acquiring additional RW.
- Construct an exclusive westbound right turn lane on the east leg of Air Expressway. The project adds over 500 and 300 trips to this movement in the AM and PM peak hours respectively. The right turn lane should be 300 feet in length with a 120-foot transition, requiring widening the north side of Air Expressway approximately 8 feet (for the length of

the lane). In addition to paving the right turn lane, the improvements include reconstructing curb and gutter and the northeast corner curb return. The lane addition will require relocation of signal equipment and potentially realignment of signal heads.

- Modify traffic signal phasing/timing to permit a westbound right turn overlap phase simultaneously with the northbound and southbound protected left turn phase, requiring replacement of existing signal heads for new signal heads with right turn arrow indications. (Refer to **Figure 2.6**)

Intersection No. 9-Air Expressway/Phantom West

There is an existing traffic signal at this Intersection, no additional improvements are proposed.

Intersection No. 10-Adelanto Road/El Mirage Road

This is an upgrade to the existing intersection required to improve for access to the Project. El Mirage Road would be extended to intersect U.S. 395. Adelanto Road is constructed/extended south to the Chamberlaine Way/Momentum Road intersection. The intersection approaches would be configured as follows:

- Northbound approach of Adelanto Road: construct a shared left-through turn and shared through-right turn lane.
- Southbound approach of Adelanto Road: construct a shared left-through lane, a through lane, and a free right turn lane that connects directly into a westbound departure lane on El Mirage Road.
- Eastbound approach of El Mirage Road: construct a left turn lane and a shared left-through-right turn lane.
- Westbound approach of El Mirage Road: construct the east leg as a stub road with cross-section consistent with El Mirage Road from Adelanto Road to U.S. 395.
- Monitor traffic volumes and install a traffic signal when the intersection warrants installation. (Refer to **Figures 2.6 and 2.9**)

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Figure 2.6 Proposed Intersection Improvements

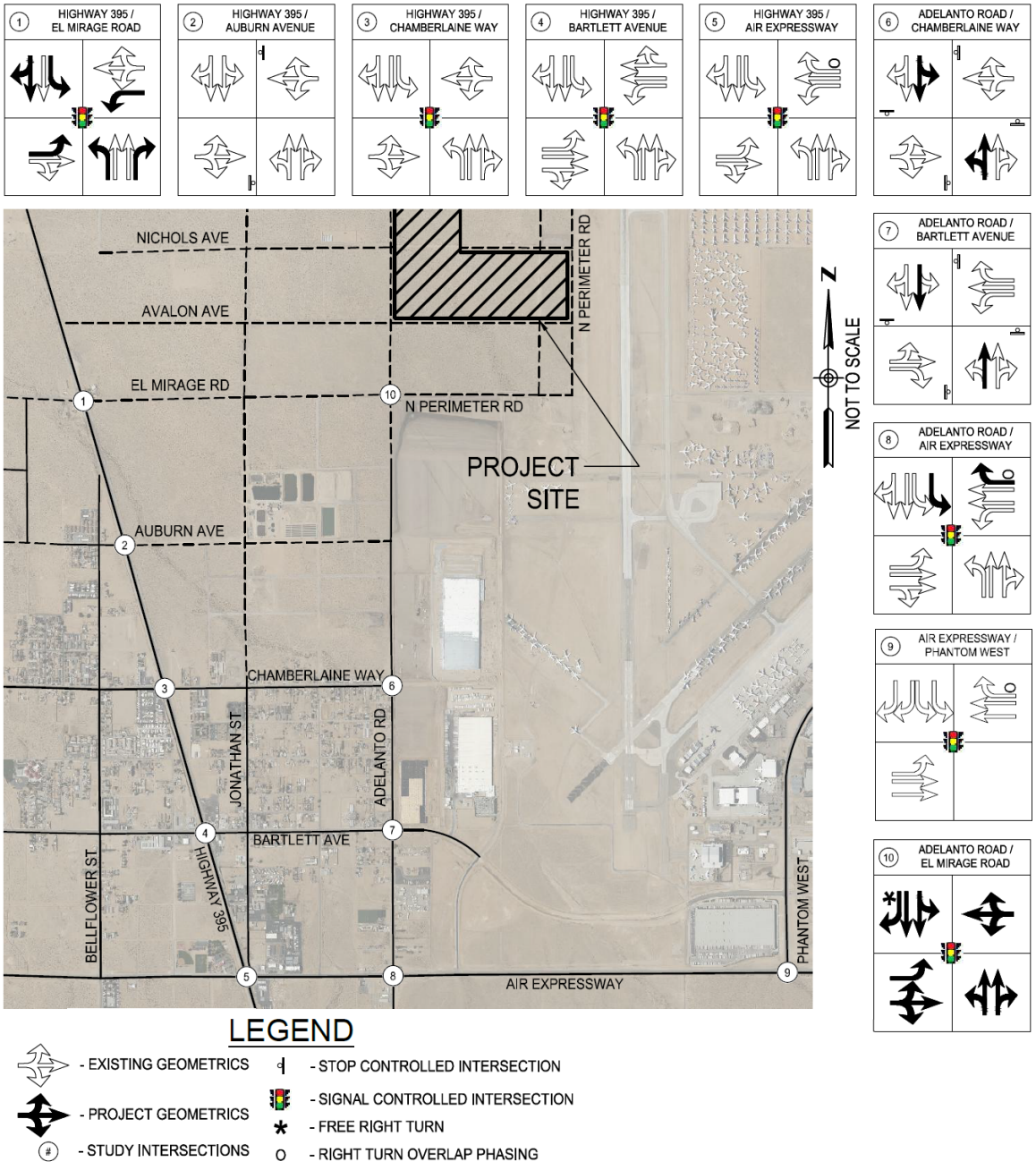


Figure 2.7 Proposed Off-Site Improvements Intersection of El Mirage Road and U.S. 395

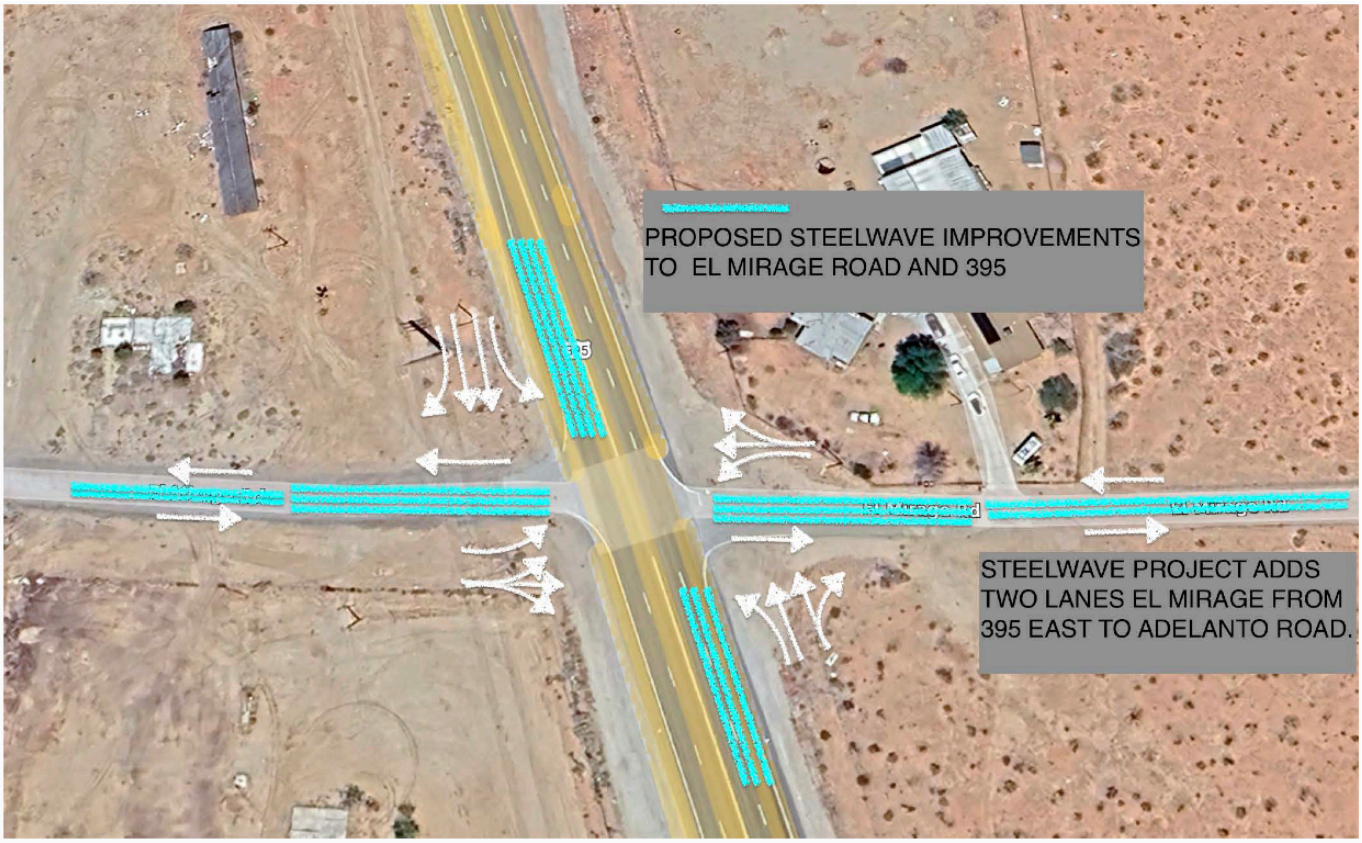


Figure 2.8 Adelanto Road Proposed Off-Site Improvements- Intersection of Adelanto Road and El Mirage Road South to Barcelona Avenue.

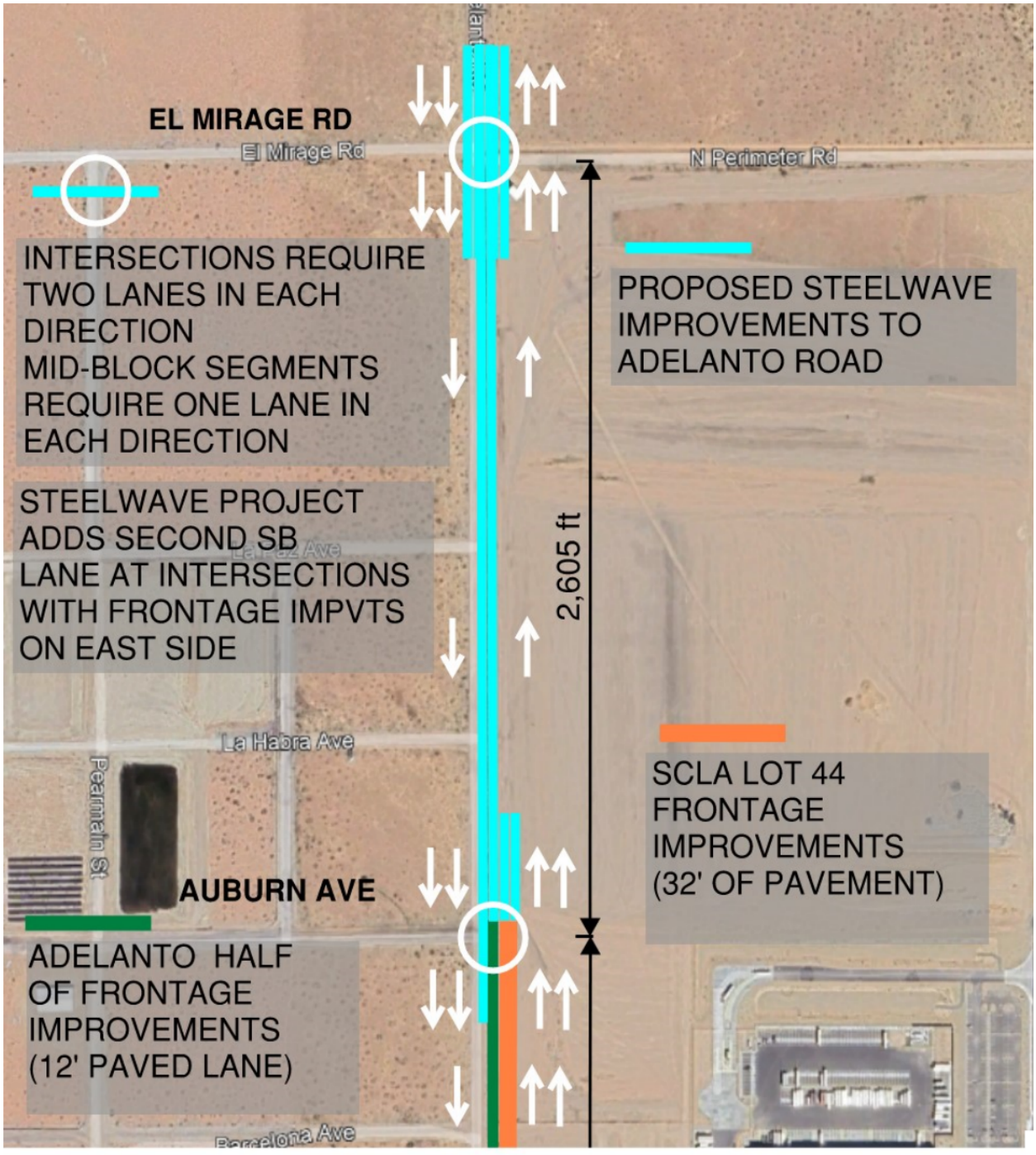
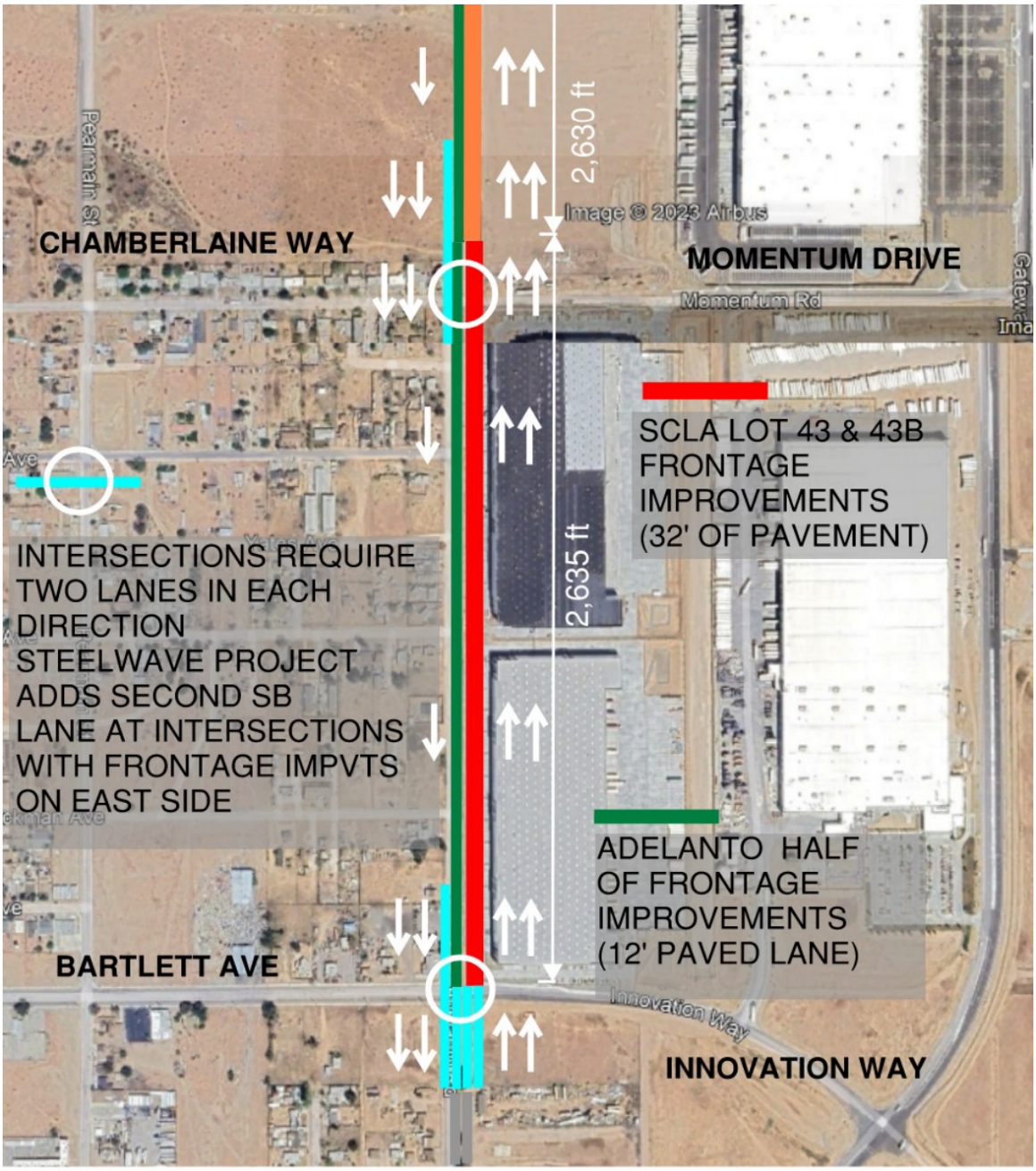


Figure 2.9 Adelanto Road Proposed Off-Site Improvements- N/O Intersection of Adelanto Road and Chamberlaine Way South to Aztec Lane



Water, Sewer, and Storm Drain Improvements

Figure 2.10 Sewer, Water and Storm Drain Improvements

As shown in **Figure 2.10** above, the Project will construct water lines, sewer lines, and storm drain facilities adjacent to and within the Building Site. Off-site extensions to connect to existing facilities are described below:

- **Sewer Line:** Extend the proposed 15-inch Force Main beyond the Project's northern boundary northerly approximately 1,425 feet, then easterly approximately 1,430 feet along De Soto Avenue to the point of connection with the Adelanto Interceptor sewer line.
- **Sewer Force Main:** Extend the proposed 4-inch Sewer Force Main from the Project's northern boundary approximately 6,795 south along Adelanto Road, then westerly approximately 1,198 feet along Auburn Avenue to point of connection with existing manhole.
- **Water Line:** Extend the proposed 12-inch water line beyond the Project 's southern boundary starting from the intersection of Adelanto Road and Avalon Avenue, then southerly to Auburn Avenue, then approximately 1,360 feet westerly to the point of connection with the existing water line in Auburn Avenue.
- **Storm Water:** The Project will include two (2) detention/infiltration basins. Basin-1 which will serve Building 2 is planned for the south side of Nichols Avenue. Basin-2 which will serve Building 1 is planned for the southeast corner of Adelanto Road and Coronado Road. Onsite runoff will be directed through concrete swales throughout the site and collected by the proposed catch basins via drainpipe. The catch basins will drain to the detention/infiltration basins described, which are designed to accommodate the increase in runoff. The Project's stormwater system and basins are designed to mitigate the 100-year 24-hour storm. Overflow from an 80-foot concrete wide rectangular weir will continue under the improved Adelanto and Coronado Roads downstream using the existing condition drainage path. The stormwater system has been designed to limit discharge to pre-development levels.

  Off-site runoff from south of the Project site will be carried through an open channel around the Project site to the downstream side of the Project site.

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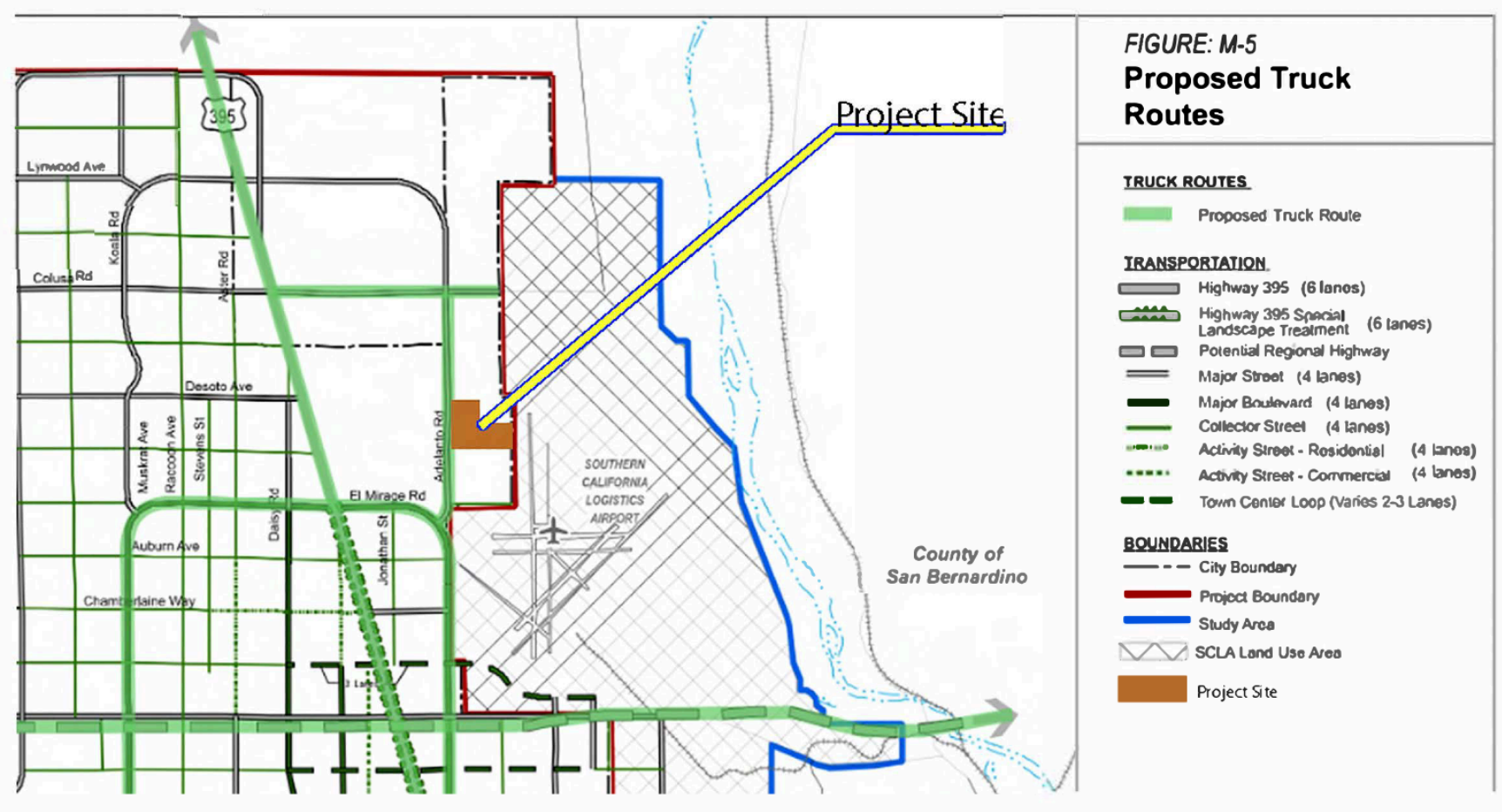
Figure 2.11 Proposed Truck Routes



Source: Adelanto North 2035 Comprehensive Sustainability Plan-Figure M-5.

2.12 Project Construction Activities & Phasing

It is anticipated that the Project will commence construction in July-August 2024 and be constructed in a single phase, with construction activities expected over 385 days. Physical disturbances to the ground would occur over the entire 128-acre property and the off-site areas for the installation of roadways, water lines, sewer lines, storm drain facilities, and other utilities as shown in **Figure 2.12**, *Water, Sewer, and Storm Drain Locations.*

Construction activities include site preparation, grading, building construction, architectural coatings, and paving as described in **Table 2.2** *Construction Phasing, and Duration*, below. Project construction will require the use of heavy equipment such as dozers, scrapers, paving machines, concrete trucks, and water trucks. (See Section 4.2, *Air Quality*, for additional details).

Table 2.2 Construction Phasing and Duration

Phase Name	Start Date	End Date	Days
Site Preparation	07/02/2024	08/05/2024	25
Grading	08/06/2024	10/28/2024	60
Building Construction	10/29/2024	07/28/2025	195
Paving	07/29/2025	09/29/2025	45
Architectural Coatings	09/30/2025	12/22/2025	60

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2.13 Project Operational Characteristics

No building occupants are identified at this time, but the Project is designed to accommodate several types of logistic/warehouse facilities described in **Table 2.3,** *Types of Logistic/Warehouse Facilities*.

Table 2.3 Types of Logistic/Warehouse Facilities

Type	Description	Applied To:
Warehouse	A warehouse is primarily devoted to the storage of materials, but it may also include office and maintenance areas.	Buildings 1 and 2
High Cube Warehouse Short-Term Storage and Transload	High Cube Warehouses (HCWs) included in this land use include transload and short-term facilities. Transload facilities have a primary function of consolidation and distribution of pallet loads (or larger) for manufacturers, wholesalers, or retailers. They typically have little storage duration, high throughput, and are high-efficiency facilities. Short-term HCWs are high-efficiency distribution facilities often with custom/special features built into the structure for the movement of large volumes of freight with only short-term storage of products	Buildings 1 and 2
High Cube Fulfillment Center Warehouse (Sort)	HCWs include warehouses characterized by a significant storage function and direct distribution of e-commerce products to end users. These facilities typically handle smaller packages and quantities than other types of HCWs and often contain multiple mezzanine levels. A sorting facility is a fulfillment center that ships out smaller items, requiring extensive sorting, typically by manual means.	Building 1
High Cube Parcel Hub Warehousing	HCWs typically serve as regional and local freight-forwarder facilities for time-sensitive shipments via airfreight and ground carriers. These sites also often include truck maintenance, wash, or fueling facilities.	Buildings 1 and 2

Source: ITE Trip Generation Manual,11th Edition.

Vehicle Trips

Based on **Table 2.3** above, it is estimated that up to 8,560 daily passenger car trips and 2,246 daily truck trips, for a total of 11,232 daily trips, could be generated by the Project.[45.] The Project is uniquely located at the northern edge of development in the county's high desert region. North of El Mirage Road, there is very little development of any kind until the junction of U.S. 395 and State Route 58 some 30 miles to the north. As a result, most of the project automobile traffic (75 percent) is distributed to the south and east towards Victor Valley. About 20 percent of Project traffic is distributed to the west towards Palmdale/Lancaster, and the remaining 5 percent is distributed north of Adelanto. The Project's truck trip distribution in which 75 percent of truck trips travel to/from the south (U.S. 395) and east (Interstate 15). About 15 percent travel to/from the Palmdale/Lancaster area (Highway 18) and the remaining 10 percent travel to/from the north (U.S. 395).

Employees

The Project is expected to generate up to a maximum of 3,071 employees based on the type of warehouse logistic facility. For example, a "fulfillment" facility that ships out smaller items, requiring extensive sorting, typically by manual means, will generate more employees as opposed to a "transload" facility which has a primary function of consolidation and distribution of pallet loads (or larger) for manufacturers, wholesalers, or retailers.

Outdoor Equipment

Equipment for loading and unloading freight from trucks such as forklifts and terminal tractors (e.g. "yard goats" used to tow trailers around a warehouse or yard) will be used in the loading docks and truck court areas of the project site. All on-site operational and cargo handling equipment including yard trucks, pallet jacks, forklifts, and other on-site equipment will be electric with the necessary charging stations included in the design of the Project electrical system, buildings, equipment storage, and parking areas.

Outdoor Storage

All activities are proposed to be conducted in the interior of the buildings except for the parking of trucks and trailers.

[45] David Evans & Associates, Focused Traffic Impact Analysis Report, Table 5-2. (Appendix J-1 of this EIR).

Outdoor Lighting

Outdoor lighting will be used for security on the building and to illuminate the parking lots and driveway aisles while minimizing glare onto adjacent properties. The Project will utilize higher lumen/watt efficiency fixtures than required by code.

Hours of Operation

Operations can occur 7 days a week for 24 hours per day.

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3.0 ENVIRONMENTAL SETTING

3.1 Approach to Baseline Conditions

CEQA Guidelines §15125[46] establishes requirements for defining the environmental setting to which the environmental effects of a proposed project must be compared. The environmental setting is defined as "…the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation is published, or if no Notice of Preparation is published, at the time the environmental analysis is commenced…" (CEQA Guidelines §15125[a])[47]. The environmental setting for the Project is determined as of **December 13, 2023**, which is the date that the Project's environmental analysis commenced as determined by the first date of circulation for the Notice of Preparation on CEQAnet[48].

This section of the EIR provides an overall context of the physical environmental conditions that exist in the City of Adelanto. Additional site-specific details are provided in each separate environmental topic Sections 4.1 through 4.14.

3.2 City of Adelanto Environmental Setting

The City is predominantly comprised of residential and manufacturing land uses, with other notable land uses including mixed-use, commercial retail and restaurant uses along U.S. 395. The City of Adelanto is a unique city in that it has an abundance of land (around 34,000 acres[49].) The topography is relatively flat with the exception of the Shadow Mountains to the north. The existing desert setting is dominated by Mojave creosote bush scrub, Mojave wash scrub, and Joshua Trees. Adelanto is located on the Cajon Fan, a broad surface of coalescing alluvial fans and terraces at the southern edge of the Mojave Desert that was formed from sediment eroded from the San Gabriel and San Bernardino Mountains. Adelanto's land use patterns are characterized by fragmented and sparse development, as shown on Figure 2.3, *Aerial Photo.*

[46] Cal. Code Regs. tit. 14 § 15125, *Section 15125 – Environmental Setting,* https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-9-contents-of-environmental-impact-reports/section-15125-environmental-setting, accessed December 22, 2023.
[47] Cal. Code Regs. tit. 14 § 15125, *Section 15125 – Environmental Setting,* https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-9-contents-of-environmental-impact-reports/section-15125-environmental-setting, accessed December 22, 2023.
[48] CEQA, *Adelanto Industrial Center Project – SCH Number 2023120352*, https://ceqanet.opr.ca.gov/2023120352, accessed December 22, 2023.
[49] City of Adelanto 6th Cycle Housing Element Update, https://cms3.revize.com/revize/adelanto/Documents/Housing%20Element%20Update/Revised%20DRAFT%20Adelanto%20HEU%20(11.03.23).pdf

3.3 Project Environmental Setting

The Project Site is bounded immediately to the north by Coronado Avenue followed by vacant, undeveloped land, to the west by vacant undeveloped land followed by US 395, to the east by North Perimeter Road followed by vacant, undeveloped land followed by the Southern California Logistics Airport in the City of Victorville, and to the south by Avalon Avenue followed by undeveloped land with an Amazon warehouse approximately ¾-mile away.

The Project Site is currently undeveloped with some disturbance (e.g., off highway vehicle [OHV] use and trash dumping). The vegetation type is dominated by western Joshua trees (Yucca brevifolia) with creosote bush (Larrea tridentata) also occurring. There are Western Joshua trees scattered throughout the Project Site area.

The Project Site is also bisected by desert washes which are under the jurisdiction of the California Department of Fish and Wildlife (CDFW) and the Lahontan Regional Water Quality Board.

Onsite and adjacent land uses, General Plan land use designations, and zoning classifications are shown in **Table 3.1**.

Table 3.1 Land Uses, General Plan Land Use Designations, and Zoning Classifications

Location	Current Land Use	General Plan Land Designations	Zoning Classification
Site	Undeveloped	Airport Development District	ADD
North	Undeveloped	**Airport Development District**	ADD
South	Undeveloped	**Airport Development District**	ADD
East	Undeveloped with Airport further east	Specific Plan (SCLA Airport)	I
West	Undeveloped	**Airport Development District**	ADD

Source: Field inspection, City of Adelanto -General Plan Land Use & Zoning District Map, March 2022, City of Victorville General Plan Land Use< September 1, 2022. Google Earth Pro.

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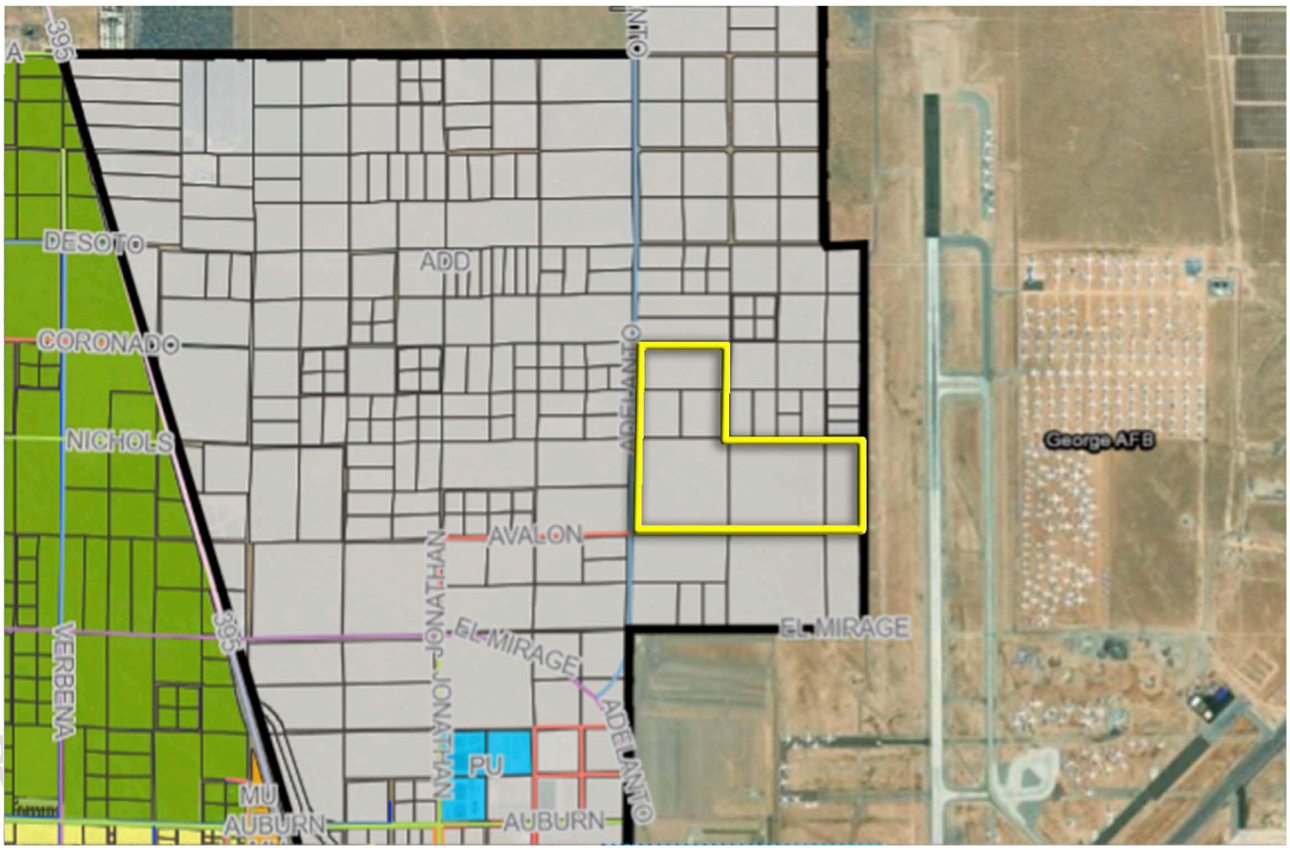
Figure 3.1. Zoning -Airport Development District (ADD)



The Airport Development District (ADD) provides for a wide range of nonresidential uses, generally encompassing light and heavy industrial, retail, office, and other commercial uses that are oriented around airport operation, services, industries and businesses. The Airport Development District is intended to provide maximum flexibility to the City, landowners, and tenants in establishing and operating non-residential uses. Development is expected to be predominated by buildings of one (1) or two (2) stories, but may attain any heights up to fifty-five (55) feet. In some cases, retail uses will be on the ground floor, with offices above. All uses in this district will be required to execute aviation easements.

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3.4 Off-Site Improvement Area Environmental Setting

The Project would improve the adjacent and connecting roads to provide street access, wet and dry utilities and other infrastructure improvement as required by the City of Adelanto to support the planned Adelanto Industrial Center Project commercial and industrial uses. It is assumed that all improvements would be within existing rights-of-way. (Refer to **Figure 3.2**, *Off-Site Improvement Area Vegetation*).

Vegetation in the Offsite Infrastructure Improvement area consists of Joshua Tree Woodland (Yucca brevifolia) Alliance dominated by western Joshua trees and creosote bush (Larrea tridentata) with white bursage (Ambrosia dumosa), bladdersage (Scutellaria mexicana), and Cooper's box-thorn (Lycium cooperi). Ground cover is mostly comprised of redstem filaree (Erodium cicutarium) and common Mediterranean grass (Schismus barbatus). Joshua Tree Woodland is a sensitive species and the take of the listed Joshua Tree will require an incidental take permit (2081) from the California Department of Fish and Wildlife.

Disturbed/Developed areas make up the largest part of the area which consists of the improved and unimproved rights of way. Anthropogenic disturbances are high throughout the area with conspicuous trash deposition and off-road vehicle use throughout. The roads most of which are unpaved contain low to moderately heavy traffic increasing towards the west near to U.S. 395. The segment of Adelanto Road between Auburn Avenue and Momentum Road is a paved roadway with graded land for future development on the east side and vacant land on the west side. Adelanto Road between Momentum Road and approximately 360 feet south of Bartlett Avenue is paved roadway and both sides of the roadway are developed with single-family homes or industrial uses, with the exception of a few vacant lots.

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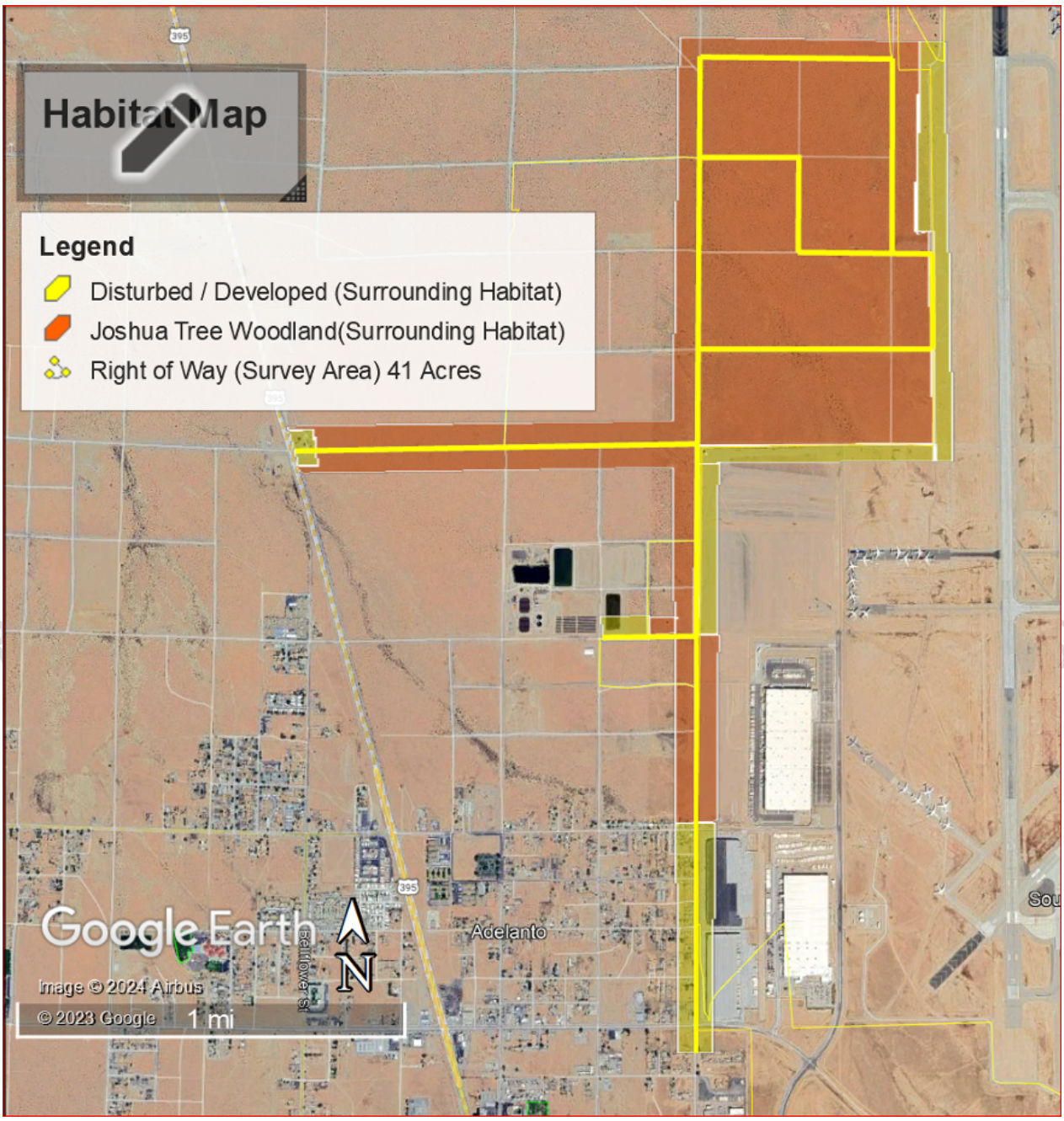
Figure 3.2 Off-Site Improvement Area Vegetation



3.5 Cumulative Impact Environmental Setting

Section 15355 of the CEQA Guidelines defines cumulative impacts as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." Cumulative impacts are the change caused by the incremental impact of an individual project compounded with the incremental impacts from closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. Section 15130 of the CEQA Guidelines states that cumulative impacts shall be discussed when the project's incremental effect is considerable. It further states that this discussion of cumulative impacts shall reflect the severity of the impacts and the likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The CEQA Guidelines (Section 15130 [b][1]) state that the information utilized in an analysis of cumulative impacts should come from one of two sources:

1) A list of past, present and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency.

2) A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or areawide conditions contributing to the cumulative impact. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency.

The summary of projections approach is used in this EIR, except for the evaluation of cumulative vehicular related noise impacts, for which a combination of the summary of projections and the list of projects approaches are used. The City of Adelanto determined the combined approach to be appropriate because long-range planning documents contain a sufficient amount of information to enable an analysis of cumulative effects for all subject areas, except for vehicular-related noise effects, which require a greater level of detailed study.

The cumulative impact analyses of vehicular-related health risk and noise impacts, which rely on data from the Project's Traffic Analysis (EIR Technical Appendix H-1), inherently utilize the combined approach. With the combined approach, the cumulative impact analyses for the vehicular-related noise issue areas overstate the Project's potential cumulatively considerable impacts relative to analyses that rely solely on the list of projects approach or solely on the summary of projections approach; therefore, the combined approach provides a conservative, "worst-case" analysis for the Project's contribution to cumulative traffic related air quality and noise impacts.

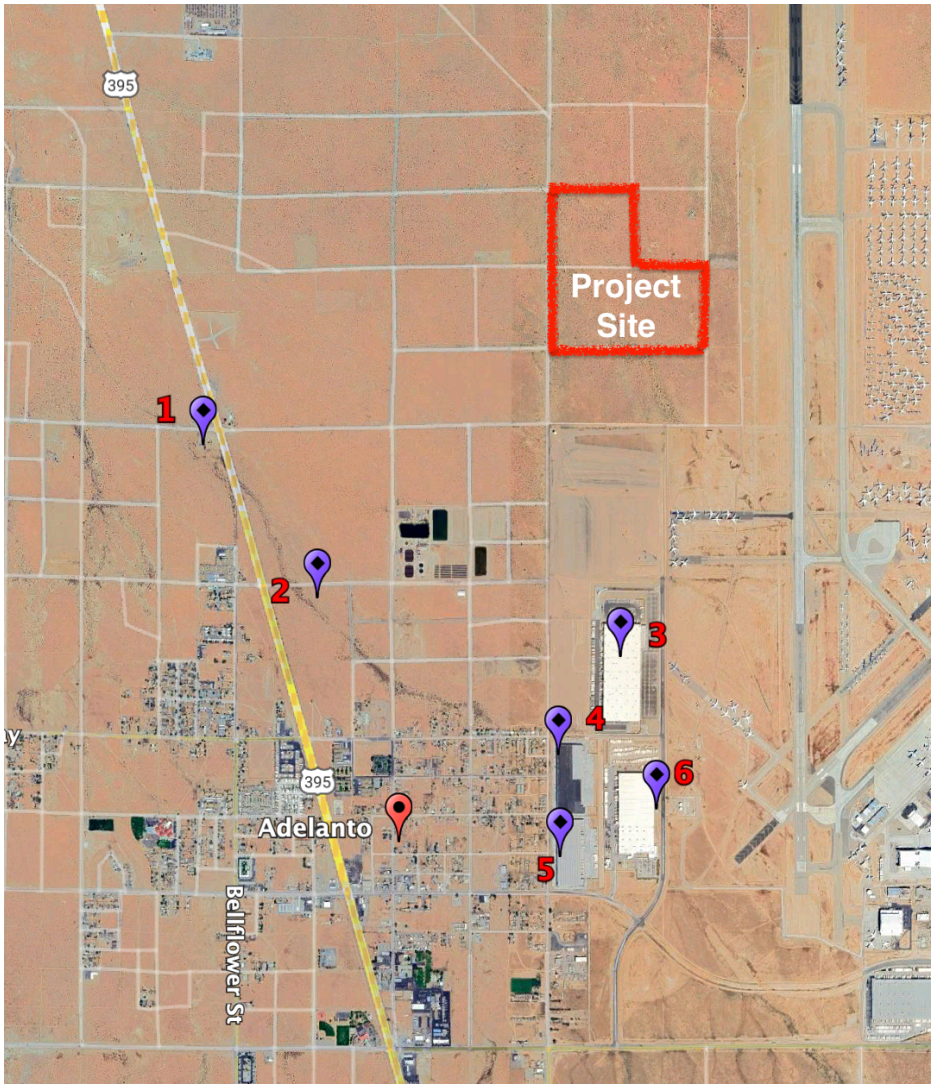
The list of projects used to supplement the summary of projections approach for the cumulative vehicular related air quality and noise impact analyses includes known approved and pending development projects in proximity to the Project site that would contribute traffic to the same transportation facilities as the Project. This methodology recognizes development projects that have the potential to contribute measurable traffic to the same intersections, roadway segments, and/or state highway system facilities as the proposed Project and have the potential to be fully operational in the foreseeable future. Accordingly, the cumulative impact analysis of vehicular-related noise impacts includes known past, present, and reasonably foreseeable projects described in Table 3.1 and depicted on **Figure 3.3**, *Cumulative Projects Location Map* in addition to the summary of projections.

Table 3.2 Cumulative Project List

Project ID Number	Project Name/Location	Development Type	Quantity/sf
1	Single-Family Residence located Southwest at the intersection of El Mirage Road and U.S. 395	Residential	1 dwelling
2	Auburn Travel Center (CUP 22-19 & LDP 22-15) e east of US 395, located to the north of Barcelona Avenue, south of Auburn Avenue, and west of Montezuma Street in the City of Adelanto.	Commercial	5,866 square foot convenience store with a 945 square foot upper-level office; a 3,400 square feet drive-thru restaurant; a 10,500 square foot multi-tenant retail building; a 16,702 square foot supermarket; a 9,620 square foot multi-tenant retail building; a 5,577 square feet automated carwash; and a 68,054 square foot three-story hotel (100 rooms).
3	Amazon Fulfillment Center XLX7 located at 18589 Gateway Drive, Victorville.	Logistics/Warehouse	1,000,000 +/- square feet.
4	Grant & Bowman Fulffillment Center SEC of Adelanto Road & Momentum Way, Victiorville.	Logistics/Warehouse	460,000 sf +/-
5	Iron Mountain 12210 Innovation Way, Victorville.	Logistics/Warehouse	1,130,000 sf
6	Dr. Pepper /Snapple	Distributor	850,000 sf.

Source: City of Victorville, Southern California Logistics Airport Highlights,: https://www.victorvilleca.gov/home/showpublisheddocument/11640/638013561251630000, accessed March 2, 2024, County of San Bernardino Assessors office, Assessor Property Information: https://arc.sbcounty.gov/property-information/, accessed March 2, 2024, Google Earth Pro: https://earth.google.com/, accessed march 2, 2024, Focused Traffic Analysis (Appendix J-1)

Figure 3.3 Cumulative Projects Location Map



4.0 Environmental Analysis

4.0.1 Potential Project Impacts Discussed in the EIR

The City of Adelanto has determined that an EIR is required for this Project. Pursuant to CEQA Guidelines §15063(a), when a lead agency can determine that an EIR will be required for a project, an Initial Study is not required. Therefore, an Initial Study was not prepared for this Project, however, the City of Adelanto has determined that implementation of the Project has the potential to result in significant environmental effects, and a Project EIR, as defined by CEQA Guidelines §15161, is required. As stated in CEQA Guidelines §15161, a Project EIR should "…focus primarily on the changes in the environment that would result from the development project," and "…examine all phases of the project including planning, construction, and operation."

Taking all known information and public comments received during the Notice of Preparation Process in consideration, as well as the technical review of the Project by City staff and experts, there are 14 primary environmental subject areas are evaluated in Sections 4.1 through 4.14 of this EIR.

4.1	Aesthetics	4.8	Hazards and Hazardous Materials
4.2	Air Quality	4.9	Hydrology and Water Quality
4.3	Biological Resources	4.10	Land Use and Planning
4.4	Cultural Resources	4.11	Noise
4.5	Energy	4.12	Transportation
4.6	Geology and Soils	4.13	Tribal Cultural Resources
4.7	Greenhouse Gas Emissions	4.14	Utilities and Service Systems

Each of the above environmental topics is analyzed by responding to a series of questions pertaining to the impact of the Project on the topic. Based on the results of the Impact Analysis, the effects of the Project are then placed in one of the following four categories, which is followed by a summary to substantiate the factual reasons why the impact was placed in a certain category.

No Impact. No Impact(s) identified or anticipated. Therefore, no mitigation is necessary.

Less Than Significant Impact. No "significant" impact(s) identified or anticipated. Therefore, no mitigation is necessary.

Less than Significant Impact with Mitigation Incorporated. Potentially significant impact(s) have been identified or anticipated, but mitigation is possible to reduce impact(s) to a less than significant category. Mitigation measures must then be identified.

Significant and Unavoidable Impact: Cannot be mitigated to a less than significant level.

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The methodology employed to evaluate the degree of environmental impact is shown in **Table 4.1 below.**

Table 4.0.1 Impact Analysis Methodology

Impact Analysis Methodology
Apply Mandatory Regulations These include existing regulatory requirements such as plans, policies, or programs applied to the Project-based based on federal, state, or local law currently in place, which effectively reduce environmental impacts. ⬇
Apply Mitigation Measures (if necessary) These measures include requirements that are imposed where the impact analysis determines that implementation of the proposed Project would result in significant impacts; mitigation measures are proposed in accordance with the requirements of CEQA. ⬇
For Significant and Unavoidable Impacts, a Statement of Overriding consideration is required The Statement of Overriding Considerations is a written statement explaining the specific reasons why the social, economic, legal, technical, or other beneficial aspects of the proposed project outweigh the unavoidable adverse environmental impacts and why the Lead Agency is willing to accept such impacts. ⬇

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Alternatives

CEQA Guidelines §15126.6(a) describes the scope of analysis that is required when evaluating alternatives to proposed projects, as follows:

An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are in feasible. The lead agency is responsible for selection of a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason."

4.0.2 Effects Found Not to be Significant

In compliance with CEQA Guidelines §15128, an EIR is required to contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR. The following environmental topics have been determined to pose no potentially significant impacts.

- Agriculture and Forestry Resources
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Wildfire

CEQA Guidelines §states that "an EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR." Based on review of the Project and supporting technical studies, it was determined that the following environmental topical issues would result in no impact or less than significant impacts:

Agriculture and Forestry Resources

Agriculture and Forestry Resources: Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
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?				✓

Impact Analysis

a) The Project Site and Off-Site Infrastructure Improvement Area is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as mapped by the State Department of Conservation Farmland Mapping and Monitoring Program.[50] As such, the development of the Project will not convert any type of farmland to a non-agricultural use.

b) The current zoning classification for the Project Site is Airport Development District (ADD). The ADD district provides for a more limited range of uses, including only light industrial and manufacturing uses which benefit from separation from residential, office, and retail districts and is not intended for agricultural use. The Off-Site Infrastructure Improvement area does not have a General Plan Land Use or a Zoning classification because these areas are located within street rights-of-way.

[50] https://databasin.org/maps/new/#datasets=b83ea1952fea44ac9fc62c60dd57fe48, accessed on June 9, 2022.

A Williamson Act Contract enables private landowners to voluntarily enter contracts with local governments for the purpose of establishing agricultural preserves. The Project site is not under a Williamson Act Contract.[51]

c) California Public Resources Code §12220(g) defines forest land as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Section 4526 of the Public Resources Code defines timberland as land, other than land owned by the federal government or land designated by the state as experimental forest land, that is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees. The Project Site and the Off-Site Infrastructure Improvement Area do not contain any forest lands, timberland, or timberland zoned as Timberland Production, nor are any forest lands or timberlands located on or nearby these areas Site. Because no land within these areas is currently zoned or proposed for forestland or timberland, there is no potential to impact such zoning. Because forest land is not present in these areas, the Project has no potential to result in the loss of forest land or the conversion of forest land to a non-forest use.

d-e) As noted above, under Agriculture and Forestry Resources Threshold a), the Project Site and the Off-Site Infrastructure Improvement Areas are not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as mapped by the State Department of Conservation Farmland Mapping and Monitoring Program. In addition, these areas are not under agricultural production and there is no land being used primarily for agricultural purposes on or in the vicinity of these areas.

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[51] https://sbcountyarc.org/wp-content/uploads/arcforms/NPP874-WilliamsonActParcels.pdf, accessed June 9, 2022.

Mineral Resources

Mineral Resources: Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be a 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?				✓

Impact Analysis

a) The naturally occurring mineral resources within the Planning Area include sand, gravel, or stone deposits that are suitable as sources of concrete aggregate. The Project Site has been designated with a Mineral Land Classification of MRZ-3A, which is an area containing known mineral occurrences of undetermined mineral resource significance. This classification was based on a report by the California Department of Conservation, Division of Mines and Geology, entitled Mineral Land Classification of Concrete Aggregate Resources in the Barstow - Victorville Area, San Bernardino County, California. A review of the California Department of Conservation interactive web mapping indicates there are no active mines on the Project site[52]. In addition, a review of the California Division of Oil, Gas, and Geothermal Resources well finder indicates that there are no wells located in the vicinity of the Project Site.[53] The Off-Site Infrastructure Improvement Area does not have a General Plan Land Use or a Zoning classification because these areas are located within street rights-of-way. As such, this area would not include mineral resources areas.

Accordingly, implementation of the Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State of California.

b) The Project Site is not being used for mineral resource recovery, and is designated as Airport Development District (ADD). If the Project site were intended for mineral recovery, it would be designated as such. Therefore, the Project is not delineated on the General Plan, a specific plan, or other land use plan as a locally important mineral resource recovery site.

52 https://maps.conservation.ca.gov/mineralresources/, accessed on June 10, 2022.
53 California, State of, Department of Conservation. California Oil, Gas, and Geothermal Resources Well Finder. https://maps.conservation.ca.gov/doggr/wellfinder/#openModal/-117.41448/34.56284/14, accessed on June 10, 2022.

Population and Housing

Population and Housing: Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			✓	

Impact Analysis

a-b) The Project consists of two logistic warehouse buildings totaling 2,483,836 square feet. As such, it would not induce direct population growth because it does not propose housing. However, it could induce indirect population growth through the creation of new jobs.

Based on the analysis contained in the Vehicle Miles Traveled (VMT) Analysis (Appendix J-2), the Project is estimated to create 3,071 new jobs. According to the US Census data, in 2020, Adelanto had a total of 10,564 workers over the age of 16 working within its borders working across 13 major sectors. The most prevalent industries in Adelanto are transportation and warehousing, and utilities sectors which employ about 1,751 people (16.5% of the total workforce). The second most prevalent industry in Adelanto is educational services, health care, and social services which employ 1,507 people (14.2% of the total workforce).[54]

According to the Adelanto Housing Element, the City has very few jobs within a 45-minute commute. To be exact, the number of jobs available within a 45-minute drive from Adelanto ranges from 7,811 to 1,847. This is in correlation with the job proximity index (showing that fewer job opportunities are accessible for residents). Overall, the number of accessible jobs available to the residents of Adelanto is poor. The City could address this issue by bringing additional employment opportunities into the City of Adelanto.[55]

[54] *City of Adelanto, 6th Cycle Housing Element Update*, 2021-2029, November 2023,page 20. Available at: https://cms3.revize.com/revize/adelanto/Documents/Housing%20Element%20Update/Revised%20DRAFT%20Adelanto%20HEU%20(11.03.23).pdf. Accessed on February 12, 2024.
[55] Ibid, p. 90.

Based on the statistical data above, it is assumed that the Project employment would be absorbed from the regional labor force and would not attract substantial numbers of workers to move into the region. Therefore, a population increase related to new job creation by the Project would be less than significant.

The Project proposes water, wastewater, and storm drainage improvements described in Section 4.14, *Utilities and Service Systems*, of this EIR. The Project Site is located in an undeveloped area of the City but is on the fringe of existing development (adjacent to the Southern California Logistics Airport, and within ¾-miles of several logistic warehouse buildings.) Sewer lines, water lines, and roadway improvements will be extended off-site to connect to the existing utility improvements but will not extend into land not proposed for development beyond the Building Site's boundaries. Additionally, according to General Plan Figure LC-4, *Growth Area*s, the Building Site is located in Growth Area 2. General Plan Policy LC 5.3 states: "*Allow development outside of Growth Area 1 only if the applicant and/or developer provides for the construction and maintenance of extending infrastructure and public facilities beyond Growth Area1*". [56] The Project is constructing all of the infrastructure improvements to serve the Project consistent with Policy LC 5.3. As such, the Project would not result in unplanned growth.

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[56] Adelanto North 2035 Comprehensive Sustainable Plan, p. 69. Available at: https://cms3.revize.com/revize/adelanto/Documents/Services/Community%20Development%20Services/Planning/General%20Plan/Adelanto%20North%202035%20Sustainable%20Plan.pdf.Accessed on February 12, 2024.

Public Services

Public Services: Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
i) Fire protection?			✓	
ii) Police protection?			✓	
iii) Schools?			✓	
iv) Parks?			✓	
v) Other public facilities?			✓	

Impact Analysis

Fire Protection: The San Bernardino County Fire Department provides fire protection services to the Project area. The Project would be primarily served by the Adelanto Station #322, an existing station located approximately 2 roadway mile northeast of the Project site at 11741 Hardy Avenue. Development of the Project would impact fire protection services by placing an additional demand on existing County Fire Department resources. To offset the increased demand for fire protection services, the Project would be conditioned by the City to provide a minimum of fire safety and support fire suppression activities, including compliance with state and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access.

In addition, the City collects a Development Impact Fee to assist the City in providing fire protection facilities. Payment of the Development Impact Fee would be applied to fire facilities and/or equipment to offset the incremental increase in the demand for fire protection services that would be created by the Project. Therefore, the Project would not result in the need to construct new or physically altered fire facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for fire protection.

Police Protection: The San Bernardino County Sheriff's Department provides community policing to the Project area via the Victor Valley Sheriff Station located at 11613 Bartlett Street in Victorville, approximately 2.3 roadway miles northeast Because the Project site is in an area near development, it would be routinely patrolled by the Sheriff's Department. The City collects a Development Impact Fee to assist the City in providing for capital improvement costs for police protection facilities. Payment of the Development Impact Fee would be applied to police facilities and/or equipment, to offset the incremental increase in the demand for police protection services that would be created by the Project. Therefore, the Project would not result in the need to construct new or physically altered police facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for police protection.

Schools: The Project proposes to construct a warehouse logistics distribution facility, which would not result in a substantial direct population growth within the City. However, the Project would be subject to the requirements of AB 2926 and SB 50, which allows school districts to collect development impact fees to minimize potential impacts to school districts as a result of new development. Pursuant to SB 50, payment of fees to the applicable school district is considered full mitigation for project impacts, including impacts related to 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, or other performance objectives for schools. Thus, upon payment of development fees by the project applicant consistent with existing state requirements, impacts in this regard would be less than significant.

Parks: The nearest city park to the Project site is Richardson Park, approximately 3 miles to the southwest at 11600 Air Expressway. The Project does not propose residential development, so it would not directly increase population within the City and therefore would not significantly increase the demand for parkland or other recreational facilities.

Other Public Facilities: The current population of the City is 36,357 (assuming all new residents of the Project came from outside the City). As discussed under Population and Housing section above, it is not anticipated the Project would increase the demand for public services, including public health services and library services to the degree that the construction of new or expanded public facilities would be required.

Recreation

Recreation	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
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?			✓	

Impact Analysis

a-b) The nearest public park to the Project Site is Richardson Park, approximately 3 miles to the southwest at 16000 Air Expressway. The Project would not directly increase population within the City. Any indirect increase as a result of employees moving into the City to fill the estimated 3,0761 jobs would not increase the use of parks or recreational facilities to the degree that physical deterioration would occur or be accelerated. Additionally, The Project does not propose the construction or expansion of recreational facilities onsite or offsite.

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Wildfire

Wildfire- If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				✓
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				✓
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				✓
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				✓

Impact Analysis

A wildfire is a nonstructural fire that occurs in vegetative fuels, excluding prescribed fire. Wildfires can occur in undeveloped areas and spread to urban areas where the landscape and structures are not designed and maintained to be ignition resistant. As stated in the State of California's General Plan Guidelines: "California's increasing population and expansion of development into previously undeveloped areas is creating more 'wildland-urban interface' issues with a corresponding increased risk of loss to human life, natural resources, and economic assets associated with wildland fires." To address this issue, the state passed Senate Bill 1241 to require that General Plan Safety Elements address the fire severity risks in State Responsibility Areas (SRAs) and Local Responsibility Areas (LRAs).

According to the California Fire Hazard Severity Zone Viewer maintained by CAL FIRE, the Project Site and the Off-Site Infrastructure Improvement Areas are not located within a high wildfire hazard area. or near state responsibility areas or lands classified as very high fire hazard severity zones. As such, questions a) through d) require no response.

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[57]

[57] https://egis.fire.ca.gov/FHSZ/, accessed on June 10, 2022.

4.1 AESTHETICS

4.1.1 Introduction

This section of the EIR analyzes how the development of vacant desert land into a logistic/warehouse facility could potentially impact views of scenic natural resources such as hills, mountains, natural desert terrain, and State scenic highways. It also analyzes whether the architectural design of the buildings, the type of landscaping to be planted, the amount of glare from outdoor lighting, and building materials meet the City's design standards contained in the General Plan and Zoning Ordinance.

4.1.2 Notice of Preparation Scoping Comments

A Notice of Preparation (NOP) is a brief notice sent by the City to notify governmental agencies and the general public that the City plans to prepare an EIR. The purpose of the NOP is to solicit input from those agencies as to the scope and content of the environmental information to be included in the EIR. The NOP for the Project was released for a 30-day comment period starting on December 13, 2023, and ending on January 11, 2024. Additionally, a virtual EIR Scoping Meeting was held on January 9, 2024. No written comments were received during the NOP public comment period, nor were any comments made during the EIR Scoping Meeting that pertain to Aesthetics.

4.1.3 Regulatory Framework

The regulatory framework described below is a set of rules and regulations established by the government to regulate activities that impact the environment. There are various roles within all levels of government who are involved in establishing a regulatory framework. Generally, the adoption of laws at the federal or state level set forth the policy for environmental protection. Local agencies can only create rules and regulations if a law has been passed enabling them to do so. The analysis in this section is based on the Project's consistency with the specific regulatory requirements that are directly applicable to the Project as allowed by the enabling law. Additional information about the applicable law(s) are available in Section 8.0, *References,* in this EIR.

The specific regulations used to analyze the Impacts related to Aesthetics are described in Table 4.1.1, *Regulatory Framework-Aesthetics*, below.

Table 4.1.1 Regulatory Framework-Aesthetics

Regulatory Agency	Regulations
Caltrans	**State of California Scenic Highways Program**. California's Scenic Highway Program was created by the Legislature in 1963. Its purpose is to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. The State laws governing the Scenic Highway Program are found in the Streets and Highways Code, Sections 260 through 263[58].
City of Adelanto, California, "Progress through unity", Incorporated December 22, 1970	**City of Adelanto General Plan.** The Community Design section of the General Plan's *Land Use and Community Design Element* provides a policy framework with the stated goal for Industrial development: "*Goal LC 14- Well planned and high quality industrial and business parks."* **City of Adelanto Zoning Ordinance.** Chapter 17.15 *Design Review*, establishes the review procedures for residential, commercial, and industrial development proposals to facilitate project review by the City to ensure that development projects comply with all applicable local design guidelines, standards, and ordinances. Adelanto Municipal Code §17.15.070, Industrial Design Standards, contains design guidelines for industrial uses.

Based on the Regulatory Framework described above, the Impact Analysis sections below discuss how the Project complies with specific regulatory standards.

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4.1.4 Environmental Setting

The Project site is located in a sparsely developed area of the City, as shown in **Figure 4.1.1**, Site Photos.

Figure 4.1.1 Site Photos

Scenic Vistas

The City of Adelanto General Plan identifies Shadow Hills and the Mojave River as scenic vistas. Shadow Hills is located approximately 5 miles to the northwest of the Project site and the Mojave River is located approximately 3 miles east of the Project site. (See **Figure 4.1.2**).

Scenic Highways

The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been designated. These highways are identified in Section 263 of the California Streets and Highways Code (S&HC). There are no designated State Scenic Highways within the City of Adelanto[59]. (See **Figure 4.1.5**).

4.1.5 Methodology

This project was evaluated against the General Plan Policies and Zoning Ordinance requirements listed above concerning aesthetic impacts.

4.1.6 Thresholds of Significance

Appendix G of the State CEQA Guidelines poses the following questions to determine if a project could have a significant effect on the environment:

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) 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 that would adversely affect day or nighttime views in the area?

[59] San Bernardino County Wide Plan NR-3 Scenic Routes & Highways accessed: https://www.arcgis.com/apps/webappviewer/index.html?id=01c32a4480954deba20af965275b81e7

4.1.7 Impact Analysis

Threshold 4.1 – Aesthetics Except as provided in Public Resources Code §21099, would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			✓	

Discussion

A scenic vista is defined as a publicly accessible vantage point that provides expansive views of a highly valued landscape. Impacts on scenic vistas are analyzed from points or corridors that are accessible to the public and that provide a view of a scenic vista.

Structures within a viewer's line of sight of a scenic vista may interfere with a public view of a scenic vista, either by physically blocking or screening the scenic vista from view or by impeding or blocking access to a formerly available viewing position. Those viewers may see the scenic areas before development but would have those views blocked post-development.

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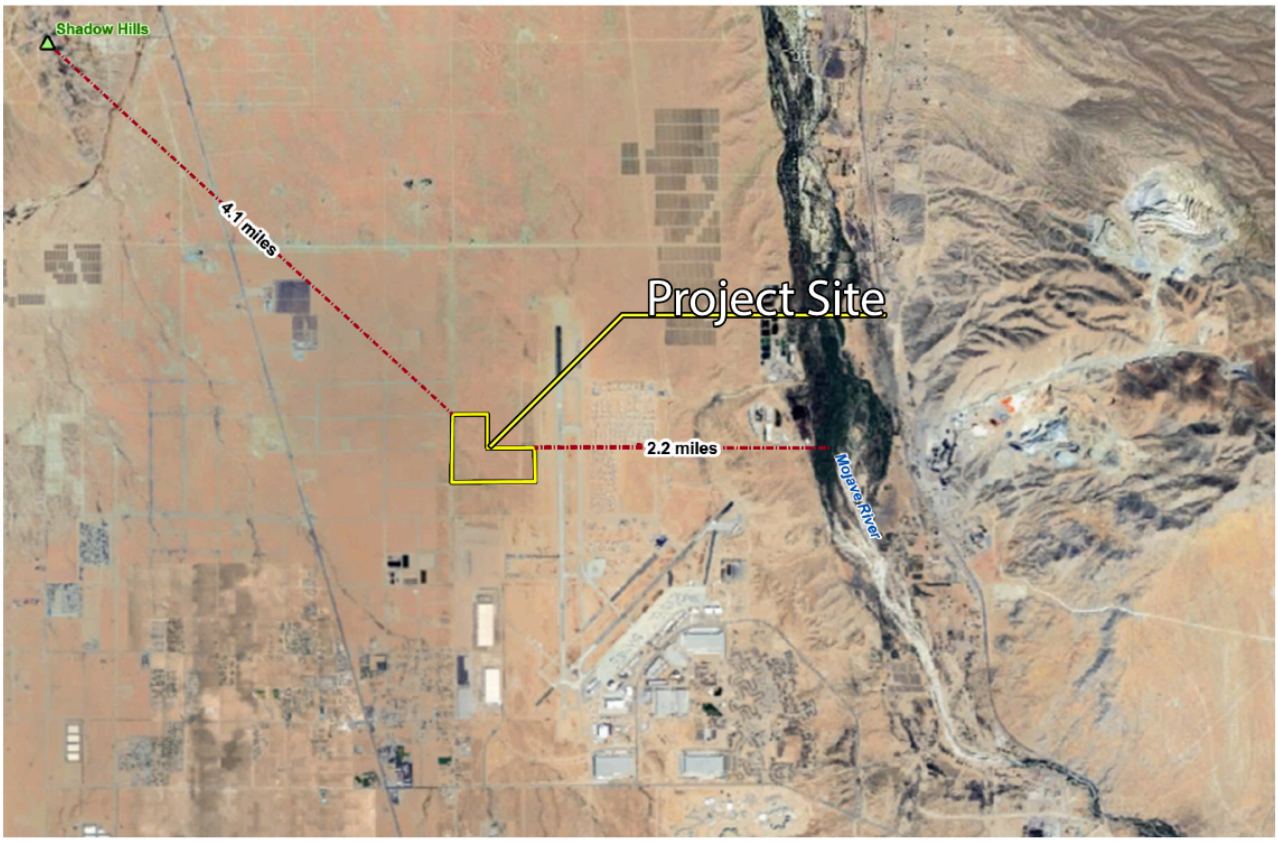
Figure 4.1.2 Distance to Shadow Hills and Mojave River from the Project Site



Impacts to Shadow Hills

Potential public views and vantage points from the Project site to the Shadow Hills and Mojave River would be from the public right-of-way of Adelanto Road, Auburn Avenue, Nichols Road, Mesa Linda Road, and Coronado Avenue. Because of the distance to the Shadow Hills, only distant views of the hills in the horizon are available. Post development, the distant views from Adelanto Road and Coronado Road will remain available. Distant views from Avalon Road, Mesa Linda Road and Nichols Road would be blocked. However, given that these views of the hills are 4.2 miles in the distant horizon, this is not considered a significant Impact.

Impacts to the Mojave River

The scenic value of the Mojave River is derived from the riverbed and the related vegetation, which is observed from vantage points adjacent to the river. Because of this the Mojave River is not visible from either the project site or surrounding roads.

Ground Level View of the Mojave River

Looking west from the intersection of Avalon Road and Adelanto Road, given the distance of 2.3 miles and the flat topography between the Project Site and the riverbed, there are no views available to the Mojave River that would be blocked by development of the Project. In addition, between the Project is the Airport runway as well as the future development potential within the City of Victorville which will block any views of the Project from the River and vise-versa.

General Plan Policy Consistency Analysis

Based on the analysis above, the Project is consistent with General Plan Policy OS 1.3 *"Preserve views of the desert landscape and existing topography and landforms including Shadow Mountains."*

Level of Significance

Less than significant.

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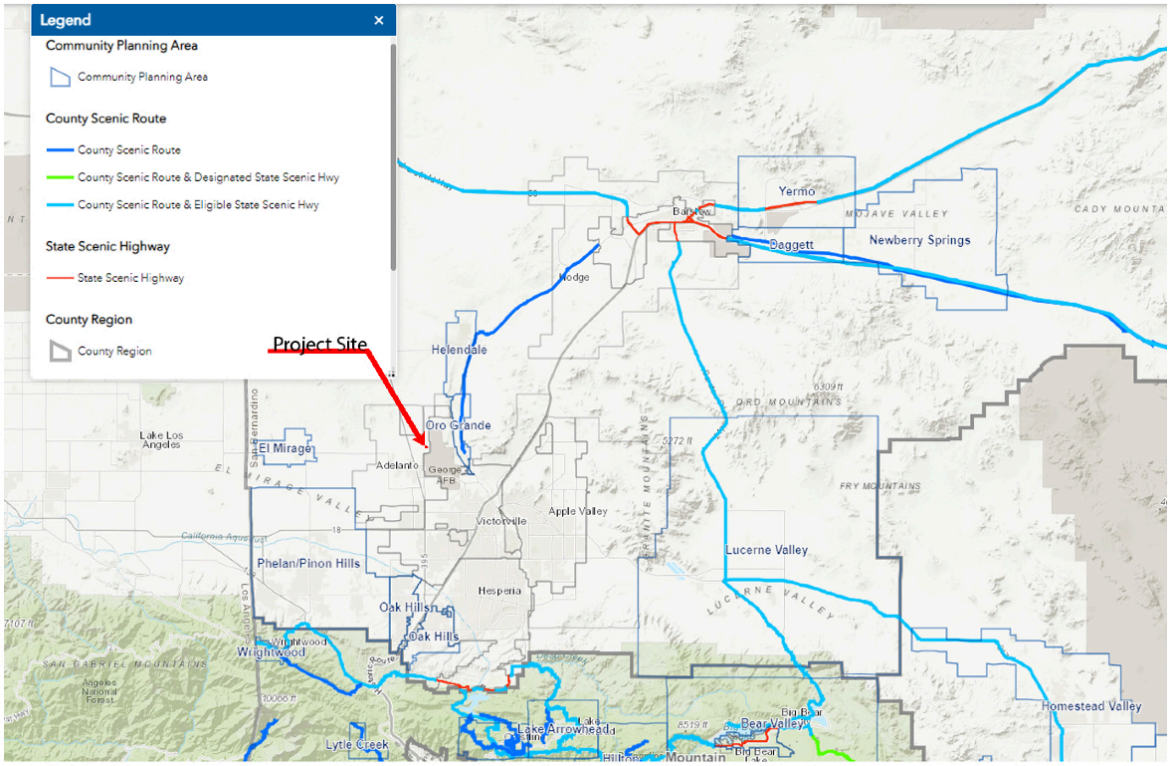
Threshold 4.1 – Aesthetics Except as provided in Public Resources Code §21099, would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.				✓

Discussion

As shown in **Figure 4.1.3**, *Scenic Highways Near the Project Site,* there are no officially designated scenic highways that could be impacted by development of the Project.[60]

Figure 4.1.3 Scenic Highways Near the Project Site



Level of Significance

No impact.

[60] Environmental Impact Report Volume I Adelanto North 2035 Comprehensive Sustainable Plan City of Adelanto, .March 2014. P.4.4-1.

Threshold 4.1 – Aesthetics Except as provided in Public Resources Code §21099, would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			✓	

Discussion

The Off-Site Infrastructure Improvement Area includes linear improvements such as street improvements (e.g. pavement, curbs, gutters, sidewalks) and underground sewer lines, water lines, and storm drains. These improvements would have no impact on scenic resources or conflict with the City's regulations governing scenic quality. Additionally, any off-site street improvements that may require parkway landscaping are required to meet City design standards.

CEQA Guidelines §15387 defines an "urbanized area" as "a central city or a group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile. A lead agency shall determine whether a particular area meets the criteria in this section either by examining the area or by referring to a map prepared by the U.S. Bureau of the Census which designates the area as urbanized".

According to the US Census Bureau, Adelanto is located within the Victorville-Hesperia, CA Urbanized Area.[61] As such, the Project is subject to the City's applicable regulations governing scenic quality contained in the General Plan Land and the Adelanto Municipal Code.

According to Chapter 17.15 *Design Review*, all residential, commercial, and industrial development proposals are subject to the City's Design Review process to ensure that development projects comply with all applicable local design guidelines, standards, and ordinances; to minimize adverse effects on surrounding properties and the environment; and to ensure consistency with the General Plan, which promotes high aesthetics and functional standards to complement and add to the physical, economic, and social character of Adelanto.

[61] United States Census Bureau, 2010 Census Urban Area Reference Maps, https://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua90541_victorville--hesperia_ca/DC10UA90541_001.pdf; Accessed June 9, 2022

General Plan Policy Consistency Analysis

The Community Design section of the General Plan's *Land Use and Community Design Element* provides a policy framework with the stated goal for Industrial development as follows:

Δ Goal LC 14 Well planned and high quality industrial and business parks.

The General Plan Policies which implement Goal LC 14 are:

Δ Policy LC 14.1 *Emphasize the main building entrance and landscaping at the front of the project site.*

Δ Policy LC 14.2 *Design loading areas, outdoor storage equipment, service areas, and work areas to be screened with walls and landscaping.*

Δ Policy LC 14.3 *Provide appropriate buffering techniques, such as setbacks, screening, and landscaping to mitigate any negative effect of the industrial operation or energy generation facility.*

Δ Policy LC 14.4 *Design loading areas with adequate spacing for truck maneuvering without encroaching onto the adjoining street.*

Δ Policy LC 14.5 *Provide the highest level of articulation and architectural features along the front façade.*

Δ Policy LC 14.6 *Require high-quality and well-designed signage to direct pedestrians and vehicles to loading and receiving, visitor parking, and other special uses.*

Consistency with these policies is indicated with the symbol "**Δ**".

Adelanto Zoning Ordinance

Chapter 17.15 Design Review, establishes the review procedures for residential, commercial, and industrial development proposals to facilitate project review by the City to ensure that development projects comply with all applicable local design guidelines, standards, and ordinances.

According to Municipal Code §17.15.020, Projects Requiring Design Review, a Design Review, implemented by a Location and Development Plan (LDP) is required for all industrial projects involving the issuance of a building permit for new construction on vacant property. In compliance with this requirement, the Project Proponent filed an application for Location and Development Permit No. LDP 23-06.

Adelanto Municipal Code §17.15.070, Industrial Design Standards, contains design guidelines for industrial uses.

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Figure 4.1.4 Architectural Rendering Looking Northeast from Adelanto Road and Avalon Road

As shown in **Figure 4.1.4** the Project design implements:

- **Policy LC 14.1** Emphasize the main building entrance and landscaping at the front of the project site.
- **Policy LC 14.3** Provide appropriate buffering techniques, such as setbacks, screening, and landscaping to mitigate any negative effect of the industrial operation or energy generation facility.
- **Design Guideline**: New development shall enhance the character of its surrounding area through quality architecture, and landscaping, and appropriate site arrangement.
- **Design Guideline:** Public entrances and primary building elevations should face public streets.
- **Design Guideline:** Portions of the buildings visible from public rights-of-way shall be architecturally treated to break up the box like look of buildings.

Figure 4.1.5 Architectural Rendering Looking North from Avalon Road

As shown in **Figure 4.1.5** the Project design implements:

- **Policy LC 14.4** Design loading areas with adequate spacing for truck maneuvering without encroaching onto the adjoining street.

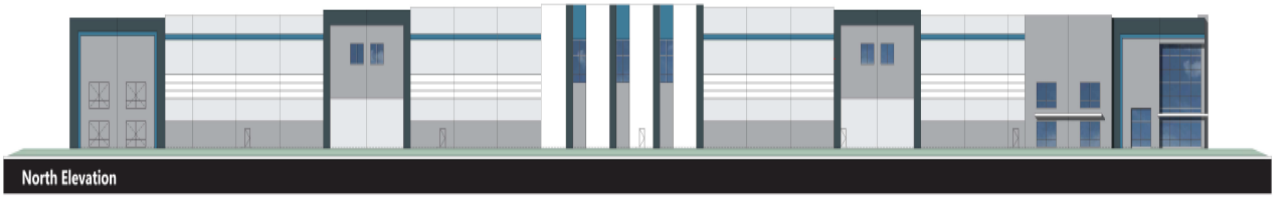
- **Policy LC 14.5** Provide the highest level of articulation and architectural features along the front façade.

- **Policy LC 14.6** Require high quality and well-designed signage to direct pedestrians and vehicles to loading and receiving, visitor parking, and other special uses.

- **Design Guideline**: New buildings shall have at least one (1) major focal point and minor focal points. Focal point could be achieved through horizontal and vertical lines, change in material, change in color, change in the form and shape of a portion of the building, etc. Combining the main entrances and the focal points is encouraged.

- **Design Guideline**: Adjacent buildings on the same or separate parcels shall be compatible in height and scale. If difference scale is required for functional reasons, adequate transition shall be provided between the buildings.

Figure 4.1.6 Architectural Treatment for Building Exterior



As shown in **Figure 4.1.6** the Project design implements:

Δ **Design Guideline:** (11) In multi-building complexes, a comprehensive architectural concept shall be developed and maintained.

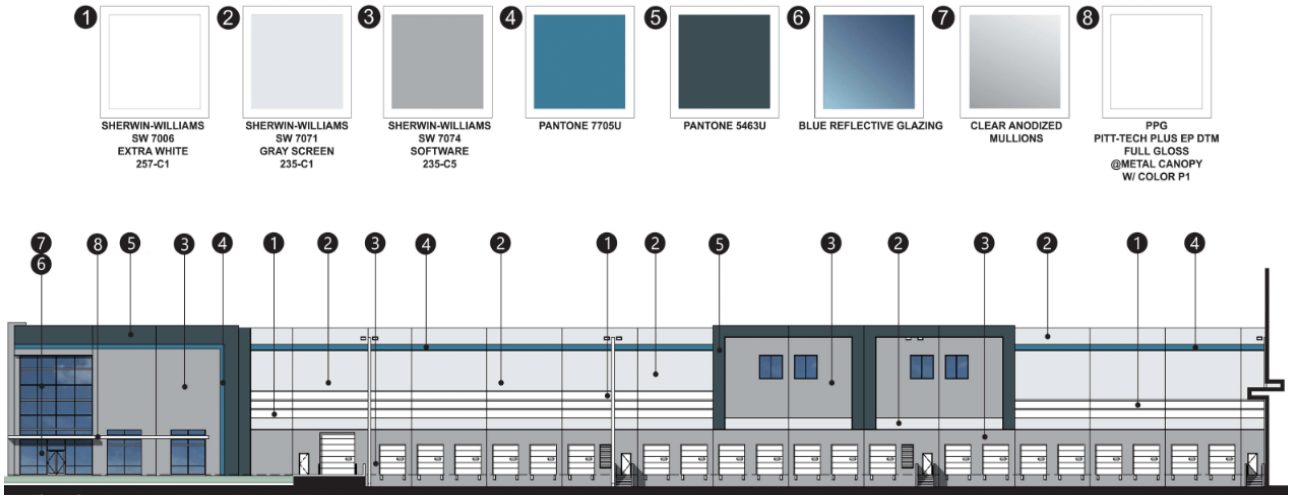
Δ **Design Guideline**: A comprehensive material and color scheme shall be developed for each site. Material and color variations in multi-building complexes shall be complementary and compatible among structures.

Δ **Design Guideline:** (12) Various site components should be unified through the use of similar design, material, and colors.

Δ **Design Guideline:** (17) Service doors shall be recessed and integrated into the overall design of the building.

Δ **Design Guideline:** (21) In new buildings, long horizontal roof lines shall be broken up by providing articulations in the facade of buildings, change in the height of portions of roofs, or change in color, material, forms, etc. Exceptions may be permitted only where a specific architectural style offers other types of roof forms and roof articulation, as determined by the planning staff.

Figure 4.1.7 Architectural Treatment Typical Dock Doors



As shown in **Figure 4.1.7** the Project design implements:

Δ Design Guideline: (27) Large expanses of smooth material such as concrete shall be broken up with expansion joints, reveals, or changes in texture and color.

Δ Design Guideline: (8) Front facades of large buildings visible from a public street shall include architectural features such as reveals, windows and openings, expansion joints, changes in color, texture, and material to add interest to the building elevation.

Δ Design Guideline: (13) New buildings shall have three (3) distinct components: base; middle; and top. Define each component by horizontal and/or vertical articulation. Facade articulation may consist of changes in the wall plane, use of openings and projections, and material and color variations. Exceptions may be permitted only where a specific architectural style offers other types of building form and facade articulation, as determined by the planning staff.

Δ Design Guideline: (2) Roof equipment shall be fully screened by parapets, roof screens or equipment wells.

Δ Design Guideline: To ensure all roof appurtenances including, but not limited to, air conditioning units and mechanical equipment, are fully screened by parapets, roof screens, or equipment wells.

Δ Design Guideline: (22) Roofs shall be an integral part of the building design. Proposed parapets and roof screens shall be integrated into the roof design. The material and color of roof screens shall appear identical to those in the roof or building.

Δ Design Guideline: (14) Where function necessitates a basic, box-like building form, exterior articulation such as change in color, material, or plane shall be introduced on an outer decorative shell encompassing facades which are visible from public streets. Less architecturally interesting facades of buildings shall be substantially setback and screened from public view by mature, dense landscaping as an alternative to furnishing quality architecture. Landscaping size and location shall be determined on a site-by-site basis and may exceed the minimum required in the City Code.

The following standard conditions of approval apply to the Project:

Building Plans. Building plans shall be reviewed and approved by the Planning Department for conformance to the Conditions of Approval and the approved LDP before issuance of a building permit.

Equipment Screening. All mechanical equipment and vents, ground, or rooftop shall be screened from public view. Roof gutters and downspouts are not permitted on the exterior of the building unless integrated into the architecture of the building. In addition, all screening shall be an integral part of the building, details of which shall be provided to the Planning Department for review and approval. Any proposed change shall be reviewed and approved by the Planning Department.

Utility Lines. All proposed utility lines for the Project shall be placed underground.

Landscaping. The developer shall submit three (3) copies of construction-level Landscape and Irrigation Plans to the Planning Department, accompanied by the appropriate filing fee. The plans shall be prepared by a registered landscape architect and include the location, number, genus, species, and container size of the plants. The cover page shall identify the total square footage of the landscaped area and note how it is to be maintained. The use of water-efficient fixtures and drought-tolerant plants is required. Landscaping shall consist of native or drought-tolerant plants capable of surviving the desert environment and climate with a minimum of maintenance and supplemental watering. A list of plants determined capable of meeting this criterion is contained in Section 17.60.080.

a) All landscaping and irrigation systems shall follow Section 17.60 of the Adelanto Municipal Code. Plans will be reviewed and approved by the Planning Department.

b) A minimum of 5% of the project site shall be landscaped, exclusive of areas within the public right-of-way as per the conceptual landscape plans presented to the Planning Commission and shall be in compliance with Table 30-1 in Chapter 17.30 (Manufacturing /Industrial District) of the Municipal Code.

c) The developer shall be responsible for planting landscaping in compliance with Section 17.60 of the Adelanto Municipal Code, entitled "Water Conservation/Landscaping Ordinance", including but not limited to native drought tolerant plants and efficient irrigation systems. Species shall follow Section 17.60.80.

Fencing/Walls/Screening. All walls and fences shall be constructed as shown on the approved site plan package including an 8' tall chain link perimeter fence with slats and electric vehicle entry gates.

Level of Significance

Less than significant.

Threshold 4.1 – Aesthetics Except as provided in Public Resources Code §21099, would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?			✓	

Discussion

Outdoor Lighting and Glare

The Project would increase the amount of light in the area above what is being generated by the vacant site by directly adding new sources of illumination including security and decorative lighting for the proposed structures. All outdoor lighting is required to be designed and installed to comply with §17.90.040 - Lighting, of the Zoning Ordinance,[62] which stipulates:

"Except for residential light fixtures using less than a 75-watt bulb, the following shall apply to all outdoor lighting fixtures:

[62] Zoning Ordinance.

a) All on-site lighting shall be energy efficient, stationary, and directed away from adjoining properties and public rights-of-way.

b) Light fixtures shall be shielded so no light is emitted above the horizontal plane of the bottom of the light fixture.

c) Light fixtures shall be shielded so no light above 0.5 footcandle spills over onto adjacent properties and rights-of-way. There shall be no spillover (0.0 footcandle) onto adjacent residential use or zoned properties."

Therefore, nighttime lighting will not impact nearby properties.

Building Material Glare

The building will be constructed of concrete tilt-up panels that do not induce glare. The office portion of the buildings will have blue reflective glass that will reduce glare. As such, the Project will not adversely affect daytime or nighttime views in the area as a result of glare.

Figure 4.1.8 Exterior Building Material to Reduce Glare

As shown in **Figure 4.1.8** the Project design implements:

- **Blue Reflective Glass** reduces solar glare but allows natural light to flood in. It also reflects a significant portion of the harmful solar radiation, offering excellent glare management.

Δ **Design Guideline:** (28) Large expanses of highly reflective surface and mirror glass exterior walls shall be avoided to prevent heat and glare impacts on the adjacent public streets and properties.

Δ **Design Guideline:** (15) Main entrances to the buildings shall be well defined.

In sum, the implementation of the Project would not create a significant source of light or glare that would adversely impact views during the day or night, because the Project's lighting and building would be designed in accordance with the City's regulations. Consequently, the anticipated effects related to light and glare would be minimal and not considered significant.

Level of Significance

Less than significant.

4.1.8 Cumulative Impact Analysis

The cumulative aesthetics study area for impacts to scenic vistas is the viewshed from Adelanto Road, Auburn Avenue, Nichols Road, Mesa Linda Road, and Coronado Avenue to the distant views of the Shadow Hills approximately 4.2 miles northwest and the Mojave River approximately 2.3 miles east. Because of the distance to the Shadow Hills, only distant views in the horizon are available. As shown in **Figure 4.1.2**, *Distance to Shadow Hills and Mojave River from the Project Site,* above, there is no existing development between the Project site and the Shadow Hills that blocks a public vantage point. Post development, the distant views from Adelanto Road and Coronado Road will remain available. Distant views from Avalon Road, Mesa Linda Road, and Nichols Road would be blocked. However, given that these views are 4.2 miles in the distant horizon, these are not considered a significant Impact. Thus, the development of the Project would not be considered cumulatively considerable.

As shown in **Figure 4.1.5**, *Scenic Highways Near the Project Site*, there are no officially designated scenic highways that could be impacted by the development of the Project.[63] As such, the Project would not contribute to any cumulatively significant impact in this regard.

All other development projects within the City of Adelanto would be subject to similar standard conditions of approval and would be required to demonstrate consistency with the General Plan and zoning code, similar to the Project. Therefore, the Project would not contribute to any

[63] Environmental Impact Report Volume I Adelanto North 2035 Comprehensive Sustainable Plan City of Adelanto. March 2014. P.4.4-1.

cumulative impact related to conflict with applicable zoning or other regulations governing scenic quality.

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

Therefore, the Project would not result in any cumulatively significant impacts related to aesthetics.

Level of Significance

Less than significant

4.1.9 Conclusion

The Project's impacts associated with Aesthetics are less than significant, and no mitigation is required.

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4.2 AIR QUALITY

4.2.1 Introduction

Land use projects have the potential to generate air pollutants that contribute to the degradation of regional air quality and increase the exposure of local populations to harmful pollutants. This section describes the type and quantity of air pollutants that will be emitted by the Project during construction and when it is operating. Measures to reduce the amount of air pollutant emissions are recommended.

4.2.2 Notice of Preparation (NOP) Scoping Meeting Comments

A NOP is a brief notice sent by the City to notify governmental agencies and the general public that the City plans to prepare an EIR. The purpose of the NOP is to solicit input as to the scope and content of the environmental information to be included in the EIR. The NOP for the Project was released for a 30-day comment period and started on December 13, 2023, and ended on January 11, 2024. Additionally, a virtual EIR Scoping Meeting was held on January 9, 2024. Comments were received from the following agencies during the NOP public comment period.

Comments were received from the California Air Resources Board (CARB), and the State Attorney General's Office (State AG) during the NOP public comment period. The letter from CARB commented on the need for a Health Risk Assessment while the State AG comment on the need to address mitigation and business management practices (BMPs) for warehouses to address AQ and GHG emissions from the project. AQ emissions impacts and HRA have been addressed in this section.

4.2.3 Regulatory Framework

The regulatory framework described below is a set of rules and regulations established by the government to regulate activities that impact the environment. There are various roles within all levels of government who are involved in establishing a regulatory framework. Generally, the adoption of laws at the federal or state level set forth the policy for environmental protection. Local agencies can only create rules and regulations if a law has been passed enabling them to do so. The analysis in this section is based on the Project's consistency with the specific regulatory requirements that are directly applicable to the Project as allowed by the enabling law. Additional information about the applicable law(s) are available in Section 8.0, *References,* in this EIR.

Table 4.2.1 Regulatory Framework-Air Quality

Regulatory Agency	Regulations
	US Environmental Protection Agency (US EPA) implements the Clean Air Act which calls for state, local, federal and tribal governments to implement the Act in partnership to reduce pollution. Roles vary depending on the nature of the air pollution problem.
	California Air Resources Board (CARB), under oversight by the US EPA, sets the State's own emissions limits from air pollution sources (which may be stricter than federal limits), creates policies to fight climate change, and develops actions to reduce the public's exposure to toxic air contaminants from a variety of sources.
	Mojave District Air Quality Management District (MDAQMD) is responsible for regional air quality planning in the Adelanto area. The MDAQMD maintains its own individual permitting program to reduce emissions from stationary and area-wide sources, with the stringency of each program varying based on the State and National Ambient Air Quality Standards.
	City of Adelanto implements General Plan policies imposes mitigation measures under CEQA to reduce air pollutant emissions for a development project.

The analysis in this section is based on the Project's consistency with the regulatory requirements that are directly applicable to the Project. The overarching enabling legislation (i.e. the law(s) that allows governmental agencies to set standards for establishing and implementing air pollutant emissions are described in more detail in Section 8, *References*.

The specific regulations used to analyze the impacts related to Air Quality are described below.

Mojave Desert Air Quality Management District (MDAQMD). MDAQMD California Environmental Quality Act (CEQA) And Federal Conformity Guidelines states: "Under CEQA, the Mojave Desert Air Quality Management District (District) is an expert commenting agency on air quality and related matters within its jurisdiction or impacting on its jurisdiction. Under the Federal Clean Air Act the District has adopted federal attainment plans for ozone and PM_{10}. The District has dedicated assets to reviewing projects to ensure that they will not: (1) cause or contribute to any new violation of any

air quality standard; (2) increase the frequency or severity of any existing violation of any air quality standard; or (3) delay timely attainment of any air quality standard or any required interim emission reductions or other milestones of any federal attainment plan. These Guidelines are intended to assist persons preparing environmental analysis or review documents for any project within the jurisdiction of the District by providing background information and guidance on the preferred analysis approach[64]."

City of Adelanto General Plan

The Conservation and Open Space Element of the General Plan sets forth the following policy regarding air quality impacts:

Δ OS 6.3 Require projects that generate potentially significant levels of air pollutants and odors to incorporate the most effective air quality mitigation into project design, as feasible.

Table 4.2.14, *General Plan Policy Consistency Analysis-Air Quality*, provides a summary of the Project's consistency with these policies.

4.2.4 Environmental Setting

The Project site is located within the Mojave Desert portion of the Mojave Desert Air Basin (MDAB), bordered in the southwest by the San Bernardino Mountains, and separated from the San Gabriel Mountains by the Cajon Pass (4,200 feet). A lesser channel lies between the San Bernardino Mountains and the Little San Bernardino Mountains (the Morongo Valley). The MDAB averages between three and seven inches of precipitation per year (from 16 to 30 days with at least 0.01 inches of precipitation). The MDAB is classified as a dry-hot desert (BWh), with portions classified as dry-very hot desert (BWhh), to indicate at least 3 months have maximum average temperatures over 100.4° F.[65]

[64] https://www.mdaqmd.ca.gov/home/showpublisheddocument/8510/638126583450270000

[65] MDAQMD CEQA Guidelines, February 2020, Page 6-7.

Figure 4.2.1 Mojave Desert Air Basin Boundaries

Criteria Air Pollutants

Criteria air pollutants are air pollutants for which acceptable levels of exposure can be determined and for which an ambient air quality standard has been set, as described in Table 4.2.1, *Description of Criteria Pollutants.*

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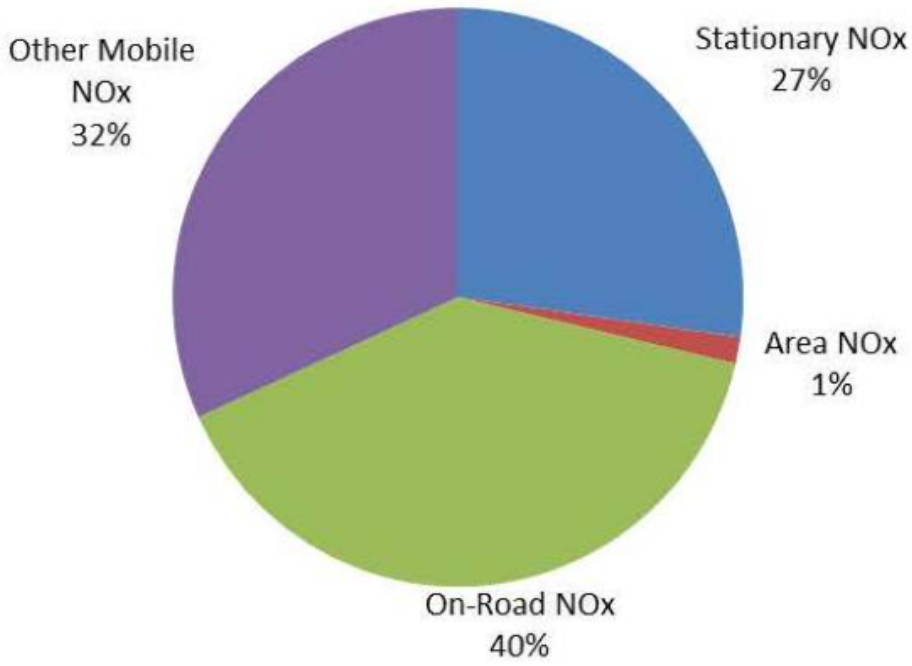
Table 4.2.2 Description of Criteria Pollutants

Pollutant	Description
Carbon Monoxide (CO)	Carbon monoxide is gas that has no odor, taste, or color. Burning fuels, including gas, wood, propane, or charcoal, make carbon monoxide.
Oxides of Nitrogen (NO_x)	Nitrogen Oxides are a family of poisonous, highly reactive gases. These gases form when fuel is burned at high temperatures. NOx pollution is emitted by automobiles, trucks and various non-road vehicles (e.g., construction equipment, boats, etc.)
Volatile Organic Compounds (VOC)	Volatile organic compounds (VOCs) are a group of chemicals that can vaporize into air. VOCs are in thousands of daily use products, including paint, varnish, wax, and various cleaning, degreasing, and cosmetic products. VOC vapors are emitted into the air by dry cleaners, auto-body shops, painting and coating facilities, and gas engines.
Oxides of Sulphur (SO_x)	Most of the sulfur dioxide released into the environment comes from electric utilities, especially those that burn coal. Some other sources of sulfur dioxide include petroleum refineries, cement manufacturing, paper pulp manufacturing, and metal smelting and processing facilities.
Particulate Matter	(PM) is made up of particles (tiny pieces) of solids or liquids that are in the air. These particles may include: Dust Dirt Soot Smoke and Drops of liquid. Emissions from combustion of gasoline, oil, diesel fuel or wood produce much of the PM2.5 pollution found in outdoor air. PM10 also includes dust from construction sites, landfills and agriculture, wildfires and brush/waste burning, industrial sources, wind-blown dust from open lands, pollen.

Major Source of Criteria Pollutants in the Mojave Desert Air Basin

As shown on **Figure 4.2.2**, *Pollution Sources by Percentage in the Mojave Desert AQMD Boundaries,* NOx from on-road vehicles – which include light and heavy-duty motor vehicles operating on roads, highway ramps and during idling that use gasoline diesel and other fuels – account for 40% of these types of emissions within the Basin. NO_x emissions from Stationary Sources – which includes factories, boilers, cement plants, and power plants - account for only 27% of the emissions inventory.

Figure 4.2.2 Pollution Sources by Percentage in the Mojave Desert AQMD Boundaries



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Air Pollutants and Health Effects

Table 4.2.3, *Air Pollutants and Health Effects*, briefly summarizes the most common health and environmental effects for each of the air pollutants that are regulated by the federal, state, and local governmental agencies. Click on the hyper link for additional details provided by the California Air Resources Board. Information about these air pollutants can be found in the References section at the end of this section.

Table 4.2.3 Air Pollutants and Health Effects

Pollutant	Effects on Health and the Environment
Ozone (O_3)	▪ Respiratory symptoms ▪ Worsening of lung disease leading to premature death ▪ Damage to lung tissue ▪ Crop, forest and ecosystem damage ▪ Damage to a variety of materials, including rubber, plastics, fabrics, paint and metals
$PM_{2.5}$ (particulate matter less than 2.5 microns in aerodynamic diameter)	▪ Premature death ▪ Hospitalization for worsening of cardiovascular disease ▪ Hospitalization for respiratory disease ▪ Asthma-related emergency room visits ▪ Increased symptoms, increased inhaler usage
PM_{10} (particulate matter less than 10 microns in aerodynamic diameter)	▪ Premature death & hospitalization, primarily for worsening of respiratory disease ▪ Reduced visibility and material soiling
Nitrogen Oxides (NO_X)	▪ Lung irritation ▪ Enhanced allergic responses
Carbon Monoxide (CO)	▪ Chest pain in patients with heart disease ▪ Headache ▪ Light-headedness ▪ Reduced mental alertness
Sulfur Oxides (SO_X)	▪ Worsening of asthma: increased symptoms, increased medication usage, and emergency room visits

Source: California Air Resources Board. https://ww2.arb.ca.gov/resources/common-air-pollutants.

Non-Attainment Designations and Classification Status

The MDAQMD regulations and programs are formally guided by a set of federal and state air quality standards that establish health-based concentration limits for specific pollutants, including ozone and particulate matter. When the MDAQMD meets these standards, its region is considered to be in attainment for a given pollutant category. If it does not meet these standards, the MDAQMD is required to outline measures designed to reduce emissions and bring its region into attainment. **Table 4.2.4** shows the attainment status of criteria pollutants in the MDAB.

Table 4.2.4 Attainment Status of Criteria Pollutants in the Mojave Desert Air Basin

Criteria Pollutant	State Designation	Federal Designation
Ozone – 1-hour standard	Nonattainment	No Standard
Ozone – 8-hour standard	Nonattainment	Nonattainment
Respirable Particulate Matter (PM_{10})	Nonattainment	Nonattainment
Fine Particulate Matter ($PM_{2.5}$)	Nonattainment	Attainment
Carbon Monoxide (CO)	Attainment	Attainment
Nitrogen Dioxide (NOx)	Attainment	Attainment
Sulfur Dioxide (SO_2)	Attainment	Attainment

Source: California Air Resources Board, maps of federal and state designations.
https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations

As shown in **Table 4.2.4** above, the MDAB is classified as Nonattainment for Ozone – 1-hour standard, Ozone – 8-hour standard, and Respirable Particulate Matter (PM_{10}).

Air Quality In City of Adelanto

The U.S. Environmental Protection Agency designated the California Air Resources Board (CARB) as one of the five Primary Quality Assurance Organizations responsible for monitoring ambient air pollution in California. The air monitoring data generated define the nature and severity of pollution in California and determine attainment status with Ambient Air Quality Standards.

The California Ambient Air Monitoring Network consists of monitoring stations operated by federal, State, and local agencies. These entities operate more than 250 air monitoring stations throughout the State and along the California/Mexico Border.[66]

The MDAQMD operates six monitoring stations throughout the District. At these stations, the MDAQMD collects information 24 hours a day, seven days a week on the ambient levels of pollutants, including ozone, particulate matter, nitrogen oxides, sulfur oxides, and carbon

[66] https://ww2.arb.ca.gov/our-work/programs/ambient-air-monitoring-regulatory/about

monoxide. The closest station to the Project site is at 14306 Park Avenue in Victorville, approximately 7.5 miles to the southeast.

Based on data available on December 27, 2023, the State PM_{10} standard was exceeded 11.2 days and the Federal standard 2.1 days.

Table 4.2.5 Days Exceeded in 2023 for Non-Attainment Criteria Pollutants[67]

Pollutant	Days Exceed Standard	
	State	Federal
PM10 (Standard)	11.2	2.1
Ozone (1-hour)	13	No Standard
Ozone (8-hour)	52	50

Note: This AQMIS Ozone page reflects the 2015 National 8-Hour Ozone Standard of 0.070 ppm

4.2.5 Methodology

The following analysis is consistent with the preferred analysis approach recommended by the MDAQMD *California Environmental Quality Act (CEQA) and Federal Conformity Guidelines.*[68]

Step 1. Measure the amount of air emissions in pounds per day or annually using the California Emissions Estimator Model (CalEEMod), which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify potential criteria pollutant emissions associated with construction and operations emissions. CalEEMod is authorized for use to assess project emissions by the MDAQMD.

Step 2. Compare the emissions against thresholds established by the MDAQMD as shown in **Table 4.2.7**, *MDAQMD Air Quality Significance Threshold*s on page 121.

Step 3. Mitigate air emissions that exceed the MDAQMD thresholds to the maximum extent feasible.

Health Risk Assessment (HRA) Methodology

The MDAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines (February 2020) identifies certain projects including industrial projects located within 1,000 feet, or a distribution center (40 or more trucks per day) within 1,000 feet of sensitive receptor land uses

[67] Air Quality Data (PST) Query Tool at: https://www.arb.ca.gov/aqmis2/aqdselect.php. Accessed December 28, 2023.
[68] https://www.mdaqmd.ca.gov/home/showpublisheddocument/8510/638126583450270000

(residences, schools, daycare centers, playgrounds, and medical facilities are considered sensitive receptor land uses), are required to evaluate the potential exposure of sensitive receptors to substantial pollutant concentration, including those resulting in a cancer risk greater than or equal to 10 in 1 million and/or a Hazard Index (HI) (non-cancerous) greater than or equal to 1.

With respect to health risks, the MDAQMD has established an incidence rate of 10 persons per million as the maximum acceptable incremental cancer risk due to DPM exposure from a project such as the proposed Project. This threshold serves to determine whether a given project has a potentially significant development-specific and cumulatively considerable impact. The MDAQMD also has established non-carcinogenic risk parameters for use in HRAs. Non-carcinogenic risks are quantified by calculating a "hazard index," expressed as the ratio between the ambient pollutant concentration and its toxicity or Reference Exposure Level (REL). An REL is a concentration at, or below which health effects are not likely to occur. A hazard index less of than 1.0 means that adverse health effects are not expected. Non-carcinogenic exposures of less than 1.0 are considered less-than-significant. Both the cancer risk and non-carcinogenic risk thresholds are applied to the nearest sensitive receptors.

The Project's HRA, which is included as Appendix B-2 has been prepared by Psomas in accordance with the relevant documentation available including the procedure established within the Office of Environmental Health Hazard Assessment's *Air Toxics Hot Spots Program Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments.* (OEHHA 2015)

Toxic Air Contaminant (TAC) emissions were calculated using the following models: California Emissions Estimator Model (CalEEMod), CARB's California Emissions Factor Model, Version 2021 (EMFAC2021) for vehicle DPM PM emissions, the United States Environmental Protection Agency's (EPA) Version 22112 AERMOD air dispersion model to determine DPM concentrations by estimating source specific inputs. The estimation of air pollutant concentrations for DPM emissions was accomplished using the EPA AERMOD model (version 22112), which is the air dispersion model accepted by the MDAQMD for performing air quality impact analyses. AERMOD predicts pollutant concentrations from point, area, volume, line, and flare sources, with variable emissions in terrain from flat to complex with the inclusion of building downwash effects from buildings on pollutant dispersion. It captures the essential atmospheric physical processes and provides reasonable estimates over a wide range of meteorological conditions and modeling scenarios. The basic inputs used in the dispersion modeling are summarized in **Table 4.2.6**.

Table 4.2.6 General HRA Model Assumptions

Feature	Modeling Inputs
Terrain processing	Flat terrain
Emission source configuration	Emissions derived for onsite exhaust emissions from CalEEMod (Offroad) and conservatively assumes all diesel exhaust is diesel. Operations phase diesel exhaust was calculated based on emissions occurring onsite as well as the proportion of diesel fuel usage for vehicles.
Regulatory Dispersion Options	Default Assumptions Used
Land Use	Rural
Source Characterization	5-meter release height and 1.4-meter initial vertical dimension consistent with air pollutant dispersion modeling for construction activities (SacMetroAQMD 2009) for construction. For the operations phase a 0.5-meter release height and 1.4-meter initial vertical dimension consistent with air pollutant dispersion modeling.
Meteorology	Prognostic data for the area for which the Project is located was developed based on regional meteorological data from NOAA
Emission Rates	CalEEMod emission rates for the worst-case development scenario. Annual diesel emissions for construction vehicles and operations phase emissions for idling trucks.

Source: Health Risk Assessment, Appendix B-2

4.2.6 Thresholds of Significance

The City of Adelanto relies on Appendix G to the CEQA Guidelines[69] to evaluate the Project's impacts to air quality.

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?

[69] CEQA Guidelines, Appendix G. https://opr.ca.gov/ceqa/guidelines/

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

4.2.7 Impact Analysis

Threshold 4.2 – Air Quality Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	✓			

Discussion

Conformity with Air Quality Management Plans

The MDAB is classified as "nonattainment" for Ozone and PM. As such, under the Federal Clean Air Act, the MDAQMD has adopted the *MDAQMD Federal 70 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area),* January 23, 2023, and the Board received and filed the *Certification of District Measures to Reduce PM Pursuant to Former Health & Safety Code §39614(d)* January 27, 2020. Each of these plans as they pertain to the Project are discussed below.

MDAQMD Federal 70 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area, January 23, 2023.

Initial air quality planning for the MDAB was the 1991 Air Quality Attainment Plan (AQAP) which was adopted on August 26, 1991, in response to the State of California ozone planning requirements. Additional ozone plans were adopted by the MDAQMD to address Federal ozone planning requirements, including the *MDAQMD 2004 Ozone Attainment Plan* adopted on April 26, 2004, the *Federal 8-hour Ozone Attainment Plan* adopted on June 9, 2008 (revision adopted January 25, 2010), and *the Federal 75 ppb Ozone Attainment Plan* adopted on February 27, 2017. The 2023 Plan replaced or updated all previously submitted federal ozone plans.[70] As noted earlier, the majority of ozone generated by land use projects is from motor vehicles. Since the MDAQMD is not directly responsible to reduce motor vehicle trips, vehicle miles traveled, or vehicle idling and associated pollutants, the focus of the Ozone Plan is on stationary sources, such as manufacturing and industrial facilities.

[70] *MDAQMD Federal 70 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area),* January 23, 2023. https://www.mdaqmd.ca.gov/home/showpublisheddocument/9693/638131029372000000

Certification of District Measures to Reduce PM Pursuant to Former Health & Safety Code §39614(d) January 27, 2020.

In 2003, the Legislature enacted H&S Code §39614 (SB 656, Sher), to reduce public exposure to PM10 and PM2.5. H&S Code §39614(d) required the California Air Resources Board (CARB) in consultation with local air pollution control and air quality management districts (air districts), to develop and adopt, by January 1, 2005, a list of the most readily available, feasible, and cost-effective control measures that could be employed by CARB and the air districts to reduce PM10 and PM2.5 (collectively PM)[71].

These control measures focus on the operational aspects of a project and include, but not limited to: vegetation and wood burning, fugitive dust, generators, boilers, process heaters, small Internal combustion engines, water heaters, spray booths, and manufacturing processes.

Plan Conformity Criteria

The MDAQMD *California Environmental Quality Act (CEQA) and Federal Conformity Guidelines,* sets forth the following criteria to determine conformity with these AQMPs.

> **Consistency Criterion 1.** A project is conforming if it does not conflict with or delay implementation of any applicable attainment or maintenance plan.
>
> **Inconsistent.** As shown in **Table 4.2.12**, *Construction Emissions Summary*, on page 125, the Project would not exceed the MDAQMD significance thresholds for construction emissions, however as shown in **Table 4.2.13**, *Summary of Peak Operational Emissions (Unmitigated),* on page 130 from onsite sources, mobile sources (exhaust emissions, particulate matter road, and brake dust emissions), consumer products, architectural coatings, and landscape equipment when combined exceed the significance thresholds for NOx, CO, PM_{10}, and $PM_{2.5}$.
>
> **Consistency Criterion 2.** A project is conforming if it complies with all applicable District rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s).
>
> **Consistent.** There are no end users identified for the buildings at this time. Prior to occupancy of any building, the occupant will be required to obtain any required permits for the operation of the business. During the construction phase, construction contractors are required to comply with rules, regulations, and control measures to control fugitive dust from grading (Rule 403) and the application of architectural coatings during building

[71] *Certification of District Measures to Reduce PM Pursuant to Former Health & Safety Code §39614(d)* January 27, 2020. https://www.mdaqmd.ca.gov/home/showpublisheddocument/7061/637159054823270000

construction (Rule 1113) and any other applicable rules prior to receiving a construction permit from the MDAQMD.

Consistency Criterion 3. A project is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan).

Consistent. According to the MDAQMD, growth profiles for point and areawide sources are derived from surrogates, such as economic activity, fuel usage, population, and housing units, that best reflect the expected growth trends for each specific source category. Growth projections were obtained primarily from government entities with expertise in developing forecasts for specific sectors.[72] The General Land Use Designation for the site is Airport Development District with a Zoning Classification of ADD. The Airport Development District is intended to provide a limited development holding zone for airport-supportive uses allowing compatible aviation-related uses such as logistics, warehousing and distribution, automotive/truck/boat/sales, parts, and repair, RV/vehicle storage, or renewable energy facilities.[73] The Airport Development District land use designation was used by the MDAQMD to generate the growth forecasts for the air quality plans referenced above.

Level of Significance

Potentially Significant for Consistency Criterion 1.

Mitigation Measures

The Project will be required to comply with all applicable MDAQMD rules, and the Project must adhere to the City of Adelanto General Plan Policies and Implementing Programs. Additionally, per the California Attorney General's Bureau of Environmental Justice, *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act*, to ensure emissions impacts from the operational phases will be reduced to the extent feasible, the following Project Design Features (PDF) have been agreed to by the project developer:

[72] *MDAQMD Federal 70 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area),* January 23, 2023, p. 13. https://www.mdaqmd.ca.gov/home/showpublisheddocument/9693/638131029372000000, .Accessed February 8, 2024

[73] *Adelanto North 2035 Comprehensive Sustainable Plan,* p. 33. https://cms3.revize.com/revize/adelanto/Documents/Services/Community%20Development%20Services/Planning Accessed February 8, 2024.

PDF-AQ-1 Limit Heavy-Duty Vehicle Idling: Truck drivers shall shut down the engine after three (3) minutes of continuous idling operation once the vehicle is stopped, the transmission is set to "neutral" or "park", and the parking brake is engaged.

PDF-AQ-2 Electrical Truck Charging Connections: Electrical hookups shall be provided as part of the tenant improvements proportional to the number for use with electric powered trucks. The electrical hookups shall be provided at loading bays and/or trailer/truck parking areas for truckers to plug in for recharging and operating any onboard auxiliary equipment while their truck is stopped.

PDF-AQ-3 On-site operational and cargo handling equipment including pallet jacks and forklifts shall be electric with the necessary charging stations included in the design of the Project electrical system, buildings, and equipment storage.

PDF-AQ-4 Tenant lease agreements for the Project shall include contractual language restricting trucks and support equipment from nonessential idling longer than 3 minutes while on site. The idling restriction will be presented on signs at the entrance to the facilities of the Project as well as at loading docks and truck parking areas.

PDF-AQ-5 Tenant lease agreements for the Project shall include contractual language ensuring the property cannot be used to provide refrigerated warehouse space.

PDF-AQ-6 Posting of both interior- and exterior- facing signs, including signs directed at all dock and delivery areas that states:

- Truck drivers shall turn off engines when not in use.
- Truck drivers shall shut down the engine after three (3) minutes of continuous idling operation once the vehicle is stopped, the transmission is set to "neutral" or "park", and the parking brake is engaged.
- Telephone numbers of the building facilities manager and CARB to report Violations.

The PDFs are not mitigation measures but will be added to the Conditions of Approval for LDP23-06.

The following mitigation measures based on the California State Attorney General's Office *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act*.[74]

MM-AQ-1 The following mitigation measures shall be implemented for Project operations:

- Implement MM-GHG-1 and GHG-2
- All facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site shall meet or exceed 2010 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Facility operators shall maintain records on site demonstrating compliance with this requirement and shall make records available for inspection by the City of Adelanto, MDAQMD, and the State upon request.
- The Project's electrical rooms shall be sufficiently sized to hold additional panels _that may be needed to supply power for installation of electric charging systems for electric trucks. Conduit shall be installed from the electrical room to all tractor trailer parking spaces in logical locations on site to facilitate future electric truck charging.
- Tenant lease agreements for the Project shall include contractual language requiring the use of Zero-Emission landscape equipment.
- All facility operators shall train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- Signs shall be posted at every truck exit driveway showing directional information on the available truck route(s).
- Tenants shall be provided with information on incentive programs, such as the Carl Moyer Project and Voucher Incentive Program, to upgrade their fleets.

Level of Significance After Mitigation

Significant and Unavoidable.

[74] State of California Department of Justice Attorney General: Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act accessed: https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf February 8, 2024

Threshold 4.2 – Air Quality Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	✓			

Discussion

The following provides an analysis based on the applicable regional significance thresholds established by the MDAQMD to meet national and state air quality standards.

Table 4.2.7 MDAQMD Air Quality Significance Thresholds

Criteria Pollutant	Daily Emissions Thresholds (pounds)
Carbon Monoxide (CO)	548
Oxides of Nitrogen (NOx)	137
Volatile Organic Compounds (VOC)	137
Oxides of Sulphur (SOx)	137
Particulate Matter (PM_{10})	82
Particulate Matter ($PM_{2.5}$)	82

Both on-site and off-site (roadway and infrastructure extensions beyond the Project boundaries) constructions emissions and operational emissions for the Project were modeled using the California Emissions Estimator Model (CalEEMod), which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify potential criteria pollutant emissions associated with construction and operations emissions. CalEEMod is authorized for use to assess project emissions by the MDAQMD.

On-Site Construction Emission Assumptions

Construction of the Project is assumed to begin in the year 2024 and last approximately 365 workdays. Construction phases are assumed to consist of site preparation, grading, building construction, paving, and architectural coating. The Project is expected to be operational in the year 2026. Construction offsite improvements and onsite construction phases were modeled to overlap. Construction activities produce combustion emissions from various sources (e.g., utility engines,

tenant improvements, and motor vehicles transporting the construction crew). Exhaust emissions from construction activities envisioned on site would vary daily as construction activity levels change. The Project will be required to comply with several standard fugitive dust control measures, per MDAQMD Rule 403. The following dust control measures were factored into CalEEMod and are based upon data provided from MDAQMD:

- Water exposed areas 2 times per day 61% PM10 and PM2.5 Reduction.

Daily on-site construction emissions based on the above-described parameters are shown in **Tables 4.2.8** *On-Site Construction Emissions Duration*, **Table 4.2.9,** *On-Site Construction Equipment Assumptions*, below:

Table 4.2.8 On-Site Construction Emissions Duration

Phase Name	Start Date	End Date	Days
Site Preparation	07/02/2024	08/05/2024	25
Grading	08/06/2024	10/28/2024	60
Building Construction	10/29/2024	07/28/2025	195
Paving	07/29/2025	09/29/2025	45
Architectural Coatings	09/30/2025	12/22/2025	60

Table 4.2.9 On Site Construction Equipment Assumptions

Activity	Equipment	Tier	Number	Hours Per Day
Site Preparation	Rubber Tired Dozers	3	3	8
	Tractors/Loaders/Backhoes	3	3	8
	Rubber Tired Dozers	4	3	8
	Tractors/Loaders/Backhoes	4	3	8
Grading	Excavators	3	2	8
	Graders	3	4	8
	Off-Highway Trucks	3	2	8
	Rubber Tired Dozers	3	4	8
	Rubber Tired Dozers	4	4	8
	Rubber Tired Loader	4	1	8
	Off-Highway Trucks	4	2	8
	Graders	4	4	8

Activity	Equipment	Tier	Number	Hours Per Day
	Excavators	4	2	8
Building Construction	Cranes	3	4	7
	Forklifts	4	6	8
	Generator Sets	2	2	8
	Tractors/Loaders/Backhoes	4	6	8
	Welders	4	4	8
	Generator Sets	4	2	8
Paving	Pavers	3	2	8
	Paving Equipment	3	2	8
	Rollers	3	2	8
	Pavers	4	2	8
	Paving Equipment	4	2	8
	Rollers	4	2	8
Architectural Coating	Air Compressors	2	3	6
	Air Compressors	4	4	8

The Project involves improving existing dirt roadways, installing sewer lines, water lines, and storm drains beyond the boundaries of the Project site as shown on **Figure 2.10.3**, *El Mirage Road Proposed Off-Site Improvements-From the Intersection of Adelanto Road to U.S. 395*. Daily off-site construction emissions parameters are shown in **Table 4.2.10** *Off-Site Construction Emissions Duration***,** and **Table 4.2.11**, *Off-Site Construction Emissions Equipment*, below:

Table 4.2.10 Off-Site Construction Duration

Phase Name	Start Date	End Date	Days
Linear Grading & Excavation	07/02/2024	09/30/2024	65
Linear Drainage, Utilities, & Subgrade	09/02/2024	12/28/2024	85
Linear Trenching	10/01/2024	6/30/2025	195
Linear Paving	04/01/2025	06/30/2025	65

Table 4.2.11 Off-Site Construction Equipment Assumptions

Activity	Equipment	Tier	Number	Hours Per Day
Road & Utility Sub Grade	Signal Boards (Electric)	Average	11	8
	Rubber Tired Loaders	4	2	8
	Tractors/Loaders/Backhoes	3	1	8
	Tractors/Loaders/Backhoes	4	1	8
	Rubber Tired Dozers		1	8
Roadway Paving	Rollers	3	2	8
	Paving Equipment	3	2	8
	Pavers	3	2	8
	Signal Boards (Electric)	Average	11	8
	Rollers	4	2	8
	Paving Equipment	4	2	8
	Pavers	4	2	8

Construction Emissions Summary

As shown in **Table 4.2.12**, Construction Emissions Summary, the Project would not exceed criteria pollutant emissions thresholds and mitigation measures are therefore not required.

Table 4.2.12 Construction Emissions Summary

Year	Emissions (pounds per day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
2024	5.19	109	189	0.37	28.8	14.5
2025	134	64	188	0.23	19.7	5.95
Maximum Daily Emissions	**134**	**109**	**189**	**0.37**	**28.8**	**14.5**
MDAQMD Regional Threshold	137	137	548	0.18	82	65
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Operational Emissions

The Project would be operated as warehouse facilities. Typical operational characteristics include trips from employees and vendors, the transfer of goods to and from the site via trucks, and maintenance activities.

Operational activities associated with the proposed Project will result in emissions of VOC, NO_X, CO, SO_X, PM_{10}, and $PM_{2.5}$. Operational emissions would be expected from the following primary sources:

- Area Source Emissions
- Energy Source Emissions
- Mobile Source Emissions
- Transport Refrigeration Unit (TRU) Emissions

Area Source Emissions

Architectural Coatings

Over a period of time the buildings that are part of this Project will be subject to emissions resulting from the evaporation of solvents contained in paints, varnishes, primers, and other surface coatings as part of Project maintenance. The emissions associated with architectural coatings were calculated using the CalEEMod model.

Consumer Products

Consumer products include, but are not limited to detergents, cleaning compounds, polishes, personal care products, and lawn and garden products. Many of these products contain organic compounds which when released in the atmosphere can react to form ozone and other photochemically reactive pollutants. The emissions associated with use of consumer products were calculated based on assumptions provided in the CalEEMod model. In the case of the commercial uses proposed by the Project, no substantive on-site use of consumer products is anticipated.

Landscape Maintenance Equipment

Landscape maintenance equipment would normally generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shedders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the Project. The emissions associated with gas powered landscape maintenance equipment were calculated based on assumptions provided in the CalEEMod unmitigated model with a reduction in emissions with the implementation of MM-AQ-1 which requires all zero emission landscape equipment.

Energy Source Emissions

Combustion Emissions Associated with Natural Gas and Electricity

Electricity and natural gas are used by almost every project. Criteria pollutant emissions are emitted through the generation of electricity and consumption of natural gas. However, because electrical generating facilities for the Project area are located either outside the region (state) or offset through the use of pollution credits (RECLAIM) for generation within the MDAB, criteria pollutant emissions from offsite generation of electricity is generally excluded from the evaluation of significance and only natural gas use is considered. The emissions associated for electric generation use were calculated using the CalEEMod model.

Mobile Source Emissions

Vehicles

Project-related operational air quality impacts derive primarily from vehicle trips generated by the Project. Trip characteristics for operational truck and passenger vehicle totals are available from the *Traffic Study Scope and Vehicle Miles Traveled (VMT) Screening Memorandum* (Appendix J-2).

Fugitive Dust Related to Vehicular Travel

Vehicles traveling on paved roads would be a source of fugitive emissions due to the generation of road dust inclusive of tire wear particulates. The emissions estimate for travel on paved roads were calculated using the CalEEMod program.

On-Site Equipment Emissions

Industrial warehouse projects commonly require cargo handling equipment (CHE) to move empty containers and empty chassis to and from the various pieces of cargo handling equipment that receive and distribute containers. The most common type of cargo handling equipment is the yard truck which is designed for moving cargo containers and forklifts and pallet jacks for moving material to and from the trailers and through the warehouse interior. Yard trucks are also known as yard goats, utility tractors (UTRs), hustlers, yard hostlers, and yard tractors. Yard trucks have a horsepower (hp) range of approximately 175 hp to 200 hp. Based on surveys conducted by the SCAQMD; high-cube warehouse projects typically have 3.6-yard trucks per million square feet of building space. For the Project, on-site modeled operational equipment includes twelve (12) yard tractors operating at 8 hours a day for 365 days of the year. The Yard Tractor CHE units were calculated at 12 by rounding up the square footage of the project and number of units per square footage. In addition to the use of yard trucks operating at the Project site, forklifts and pallet jacks are also common pieces of equipment used in warehouse operations. As with the forklift and pallet jack CHEs the Project has included **PDF # AQ-3** that all forklifts and pallet jacks will be electric powered. Using the SCAQMD's study on high-cube warehouses, forklifts/pallet jacks are based on a factor of 0.12 per 1,000 square feet of building area, therefore the Project includes 293 forklifts/pallet jacks operating at 8 hours a day for 365 days of the year interior to the building. All of the forklifts and pallet jack units will be electrified.

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Operational Emissions Summary

Table 4.2.13 shows the MDAQMD thresholds for operational emissions compared to the Project's unmitigated maximum daily emissions.

Table 4.2.13 Summary of Peak Operational Emissions (Unmitigated)

Operational Activities – Summer	Emissions (pounds per day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Area Source	74.2	0.91	108	0.01	0.19	0.15
Energy Source (Project will be All Electric)	0.00	0.00	0.00	0.00	0.00	0.00
Mobile	66.7	280	1,058	4.11	284	76.6
Yard Trucks	2.79	19.0	21.2	0.09	0.68	0.63
Total Maximum Daily Emissions	**143.79**	**300**	**1,187.2**	**4.21**	**284.68**	**77.43**
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	**YES**	**YES**	**YES**	**NO**	**YES**	**YES**
Operational Activities – Winter	**Emissions (pounds per day)**					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Area Source	56.4	-	-	-	-	-
Energy Source (Project will be All Electric)	0.00	0.00	0.00	0.00	0.00	0.00
Mobile	62.4	297	800	3.89	284	76.6
Yard Trucks	2.79	19.0	21.2	0.09	0.68	0.63
Total Maximum Daily Emissions	**121.79**	**316**	**821.2**	**3.98**	**284.68**	**77.23**
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	**NO**	**YES**	**YES**	**NO**	**YES**	**YES**

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Table 4.2.14 shows the MDAQMD thresholds for operational emissions compared to the Project's mitigated maximum daily emissions.

Table 4.2.14 Summary of Peak Operational Emissions (Mitigated)

Operational Activities – Summer	Emissions (pounds per day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Area Source	56.4	-	-	-	-	-
Energy Source (Project will be All Electric)	0.00	0.00	0.00	0.00	0.00	0.00
Mobile	66.7	280	1,058	4.11	284	76.6
Yard Trucks	2.79	19.0	21.2	0.09	0.68	0.63
Total Maximum Daily Emissions	**125.89**	**299**	**1,187.2**	**4.20**	**284.68**	**77.23**
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	**NO**	**YES**	**YES**	**NO**	**YES**	**YES**
Operational Activities – Winter	**Emissions (pounds per day)**					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Area Source	56.4	-	-	-	-	-
Energy Source (Project will be All Electric)	0.00	0.00	0.00	0.00	0.00	0.00
Mobile	62.4	297	800	3.89	284	76.6
Yard Trucks	2.79	19.0	21.2	0.09	0.68	0.63
Total Maximum Daily Emissions	**121.79**	**316**	**821.2**	**3.98**	**284.68**	**77.23**
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	**NO**	**YES**	**YES**	**NO**	**YES**	**YES**

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Figure 4.2.3 Summer - Operations Emissions Summary

Figure 4.2.4 Winter - Operations Emissions Summary

Unmitigated operational-related emissions would exceed MDAQMD thresholds in the Summer for VOC/ROG, NO_x, CO, PM_{10}, and $PM_{2.5}$ and in the Winter for NO_x, CO, PM_{10}, and $PM_{2.5}$. Additionally, the MDAB is in nonattainment for Ozone and PM10 and therefore the Project's impacts would be considered potentially significant.

Offsite mobile exhaust emissions are the primary source of NO_x (99.8%) and CO (94.2%) of the threshold exceedances, while on-road fugitive dust missions from offsite mobile sources are the primary source of PM_{10} (88.1%) and $PM_{2.5}$ (81.5%). **Figure 4.2.5** presents the primary sources of emissions for ROG/VOC, NO_x, CO, PM_{10}, and $PM_{2.5}$.

Figure 4.2.5 Operations Emissions Primary Sources

The Project will be required to comply with all applicable MDAQMD rules, and the Project must adhere to the City of Adelanto General Plan Policies and Implementing Programs.

Level of Significance

Potentially Significant.

Mitigation Measures

The Project's design features (PDFs) and MMs would result in reductions of criteria pollutants to the extent feasible, however operations emissions for NO_x, CO, PM_{10}, and $PM_{2.5}$ will remain significant and unavoidable.

PDF-AQ-1 through AQ-6 shall apply.

MM-AQ-1 shall apply.

PDF-TRANS-1 shall apply.

MM-TRANS-1 shall apply.

Level of Significance After Mitigation

Significant and Unavoidable.

Threshold 4.2 – Air Quality Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) Expose sensitive receptors to substantial pollutant concentrations?			✓	

Discussion

The Project is an industrial development and may generate heavy-duty diesel truck emissions. According to the MDAQMD, the following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated:

- Any industrial project within 1,000 feet
- A distribution center (40 or more trucks per day) within 1,000 feet

- A major transportation project (50,000 or more vehicles per day) within 1,000 feet
- A dry cleaner using perchloroethylene within 500 feet
- A gasoline dispensing facility within 300 feet

As shown in **Figure 4.2.6,** Sensitive Receptor Locations, there are no sensitive receptors within 1,000 feet of the Project site and a Health Risk Assessment (HRA) is not required based on the MDAQMD guidance. Based on comments received during the NOP Comment period from the CARB, the State Attorney General's Office, and CARE CA a HRA was completed to analyze the potential health risk associated with Diesel Particulate Matter (DPM) from trucks during construction as well as DPM emissions during the operations of the facilities from onsite and offsite truck and diesel equipment operation.

Figure 4.2.6 Sensitive Receptor Locations within 1,000 Feet of the Project Site

CO Hot Spot Impact Analysis

The Project would not result in potentially adverse CO concentrations or "hotspots." Further, detailed modeling of Project-specific carbon monoxide (CO) "hot spots" is not needed to reach this conclusion.

The Basin is designated attainment under the CAAQS and NAAQS for CO. An adverse CO hotspot would occur if an exceedance of the state one-hour standard of 20 ppm or the eight-hour standard of 9 ppm were to occur.

It has long been recognized that CO hotspots are caused by vehicular emissions, primarily when idling at congested intersections. Due to changing regulations vehicle emissions standards have become increasingly stringent in the last 20 years. Currently, the allowable CO emissions standard in California is a maximum of 3.4 grams/mile for passenger cars (there are requirements for certain vehicles that are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of increasingly sophisticated and efficient emissions control technologies, CO concentration in Basin have steadily declined.

The SCAQMD, as part of their 2003 AQMP, conducted modeling for CO Hotspot Analysis at multiple congested intersections in their South Coast Air Basin, including the intersection of Wilshire Boulevard and Veteran Avenue, considered one of the most congested intersections in Southern California with an ADT of approximately 100,000 vehicles. The CO concentrations modeled by the SCAQMD's analysis identified all traffic induced CO levels below federal and state thresholds. As the CO hotspots were not modeled at an intersection that accommodates over 100,000 vehicles per day, it can be reasonably deduced that CO hotspots would not be experienced at any intersections in the vicinity of the proposed project.

The project would be approximately 1.05 miles to U.S. 395 as the major traffic route. As shown in 2021 Traffic Volumes on California State Highways (Caltrans 2024), average daily trips (ADT) are 24,500 on U.S. 395 at El Mirage Road. According to the Traffic Study Scope and Vehicle Miles Traveled (VMT) Screening Memorandum (Appendix J-2), the Project would generate 11,232 average daily trips, if 100% of the Project trips take this route it would increase the ADT to 35,731 which represents an approximately 45.84 % increase compared to traffic on U.S. 395. Therefore, the project would not increase traffic to the adjacent roadways and would not cause an impact to intersection operations to exceed an ADT of 100,000 vehicles.

Given the extremely low level of CO concentrations in the project area and no project-traffic related impacts at any intersections, project-related vehicle emissions are not expected to result in the CO concentrations exceeding the state or federal CO standards.

Toxic Air Contaminants Impact Analysis

A Project-specific HRA was prepared for the Project based on MDAQMD guidelines to produce conservative estimates of risk posed by exposure to DPM. The Project's HRA is included as Appendix B-2 to this EIR. Provided below is a summary of the results of the HRA for the Maximally Exposed Individual Receptor (MEIR) and Maximally Exposed Individual Worker (MEIW), during both construction and long-term operation.

Construction Impacts

The land use with the greatest potential exposure to Project construction DPM source emissions are residential to the west, southwest, and south over 1 mile away. The Desert Oasis Apartment Building located approximately 1.22 miles to the southwest along Bellflower Street was used for modeling potential health risks. At the Maximally Exposed Individual Receptor (MEIR), the maximum incremental cancer risk attributable to Project construction DPM source emissions is estimated at <1 in one million, which is less than the MDAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <1, which would not exceed the applicable threshold of 1.0. As such, the Project would not cause a significant human health or cancer risk to sensitive receptors at area land uses as a result of Project construction activity. All other receptors during construction activity would experience less risk than what is identified for this location. Accordingly, impacts would be less than significant.

Operational Impacts

Operations phase activities at the Project site are comprised of vehicle idling at the truck docks as well as truck travel along truck routes. It was assumed that 10 percent of trucks would idle and would be limited to 5 minutes pursuant to truck idling regulations adopted by the California Air Resources Board although PDF-AQ-2 requires on-site truck idling will be restricted to 3 minutes. The MDAQMD does not have guidance for determining idling emissions therefore idling emissions were characterized as point sources consistent with AERMOD modeling parameters by the San Joaquin Valley Air Pollution Control District (SJVAPCD). The truck route was modeled as a line of volume sources consistent with SJVAPCD methodology. Emission rates were calculated for the year 2026 using the EMFAC2021 emission factor model and is a weighted composite of medium duty vehicles, light-heavy duty trucks and heavy-heavy duty trucks. As shown in the Project's traffic data, trucks would depart the site along Adelanto Road and 55% of trucks would travel west along El Mirage Road to U.S. 395 while 45% of trucks would continue to travel south on Adelanto Road and then east along Air Expressway.

Conclusion – Toxic Air Contaminants

The distribution of cancer risk is shown in **Figure 4.2.7**. The PMI for the analysis area shows that there would be a 13 in a million-cancer risk at the intersection of El Mirage Road and Adelanto Road where all truck traffic would depart the Project site. There are no residential or other sensitive land uses at this location, the area's land use is for Airport Development District with ADD zoning which does not provide for residential or sensitive uses and as such no sensitive receptors would be exposed at this location. The MEIR is located at the residences northeast of El Mirage Road and U.S. 395 and would experience an estimated cancer risk of 6 in a million. This level of cancer risk is below the MDAQMD's significance threshold of 10 in a million and consequently would not result in a significant impact due to cancer risk. All other sensitive land uses would experience a lower amount of cancer risk and would likewise result in less than significant cancer risk due to the diesel exhaust emissions associated with the Project. The estimated chronic non-cancer risk hazard index at the maximally impacted residence receptor is <0.01 is substantially less than the OEHHA hazard index of 1.0 for which no adverse noncancer health risk is anticipated. The Project would result in exposure at nearby uses to risk levels that are substantially below the chronic hazard index of 1.0 and, consequently, would not result in significant health risk impacts related to chronic exposure of diesel exhaust from Project related vehicular emissions. Therefore, Project impacts due to TACs would be less than significant.

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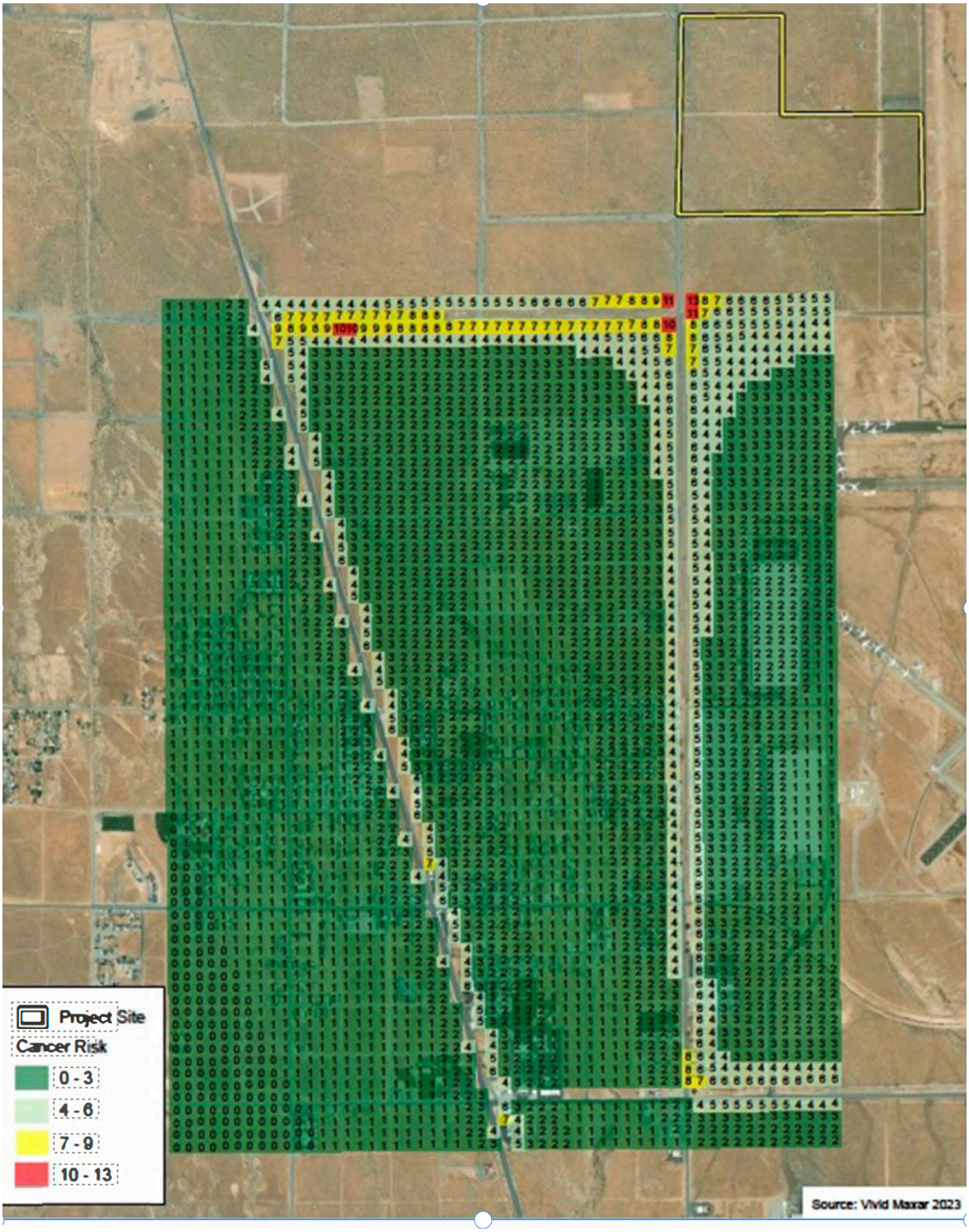
Figure 4.2.7 Operations Distribution of Cancer Risk



Valley Fever Considerations

San Bernardino County experiences very low rates of Valley Fever. According to the California Department of Public Health, the County of San Bernardino is not listed as one of the counties with the greatest incidences of reported human Valley Fever cases.[75]

The air quality analysis contained in Section 4.2, Air Quality, of the DEIR was prepared using the methodologies and assumptions contained in the MDAQMD's *California Environmental Quality Act (CEQA) and Federal Conformity Guidelines*. Neither these guidelines nor the *State CEQA Guidelines* include requirements or thresholds of significance for addressing Valley Fever. The closest sensitive receptor are residential uses located 5,544 feet or 1.05 miles southwest of the project site at the northeast corner of El Mirage Road and 395. This distance is sufficient that particulate matter will settle prior to reaching any sensitive receptor. Therefore, any Valley Fever spores suspended with the dust will not reach any sensitive receptors.

During Project construction, it is possible that workers could be exposed to Valley Fever through fugitive dust. Any exposure to workers would be subject to the Occupational Safety and Health Act of 1970, 29 United States Code 654(a)(1), and other applicable Occupational Safety and Health Administration requirements, including Respiratory Protection (29 Code of Federal Regulations 1910.134), which covers respirator use in the workplace. Required dust control measures, consistent with MDAQMD Rule 403, would reduce the exposure of the workers. Dust from the construction of the Project is not anticipated to exacerbate or significantly add to the existing exposure of people to Valley Fever.

Level of Significance

Less than Significant

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[75] https://www.dir.ca.gov/dosh/valley-fever-home.html#:~:text=Construction%20employers%20must%20train%20workers,Barbara%2C%20Tulare%2C%20and%20Ventura.

Threshold 4.2 – Air Quality Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✓	

Discussion

The potential for the Project to generate objectionable odors has been considered. Land uses generally associated with odor complaints include:

- Agricultural uses (livestock and farming)
- Wastewater treatment plants
- Food processing plants
- Chemical plants
- Composting operations
- Refineries
- Landfills
- Dairies
- Fiberglass molding facilities

The Project does not propose or require land uses that would be substantive sources of objectionable odors. Potential temporary and intermittent odors may result from construction equipment exhaust, and the application of asphalt and architectural coatings. Temporary and intermittent construction-source emissions are controlled through existing requirements and industry BMPs addressing proper storage and application of construction materials.

Over the life of the Project, odors may result from storage of municipal solid waste pending its transport to area landfills. Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations.

The proposed Project would involve the use of diesel-powered construction equipment and diesel-powered vehicles pulling trailers for deliveries during operations. Diesel exhaust during construction may be noticeable temporarily at adjacent properties; however, construction activities would be temporary. During operations diesel vehicles entering the site are required to limit idling to less than 3 minutes, which will reduce the impacts of diesel odors.

The proposed Project would also be required to comply with MDAQMD Rule 402. Rule 402 provides that "[a] person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any

considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property." Based on the preceding, the potential for the Project to create objectionable odors affecting a substantial number of people is considered less-than- significant.

Level of Significance.

Less than significant.

4.2.8 General Plan Consistency

Table 4.2.14 General Plan Consistency Analysis-Air Quality

General Plan Policy	Consistency Determination
OS 6.3 Require projects that generate potentially significant levels of air pollutants and odors to incorporate the most effective air quality mitigation into project design, as feasible.	**Consistent:** The Project is incorporating PDF-AQ-1 through PDF-AQ- 6 and MM-AQ-1 to reduce potential impacts effecting air quality and odors as feasible.

4.2.8 Cumulative Impact Analysis

This cumulative impact analysis considers the development of the Project in conjunction with other development projects and planned development projects within the City.

As identified in the analysis presented under Threshold a), the Project would conflict with or obstruct implementation of the applicable air quality plan for Consistency Criterion 1. The MDAB is currently in nonattainment for Ozone and Respirable Particulate Matter 10. As identified in the analysis presented under Threshold b), the Project's operational emissions would result in increases above the MDAQMD's significance threshold of PM10 contributing to the basin's nonattainment. The Project's operational impacts along with other future developments in the study area would contribute to the existing nonattainment status. Therefore, the Project will exacerbate nonattainment of air quality standards within the MDAB. While the Project's PDF's and MMs will reduce the operational emissions to the extent feasible, there are no additional quantifiable MMs that would reduce the Project's Air Quality impacts to less than significant. The Project's cumulative impact would be significant and unavoidable.

4.3 BIOLOGICAL RESOURCES

4.3.1 Introduction

Biological Resources refer to the living landscape—the plants, animals, and other aspects of nature that occur on undeveloped land. This section of the EIR will determine whether there are any sensitive biological resources such as wetlands, streams, or habitats for special status species (within or in proximity to the Project site) and determine whether the Project would result in potentially significant adverse impacts to these biological resources.

4.3.2 Notice of Preparation (NOP) Scoping Comments

To initiate the preparation of this EIR, the City of Adelanto released a Notice of Preparation (NOP) for a 30-day comment period starting on December 13, 2023, and ending on January 11, 2024. An NOP is a brief notice sent by the City to notify governmental agencies and the general public that the City commenced preparation of this EIR and to solicit input from those agencies as to the scope and content of the environmental information to be included in the EIR. Additionally, a virtual EIR Scoping Meeting was held on January 9, 2024. There were no comments related to biological resources received during the virtual EIR Scoping. During the NOP comment period, the following letter was received concerning biological resources.

California Department of Fish and Wildlife (CDFW), December 27, 2023

The CDFW recommended that the EIR include an analysis of the following:

- Various habitat types located within the Project footprint;
- A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present, or have the potential to be present, within each habitat type onsite and within adjacent areas that could be affected by the Project; and
- A complete recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish & G. Code, § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380).

4.3.3 Regulatory Framework

Federal and State

The regulatory framework for the protection of biological resources (i.e. the overarching policies that allow governmental agencies to set standards for protecting biological resources) are the Federal Endangered Species Act (FESA) and the California Endangered Species Act (CESA) and their related regulations as shown in **Table 4.3.1** *Comparison of the Federal Endangered Species Act and California Endangered Species Act*.

Table 4.3.1 Comparison of the Federal Endangered Species Act and California Endangered Species Act

Federal Endangered Species Act of 1973	California Endangered Species Act
Statute: United States Code, title 16, chapter 35, sections 1531-1544 Regulation: Code of Federal Regulations, title 50, chapter 1, subchapter B, part 17, sections 17.1-17.108	Statute: Fish and Game Code, chapter 1.5, sections 2050-2115.5 Regulation: California Code of Regulations, title 14, chapter 6, sections 783.0-787.9

Both FESA and CESA have the common goal of protecting wildlife and plant communities, and the natural habitats on which they depend for survival, from being adversely impacted by human activities. This is accomplished by enabling federal, state, and local government agencies to not approve projects that would jeopardize the continued existence of any "special status species"[76] or result in the destruction or adverse modification of habitat essential to the continued existence of these species, without requiring any impacts to be avoided, or by imposing mitigation measures to lessen the impact to a less than significant level. Additional descriptions of FESA and CESA, and their related regulations, are contained in Section 8.0, *References*, of this EIR.

As enabled by these statutes and regulations, the following agencies have oversight responsibility and can issue regulatory permits if the Project meets the established regulations. **Table 4.3.3** *Biological Resources Regulatory Agencies and Permits/Approvals* identify the permits that are or may be required, by the applicable regulatory agencies.

[76] "Special Status Species" is a universal term used in the scientific community for species that are considered sufficiently rare that they require special consideration and/or protection and should be, or have been, listed as rare, threatened or endangered by the Federal and/or State governments.

Western Joshua Tree Candidate Threatened: California Endangered Species Act

Western Joshua trees (*Yucca brevifolia)* are from the *Agavaceae* family and native to Southern California. It is an iconic species, mostly associated with the Mojave Desert Region, but also occurs in Arizona, Utah, Nevada, and northwestern Mexico and occupies an elevation range of 1,600 to 6,660 feet above mean sea level.

On October 9, 2020, the western Joshua tree (*Yucca brevifolia)* was designated as a candidate species for listing as threatened under the CESA. As a candidate endangered species, western Joshua trees have the same protection as listed species in the California Endangered Species Act. On June 27, 2023, California lawmakers passed the Western Joshua Tree Conservation Act, which went into effect on July 1, 2023. While western Joshua tree is a candidate species, take for western Joshua tree can be permitted through payment of pre-determined mitigation fees.

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Table 4.3.2 Regulatory Framework-Biological Resources

Regulatory Agency	Regulations
	The U.S. Fish and Wildlife Service (USFWS) is the federal agency whose primary responsibility is the conservation and management of fish, wildlife, plants, and their habitats for federally listed special status species. There are no federal permits required for the Project.
	The California Department of Fish and Wildlife (CDFW) is California's Trustee Agency for the State's fish, wildlife, and plant resources. The Project will require approval of the following: • Lake and Streambed Alteration Agreement under California Code, Fish and Game Code-FGC §1602, for the alteration of 0.183 acres of the natural drainage courses that bisect the Project site. • Individual Take Permit (1) for the removal of Western Joshua Trees according to the Western Joshua Tree Conservation Act. • Individual Take Permit under 2081 or 2080.1 of the Crotch Bumble Bee (Possible) • Individual Take Permit under 2081 for Mojave Ground Squirrel. (Possible)
	The Lahontan Regional Water Quality Control Board (RWQCB) is responsible for statewide general waste discharge requirements for dredged or fill discharges to waters deemed by the U.S. Army Corps of Engineers to be outside of federal jurisdiction. The Project is required to submit a Report of Waste Discharge under the Porter-Cologne Act for the alteration of 0.183 acres of natural drainage courses that bisect the site.
	The County of San Bernardino provides oversight for the California Desert Native Plant Act, whose purpose is to protect California desert native plants from unlawful harvesting on both public and privately owned lands. The project may be required to ensure compliance with the Act if plants listed for protection are found on the Project site.
	The City of Adelanto serves as the Lead Agency under CEQA for the certification of the EIR and issues grading and building permits if the Project complies with all applicable federal, state regulations, and City General Plan policies, and municipal code requirements.
Note1: Incidental Take Permits allow a permittee to take a CESA-listed species if such taking is incidental to, and not the purpose of, carrying out an otherwise lawful activity. These permits are most commonly issued for construction, utility, transportation, and other infrastructure-related projects. Permittees must implement species-specific minimization and avoidance measures, and fully mitigate the impacts of the project. (Fish & G. Code § 2081 (b); Cal. Code Regs., tit. 14, §§ 783.2-783.8)	

City of Adelanto Regulations

General Plan Policies

The City of Adelanto General Plan Open Space and Conservation element sets forth policies for the protection of sensitive biological resources. The policies listed below are those that the Project is responsible for implementing according to the Open Space and Conservation Element of the General Plan.

Δ OS 2.3 Ensure that new development and major transportation projects minimize encroachment into sensitive desert habitats, and minimize direct or indirect impact to sensitive biological resources while optimizing the potential for mitigation.

Δ OS 2.1 Survey and map potential habitat for sensitive biological resources, including special-status plant and wildlife species and sensitive natural communities.

Table 4.3.6, *General Plan Policy Consistency Analysis-Biological Resources,* on page 174, provides a summary of the Project's consistency with these policies.

Adelanto Municipal Code Requirements

Adelanto Municipal Code Chapter 17.57, requires a biotic resources study for projects in areas identified by State or federal agencies as habitat for animals or plants officially listed as endangered or threatened or ecologically significant areas. The biotic resources study is required to identify all biotic resources on and around the Project site that the proposed development may impact. The report's recommended mitigation measures to avoid and/or minimize impacts on identified resource(s) are typically incorporated into the Conditions of Approval for a land use application.

4.3.4 Environmental Setting

The area proposed for construction of the two logistic/warehouse buildings and related onsite improvements (parking, landscaping, utilities) consists of 128.58 acres as shown On Figure 2.4, *Master Site Plan*, in Section 2.0, *Project Description.* Topography in this location is generally flat with very little elevation change. Elevations range from approximately 2,820 feet above mean sea level (msl) in the northwest portion of the Project site to approximately 2,840 feet above msl in the southeast portion of the Project site. The Project site is currently undeveloped. Surrounding land

use consists of the Southern California Logistics Airport (SCLA) adjacent to the eastern boundary of the Project site and vacant, undeveloped land adjacent to the north, south, and west.

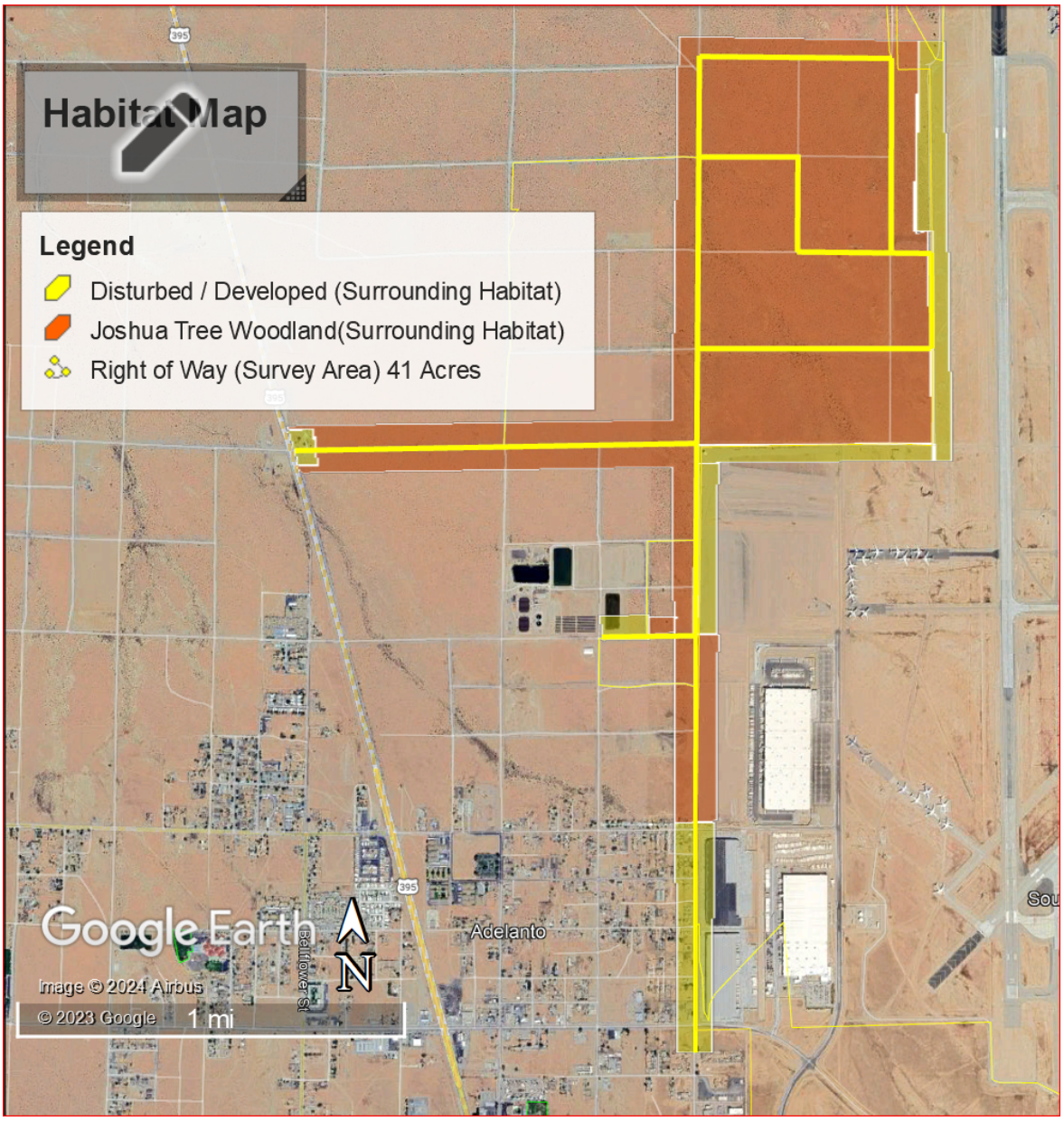
Soils on the Project site are mapped as Bryman loamy fine sand, 0 to 2 percent slopes; and Cajon sand, 0 to 2 percent slopes. The Project site has some disturbance from off-highway vehicle use and trash dumping. Dirt access roads occur along the edges of the Project site and one road goes through the Project site from west to east (i.e., Nichols Avenue).

The Project will require new paved street access including, wet and dry utilities to be extended from off-site as follows: Along Adelanto Road between De Soto Avenue and 360 feet south of Bartlett Avenue; along Coronado Avenue between Adelanto Road and Redondo Road; along Auburn Avenue between Pearmain Street and Adelanto Road; along El Mirage Road between Highway 395 and Adelanto Road; along North Perimeter Road between Avalon Avenue and Nichols Avenue; along Nichols Avenue between Redondo Road and North Perimeter Road; Redondo Road between Nichols Avenue and Coronado Avenue; along De Soto Avenue between Adelanto Road and Mesa Linda Road; and Mesa Linda Road between Nichols Avenue and De Soto Avenue. It is assumed that all improvements would be within existing rights-of-way. The Project's off-site improvements are presented in Figures 2.7, 2.8, and 2.9 for roadways and Figure 2.10 for sewer, water, and strom drain improvements.

Vegetation in the Project area is Joshua Tree Woodland (Yucca brevifolia) Alliance dominated by western Joshua trees and creosote bush (Larrea tridentata) with white bursage (Ambrosia dumosa), bladdersage (Scutellaria mexicana), and Cooper's box-thorn (Lycium cooperi). Ground cover is mostly comprised of redstem filaree (Erodium cicutarium) and common Mediterranean grass (Schismus barbatus). Joshua Tree Woodland is a sensitive species and the and take of the listed Joshua Tree will require an incidental take permit (2081) from the California Department of Fish and Wildlife.

A separate survey was conducted across approximately 41 acres off-site that will be disturbed by the installation of roads and infrastructure. The 41-acre survey area consists of the Right of Way that is currently Disturbed / Developed as are some of the areas surrounding the survey area. Anthropogenic disturbances are high throughout the area with conspicuous trash deposition and off-road vehicle use throughout. The roads most of which are unpaved contain low to moderately heavy traffic increasing towards the west near to U.S. 395. (Refer to **Figure 4.3.1** Vegetation Types)

Figure 4.3.1 Vegetation Types



4.3.5 Methodology

The methods employed in this analysis consisted of literature searches and field surveys consistent with USFWS and CDFW survey protocols which vary per individual species and are more fully described in the biological technical reports listed below.

The following technical reports were used in the analysis:

- *Biological Resources Technical Report, Adelanto Industrial Center Project Adelanto, California*, Psomas, January 2024. (Appendix C-1 of this EIR).
- *Western Joshua Tree Census Report for the Adelanto Industrial Center Project, Adelanto, San Bernardino County, California*, Psomas, January 4, 2024. (Appendix C-2 of this EIR).
- *Results of Focused Presence/Absence Survey for Desert Tortoise Survey for the Adelanto Industrial Center Project, City of Adelanto, San Bernardino County, California*, Psomas, January 15, 2024. (Appendix C-3 of this EIR).
- *Jurisdictional Delineation Report for the Adelanto Industrial Center Project in San Bernardino County, California*, Psomas, January 2024. (Appendix C-4 of this EIR).
- *Habitat Assessment of the Offsite Road And Utilities for the Adelanto Industrial Center Project, City of Adelanto, San Bernardino County, California, L&L Environmental Inc., February 16, 2024.*

The following terms are used throughout this analysis to classify the protection status afforded to "special status" species.

Table 4.3.3 Terms Used to Classify the Protection Status Afforded to Sensitive Species

Term	Definition
The following terms are synonymous with the term "special status."	
Federally Endangered Species	A species likely to become Endangered within the foreseeable future throughout all or a significant portion of its range.
Proposed Species or Candidate species	Species officially proposed by the USFWS for addition to the federal Threatened and Endangered species list.
Threatened Species	A species present in such small numbers throughout its range that it is likely to become an Endangered species in the near future in the absence of special protection or management. The presence of any federally listed Threatened or Endangered species in a project impact area generally imposes severe constraints on development, particularly if development would result in "take" of the species or its habitat.
Rare Species	A species present in such small numbers throughout its range that it may become Endangered if its present environment worsens. "Rare species" only applies to California native plants. State-listed Threatened and Endangered species are protected against take unless an Incidental Take Permit is obtained from the resource agencies.
California Species of Special Concern	An informal designation used by the CDFW for some declining wildlife species that are not State Candidates for listing. This designation does not provide legal protection but signifies that these species are recognized as having special status by the CDFW
California Fully Protected and Protected	Include species protected by special legislation for various reasons, such as the mountain lion and white-tailed kite (Elanus leucurus). Fully Protected species may not be taken or possessed at any time.
Local Concern	Species that have no official status with the resource agencies, but are being watched because either the region has a unique population, or the species is declining in the region.
California Rare Plant Ranks (CRPR)	A ranking system by the Rare Plant Status Review group and managed by the California Native Plant Society (CNPS) and the CDFW. A CRPR summarizes information on the distribution, rarity, and endangerment of California's vascular plants

Source: Biological Resources Technical Report, Appendix C-1

The determination of impacts in this analysis is based on a comparison of maps depicting project grading limits and maps of biological resources on the Project site and the areas impacted by off-site infrastructure (roads, sewer lines, water lines, storm drains). (Refer to Figure 4.3.1 above.) All construction activities, including equipment staging areas, and remedial grading are assumed to be contained within the Project site and off-site improved or disturbed street rights-of-way. The Project would remove all vegetation within these areas.

Both "direct" and "indirect" impacts on biological resources have been evaluated. Direct impacts are those that involve the initial loss of habitat or individuals due to vegetation clearing and construction-related activities. Indirect impacts would be those related to impacts on the adjacent remaining habitat due to construction activities (e.g., noise, dust) or operation of a project (e.g., human activity). The actual and potential occurrence of these resources on the Project site was correlated with the significance criteria listed in the next section to determine whether Project impacts on these resources would be considered significant.

In the event impacts to special status biological resources are significant, mitigation measures consistent with CEQA Guidelines §15370 are recommended, which are:

Avoiding the impact altogether by not taking a certain action

(b) Minimizing impacts by limiting the degree or magnitude of the action.

(c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.

(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the project.

(e) Compensating for the impact by replacing or providing substitute resources or environments.

4.3.6 Thresholds of Significance

The City of Adelanto relies on Appendix G of the State CEQA Guidelines[77] to determine if a project could have a significant effect on the environment: Appendix G poses the following questions related to biological resources:

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

[77] https://opr.ca.gov/ceqa/guidelines/

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 US 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?

4.3.7 Impact Analysis

Threshold 4.3 – Biological Resources Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		✓		

Discussion

As noted above, the primary habitat on the Project site consists of Joshua tree woodland which supports fourteen sensitive animal species and twelve sensitive plant species.

Sensitive Plant Species

Based on the field surveys conducted on the Project site, twelve sensitive plant species have the potential to occur as shown in **Table 4.3.4**, Special Status Plants with Potential to Occur on the Project Site.

Table 4.3.4 Special Status Plants with Potential to Occur on the Project Site

Species	USFWS	CDFW	CRPR	Potential
white pygmy-poppy Canbya candida	—	—	4.2	May occur; suitable habitat.
Mojave spineflower Chorizanthe spinosa	—	—	4.2	May occur; suitable habitat.
Mojave monkeyflower Diplacus mohavensis	—	—	1B.2	Limited potential to occur; marginally suitable habitat.
Booth's evening-primrose Eremothera boothii ssp. Boothii	—	—	2B.3	May occur; suitable habitat.
sagebrush loeflingia Loeflingia squarrosa var. artemisiarum	—	—	2B.2	May occur; suitable habitat.
Torrey's box-thorn Lycium torreyi	—	—	4.2	May occur; suitable habitat.
solitary blazing star Mentzelia eremophila	—	—	4.2	Limited potential to occur; marginally suitable habitat.
crowned muilla Muilla coronate	—	—	4.2	May occur; suitable habitat.
Beaver Dam breadroot Pediomelum castoreum	—	—	1B.2	May occur; suitable habitat.
Mojave fish-hook cactus Sclerocactus polyancistrus	—	—	4.2	Limited potential to occur; marginally suitable habitat.
San Bernardino aster Symphyotrichum defoliatum	—	—	1B.2	Not expected to occur; no suitable habitat.
western Joshua tree Yucca brevifolia	—	CST	—	Observed; suitable habitat.

Of the plant species listed above, the Western Joshua Tree (WJT) is listed as a Candidate State Threatened species and is subject to the Western Joshua Tree Conservation Act. Impacts on Western Joshua Tree are further discussed below.

Western Joshua Tree Impacts

A western Joshua tree census was conducted according to the census Instructions that are required by the CDFW, (Appendix C-2). Based on the results of the census, 705 WJT will be significantly impacted through the removal of individuals and roots; clearing vegetation; general operation of vehicles and heavy equipment; grading; staging equipment, and stockpiling. (Figure 4.3.2, Western Joshua Tree Census for the 128 Acre Building Site).

Additionally, there are approximately 100 western Joshua trees present within a 50-foot buffer of the right of way. for the 41 acres proposed for the offsite street and utility improvements. Combined with the Joshua trees were documented by Psomas, approximately 805 Joshua trees will be impacted. The California state legislature has enacted the Western Joshua Tree Conservation Act (WJTCA) which aims to protect WJT while removing some of the barriers faced by developers when working on or adjacent to sites where the species is present[78]. The following mitigation measure is required:

Mitigation Measure

Mitigation Measure BIO-1. Comply with the Western Joshua Conservation Act. *Prior to the initiation of western Joshua tree removal, relocation, replanting, trimming or pruning, or any activity that may result in take of WJT on site, the Project Proponent shall obtain California Endangered Species Act (CESA) Incidental Take Permit (ITP) under Section 2081 of the CESA, or any other appropriate take authorization under CESA or the Western Joshua Tree Conservation Act (WJTCA) (Fish and Game Code §§ 1927-1927.12). The Project Applicant will adhere to measures and conditions set forth within the Incidental Take Permit, which may consist of mitigation fees, relocation, off-site conservation, a CDFW-approved mitigation bank or a combination thereof.*

With the implementation of Mitigation Measure BIO-1, impacts would be less than significant.

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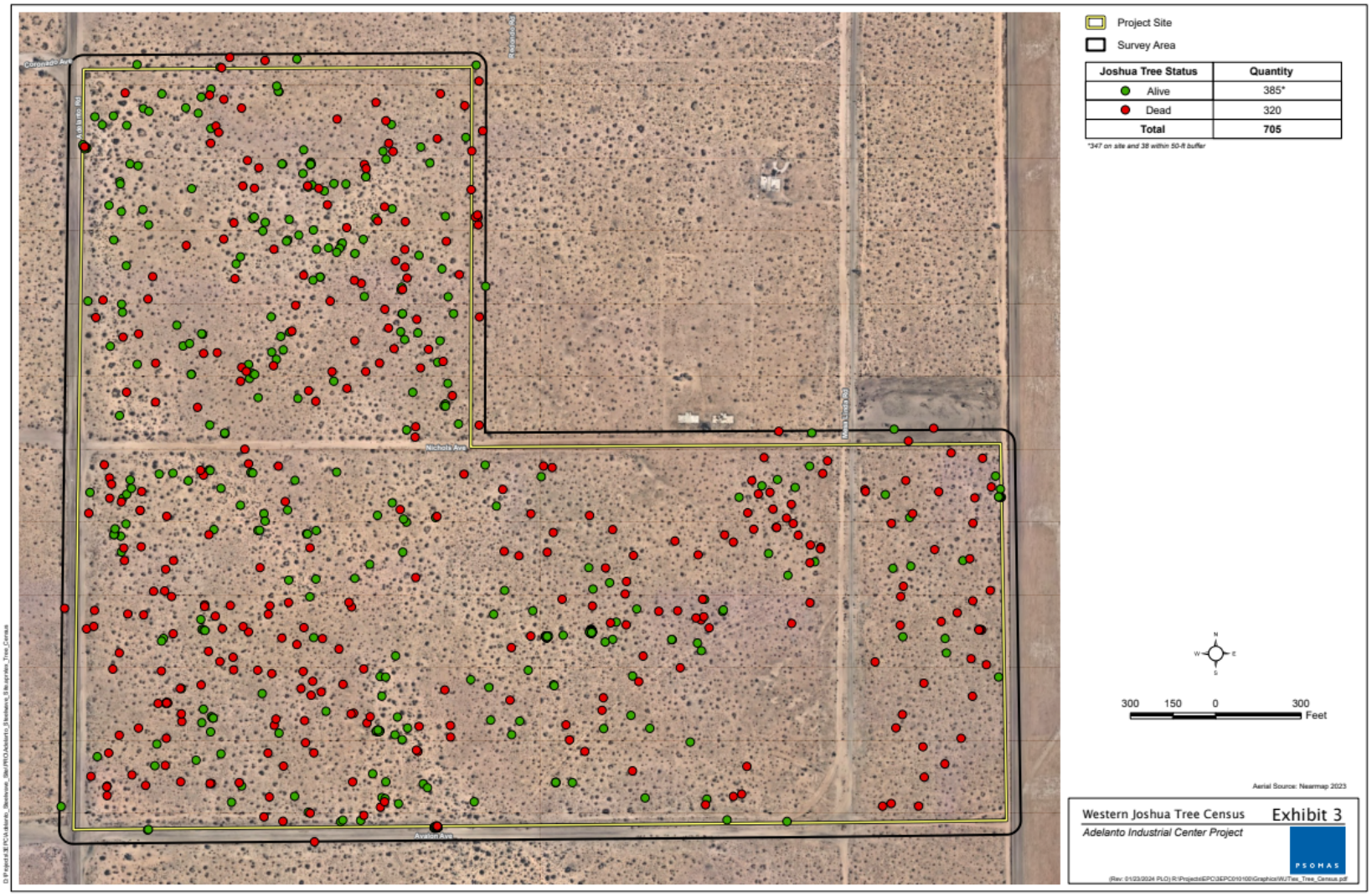
[78] https://wildlife.ca.gov/Conservation/Environmental-Review/WJT/WJTCA#:~:text=The%20WJTCA%20prohibits%20the%20importation,the%20permittee%20meets%20certain%20conditions.

Figure 4.3.2 Western Joshua Tree Census for 128 acre Building Site



Special Status Plant Species Impacts

As shown in **Table 4.3.4**, the following Special Status Plants with Potential to Occur on the Project Site and other special status plant species that have potential or limited potential to occur on the Project site include: white pygmy-poppy, Mojave spineflower, Mojave monkeyflower, Booth's evening primrose, sagebrush loeflingia, Torrey's box-thorn, solitary blazing star, crowned muilla, Beaver Dam breadroot, and Mojave fish-hook cactus. The Project has the likelihood of project-related impacts to special-status plant species due to the removal of individuals and roots; clearing of vegetation; general operation of vehicles and heavy equipment; grading; staging equipment and stockpiling.

Plants constituting California Rare Plant Ranks 1A, 1B, 2A, and 2B generally meet the criteria of a CESA-listed species and should be considered as an endangered, rare, or threatened species for CEQA analysis. The Project site contains a suitable habitat for Booth's evening-primrose (Rank 2B.3) and sagebrush loeflingia (Rank 2.B.2) and these plants may occur on site. The Project site contains a marginally suitable habitat for the Mojave monkeyflower (Rank 1B.2) and has limited potential to occur. There is no suitable habitat present to support San Bernardino aster and it is not expected to occur. The following mitigation measure is required to reduce impacts to less than significant.

Mitigation Measure

Mitigation Measure BIO-2. Pre-construction Rare Plant Clearance Survey: *Prior to Project implementation, and during the appropriate season, a qualified biologist shall conduct botanical field surveys within the Project area following protocols outlined in the California Department of Fish and Wildlife's (CDFW) 2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*[79]*. The surveys shall be conducted by a CDFW-approved botanist(s) experienced in conducting floristic botanical field surveys, knowledgeable of plant taxonomy and plant community ecology and classification, familiar with the plants of the area, including special-status and locally significant plants, and familiar with the appropriate state and federal statutes related to plants and plant collecting. The botanical field surveys shall be conducted at the appropriate time of year when plants will both be evident and identifiable (usually, during flowering or fruiting) and, in a manner, which maximizes the likelihood of locating special-status plants and sensitive natural communities that may be present. Botanical field surveys shall be conducted floristic in nature, meaning that every plant taxon that occurs in the project area is identified to the taxonomic level necessary to determine rarity and listing status. If any special-status*

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plants are identified, the Project Applicant shall avoid the plant(s), with an appropriate buffer (i.e., fencing or flagging).

Mitigation Measure BIO-3. Rare Plant Compensatory Mitigation. *If complete avoidance of a special status plant is not feasible, the Project Applicant shall mitigate the loss of the plant(s) through off-site compensation including: 1) permanent protection of an existing off-site native population; 2) permanent protection of an off-site introduced population; 3) a combination of 1) and 2); or 4) mitigation banking. The ratio of acquisition to loss must in most cases exceed 1:1 for any species. The ratio should be higher for rarer species, particularly for those that occupy irreplaceable habitats.*

With the implementation of Mitigation Measures BIO-2 and BIO-3, impacts to rare plants would be less than significant.

Mitigation Measure BIO-4. California Desert Native Plant Act Focused Survey. *Prior to the issuance of a grading permit, the Project Applicant shall retain a qualified Biologist to conduct focused surveys for plants protected by the California Desert Native Plant Act on the Project site. This includes species of family Burseraceae (elephant tree); Carnegiea gigantea (saguaro cactus); Ferocactus acanthodes (barrel cactus)[80]; Castela emoryi (crucifixion thorn); Dudleya saxosa (Panamint dudleya); Pinus longaeva (bristlecone pine); and Washingtonia filifera (fan palm); all species of the family Agavaceae (century plants, nolinas, yuccas); all species of the family Cactaceae (cacti), except for the plants listed in subdivisions (b) and (c) of Section 80072, which may be harvested under a permit obtained pursuant to that section; all species of the family Fouquieriaceae (ocotillo, candlewood); all species of the genus Prosopis (mesquites); all species of the genus Cercidium (palos verdes); Acacia greggii (catclaw); Atriplex hymenelytra (desert-holly); Dalea spinosa (smoke tree); and Olneya tesota (desert ironwood). If any of the protected species are present in the impact area, the Project Applicant shall obtain the necessary permits, tags, and/or seals, and shall pay the appropriate fees for the removal of any individuals of a species protected by the California Desert Native Plant Act.*

With the implementation of Mitigation Measure BIO-4, impacts would be less than significant with respect to plants protected under the California Desert Native Plant Act.

Special Status Wildlife Species

Vegetation on the Project site provides potential habitat for several wildlife species. **Table 4.3.5**, Special Status Wildlife Species with Potential to Occur on the Project Site, provides a compendium of the special status of wildlife species with potential to occur on the Project site.

[80] *Ferocactus acanthodes* is not currently recognized by the Jepson Flora Project (2024). It is assumed to mean either of the two recognized species of *Ferocactus* in California, the California barrel cactus (*Ferocactus cylindraceus*), or the San Diego barrel cactus (*Ferocactus viridescens*).

Table 4.3.5 Special Status Wildlife Species with Potential to Occur on the Project Site(Including Offsite Improvement Area)

Species	Status		Potential to Occur/Results of Focused Surveys (Project Site)
	USFWS	CDFW	
INVERTEBRATES			
Bombus crotchii Crotch bumble bee	—	CE	May occur; suitable habitat.
REPTILES			
Gopherus agassizii desert tortoise	FT	ST	Not expected to occur; not observed during focused surveys (Appendix D).
BIRDS			
Accipiter cooperii Cooper's hawk (nesting)	—	WL	May occur; marginally suitable foraging; limited potential to occur for nesting; suitable foraging habitat; limited suitable nesting habitat.
Aquila chrysaetos golden eagle (nesting and wintering)	—	FP/ WL	May occur for foraging; not expected to occur for nesting; suitable foraging habitat; no suitable nesting habitat.
Athene cunicularia burrowing owl (burrow sites and some wintering sites)	—	SSC	May occur for breeding; wintering owl observed during desert tortoise-focused surveys; suitable habitat.
Falco mexicanus prairie falcon (nesting)	—	WL	May occur for foraging; not expected to occur for nesting; suitable foraging habitat; no suitable nesting habitat.
Lanius ludovicianus oggerhead shrike (nesting)	—	SSC	Observed; suitable habitat.
Toxostoma lecontei Le Conte's thrasher	—	SSC	May occur; suitable habitat.
MAMMALS			
Antrozous pallidus pallid bat	—	SSC	May occur for foraging; not expected to occur for roosting; suitable foraging habitat; no suitable roosting habitat.
Corynorhinus townsendii Townsend's big-eared bat	—	SSC	May occur for foraging; not expected to occur for roosting; suitable foraging habitat; no suitable roosting habitat.
Eumops perotis californicus western mastiff bat	—	SSC	May occur for foraging; not expected to occur for roosting; suitable foraging habitat; no suitable roosting habitat.
Xerospermophilus mohavensis Mohave ground squirrel	—	ST	May occur; suitable habitat.

Species	Status		Potential to Occur/Results of Focused Surveys (Project Site)
	USFWS	CDFW	
Vulpes macrotis arsipus desert kit fox	—	FBM	May occur; burrow complex (occupied by a wintering burrowing owl) observed near the Project site during desert tortoise surveys (Appendix D); suitable habitat.
Taxidea taxus American badger	—	SSC	May occur; suitable habitat.

USFWS: U.S. Fish and Wildlife Service **CDFW**: California Department of Fish and Wildlife **msl:** mean sea level; ft: feet.

Federal (USFWS)

FE	Endangered
FT	Threatened
PT	Proposed Threatened

State (CDFW)

SE	State Endangered
ST	Threatened
CE	Candidate Endangered
FP	Fully Protected
SSC	Species of Special Concern
WL	Watch List
FBM	Fur-bearing Mammal (protected by Fur-bearing Mammal Act)

As shown on **Figure 4.3.3** *Sensitive Wildlife Species Observed in the Vicinity of the 128 Acre Building Site*, a burrowing owl and a Loggerhead Shrike were observed.

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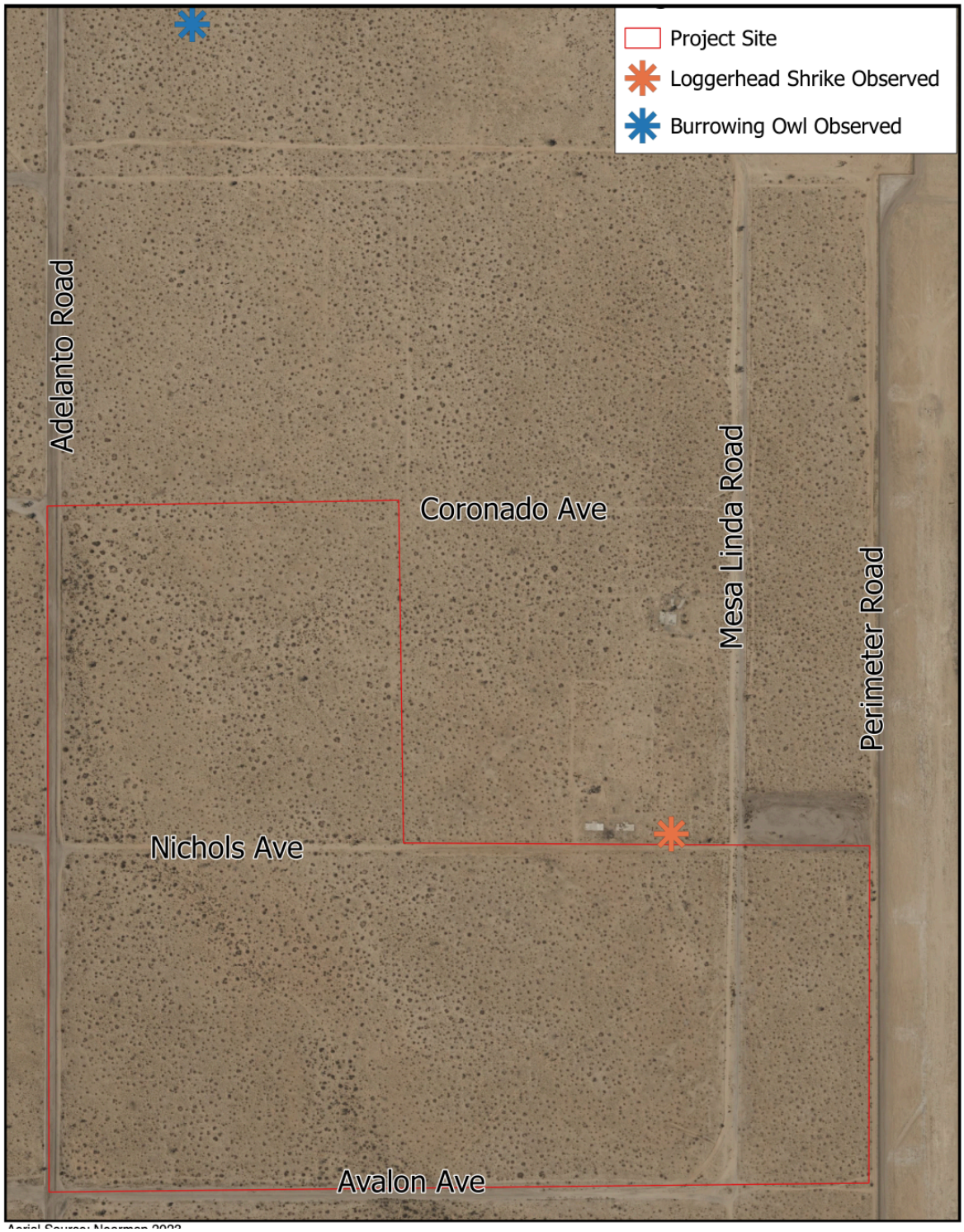
Figure 4.3.3 Sensitive Wildlife Species Observed in the Vicinity of the 128 Acre Building Site.



In total, there is suitable habitat to support fourteen special-status wildlife species. Based on a focused survey, the Desert Tortoise is not present, (Appendix C-3). The remaining thirteen species are discussed below.

Invertebrates

Crotch's Bumble Bee

Crotch's bumble bee occurs primarily in California, including the Mediterranean region, Pacific Coast, Western Desert, Great Valley, and adjacent to foothills through most of southwestern California (Williams et. al 2014). Crotch's bumble bees are generalist foragers and have been reported visiting a wide variety of flower plants. The plant families most commonly associated with Crotch's bumble bee observations or collections from California include Fabaceae, Apocynaceae, Asteraceae, Lamiaceae, Boraginaceae, and Asclepiadaceae. Crotch's bumble bee is a candidate species for listing under CESA; therefore, it receives the same legal protection afforded to endangered or threatened species under CESA according to Fish & G. Code §§ 2074.2 & 2085. If found on-site, the Project could result in harming Crotch's bumble bees, reduction in sufficient food resources such as nectar and pollen, and/or removal of nesting and overwintering sites. The following mitigation measure is required to reduce impacts to less than significant.

Mitigation Measure

Mitigation Measure BIO-5. Crotch's Bumble Bee Survey. *Prior to the initiation of project activities, the Project proponent must obtain a qualified biologist to conduct surveys for the candidate bumble bee species.*

The qualified biologist will conduct habitat mapping no less than 120 days prior to the initiation of Project activities with the submittal of a complete baseline habitat mapping report encompassing Fish and Game Code 1602 resources. Mapping will identify habitat alliances following Sawyer et al. (2009) and the report will identify species composition for each mapped alliance. If habitat mapping identifies the presence of plants (e.g., genera Antirrhinum, Phacelia, Clarkia, Cordylanthus, Dendromecon, Eschscholzia, Eriogonum Hypericum, Lantana, Lupinus, Salvia, Asclepias, Cirsium, Monardella, Keckiella, Acmispon, Euthamia, Ehrendorferia, Vicia, and/or Trichostema) or other suitable habitats, then a qualified biologist approved by CDFW shall prepare a draft survey plan and conduct surveys for Crotch's bumble bee. The survey plan will identify the timing, number, and duration of survey efforts and procedures to follow if Crotch's bumble bee is detected within the Project area. The survey methodology shall generally follow the U.S. Fish and Wildlife Service protocol for the Rusty Patched bumble bee (USFWS 2019). CDFW also recommends completing multiple surveys, coinciding with the peak bloom periods of the plants listed above.

Following the completion of surveys, and no less than 30 days prior to initiation of Project activities, survey results shall be submitted to CDFW for review and comment. If Crotch's bumble bee is detected during surveys, Project activities shall not occur in any occupied habitat areas and the qualified biologist shall immediately notify CDFW.

With the implementation of Mitigation Measure BIO-5, impacts on Crotch's bumble bee would be less than significant.

Birds

There is suitable foraging habitat (a food supply for survival and reproduction), but limited or no nesting habitat (a place that protects predators) to support the Golden Eagle, Swainson's hawk, Prairie Falcon, Cooper's Hawk; therefore, these species are not expected to occupy the site. Loggerhead Shrike was observed adjacent to the Project site and there is suitable for aging and limited nesting habitat to support LeConte's Thrasher. All of these species are protected under the Migratory Bird Treaty Act (MBTA). The MBTA provides that it is unlawful to pursue, hunt, take, capture, kill, possess, sell, purchase, barter, import, export, or transport any migratory bird, or any part, nest, or egg or any such bird unless authorized under a permit issued by the Secretary of the Interior.[81] The following mitigation measure is required to reduce impacts to less than significant.

Mitigation Measure

Mitigation Measure BIO-6. Pre-construction Nesting Bird Survey. Migratory Bird Treaty Act Compliance Methods: *To avoid violation of the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code, site-preparation activities (removal of trees and vegetation) for all projects shall be avoided, to the greatest extent possible, of potentially occurring native and migratory bird species. If site-preparation activities for implementing projects are proposed during the nesting/breeding season (February 1 to August 31), a pre-activity field survey shall be conducted by a qualified biologist prior to the issuance of grading permits for such project, to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone. If active nests are not located within the implementing project site and an appropriate buffer of 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected bird nests (nonlisted), or 100 feet of sensitive or protected songbird nests, construction may be conducted during the nesting/breeding season. However, if active nests are located during the pre-activity field survey, no grading or heavy equipment activity shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected (under MBTA or California Fish and Game Code)*

[81] https://www.fws.gov/law/migratory-bird-treaty-act-1918

bird nests (non-listed), or within 100 feet of sensitive or protected songbird nests until the nest is no longer active.

With the implementation of Mitigation Measure BIO-6, impacts would be less than significant to birds.

Burrowing Owl

There is suitable habitat to support both foraging and nesting for this species. Additionally, an owl was observed north of the Project site during the field surveys. The owl is considered to meet the definition of rare, Threatened, or Endangered in the Project region, therefore, the loss of active nests/burrows would be considered potentially significant. Additionally, nests of this species are protected by the MBTA and *California Fish and Game Code*. The following mitigation measure is required to reduce impacts to less than significant.

Mitigation Measure BIO-7. Burrowing Owl Avoidance and Mitigation Program.

Prior to the issuance of a grading permit, the following text shall be included as a note on the grading plan:

"Burrowing Owl Avoidance and Mitigation Program:

Focused Survey: Prior to any ground disturbance, a survey for potential burrows followed by four breeding season surveys of areas found to have potential for burrowing owl occupation must be conducted in accordance with the Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game, May 7, 2012. The surveys shall include 100 percent coverage of the Project site. A report summarizing the breeding season survey including all requirements for survey reports (page 30 of the 2012 Staff Report) shall be submitted to CDFW for review and approval and an approved copy to the City of Adelanto Development Services Department. If no burrowing owl, active burrowing owl burrows, or sign thereof are found, no further action is necessary.

Avoidance, Minimization, Mitigation Measures: If burrowing owl, active burrowing owl burrows, or sign thereof are found, the qualified biologist shall prepare and implement a plan for avoidance, minimization, and mitigation measures to be reviewed and approved by CDFW prior to commencing Project activities. The plan shall include mitigation for permanent loss of occupied burrow(s) and habitat. The mitigation lands may require habitat enhancements including enhancement or expansion of burrows for breeding, shelter and dispersal opportunity, and removal or control of population stressors. Permanent protection of mitigation land through a conservation easement deeded to a nonprofit conservation organization or public agency with a conservation mission, development and implementation of a mitigation land management plan to address long-term

ecological sustainability and maintenance of the site for burrowing owls, and funding for the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment. The ratio of acquisition to loss must in most cases exceed 1:1 for any species, particularly burrowing owl. The ratio should be higher for rarer species, particularly for those that occupy irreplaceable habitats.

Pre-construction Clearance Survey: To ensure that the Project avoids impacts to burrowing owls, a qualified biologist shall complete a take avoidance survey no less than 14 days prior to initiating ground disturbance activities using the recommended methods described in the 2012 Staff Report. Burrowing owls may re-colonize a site after only a few days. Time lapses between Project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance."

With the implementation of Mitigation Measure BIO-7, impacts would be less than significant.

Mammals

Special Status Bat Species

Three special status bat species have the potential to forage throughout the Project site: pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Corynorhinus townsendii*), and western mastiff bat (*Eumops perosis californicus*).

Bat roosts may be found in many kinds of structures, including attics, warehouses, outbuildings, barns, siding or roofs of houses and other buildings, bridges, parking garages, woodpiles, trees, bat houses. The Project site contains none of the features or structures. As such, these species have the potential to roost on the Project site. Although the Project would permanently impact approximately 133.19 acres of suitable foraging habitat for these species. These impacts would be considered adverse but less than significant because the Project would impact a limited amount of foraging habitat relative to the amount of foraging habitat available for these species in the region. Therefore, no mitigation would be required for the loss of foraging habitat for bats.

Mohave Ground Squirrel

The Project site contains approximately 128.58 acres of suitable habitat (i.e., Joshua tree woodland) for this species and may occur on the Project site. This species is a state-listed Threatened species.

Mitigation Measure

Mitigation Measure BIO-8. Mohave Ground Squirrel Avoidance and Mitigation Program.

Prior to the issuance of a grading permit, the following text shall be included as a note on the grading plan:

"Mohave Ground Squirrel Avoidance and Mitigation Program:

4. *Mojave Ground Squirrel Focused Trapping Survey. Prior to issuance of a grading permit, the Project Applicant shall retain a qualified Biologist to conduct focused trapping surveys for Mohave ground squirrel on the Project site following CDFW (2023c) guidelines; per these guidelines, negative survey results are valid for only the year they are conducted. A Letter Report shall be prepared and submitted to CDFW documenting the results of the survey within 45 days of completion of the survey effort. If no Mohave ground squirrels are observed, no further mitigation shall be required prior to the next active season (i.e., the following March). If construction is not initiated in the season following the focused surveys (i.e., prior to the next active season the following March), the focused surveys shall be updated per CDFW (2023c) protocol requirements.*

5. *Section 2018 Incidental Take Permit. If a Mohave ground squirrel is observed on the Project site, the Project Applicant shall provide a Section 2081 Incidental Take Permit (ITP) from the CDFW for the Mohave ground squirrel prior to the issuance of a grading permit. The Project Applicant or its designee shall provide compensatory mitigation for permanently impacting 133.19 acres of habitat for Mohave ground squirrels. The goal of this mitigation is to ensure no net loss of habitat following implementation of the Project. Mitigation ratios (i.e., the amount of mitigation acreage compared to the amount of impacted habitat) shall be negotiated with CDFW but shall be no less than 1:1, replacing each acre of habitat lost with of an acre of equivalent or higher quality habitat. This mitigation may be in the form of habitat preservation, restoration, enhancement, and/or establishment (i.e., creation). The Project Applicant shall implement one or a combination of these options, as approved by CDFW.*

   Compensatory mitigation may be in the form of permittee-responsible mitigation, in which the permittee maintains liability for the construction and long-term success of the mitigation site or through mitigation banking/in-lieu fee program, where liability for Project success is transferred to a third party (i.e., a mitigation bank/in-lieu fee sponsor). If the Project Applicant elects to provide mitigation through a mitigation banking/in-lieu fee program, the mitigation bank/program shall be selected by the Project Applicant and approved by CDFW, and payment shall be made prior to the issuance of a grading permit.

For permittee-responsible mitigation involving establishment, restoration, or enhancement of habitat, the Project Applicant shall retain a qualified Biologist to prepare a Habitat Mitigation Monitoring Plan (HMMP) to mitigate for loss of Mohave ground squirrel habitat. The HMMP shall be reviewed/approved by the CDFW prior to the issuance of a grading permit. The detailed HMMP shall contain the following items: (1) responsibilities and qualifications of the personnel to implement and supervise the plan, (2) mitigation site selection criteria, (3) site preparation and planting implementation, (4) implementation schedule, (5) maintenance plan/guidelines, (6) monitoring plan, and (7) long-term preservation. The Project Applicant shall implement the Plan as approved.

6. *Construction Avoidance and Minimization Measures: If Mohave ground squirrel is observed, the following avoidance and minimization measures shall be implemented during construction activities.*

    a. ***Biological Monitor**. Prior to the initiation of construction activities, the Project Applicant shall retain a qualified Biologist to oversee compliance with the protection measures for Mohave ground squirrel, and any other special status species. The Biologist shall monitor vegetation clearance and ground-disturbance activities. Once ground disturbance is completed, monitoring shall be conducted at the frequency determined by the Biologist or as specified in the ITP. The Biologist shall have the authority to halt activities that violate measures designated to protect the Mohave ground squirrel or other special status species. Work shall proceed only after hazards to Mohave ground squirrel, and/or other special status species are removed, and the species are no longer at risk. The Biologist shall have in his/her possession a copy of all the compliance measures and permits while work is being conducted on-site.*

    b. ***Worker Environmental Awareness Program Training**. Prior to the initiation of construction activities, and for the duration of construction activities, all new construction workers for the Project shall attend a Worker Environmental Awareness Program (WEAP) training developed and presented by a qualified Biologist. The training shall address Mohave ground squirrel as well as other special status biological resources that may be encountered during construction activities; their legal protections; the definition of "take" under the Endangered Species Act; specific measures that each worker shall employ to avoid taking of the Mohave ground squirrel, and other special status species; reporting requirements; and penalties for violation of the Federal and State Endangered Species Acts. All workers who attend the WEAP training shall sign a training log, which will also be signed by the qualified Biologist conducting the training.*

c. ***Entrapment***. *At the end of each work day, a qualified Biologist shall survey all trenches, bores, and other excavations to ensure no wildlife is trapped; any wildlife observed shall be relocated to a safe area. Only an Authorized Biologist shall handle Mohave ground squirrel (i.e., one approved by CDFW to handle Mohave ground squirrel). Following this final inspection, the Biologist shall ensure that the construction contractor has backfilled or adequately covered all trenches, bores, and other excavations to prevent wildlife from falling into them. If backfilling or covering the trenches, bores, and/or excavations is not feasible, then wildlife escape ramps shall be provided at least every 50 feet. Additionally, any pipes, culverts, or similar structures shall be inspected before the material is moved, buried, or installed.*

d. ***Pets***. *The Project Applicant or its designee shall ensure that no pets are allowed at the construction site.*

e. ***Protection of Wildlife***. *Wildlife shall not be intentionally killed or injured during construction.*

f. ***Pesticides***. *Use of anticoagulant rodenticides (e.g., difenacoum, brodifacoum, bromadiolone difethialone, warfarin, chlorophaninone, and diphacinone) shall be prohibited from being used on the Project site. If rodent control must be conducted, zinc phosphide should be used.*

g. ***Reporting***. *For the duration of construction activities, the Biologist shall complete monitoring forms that shall be summarized into monthly monitoring reports, which shall be provided to the CDFW. The monthly monitoring reports shall document compliance with the mitigation measures and shall include WEAP training logs, and CNDDB forms for any special status species observations. Additionally, the Biologist shall prepare a final report summarizing compliance throughout Project construction.*

With the implementation of Mitigation Measures BIO-8, impacts would be less than significant.

Desert Kit Fox and American Badger

The Project occurs within the range of desert kit fox and American Badger. The Project site contains 133.19 acres of suitable habitat for these species. Additionally, vibration from construction equipment could cause burrows in adjacent habitat to collapse, potentially entombing individuals in their burrows. Individuals could also potentially move through the construction area and be hit by construction vehicles. The loss of habitat would be considered adverse but less than significant because the Project would impact a limited amount of habitat relative to the amount available for these species in the region.

However, the desert kit fox is protected by the *California Fish and Game Code*, which prohibits the taking of individuals of this species. While American badgers are not afforded the same protection under the *California Fish and Game Code*, the measures to protect active desert kit fox dens can also be applied to protect active American badger dens; thus, this species is typically included in measures to protect active dens. The following mitigation measure is required.

Mitigation Measure

Mitigation Measure BIO-9. Pre-construction Desert Kit Fox and American Badger Survey. *Prior to the issuance of a grading permit, the following text shall be included as a note on the grading plan:*

" Pre-Grading Survey. No more than fourteen (14) days and no less than three (3) days prior to the beginning of surface disturbance, the Designated Biologist shall conduct a pre-Project 10-meter transect survey (or reduced based on topography and vegetation), to attain 100% visual coverage within the Project area and a minimum 200-meter buffer to determine the presence or absence of Desert Kit Fox or American Badger individuals, dens, and sign. The permittee shall provide the results of the survey to CDFW prior to the start of Project activities.

If potential dens are located, they shall be monitored by the Designated Biologist. Trail cameras may be used to assist with observation but shall not be the sole basis upon which the status is determined. The permittee shall provide a determination if active dens can be avoided and buffered from Project activities to prevent take and disturbance with the survey results.

Should active dens be present within the Project area that cannot be avoided with an adequate buffer, the Permittee shall reschedule Project activities or submit a monitoring and relocation plan for CDFW's review and approval. No disturbance or relocation of active dens may take place when juveniles are present and dependent on parental care. The permittee shall block off inactive dens within the buffer zone with rocks and sticks to discourage use during Project activities and remove them when construction is complete. The Designated Biologist shall periodically check that the inactive burrows remain blocked and are not reoccupied.

With the implementation of Mitigation Measure BIO-9, impacts would be less than significant.

Level of Significance Before Mitigation

Less than significant.

Mitigation Measures

Mitigation Measures BIO-1 through BIO-9 described above shall apply.

Level of Significance After Mitigation

Less than significant.

Threshold 4.3 – Biological Resources Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				✓

Discussion

The site is separated from identified regional wildlife corridors and linkages by existing development and roadways, and undeveloped land, and there are no riparian corridors or creeks connecting the Project site to these areas.

Level of Significance

No impact.

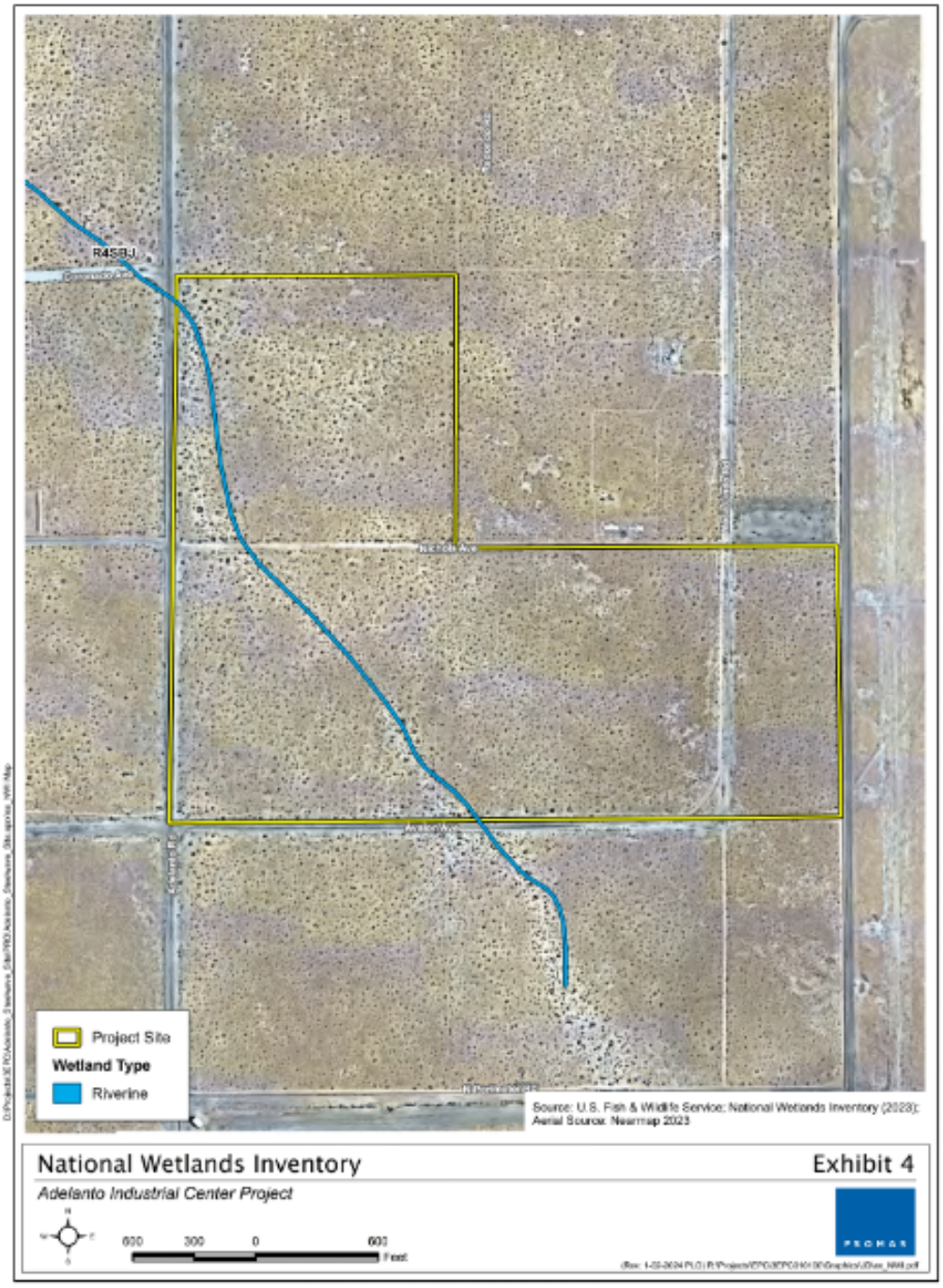
Threshold 4.3 – Biological Resources Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		✓		

Discussion

The entire Project site would be developed to build the Project. A total of approximately 0.183 acre of waters of the State under the regulatory authority of the RWQCB and 0.183 acres of waters under the regulatory authority of the CDFW would be permanently impacted by the Project (**Figure 4.3.4**,

Natural Drainage Courses). This impact would be considered significant. Implementation of Mitigation Measure BIO-10 below would ensure that applicable jurisdictional permits are obtained to mitigate the loss of waters of the State under the jurisdiction of RWQCB and CDFW.

Figure 4.3.4 Natural Drainage Course



Mitigation Measure(s)

Mitigation Measure BIO-10. Regulatory Permits-Jurisdictional Waters.

Prior to the issuance of a grading permit, the following text shall be included as a note on the grading plan and the required approvals from the Water Board and CDFW obtained and presented to the City:

"Regulatory Permits-Jurisdictional Waters. Prior to issuance of grading permits or other permits authorizing ground disturbance (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging), the Project applicant shall obtain all necessary authorizations from the Water Board for discharging fill material into a total of 0.183 acre of ephemeral stream habitat and authorization from the CDFW for discharging fill material into a total of 0.183 acre of ephemeral stream habitat."

MM BIO-10. Mitigation and Monitoring Plan-Jurisdictional Waters.

Prior to the issuance of a grading permit, the following text shall be included as a note on the grading plan and the required approvals from the Water Board and CDFW obtained and presented to the City:

"Prior to issuance of grading permits or other permits authorizing ground disturbance (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging), the applicant shall either purchase agency-authorized mitigation bank credits or prepare a detailed Mitigation and Monitoring Plan-Jurisdictional Waters (MMP) to be submitted to the Lahontan Regional Water Board and CDFW for review and approval as part of the process for obtaining permits from the agencies. The MMP shall address the loss of ephemeral drainage impact due to the proposed project development. The MMP, once implemented, at a minimum shall compensate for impacts to ephemeral drainages at a minimum 1:1 mitigation ratio of 0.183-acre for impacts to Water Board jurisdiction waters and 0.183-acre for impacts to CDFW jurisdictional waters. A copy of the approved MMP shall be provided to the City of Adelanto Community Development Department-Planning Department."

Level of Significance Before Mitigation

Potentially significant.

Mitigation Measures

Mitigation Measures BIO-9 through BIO-10 apply.

Level of Significance After Mitigation

Less than significant.

Threshold 4.3 – Biological Resources Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			✓	

Discussion

The Project site is currently undeveloped and is surrounded by undeveloped land to the north, west, and south; wildlife can currently move throughout the area unrestricted. The Project would permanently impact approximately 133.19 acres of habitat located on the building site area and the adjacent buffer zones, and 41 acres of land for the offsite utility improvement area that wildlife currently moves through, as well as increase nighttime lighting and traffic on surrounding roadways. In a large, open space area with few or no man-made or naturally occurring physical constraints to wildlife movement, wildlife corridors (as defined above) may not yet exist. Given an open space area that is both large enough to maintain viable populations of species and to provide a variety of travel routes (e.g., canyons, ridgelines, trails, riverbeds, and others), wildlife will use these "local" routes while searching for food, water, shelter, and mates and will not need to cross into other large, open space areas. Wildlife movement is currently unconstrained throughout and surrounding the Project area for the building site, except directly to the east, which is fenced for the Southern California Logistics Airport. Large undeveloped areas occur adjacent to the Project site to the north, west, and south. Following the construction of the Project, the habitat on the Project site would no longer be available, but wildlife would be able to use surrounding areas to move throughout the region. The area for the offsite improvements in the immediate vicinity of the building site has similar characteristics as described above. The offsite improvement areas located along Adelanto Road between Avalon El Mirage Road and 360 feet south of Bartlett Avenue (Aztec Road), and along El Mirage Road between Adelanto Road and U.S. 395, are travel routes for motor vehicles and contain marginal habitat, if any. Therefore, the impact on wildlife movement would be considered less than significant, and no mitigation would be required.

Level of Significance

Less than significant.

Mitigation Measures

None required.

Threshold 4.3– Biological Resources Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✓		

Discussion

Please refer to the discussion under Threshold 4.4 (a) regarding Western Joshua trees.

Threshold 4.3 – Biological Resources Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓

Discussion

Regional multiple-species conservation plans offer long-term assurances for the conservation of covered species at a landscape scale, in exchange for biologically appropriate levels of incidental take and/or habitat loss as defined in the approved plan. California's Natural Community Conservation Planning (NCCP) Act (California Fish and Game Code §2800 et seq.) governs such plans at the state level and was designed to conserve species, natural communities, ecosystems, and ecological processes across a jurisdiction or a collection of jurisdictions. Complementary federal Habitat Conservation Plans (HCPs) are governed by the Endangered Species Act (7 U.S.C. §136, 16 U.S.C. §1531 et seq.) (ESA). Regional conservation plans provide conservation for unlisted as well as listed species. According to the California Natural Community Conservation Plans Map

maintained by the California Department of Fish and Wildlife, there are no such plans that encompass the Project site.

Level of Significance

No impact.

4.3.8 General Plan Consistency

The General Plan Conservation and Open Space Element contains the following policies concerning biological resources that apply to the Project.

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Table 4.3.6 General Plan Consistency Analysis- Biological Resources

General Plan Policy	Consistency Determination
OS 2.3 Ensure that new development and major transportation projects minimize encroachment into sensitive desert habitats and minimize direct or indirect impact to sensitive biological resources while optimizing the potential for mitigation.	**Consistent.** With the implementation of Mitigation Measures BIO-1 through BIO-10, the Project is consistent with Policy OS 2.3.
OS 2.1 Survey and map potential habitat for sensitive biological resources, including special-status plant and wildlife species and sensitive natural communities.	**Consistent.** The Project Proponent has prepared the following technical reports required by Policy OS 2.1: • *Biological Resources Technical Report, Adelanto Industrial Center Project Adelanto, California*, Psomas, January 2024. (Appendix C-1 of this EIR). • *Western Joshua Tree Census Report for the Adelanto Industrial Center Project, Adelanto, San Bernardino County, California,* Psomas, January 4, 2024. (Appendix C-2 of this EIR). • *Results of Focused Presence/Absence Survey for Desert Tortoise Survey for the Adelanto Industrial Center Project, City of Adelanto,* San Bernardino County, California, Psomas, January 15, 2024. (Appendix C-3 of this EIR). • *Jurisdictional Delineation Report for the Adelanto Industrial Center Project in San Bernardino County, California, Psomas, January 2024*. (Appendix C-4 of this EIR). • *Habitat Assessment of the Offsite Road And Utilities for the Adelanto Industrial Center Project, City of Adelanto, San Bernardino County, California,* L&L Environmental Inc., February 16, 2024.

4.3.9 Cumulative Impact Analysis

Section 15355[82] of the State CEQA Guidelines defines a cumulative impact as the condition under which "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects."

As noted in the analysis above, twelve sensitive plant species have the potential to occur as shown in **Table 4.3.4,** *Special Status Plants with Potential to Occur on the Project Site,* and fourteen special status wildlife species have the potential to occur as shown in **Table 4.3.5,** *Special Status Wildlife with Potential to Occur on the Project Site.* Additionally, the Project site contains 0.081 acre of drainage features under the jurisdiction of the CDFW and Lahontan RWQCB.

The Project is located in the California Desert Province within the Western Mojave subregion, specifically the City of Adelanto. The Mojave Desert is a large, wedge-shaped basin covering approximately 32 million acres in California, Nevada, Utah, and Arizona. The Great Basin is to the north; the Apache Highlands and Colorado Plateau are to the east; the Colorado Desert, San Gabriel Mountains, and San Bernardino Mountains are to the south; and the Sierra Nevada Mountains and Tehachapi Mountains are to the west.

The Project site is within an area referred to as "the high desert." Elevations in the Project region range from 282 feet below msl in Death Valley to over 11,000 feet above msl in the Spring Mountains of Nevada and the Panamint Range in California. Common vegetation communities in the Mojave Desert include creosote bush scrub, shadscale scrub, alkali sink, and Joshua tree woodland.

The majority (approximately 85 percent) of land in the Mojave Desert is publicly owned, primarily by the State and federal governments. The BLM is the largest land manager, covering approximately 46 percent of the region. Private lands and Native American tribal lands represent approximately 14.7 and 0.43 percent of the region, respectively.

The special status plant and wildlife species located on the Project site are part of a larger ecosystem that covers the high desert region. As stated in the City of Adelanto General Plan EIR: "The context for assessing cumulative impacts to biological resources includes sensitive species and their habitat throughout the Hi-Desert. Future development within the Planning Area and throughout the Hi-Desert will incrementally replace native habitat with rural and urban development. To address the long-term, cumulative loss of sensitive habitat and associated species in the Hi-Desert, the City will continue to implement existing federal and state regulations related

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to species and habitat protection and conservation. Considering the proposed Comprehensive Sustainable Plan's consistency with the existing federal and state regulations, the project's contribution to the long-term loss of sensitive habitat and species will not be considerable. In particular, the Plan provides for the continued protection of habitat for the desert tortoise and other sensitive species through the Desert Living, Open Space, and Greenbelt Corridor land use designations that reserve a substantial portion of the Project Area for undeveloped and low-density developed uses. The Plan will not contribute considerably to impacts to sensitive species or habitat."[83]

General Habitat and Wildlife Loss

Native and non-native vegetation provides valuable nesting, foraging, roosting, and denning opportunities for a variety of wildlife species. The Project would permanently impact approximately 133.19 acres of native vegetation (i.e., Joshua tree woodland) and 1.00 acres of disturbed ground on the Project site. Removing or altering the habitat on the Project site would likely result in the loss of small mammals, reptiles, and other slow-moving wildlife that live in the Project's direct impact area. More mobile wildlife species that are now using the Project site would be forced to move into the remaining areas of open space, which would consequently increase competition for available resources in those areas. This situation would result in the loss of individuals that cannot successfully compete. The loss of native and non-native vegetation that provides wildlife habitat is considered an adverse impact. However, the loss of native and non-native habitat on the Project site would not be expected to reduce populations of common wildlife species below self-sustaining levels in the Project region. Therefore, this impact would be considered adverse but less than significant, and no mitigation would be required. However, several common bird species have the potential to nest in the vegetation or on the ground on the Project site. The loss of an active nest, including nests of common species, would be considered a violation of the MBTA and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code. The MBTA and California Fish and Game Code prohibits the taking of migratory birds, nests, and eggs. The potential loss of an active nest would be considered significant. Implementation of Mitigation Measure BIO-6 would require pre-construction surveys to ensure that construction would not violate the provisions of the MBTA or California Fish and Game Code.

83 Adelanto North 2035 Comprehensive Sustainable Plan EIR, City of Adelanto, March 2014, p. 6-3.

Wildlife Movement

The Project site is currently undeveloped and is surrounded by undeveloped land to the north, west, and south; wildlife can currently move throughout the area unrestricted. The Project would permanently impact approximately 133.19 acres of habitat that wildlife currently moves through. Following the construction of the Project, the habitat on the Project site would no longer be available, but wildlife would be able to use surrounding areas to move throughout the region. Therefore, the impact on wildlife movement would be considered less than significant, and no mitigation would be required.

Compensatory Mitigation for Special Status Plants and Wildlife

Although the Project will result in the loss of 705 Western Joshua trees, 0.081 acres of state jurisdictional waters, the loss 133 acres of foraging or nesting habitat (depending on the type of species), and *potentially* the loss of rare plants, burrowing owl, and Mohave ground squirrel habitat, the Project's incremental contribution to the cumulative loss of these resources would be less than significant with implementation of Mitigation Measures BIO-1 through BIO-10.

These mitigation measures require compensatory mitigation in the form of paying fees to a CDFW-established conservation and mitigation bank(s) that will permanently protect lands that provide mitigation for projects that may impact wetlands, threatened and endangered species, and other sensitive habitats impacted by the Project.

Level of Significance Before Mitigation

Potentially significant

Mitigation Measures

Mitigation Measures BIO-1 through BIO-10.

Level of Significance After Mitigation

Less than significant.

4.4 CULTURAL RESOURCES

4.4.1 Introduction

Cultural resources are defined as buildings, sites, structures, or objects, each of which may have historic, architectural, archaeological, cultural, or scientific importance.[84] Development of land has the potential to result in a substantial adverse change to historic buildings and structures that are noteworthy for their significance in local, state, or national history or culture, or archaeological material remains of human life or activities (e.g. pottery, coins, monuments , writings and paintings on stones or walls , tools, jewelry, bones, leftovers, pieces of metals and other artifacts). A "substantial adverse change" includes demolition, destruction, relocation, or alteration such that the significance of an historical resource would be impaired (PRC § 5020.1(q)). *(Please refer to Section 4.13, Tribal Cultural Resources, for resources that are of cultural value to California Native American tribes).*

4.4.2 NOP Scoping Comments

To initiate the preparation of this EIR, the City of Adelanto released a Notice of Preparation (NOP) for a 30-day comment period starting on December 13, 2023, and ending on January 11, 2024. A NOP is a brief notice sent by the City to notify governmental agencies and the general public that the City commenced preparation of this EIR and to solicit input from those agencies as to the scope and content of the environmental information to be included in the EIR. Additionally, a virtual EIR Scoping Meeting was held on January 9, 2024. There were no comments received during the virtual EIR Scoping Meeting, nor were any letters received specifically addressing cultural resources during the NOP comment period.

4.4.3 Regulatory Framework

The regulatory framework described below is a set of rules and regulations established by the government to regulate activities that impact the environment. There are various roles within all levels of government who are involved in establishing a regulatory framework. Generally, the adoption of laws at the federal or state level set forth the policy for environmental protection. Local agencies can only create rules and regulations if a law has been passed enabling them to do so. The analysis in this section is based on the Project's consistency with the specific regulatory requirements that are directly applicable to the Project as allowed by the enabling law. Additional information about the applicable law(s) are available in Section 8.0, *References*, in this EIR.

[84] CEQA Guidelines Section 15064.5.

Table 4.4.1 Regulatory Framework- Cultural Resources

Regulatory Agency	Regulations
	California Environmental Quality Act (CEQA): CEQA is the primary legal tool used to protect historic resources in California. Historical resources are considered part of the environment and a project that may cause a substantial adverse effect on the significance of a historical resource is a project that may have a significant effect on the environment. The definition of "historical resources" is contained in Section 15064.5 of the CEQA Guidelines, and includes, but is not limited to: Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Public Resources Code Section 5024.1) including the following: (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; (B) Is associated with the lives of persons important in California's past; (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or (D) Has yielded, or may be likely to yield, information important in prehistory or history.
	California Register of Historic Resources: ▪ (Pub. Res. Code § 5024.1, Title 14 CCR, Section 14 CCR, Section 4850 et seq.) regulates object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource. **Unique Archeological Resources:** ▪ Public Resources Code Section 20183.2 regulates unique archaeological resources. A unique archaeological resource is defined as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria: 1) Contains information needed to answer important scientific

Regulatory Agency	Regulations
	research questions and there is a demonstrable public interest in that information; 2) Has a special and particular quality such as being the oldest of its type or the best available example of its type; or 3) Is directly associated with a scientifically recognized important prehistoric or historic event or person. A nonunique archaeological resource is defined as an archaeological artifact, object, or site that does not meet these criteria. A nonunique archaeological resource need be given no further consideration, other than the simple recording of its existence by the lead agency if it so elects.
	California Health and Safety Code: ▪ Section 7050.5 of the California Health and Safety Code provides for the disposition of accidentally discovered human remains. Section 7050.5 states that, if human remains are found, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined the appropriate treatment and disposition of the human remains. ▪ Section 5097.98 of the PRC states that, if remains are determined by the Coroner to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours which, in turn, must identify the person or persons it believes to be the most likely descended from the deceased Native American. The descendants shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

City of Adelanto General Plan

The City of Adelanto area is considered sensitive for previously unrecorded cultural resources. Cultural resources likely to be encountered include prehistoric artifacts, bedrock milling features, and temporary and long-term habitation sites; historical structures, mining features, or artifact scatters; and other historical and prehistoric resource types. The General Plan policies listed below are applicable to Project pursuant to the Open Space and Conservation Element of the General Plan.

Δ OS 10.1 Identify, protect, and minimize impacts to archaeological and paleontological resources.

Δ OS 10.2 Review proposed development for the possibility of cultural resources and for compliance with the cultural resources program.

Table 4.4.2, *General Plan Policy Consistency Analysis-Cultural Resources,* provides a summary of the Project's consistency with these policies.

4.4.4 Environmental Setting

The Project site setting consists of relatively flat, vacant land that is characteristic of the undeveloped portions of the high desert region with small trees, bushes, and plants scattered over exposed dirt and sand. Creosote brush scrub vegetation dominates most of the Project site with smaller portions covered with white bursage brush scrub and disturbed/developed areas (dirt/paved roads). Joshua trees occur throughout the Project site at low densities. Several dirt roads cross the site in north-to south or east-to-west orientations.

Historic Setting

The City of Adelanto was founded in 1915 by E.H. Richardson, the inventor of what became the Hotpoint Electric Iron. He sold his patent and purchased land for $75,000, with a plan to develop one of the first master-planned communities in Southern California. It was Richardson's planning that laid the foundation for what is currently the City of Adelanto. Acre after acre of deciduous fruit trees once grew in the City; however, during the Depression era of the 1930's, many orchards were replaced by poultry ranches. Adelanto continued as a "community services district" until 1970, when the City incorporated, and Adelanto became San Bernardino County's smallest city.

Archaeological Setting

California's southern desert region has a long history of human occupation, with dates of the earliest evidence of settlement appearing during the early Holocene, circa (ca.) 8,000 years B.C. (Moratto 1984:96–97; Sutton et al. 2007:233–237). This now arid desert region includes the Colorado and Mojave Deserts, located east of the Sierra Nevada, Peninsular, and Transverse Ranges. Precontact material culture in this region has been categorized according to periods or patterns that define technological, economic, social, and ideological elements. Within these periods, archaeologists have defined cultural patterns or complexes specific to prehistory within the desert

region, including the Project site. The earliest broadly accepted evidence of human presence in the Mojave Desert is the Clovis Complex (Sutton et al. 2007:233). Clovis populations consisted of small, mobile groups that hunted and gathered near permanent sources of water such as pluvial lakes. Clovis technology included large, lanceolate-shaped bifaces with distinctive fluting, used to thin and flatten the base for hafting. Other tools associated with the Clovis Complex were large side scrapers, blades struck from prepared cores, and a mixture of expedient flaked tools (Justice 2002:73).

4.4.5 Methodology

The methods employed in this analysis are consistent with Section 15064.5 of the CEQA Guidelines with respect to the identification and preservation of cultural resources. The following technical report was used in the analysis:

- *Phase I Cultural Resources Inventory for the Adelanto Industrial Center Project, City of Adelanto, San Bernardino County, California*, Psomas, January 2024. (Appendix D of this EIR).

The format of this report follows an amended version of the Office of Historic Preservation's (OHP's)Archaeological Resource Management Reports (ARMR): Recommended Contents and Format (Office of Historic Preservation 1990) and the City of Adelanto's General Plan.

A cultural resources records search and literature review was conducted on September 11, 2023, at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton. The SCCIC is a designated branch of the California Historical Resources Information System and houses records regarding archaeological and historic resources in Los Angeles, San Bernardino, and Ventura Counties.

Psomas archaeologists Heather Garnett and Domenic Staiti surveyed the 150-acre Project site from September 20 through September 22, 2023. The entire study area was surveyed by walking east-west linear transects spaced no more than 15 meters (49 feet) apart. The archaeologist examined the ground surface for the presence of precontact artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools), historic artifacts (e.g., metal, glass, ceramics), sediment discoloration that might indicate the presence of a cultural midden, and depressions and other features indicative of the former presence of structures or buildings (e.g., post holes, foundations).

4.4.6 Thresholds of Significance

The City of Adelanto relies on Appendix G of the State CEQA Guidelines[85] to determine if a project could have a significant effect on the environment: Appendix G poses the following questions:

[85] https://opr.ca.gov/ceqa/guidelines/

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?

4.4.7 Impact Analysis

Threshold 4.4 –Cultural Resources Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?				✓

Discussion

The South Coast CIC records search identified at least 19 cultural resources have been recorded within a half-mile radius of the Project site. Ten of the cultural resources are precontact or include a precontact component. These include sites with lithic scatters of debitage (discarded debris from the manufacturing stone tools) and isolated finds consisting of ground stone artifacts (manos and metate fragments) and tools (scraper and projectile point fragments). The remaining cultural resources date to the Historic-era (A.D. 1769 – 1961) and include refuse scatters, structural remains, foundations, wells/cisterns, and a military property. Of those 19 cultural resources, none are located within the Project site. Consistent with General Plan Policy OS-10.1 to identify, protect, and minimize impacts to archaeological and paleontological resources.

Level Of Significance

No Impact.

Threshold 4.4 – Cultural Resources Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		✓		

Discussion

The field survey was positive for historic-era archaeological resources. Eleven new archaeological resources were identified in the Project area (1/2-mile radius), consisting of historic food and beverage or aerosol cans and refuse scatters. The recorded resources consist solely of historic-era archaeological resources. Because of their limited data potential and lack of archaeological association/context, the eleven archaeological resources documented within the Project site are not eligible for the CRHR. No precontact and/or ethnographic resources were encountered. Therefore, the Project will not have an adverse effect or significant impact on archaeological resources eligible for listing as a historic property.

Notwithstanding, the Mojave Desert has an extensive history regarding archaeological resources from centuries of human activities; therefore, there is always possibility that archaeological materials, such as historic refuse, undisturbed precontact archaeological sites, fossil localities, or other resources, could be discovered during ground disturbing activities on the property. Therefore, Mitigation Measures CUL-1 and CUL-2 are required.

Level of Significance Before Mitigation

Potentially significant.

Mitigation Measures

Cultural Resources Management Program*. Prior to the issuance of a grading permit, the Project Proponent shall provide evidence to the City of Adelanto Planning Division that a qualified professional archaeologist (Professional Archaeologist) that that meets the Secretary of the Interiors Standards, has been contracted to implement a Cultural Resources Monitoring Program (CRMP). The CRMP shall identify the details of all ground disturbing activities and provides procedures that must be followed to avoid or reduce potential impacts to cultural resources. The CRMP shall address Tribal Cultural Resources Mitigation Measures- Yuhaaviatam of San Manuel Nation (YSMN) and Tribal*

Cultural Resources- Morongo Band of Mission Indians (MBMI), either individually or *collectively, as included in the certified Final EIR under Section 4.13, Tribal Cultural Resources, related to Location and Development Plan (LDP) 23-06.*

Archaeological Monitoring. *Prior to the issuance of a grading permit, the following note shall be placed on the grading plan:*

"*Prior to the issuance of a grading permit, the Property Owner/Developer shall provide a letter from an Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI).stating that the Property Owner/Developer has retained this individual, and that the Archaeologist shall be onsite during all grading and other significant ground-disturbing activities in native sediments. The Archaeologist shall attend the pre-grade conference and shall inform construction personnel of the potential for encountering unique cultural resources and how to identify these resources if encountered. This shall include the provision of written materials to familiarize personnel with the range of resources that might be expected, the type of activities that may result in impacts, and the legal framework of cultural resources protection. All construction personnel shall be instructed to stop work in the vicinity of a potential discovery until the Archaeologist assesses the significance of the find and implements appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed that unauthorized collection of cultural resources is prohibited."*

Mitigation Measure CUL-2. Inadvertent Discovery of Archaeological Resources. *Prior to the issuance of a grading permit, the following note shall be placed on the grading plan:*

"a) In the event that artifacts of Native American origin are discovered, the Property Owner/Developer and Archaeologist shall notify the City of Adelanto and the Yuhaaviatam of San Manuel Nation (YSMN) Cultural Resources Department, and the Morongo Band of Mission Indian (MBMI).

The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA.

b) Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. After analysis and reporting, these artifacts shall be subjected to curation or returned to the Property Owner/Developer, as deemed appropriate.

c) Once ground-altering activities have ceased or the Archaeologist determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to the City of Adelanto.

d) A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all

recovered artifacts. The report and inventory, when submitted to the City of Adelanto, shall signify completion of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the report shall also be filed with the (SCCIC).

Level Of Significance after Mitigation

Less than significant.

Threshold 4.4 – Cultural Resources Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) Disturb any human remains, including those interred outside of dedicated cemeteries?			✓	

Discussion

The Project site does not contain a cemetery and no known formal cemeteries are located within the immediate site vicinity. If human remains are discovered during Project grading or other ground-disturbing activities, the Project would be required to comply with the applicable provisions of California Health and Safety Code §7050.5 as well as Public Resources Code §5097 et. seq.

Level of Significance

Less than significant.

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4.4.8 General Plan Consistency

Table 4.4.2 General Plan Policy Consistency Analysis- Cultural Resources

General Plan Policy	Consistency Determination
OS 10.1 Identify, protect, and minimize impacts to archaeological and paleontological resources.	**Consistent.** The methods employed in this analysis are consistent with Section 15064.5 of the CEQA Guidelines with respect to the identification and preservation of cultural resources. The following technical report was used in the analysis: ▪ *Phase I Cultural Resources Inventory for the Adelanto Industrial Center Project, City of Adelanto, San Bernardino County, California*, Psomas, January 2024. (Appendix D of this EIR).
OS 10.2 Review proposed development for the possibility of cultural resources and for compliance with the cultural resources program.	**Consistent.** Same as above.

4.4.9 Cumulative Impacts Analysis

This analysis considers the cumulative impact of the proposed Project in conjunction with other development projects and planned developments that have been similarly influenced by past cultural activity in the City of Adelanto and the Project region. As mentioned earlier in **Threshold a),** no historic cultural resources are located within the Project site. Thus, the Project's impacts are less than cumulatively considerable in this regard.

As discussed under **Threshold b),** the Project would not have an adverse effect or significant impact on archaeological resources eligible for listing as a historic property. Therefore, the Project's impacts are less than cumulatively considerable. However, there is a possibility that previously undiscovered subsurface archaeological resources may be affected by the proposed Project's development. Other cumulative developments in the region also have the potential to impact archaeological sites or resources, including those buried beneath the ground surface. Consequently, the Project's potential impacts on previously undiscovered archaeological sites or resources could be significant. With implementation of Mitigation Measures CUL-1 and CUL-2, impacts would be less than cumulatively considerable.

Regarding **Threshold c),** mandatory compliance with the provisions of California Health and Safety Code §7050.5 and Public Resources Code §5097 et seq. would ensure that the Project's impacts on

human remains remain below a significant level. As other cumulative developments would also be subject to compliance with California Health and Safety Code §7050.5 and Public Resources Code §5097 et seq., the Project's impacts on human remains are less than cumulatively considerable.

4.4.10 Conclusion

With the implementation of Mitigation Measures CUL-1, and CUL-2, the Project impacts on Cultural Resources would be less than significant.

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4.5 ENERGY

4.5.1 Introduction

Land use projects have the potential to use energy resources such as electricity, natural gas, and vehicle fuels during construction and operations. This section is based on current regulations and primarily based on the CalEEMod data for electricity, natural gas, and transportation prepared to evaluate the potential for Project-related construction and operational activities to result in adverse effects on energy.

4.5.2 Notice of Preparation (NOP) Scoping Meeting Comments

A NOP is a brief notice sent by the City to notify governmental agencies and the general public that the City plans to prepare an EIR. The purpose of the NOP is to solicit input as to the scope and content of the environmental information to be included in the EIR. The NOP for the Project was released for a 30-day comment period started on December 13, 2023, and ended on January 11, 2024. Additionally, a virtual EIR Scoping Meeting was held on January 9, 2024. No comments were received concerning energy.

4.5.3 Regulatory Framework

The regulatory framework described below is a set of rules and regulations established by the government to regulate activities that impact the environment. There are various roles within all levels of government who are involved in establishing a regulatory framework. Generally, the adoption of laws at the federal or state level set forth the policy for environmental protection. Local agencies can only create rules and regulations if a law has been passed enabling them to do so. The analysis in this section is based on the Project's consistency with the specific regulatory requirements that are directly applicable to the Project as allowed by the enabling law. Additional information about the applicable law(s) are available in Section 8.0, *References,* in this EIR.

Table 4.5.1 Regulatory Framework-Energy

Regulatory Agency	Regulations
	California Environmental Quality Act (CEQA): CEQA is the primary legal tool used to protect historic resources in California. Historical resources are considered part of the environment and a project that may cause a substantial adverse effect on the significance of a historical resource is a project that may have a significant effect on the environment. The definition of "historical resources" is contained in Section 15064.5 of the CEQA Guidelines, and includes, but is not limited to: Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Public Resources Code Section 5024.1) including the following: (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; (B) Is associated with the lives of persons important in California's past; (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or (D) Has yielded, or may be likely to yield, information important in prehistory or history.

City of Adelanto General Plan

The General Plan does not set forth specific policies regarding energy impacts that would be applicable to the Project. However, the policies contained in Section 4.7, *Greenhouse Gas Emissions,* address energy conservation related to reducing Greenhouse Gas Emissions that concern the wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

4.5.4 Environmental Setting

The most recent data for California's estimated total energy consumption and natural gas consumption is from 2021, released by the United States (U.S.) Energy Information Administration's (EIA) California State Profile and Energy Estimates in 2023[86] and included:

- As of 2021, approximately 7,359 trillion British Thermal Unit (Btu) of energy was consumed
- As of 2021, approximately 605 million barrels of petroleum
- As of 2021, approximately 2,069 billion cubic feet of natural gas
- As of 2021, approximately 1,322 thousand short tons of coal

The California Energy Commission's (CEC) Transportation Energy Demand Forecast 2018-2030 was released on December 4, 2017, in order to support the 2017 Integrated Energy Policy Report. The Transportation Energy Demand Forecast 2018-2030 lays out graphs and data supporting their projections of California's future transportation energy demand. The projected inputs consider expected variable changes in fuel prices, income, population, and other variables. Predictions regarding fuel demand included:

- Gasoline demand in the transportation sector is expected to decline from approximately 15.8 billion gallons in 2017 to between 12.3 billion and 12.7 billion gallons in 2030, a 20% to 22% reduction. The decline is in response to both increasing electrification of vehicles and higher fuel economy.[87]
- Diesel demand in the transportation sector is expected to rise, increasing from approximately 3.7 billion diesel gallons in 2015 to approximately 4.7 billion in 2030.[87]
- Data from the Department of Energy states that approximately 3.7 billion gallons of diesel fuel were consumed in 2020.[88]

The most recent data provided by the EIA for energy use in California by demand sector is from 2021 and is reported as follows:

- Approximately 38 % transportation
- Approximately 23 % industrial

86 California State Energy Profile: https://www.eia.gov/state/print.php?sid=CA. Retrieved January 28, 2024

87 Transportation Energy Demand Forecast, 2018-2030, November 2017.

88 U.S. Department of Energy, Alternative Fuels Data Center: https://afdc.energy.gov/states/ca. Retrieved January 28, 2024

- Approximately 20 % residential
- Approximately 19 % commercial

Total system electric generation is the sum of all utility-scale, in-state generation, plus net electric imports. In 2021, total system electric generation for California was 277,764 gigawatt hours (GWh), an increase of 2% from 2020. California's electricity in-state generation system generated approximately 194,127 GWh which accounted for approximately 70% of the electricity it uses; the rest was imported from the Pacific Northwest (12%) and the U.S. Southwest (18%). Natural gas is the main source for electricity generation at 50.2% of the total in-state electric generation system power as shown in **0.**[89]

Table 4.5.1 Total Electricity System Power, California 2021

Fuel Type	California In-State Generation (GWh)	Percent of California In-State Generation	Northwest Imports (GWh)	Southwest Imports (GWh)	Total Imports (GWh)	Percent of Imports	Total California Energy Mix	Total California Power Mix
Coal	303	0.2%	181	7,788	7,969	9.5%	8,272	3.0%
Natural Gas	97,431	50.2%	45	7,880	7,925	9.5%	105,356	37.9%
Oil	37	0.0%	-	-	-	0.0%	37	0.0%
Other (waste heat /petroleum coke)	382	0.2%	68	15	83	0.1%	465	0.2%
Nuclear	16,477	8.5%	524	8,756	9,281	11.1%	25,758	9.3%
Large Hydro	12,036	6.2%	12,042	1,578	13,620	16.3%	25,656	9.2%
Unspecified	-	0.0%	8,156	10,731	18,887	22.6%	18,887	6.8%
Total Thermal and Non-Renewables	**126,666**	**65.2%**	**21,017**	**36,748**	**57,764**	**69.1%**	**184,431**	**66.4%**
Biomass	5,381	2.8%	864	26	890	1.1%	6,271	2.3%
Geothermal	11,116	5.7%	192	1,906	2,098	2.5%	13,214	4.8%
Small Hydro	2,531	1.3%	304	1	304	0.4%	2,835	1.0%
Solar	33,260	17.1%	220	5,979	6,199	7.4%	39,458	14.2%
Wind	15,173	7.8%	9,976	6,405	16,381	19.6%	31,555	11.4%
Total Renewables	67,461	34.8%	11,555	14,317	25,872	30.9%	93,333	33.6%
Total System Energy	**194,127**	**100.0%**	**32,572**	**51,064**	**83,636**	**100.0%**	**277,764**	**100.0%**

Source: California Energy Commission: 2021 Total System Electric Generation

An updated summary of, and context for energy consumption and energy demands within the state is presented in "U.S. Energy Information Administration, California State Profile and Energy Estimates, Quick Facts" excerpted below:

[89] California Energy Commission, 2021 Total System Electric Generation: https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2021-total-system-electric-generation

- Total generation for California was 277,764 gigawatt-hours (GWh), up 2%, or 5,188 GWh, from 2020.
- Renewable energy generation increased 3.5% in 2021, up 3,125 GWh to 93,333 GWh from 90,208 GWh in 2020. However, as total system electric generation also increased in 2021, renewable energy accounted for 33.6% of the total system mix - a 0.51% increase from 2020.
- California's non-CO_2 emitting electric generation categories (nuclear, large hydroelectric, and renewables) accounted for 49% of its in-state generation, compared to 51% in 2020. The change is attributable to the continued impacts from California's ongoing drought.
- In-state hydroelectric generation was significantly reduced, some 32% lower than 2020 generation levels, about 6,848 GWh lower.
- Net imports increased by about 2.4% (1,973 GWh) in 2021 to 83,636 GWh, partially offsetting the decreased output from California's hydroelectric power plants.

In 2021, California once again experienced above average temperatures, as did nearly all of the Western U.S. Long-term weather stations reported record warmth in Nevada, Oregon, California, and New Mexico. All western states had stations reporting in the top ten warmest years on record. California experienced the fourth hottest year since year since 1895, as drought conditions continued in the state. As a result, annual in-state hydroelectric generation fell by 32% from 2020 levels to 14,566 GWh. Total hydroelectric generation, including imports, fell by 23% to 28,490 GWh from 37,023 GWh in 2020.

Although as indicated in the table above, California is one of the nation's leading energy-producing states, California's per capita energy use is among the nation's most efficient.

Electricity

Electricity is currently provided to the Project site by Southern California Edison (SCE). The Project site is vacant and undeveloped and does not contain facilities that consume or produce electricity. SCE provides electric power to more than 15 million persons in 15 counties and in 180 incorporated cities, within a service area encompassing approximately 50,000 square miles. Based on SCE's 2020 Power Content Label, SCE derives electricity from varied energy resources including: fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. SCE also purchases from independent power producers and utilities, including out-of-state suppliers.

In 2020 the utility obtained 30.9% of its power supply from renewable sources including 50% and 100% renewable Green Rate options. SCE 2020 Power Content Label,[90] identifies SCE's specific proportional shares of electricity sources in 2020 to include geothermal resources at 5.5%, wind power is at 9.4%, large hydroelectric sources are at 3.3%, solar energy is at 15.1%, and coal is at 0%.

SCE is an investor-owned utility and as such is regulated by the California Public Utilities Commission (CPUC).

Natural Gas

As cited above in the discussion on electricity the Project site is vacant and undeveloped; therefore, there is currently no natural gas consumed or produced on the Project site. The Project does not propose to use natural gas. Therefore, this resource is not analyzed.

Transportation Energy Resources

The Project site is currently vacant and undeveloped and does not generate vehicle trips that would result in the consumption of energy resources. Construction and operation of the Project would generate vehicle trips resulting in the consumption of energy resources, primarily gasoline and diesel fuel which are available commercially for the Project's construction equipment, contractors, employees, on-site equipment, vendors, and trucks.

4.5.5 Methodology

The construction energy use for onsite and offsite construction was calculated using the CalEEMod data (Technical Appendix B-1) for the types and number of equipment and the EMFAC Offroad2021 (v1.0.5) Emissions inventory for fuel consumption rates. Worker and vendor trips were calculated using the CalEEMod data for trips and mileage. The calculated total construction worker miles were then divided by the average rates of 31.22 miles per gallon for automobiles and the average rate of 6.19 miles per gallon for vendor trucks, which was calculated through use of the EMFAC2022 model (included as Appendix B-1) and based on the year 2024.

The operations-related vehicle trips fuel usage was calculated using the CalEEMod data from the Greenhouse Gas Analysis Annual Report (Technical Appendix B-1) for annual vehicle miles traveled. The calculated total operational miles were then divided by the average rates of 31.22 miles per gallon for automobiles and the average rate of 6.19 miles per gallon for trucks, which was calculated through use of the EMFAC2022 model (included as Appendix B-1) and based on the year 2024. The

[90] Southern California Edison 2020 Power Content Label: https://www.energy.ca.gov/filebrowser/download/3902.

operations-related electricity and natural gas usage was calculated from the CalEEMod data. (Technical Appendix B-1).

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4.5.6 Thresholds of Significance

The City of Adelanto relies on Appendix G to the CEQA Guidelines[91] to evaluate the Project's impacts to energy.

According to Appendix F of the CEQA Guidelines, "The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:

(1) decreasing overall per capita energy consumption,

(2) decreasing reliance on fossil fuels such as coal, natural gas and oil, and

(3) increasing reliance on renewable energy sources.

In order to assure that energy implications are considered in project decisions, the CEQA requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy (see Public Resources Code section 21100(b)(3))."

The CEQA Guidelines also pose the following questions with respect to 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?"

4.5.7 Impact Analysis

Threshold 4.5 – Energy Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			✓	

[91] CEQA Guidelines, Appendix G. https://opr.ca.gov/ceqa/guidelines/

Discussion

Construction

During construction of the Project energy consumption would include:

- Fuels to power off-road construction equipment, construction worker trips, and vendor/delivery trips.
- Electricity associated with temporary power for lighting and equipment.
- Energy used in the production of construction materials used on-site.

Fuels usage calculations for the off-road construction equipment, construction worker trips, and vendor/delivery trips are provided in Tables 4.5.2, 4.5.3, and 4.5.4.

Table 4.5.2 Total On-Site Construction Fuel Use

Phase	Equipment Type	Number of Units	Hours/ Day	Total Days	HP	Load Factor	Fuel Consumption/ HP	Fuel Usage Gallons
Site preparation	Tractor/loader/backhoe	6	8	20	75	0.37	0.054	1,439
Site preparation	Rubber tired dozer	6	8	20	450	0.40	0.047	812
Grading	Grader	8	8	40	230	0.41	0.052	12,553
Grading	Tractor/loader/backhoe	2	8	40	75	0.37	0.054	959
Grading	Rubber tired dozer (Tier 3)	4	8	40	450	0.48	0.047	12,995
Grading	Rubber tired dozer (Tier 4)	4	8	40	450	0.40	0.047	10,829
Grading	Rubber tired loader	1	8	40	75	0.36	0.050	432
Grading	Excavator	4	8	40	172	0.38	0.051	4,267
Grading	Off Highway Trucks (Tier 3)	2	8	40	300	0.37	0.049	3,481
Grading	Off Highway Trucks (Tier 4)	2	8	40	850	0.38	0.049	10,129
Building Construction	Forklifts	6	8	180	160	0.20	0.050	13,824
Building Construction	Generator Sets (Tier 2)	2	8	180	58	0.74	0.050	6,180
Building Construction	Cranes	4	7	180	387	0.29	0.054	30,545
Building Construction	Welders	4	8	180	46	0.45	0.050	5,962
Building Construction	Tractor/loader/backhoe	6	8	180	75	0.37	0.054	12,947
Building Construction	Generator Sets (Tier 4)	2	8	180	46	0.74	0.050	4,902
Paving	Pavers	4	8	110	173	0.42	0.052	13,300
Paving	Paving Equipment	4	8	110	89	0.36	0.051	5,752
Paving	Rollers (Tier 3)	2	8	110	137	0.38	0.053	4,856
Paving	Rollers (Tier 4)	2	8	110	131	0.38	0.053	4,643
Architectural Coating	Air compressors (Tier 2)	3	6	90	132	0.48	0.050	5,132
Architectural Coating	Air compressors (Tier 4)	4	8	90	132	0.48	0.050	9,124
TOTAL ON-SITE CONSTRUCTION FUEL USE								**175,063**

Table 4.5.3 Total Off-Site Construction Fuel Use

Phase	Equipment Type	Number of Units	Hours /Day	Total Days	HP	Load Factor	Fuel Consumption /HP	Fuel Usage Gallons
Road & Utility Sub Grade	Rubber tired loader	2	8	200	241	0.37	0.050	14,267
Road & Utility Sub Grade	Tractor/loader/backhoe (Tier 3)	1	8	200	70	0.41	0.037	1,699
Road & Utility Sub Grade	Tractor/loader/backhoe (Tier 4)	1	8	200	70	0.37	0.037	1,533
Roadway Paving	Pavers	4	8	135	81	0.42	0.052	7,642
Roadway Paving	Paving Equipment	4	8	135	89	0.36	0.051	7,059
Roadway Paving	Rollers	4	8	135	36	0.38	0.053	3,132
TOTAL OFF-SITE CONSTRUCTION FUEL USE								**35,332**

Table 4.5.4 Total Construction Worker and Vendor/Delivery Fuel Use

Phase	Trip Type	One-way Trips /Day	Miles / Trip	Total Days	Total Miles	Miles / Gallon	Diesel Fuel Usage Gallons	Gasoline Usage Gallons
Site preparation	Worker	30	18.5	20	11,100	31.22	-	356
Grading	Worker	62.5	18.5	40	46,250	31.22	-	1,481
Building Construction	Worker	1,043	18.5	180	3,473,190	31.22	-	111,249
Building Construction	Vendor	407	10.2	180	747,252	6.19	120,719	-
Paving	Worker	30	18.5	110	61,050	31.22	-	1,955
Architectural Coating	Worker	209	18.5	90	347,985	31.22	-	11,146
Road & Utility Sub Grade	Worker	37.5	18.5	200	138,750	31.22		4,444
Roadway Paving	Worker	30	18.5	135	74,925	31.22		2,400
TOTAL CONSTRUCTION WORKER & VENDOR FUEL USE							**102,719**	**133,031**

The US Department of Energy Alternative Fuel Data Center indicates that the State usage of diesel fuel is approximately 3,742,092,255 gallons per year and the usage of gasoline is approximately 12,728,519,477 gallons per year.[92] Based on the calculations for the Project construction fuel usage presented in Figures 4.5.2, 4.5.3, and 4.5.4 the Project will use an estimated 313,114 gallons of diesel fuel which represents 0.008% of the State's annual diesel use and 133,031 gallons of gasoline which represents 0.001% of the State's annual gasoline use.

Construction activities related to the proposed Project are not expected to result in a greater demand for energy use than other development projects of the same size and magnitude in Southern California. As discussed in Section **Error! Reference source not found.**, **Error! Reference source not found.** above, CCR Title 13 §2449(d)(3) requires limits to idling times of construction vehicles and engines to no more than 5 minutes, thereby precluding unnecessary and wasteful

[92] DOE Alternative Fuel Data Center accessed: https://afdc.energy.gov/states/ca

consumption of energy resources due to excessive and unproductive idling of construction equipment and engines.

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

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

Operation

During operations, the Project would generate demand for electricity and fuels (gasoline and diesel) for motor vehicle trips. Operational use of energy includes the heating, ventilation, air conditioning, and lighting, water heating, operation of electrical systems and plug-in appliances within buildings, parking lot and outdoor lighting, and the transport of electricity and water. These uses of energy are typical for urban development, and no operational activities or land uses would occur that would result in extraordinary energy consumption.

Operational Transportation Energy

The operations-related vehicle trips fuel usage was calculated using the CalEEMod data (Technical Appendix B-1) and for annual vehicle miles traveled, which determined that operation of the proposed Project would generate 105,158,604 vehicle miles traveled per year from autos and would generate 32,819,522 vehicle miles traveled per year from trucks The calculated total operational miles were then divided by the average rates of 31.22 miles per gallon for automobiles and the average rate of 6.19 miles per gallon for trucks, which was calculated through use of the EMFAC2022 model (included as Technical Appendix B-1) and based on the year 2024. Based on this information, the operation of automobiles related to the Project would consume 3,368,309 gallons per year, and trucks would consume 5,302,023 gallons per year. The total petroleum use from operation of the proposed Project would be 8,670,332 gallons per year.

Operational Electricity Use

The operations-related electricity usage was calculated from the CalEEMod data (Technical Appendix B-1) and determined operation of the Project would consume the following electricity:

- Unrefrigerated Warehouse #1 – 9,243,773 kWh/year

- Unrefrigerated Warehouse #2 – 4,721,810 kWh/year

Based on the above, it is anticipated that the proposed Project would utilize 13,965,583 kWh per year of electricity.

Operational Natural Gas Use

The proposed Project has committed to all electric facilities and will not be constructing the infrastructure to bring natural gas to the site.

Energy Efficiency Analysis

This project is implementing a number of voluntary strategies to reduce the amount of greenhouse gas emissions associated with the construction and operation of the buildings. Some these items include:

- Providing all-electric buildings, with no natural gas lines brought to the site. GHG-PDF-1
- Optimizing the design the buildings. GHG-PDF-3 & 4

The project will be providing a design that goes beyond the minimum requirements of the building codes. The project design optimizations include:

- Improved building envelope design
- Higher efficiency lighting fixtures. GHG-PDF-5
- Installing more on-site renewable energy than required. GHG-PDF-2

Additionally, the project includes Air Quality and Greenhouse Gas PDFs and MMs that will reduce the Project's energy consumption that include:

- Reducing truck idling to no more than 3 minutes and turning off engines when not in use. AQ-PDF-1, 3, & 6.

Level of Significance

The use of energy is typical for urban development, no operational activities or land uses would occur that would result in extraordinary energy consumption, and City permitting would assure that existing regulations related to energy efficiency and consumption, such as Title 24 regulations and CCR Title 13 Section 2449(d)(3) related to idling, would be implemented. **Therefore, impacts related to operational energy consumption would be less than significant.**

Mitigation Measures

The Project's impacts are less than significant; therefore, no mitigation measures are required.

Level of Significance After Mitigation

Less than significant.

Threshold 4.5 – Energy Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			✓	

Discussion

As described under Threshold 4.5 a), the proposed Project would be required to meet the CCR Title 24 energy efficiency standards in effect during permitting of the Project. These regulations include but are not limited to the use of energy efficient heating and cooling systems, water-conserving plumbing, and water-efficient irrigation systems. Energy-saving and sustainable design features and operational programs would be incorporated into the Project as per CALGreen. Prior to the issuance of the building permit the Project's facility energy efficiencies would be documented as part of the City's development review process. The City as part of the Project review will assess the design components and energy conservation measures during the permitting process, which ensures that all requirements are met, and the Project is in compliance with the City's General Plan energy efficiency requirements.

Additionally, regulatory measures, standards, and policies directed at reducing air pollutant emissions and GHG emissions would also act to promote energy conservation and reduce Project energy consumption such as the limits imposed by CCR Title 13, §2449(d)(3) on idling. Also, the Project would not conflict with or obstruct opportunities to use renewable energy, such as solar energy. Based on the preceding the proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Level of Significance

As shown above, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and **impacts would be less than significant.**

Mitigation Measures

The Project's impacts are less than significant; therefore, no mitigation measures are required.

Level of Significance After Mitigation

Less than significant.

4.5.8 Cumulative Impact Analysis

This cumulative impact analysis considers the development of the Project in conjunction with other development projects and planned development projects within the City.

All development projects throughout the region would be required to comply with all federal, state, and local regulatory measures in effect at the time of review regarding energy efficiency. With implementation of the existing energy conservation regulations, cumulative electricity and natural gas consumption would not be cumulatively wasteful, inefficient, or unnecessary.

Fuel consumption associated with the proposed uses and cumulative development projects would be primarily attributable to transportation, especially vehicular use. However, state fuel efficiency standards and alternative fuels policies would contribute to a reduction in fuel use. As such the consumption of petroleum fuels would not occur in a wasteful, inefficient, or unnecessary manner and impacts would be less than cumulatively considerable.

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4.6 GEOLOGY AND SOILS

4.6.1 Introduction

This section focuses on any significant environmental effects the Project might cause or exacerbate by bringing development and people into the area that is subject to risks from earthquakes and unstable geologic conditions such as liquefaction, collapse, landslides, lateral spreading or subsidence. It also examines impacts from soil erosion, building on expansive soils, or impacts to paleontological resources**.**

4.6.2 NOP Scoping Comments

A Notice of Preparation (NOP) is a brief notice sent by the City to notify governmental agencies and the general public that the City plans to prepare an EIR. The purpose of the NOP is to solicit input from those agencies as to the scope and content of the environmental information to be included in the EIR. The NOP for the Project was released for a 30-day comment period starting On December 13, 2023, and ending on January 11, 2024.

Additionally, a virtual EIR Scoping Meeting was held on January 9, 2024. No comments were received during the NOP public comment period, nor were any comments made during the EIR Scoping Meeting that pertain to geology and soils.

4.6.3 Regulatory Framework

The regulatory framework described below is a set of rules and regulations established by the government to regulate activities that impact the environment. There are various roles within all levels of government who are involved in establishing a regulatory framework. Generally, the adoption of laws at the federal or state level set forth the policy for environmental protection. Local agencies can only create rules and regulations if a law has been passed enabling them to do so. The analysis in this section is based on the Project's consistency with the specific regulatory requirements that are directly applicable to the Project as allowed by the enabling law. Additional information about the applicable law(s) are available in Section 8.0, *References*, in this EIR.

The environmental impacts issues addressed in this section include earthquake hazards, soil erosion, and paleontological resources.

Earthquake Hazards

While the major responsibility for dealing with earthquakes before and after they happen is firmly fixed with local government, state government also has fundamental responsibilities to take all

reasonable measures to reduce the seismic hazards to which the citizens of California are exposed. The primary regulatory framework related to earthquake hazards is described below.

Table 4.6.1 Regulatory Framework-Geology and Soils

Regulatory Agency	Regulations
nehrp	**The National Earthquake Hazards Reduction Program (NEHRP).** The National Earthquake Hazards Reduction Act of 1977 established the National Earthquake Hazards Reduction Program (NEHRP) which sets forth a national model building codes in the U.S., which regulate the design, construction, alteration and maintenance of buildings and other structures, are adopted and enforced by state, local, tribal and territorial jurisdictions. Since its inception, the NEHRP Provisions has sought to provide nationwide consistency in seismic code regulations while accounting for varying seismicity and different approaches for designing new buildings and other structures.[93]
THE GREAT SEAL OF THE STATE OF CALIFORNIA	**California Earthquake Hazards Reduction Act of 1986 (Government Code §8870, et seq.):** The Earthquake Hazards Reduction Act calls for a coordinated state program to implement new and expanded activities to significantly reduce earthquake threat. The program is coordinated by California Seismic Safety Commission includes the necessary steps to promote the implementation of earthquake hazard reduction measures by Federal, State, and local governments, national standards and model building code organizations, architects and engineers, and others with a role in planning and constructing buildings and lifeline infrastructure.[94] **Alquist-Priolo Earthquake Fault Zoning Act:** The Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. Before issuing building permits, cities and counties must require a geologic investigation to ensure that proposed buildings will not be constructed across active faults. Proposed building sites must be evaluated by a licensed geologist. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault. Because the Project is not located near an Alquist-Priolo fault, the regulations do not apply. **The Seismic Hazards Mapping Act (SHMA) of 1990 (Public Resources Code, Chapter 7.8, Section 2690-2699.6)** Directs the Department of Conservation, California Geological Survey to identify and map areas prone to earthquake hazards of liquefaction, earthquake-induced landslides and amplified ground shaking. The purpose of the SHMA is to reduce the threat to public safety and to minimize the loss of life and property by identifying and

[93] FEMA, *Seismic Building Codes in the U.S., A Thirty-Five Year Retrospective of NEHRP Provisions* at: https://www.nibs.org/files/pdfs/FEMA_NEHRP_Provisions-35-yea.pdf
[94] *2009 California Government Code - Section 8871-8871.5 :: Chapter 12.1. The California Earthquake Hazards Reduction Act* at: https://law.justia.com/codes/california/2009/gov/8871-8871.5.html

Regulatory Agency	Regulations
	mitigating these seismic hazards. The SHMA was passed by the legislature following the 1989 Loma Prieta earthquake.
	California Building Standards Code (Title 24): The California Building Code (CBC) contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. CBC provisions provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures and certain equipment.
	City of Adelanto: **Earthquake Hazards: Issuance of grading and building permits.** All structures built in the City are required to be developed in compliance with the CBC (California Code of Regulations, Title 24, Part 2), which is adopted as City of Adelanto Municipal Code Chapter 15.04. Compliance with the CBC would require proper construction of building footings and foundations so that it would withstand the effects of potential ground movement, including liquefaction. **Soil Erosion and Loss of Top Soil.** Adelanto Municipal Code Chapter 15.06.110, National Pollutant Discharge Elimination System Compliance, implements the requirements of the California Regional Water Quality Control Board (RWQCB) National Pollutant Discharge Elimination System (NPDES) Storm Water Permit Order No. R8-2002-0011 (MS4 Permit) which establishes minimum stormwater management requirements and controls that are required to be implemented for the Project. **Paleontological Resources:** Requirements for paleontological resource management are included in the PRC Division 5, Chapter 1.7, Section 5097.5, and Division 20, Chapter 3, Section 30244.

City of Adelanto General Plan Public Health and Safety Element

The Public Health and Safety Element of the General Plan describes potential hazards, including: "any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence; liquefaction; and other seismic hazards.

Δ HS 1.2 Enforce the most recent building codes governing seismic safety and structural design to minimize damage from earthquakes.

Δ OS 10.1 Identify, protect, and minimize impacts to archaeological and paleontological resources.

Table 4.6.2, *General Plan Policy Consistency Analysis-Geology and Soils,* provides a summary of the Project's consistency with these policies.

Adelanto Municipal Code

As stated in Adelanto Municipal Code Section 14.12.010 A., Adoption and Amendment, *"The Adelanto Municipal Code hereby adopts and incorporates by reference the 2022 California Building Code published by the California Building Standards Commission and to be codified in California Code of Regulations Title 24, Part 2, as modified and amended in this Section and including Appendices A (Employee Qualifications), C (Agricultural Buildings), G (Flood-Resistant Construction), H (Signs), I (Patio Covers), and J (Grading)."*

Soil Erosion and Loss of Top Soil

Municipal Code Chapter 17.93.010

The purpose of this chapter is to eliminate and prevent accelerated erosion that has led to, or could lead to, degradation of water quality, loss of fish habitat, damage to property, loss of topsoil and vegetation cover, disruption of water supply, increased danger from flooding and the deposition of sediments and associated nutrients.

Paleontological Resources

Public Resources Code (PRC) Section 5097.5

Requirements for paleontological resource management are included in the PRC Division 5, Chapter 1.7, Section 5097.5, and Division 20, Chapter 3, Section 30244, which states: No person shall

knowingly and willfully excavate upon, or remove, destroy, injure or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor. These statutes prohibit the removal, without permission, of any paleontological site or feature from lands under the jurisdiction of the state or any city, county, district, authority, or public corporation, or any agency thereof. As a result, local agencies are required to comply with PRC 5097.5 for their own activities, including construction and maintenance, as well as for permit actions (e.g., encroachment permits) undertaken by others. PRC Section 5097.5 also establishes the removal of paleontological resources as a misdemeanor and requires reasonable mitigation of adverse impacts to paleontological resources from developments on public (state, county, city, and district) lands.

As enabled by the laws described in **Table 4.6.1** above, the City has oversight responsibility and can issue permits if the Project meets the established regulations. **Table 4.6.1**, *Regulatory Framework- Geology and Soils,* identifies the permits that are, or may be required, by the applicable regulatory agencies.

4.6.4 Environmental Setting

Regionally, the site is located in the Mojave Desert Geomorphic Province of California. The following discussion regarding the Geomorphic Province is from the California Geological Survey Note 36. The Mojave Desert is a broad interior region of isolated mountain ranges separated by expanses of desert plains. It has an interior enclosed drainage and many playas. There are two important fault trends that control topography: a prominent northwest-southeast trend and a secondary east-west trend, in apparent alignment with the Transverse Ranges Geomorphic Province on the southwestern side of the Mojave Desert. The Mojave Province is wedged in a sharp angle between the Garlock Fault which is the southern boundary of the Sierra Nevada Province, and the San Andreas Fault where it bends east from its northwest trend. The northern boundary of the Mojave is separated from the prominent Basin and Range Province by the eastern extension of the Garlock Fault. The site is located southeast of the Garlock Fault and north of the San Andreas Fault.

The majority of the City is situated on gently sloping alluvial fans ranging in elevation from approximately 3,500 feet near the southerly border and approximately 2,600 feet along the Mojave River to the east. One of the most prominent features in the area is the Mojave River, a wide floodplain along the eastern boundary of the City.

The geological character of the City and the surrounding region has been formed by its proximity to large active fault systems, including the Helendale Fault, San Andreas Fault, and the North

Frontal Fault. The mountains are composed of rocks that have been sheared and intensely fractured under the strain of tectonic movement. The valley is formed by many generations of overlapping alluvial fans, the various ages of which coincide with the rise of the local mountains.

Locally, the site is located on alluvial deposits that consist of light tan to white to brown, dry, medium dense to dense, silty sands and sands.

4.6.5 Methodology

The basis for this information in the evaluation of the Geology and Soils analysis was found though Subsurface Explorations, Field Percolation Testing, and Laboratory Testing.

The subsurface conditions were evaluated through seven (7) borings at the site. The borings were to a maximum depth of 21.5 feet below the existing grade.

Laboratory tests were performed on selected samples obtained during the borings to aid in soil classification and evaluate the engineering properties of the foundation soils. The laboratory tests were conducted in accordance with American Society for Testing and Materials (ASTM) standards and included in-situ moisture and density, direct shear, consolidation, and corrosion testing.

4.6.6 Thresholds of Significance

Section VII of Appendix G to the CEQA Guidelines addresses typical adverse effects due to geological conditions and includes the following threshold questions to evaluate the Project's impacts resulting from geologic or soil conditions.

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)?

ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction?

iv) Landslides?

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

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?

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

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?

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

4.6.7 Impacts Analysis

Threshold 4.6 – Geology and Soils Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
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.				✓

Discussion

Alquist-Priolo earthquake fault zones are regulatory zones surrounding the surface traces of active faults in California. A trace is a line on the earth's surface defining a fault. Wherever an active fault exists, if it has the potential for surface rupture, a structure for human occupancy cannot be placed

over the fault and must be a minimum distance from the fault (generally 50 feet).[95] According to The California Geological Survey's Earthquake Hazards Zone Application (EQ Zapp), the Project site is not located within an Alquist-Priolo Earthquake Fault zone.[96] Further, the soil report identified that no active faults are mapped on site, and no faults were identified during the field survey, included as Appendix F. Based on the preceding analysis, **the Project is consistent with General Plan Policy HS 1.1.**

As discussed above, there are no Alquist-Priolo fault zones in the City of Adelanto. Therefore, the Project would result no impact.

Level of Significance

Less than significant.

Threshold 4.6 – Geology and Soils Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
ii) Strong seismic ground shaking?			✓	

Discussion

The Project site is in a seismically active area of Southern California and is expected to experience moderate to severe ground shaking during the lifetime of the Project. The nearest faults to the Project site are the North Frontal and the Helendale-So Lockhart fault system located 17.5 and 11.6 miles from the Project site respectively (Appendix F).As a mandatory condition of Project approval, the Project would be required to construct the proposed structures in accordance with the seismic design criteria mandated by the Adelanto Municipal Code Title 14, Buildings and Construction. The purpose of this Title is, in part, to provide minimum standards to safeguard life or property by stipulating building and foundation requirements to withstand earthquakes. **The Project is consistent with General Plan Policy HS 1.2.**

95 https://www.conservation.ca.gov/cgs/alquist-priolo

96 https://maps.conservation.ca.gov/geologichazards/#dataviewer, accessed December 10, 2023.

Level of Significance

Less than significant.

Threshold 4.6 – Geology and Soils Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
iii) Seismic-related ground failure, including liquefaction?			✓	

Discussion

According to the California Geological Survey's Earthquake Hazards Zone Application (EQ Zapp), the Project site is not located in a liquefaction zone.[97] The preliminary soils report concludes that due to the Project not being located within a zone required for investigation of liquefaction as well as the lack of shallow ground water, the liquefaction potential at the site is low. Notwithstanding, the Project would be required to comply with Development Code §16.04.050.02 (A)(1), Soils Engineering Report, which includes data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures, design criteria for corrective measures and other data required by the Building Official. Based on the preceding analysis, **the Project is consistent with General Plan Policy HS 1.2.**

Level of Significance

Less than significant.

[97] https://maps.conservation.ca.gov/geologichazards/#dataviewer, accessed December 10, 2023.

Threshold 4.6 – Geology and Soils Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
iv) Landslides?				✓

Discussion

The site is relatively flat and is not adjacent to any slopes or hillsides that could be potentially susceptible to landslides. Additionally, the Project's Soils Report (Appendix F) a review of geologic maps, literature, topographic maps, aerial photographs, and subsurface evaluations, no landslides or related features underlie or are adjacent to the site. Based on the preceding analysis, the **Project is consistent with General Plan Policy HS 1.2.**

Level of Significance

Less than significant.

Threshold 4.6 – Geology and Soils Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?			✓	

Discussion

The Project will not result in substantial soil erosion or the loss of topsoil, because the site will be paved and landscaped after it is developed. To control soil erosion during construction, the Project proponent is required to comply with Chapter 17.93.050 - Erosion and Sediment Control, of the Adelanto Municipal Code, which serves to implement the National Pollutant Discharge Elimination System requirements applicable to the Project area and prepare a Storm Water Pollution Prevention Plan (SWPPP). In addition, a Water Quality Management Plan (WQMP) is required that addresses post-construction soil erosion. Preparation and implementation of these plans is a mandatory requirement. The Project is also required to comply with MDAQMD rules relating to dust

control. Rules such as MDAQMD Rule 403 Fugitive Dust Control, will be implemented to protect water quality.

The SWPPP will identify potential sources of erosion and sedimentation loss of topsoil during construction and identify erosion control measures to reduce or eliminate the erosion and loss of topsoil, such as the use of silt fencing, fiber rolls, or gravel bags, stabilized construction entrance/exit, and hydroseeding.

Post construction, much of the site will be covered with paving, structures, and landscaping, which will reduce soil erosion. As detailed in Threshold 4.9 (a), Hydrology and Water Quality, stormwater will be controlled using two detention/infiltration basins designed to implement water quality and flood control requirements. **Based on the preceding analysis, the Project is consistent with General Plan Policy HS 1.2.(**Also see analysis under Section 4.9, *Hydrology and Water Quality*.)

Level of Significance

Less than significant.

Threshold 4.6 – Geology and Soils Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
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?			✓	

Discussion

Landslide/Lateral Spreading

Lateral spread or flow are terms referring to landslides that commonly form on gentle slopes and that have rapid fluid-like flow movement, like water. All the land within the Project site is relatively flat and, according to the County of San Bernardino Hazard Maps, is not located in areas prone to landslides, and thus there are no slopes that may contribute to lateral spreading. Additionally, the Project's Soils Report (Appendix F) a review of geologic maps, literature, topographic maps, aerial photographs, and subsurface evaluations, no landslides or related features underlie or are adjacent to the site.

Subsidence

Subsidence is the downward movement of the ground caused by the underlying soil conditions. Certain soils, such as clay soils, are particularly vulnerable since they shrink and swell depending on their moisture content. Subsidence is an issue if buildings or structures sink, which causes damage to the building or structure. Subsidence is usually remedied by excavating the soil the depth of the underlying bedrock and then recompacting the soil so that it can support buildings and structures.

Liquefaction or Collapse

Liquefaction may occur during seismic ground shaking of relatively loose, granular soils that are saturated or submerged; this can cause soils to liquefy and temporarily behave as a dense fluid.

Collapse occurs in saturated soils in which the space between individual particles is filled with water. This water exerts a pressure on the soil particles that influences how tightly the particles themselves are pressed together. The soils lose their strength beneath buildings and other structures. Based on the California Geological Survey, the site is not mapped within a zone of potentially liquefiable soils. Based on borings taken during the soil survey, it is estimated that groundwater is at a depth of greater than 21.5 feet below existing grade. The site is also not included within the San Bernardino County Geologic Hazards Maps as being located within an area with a liquefaction hazard. Liquefaction is not considered to be a hazard at the subject site due to the great depth to groundwater (greater than 21.5 feet) and the current geologic hazard mapping. As such, impacts would be less than significant, and no impacts related to subsidence, liquefaction, and collapse will occur through compliance with the California Building Standards Code also known as California Code of Regulations Title 24. **Based on the preceding analysis, the Project is consistent with General Plan Policy HS 1.2.**

Level of Significance

Less than significant.

Threshold 4.6 – Geology and Soils Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
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?			✓	

Discussion

Expansive soils generally consist of clay that tends to expand (increase in volume) as it absorbs water, and it will shrink (lessen in volume) as water is drawn away. According to the Natural Resources Conservation Service, United States Department of Agriculture, Web Soil Survey, the Project site primarily consists of soils classified as Cajon Sand (57%) and Bryman Loamy Fine Sand (43%).[98]

Clay soils are generally classified as "expansive." This means that a given amount of clay will tend to expand (increase in volume) as it absorbs water, and it will shrink (lessen in volume) as water is drawn away. The Cajon and Bryman series of soils consists of very deep, moderately well drained soils that formed in mixed alluvium dominantly from granitic sources. The Project's Soils Report determined that the soils encountered near the ground surface at the site exhibit low expansion potential. Notwithstanding, the Project would be required to comply with Adelanto Municipal Code §16.04.050, which sets forth the procedures governing the requirements for soils reports, which includes data regarding the nature, distribution, and strength of existing soils, conclusions and recommendations for grading procedures, design criteria for corrective measures and other data required by the Building Official. **Based on the preceding analysis, the Project is consistent with General Plan Policy HS 1.2.**

Level of Significance

Less than significant.

Threshold 4.6 – Geology and Soils Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
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?				✓

[98] Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Available online at the following link: http://websoilsurvey.sc.egov.usda.gov/. Accessed January 2, 2024.

Discussion

The Project does not propose the use of septic tanks or alternative wastewater disposal systems. The Project would install domestic sewer infrastructure and connect to the City of Adelanto's sewer conveyance and treatment system.

Level of Significance

No impact.

Threshold 4.6 – Geology and Soils Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		

Discussion

Paleontological resources are the preserved fossilized remains of plants and animals. Fossils and traces of fossils are preserved in sedimentary rock units, particularly fine- to medium-grained marine, lake, and stream deposits, such as limestone, siltstone, sandstone, or shale, and in ancient soils. They are also found in coarse-grained sediments, such as conglomerates or coarse alluvium sediments. Fossils are rarely preserved in igneous or metamorphic rock units. Fossils may occur throughout a sedimentary unit and, in fact, are more likely to be preserved subsurface, where they have not been damaged or destroyed by previous ground disturbance, amateur collecting, or natural causes such as erosion.

The property is situated in the Mojave Desert geomorphic province. The Mojave Desert province is a wedge-shaped area that is enclosed on the southwest by the San Andreas fault zone, the Transverse Ranges province, and the Colorado Desert province, on the north and northeast by the Garlock fault zone, the Tehachapi Mountains and the Basin and Range province, and on the east by the Nevada and Arizona state lines, and the Colorado River. The area is dominated by broad alluvial basins that are mostly aggrading surfaces that are receiving non-marine continental deposits from the adjacent upland areas. More specific to the subject property, the site is in an area geologically mapped to be underlain by Quaternary Alluvium. Alluvium is deposited as lakes, playas, and terraces and has the potential to contain paleontological resources. Therefore, Mitigation Measures GEO-1 and GEO-2 are required.

Level of Significance Before Mitigation

Potentially significant.

Mitigation Measures

GEO-1: **Inadvertent Discovery of Paleontological Resources.** If paleontological resources are encountered during implementation of the Project, (including areas impacted by off-site street improvements, ground-disturbing activities will be temporarily redirected from the vicinity of the find. A qualified paleontologist (the "Project Paleontologist") shall be retained by the developer to make an evaluation of the find. If the resource is significant, Mitigation Measure GEO-2 shall apply.

GEO-2: **Paleontological Treatment Plan.** If a significant paleontological resource(s) is discovered on the property,(including areas impacted by off-site street improvements), in consultation with the Project proponent and the City, the qualified paleontologist shall develop a plan of mitigation which shall include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation in the find a local qualified repository, and preparation of a report summarizing the find.

Level of Significance After Mitigation

With the implementation of Mitigation Measures GEO-1 and GEO-2, impacts are less than significant regarding paleontological resources. Based on the preceding analysis, the Project is consistent with General Plan Policy OS 10.1.

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4.6.9 General Plan Consistency

Table 4.6.2 General Plan Policy Consistency Analysis- Geology and Soils

General Plan Policy	Consistency Determination
HS 1.2 Enforce the most recent building codes governing seismic safety and structural design to minimize damage from earthquakes.	**Consistent.** As a mandatory condition of Project approval, the Project would be required to construct the proposed structures in accordance with the seismic design criteria mandated by the Adelanto Municipal Code Title 14, Buildings and Construction.
OS 10.1 Identify, protect, and minimize impacts to archaeological and paleontological resources.	**Consistent.** With the implementation of Mitigation Measures GEO-1 and GEO-2, impacts are less than significant regarding paleontological resources.

4.6.10 Cumulative Impact Analysis

There are no Alquist-Priolo fault zones in the City of Adelanto. Therefore, the Project would not result in a cumulatively considerable impact.

The risk from strong seismic ground shaking is not considered substantially different than that of other similar properties in the Southern California area. As noted above, as a mandatory condition of Project approval, the Project, as well as other projects in the region, would be required to construct the proposed structures in accordance with the seismic design criteria mandated by the California Building Code. Thus, the Project's impact would not be cumulatively considerable.

Liquefaction pertains to effects on the proposed development project site and are specific to conditions found on that property. They are not influenced or exacerbated by geologic or soil hazards that may exist on other off-site properties. Given the site-specific nature of these potential hazards and the measures taken to address them, there is no direct or indirect connection to similar potential issues or cumulative effects on other properties.

Landslides pertains to effects on the proposed development project site and are specific to conditions found on that property. They are not influenced or exacerbated by geologic or soil hazards that may exist on other off-site properties. Given the site-specific nature of these potential hazards and the measures taken to address them, there is no direct or indirect connection to similar potential issues or cumulative effects on other properties.

Regulatory requirements mandate that the Project include design measures during construction and long-term operation to prevent significant erosion impacts. Other development projects near the Project site would also be subject to these same regulatory requirements, ensuring that

substantial adverse water and wind erosion impacts are avoided. Since both the Project and other projects within the cumulative study area must comply with similar mandatory regulations to control erosion hazards during construction and long-term operation, the Project's impacts associated with wind and water erosion hazards would not be cumulatively considerable.

Liquefaction, landslides, and expansive soils pertain to effects on the proposed development project site and are specific to conditions found on that property. They are not influenced or exacerbated by geologic or soil hazards that may exist on other off-site properties. Given the site-specific nature of these potential hazards and the measures taken to address them, there is no direct or indirect connection to similar potential issues or cumulative effects on other properties.

All new development in the area would be in compliance with the recommendations in the geotechnical investigation applicable to each project, and each design consistent with the CBSC. Therefore, the Project's impacts would not be cumulatively considerable.

As discussed above, the on-site soils have low expansion potential, and the Project would comply with the CBSC and local regulations. Expansive soils pertain to effects on the Project site and are specific to conditions found on that property. They are not influenced or exacerbated by expansive soils that may exist on other off-site properties. Given the site-specific nature of expansive soils hazards and because all new development in the area would be in compliance with the recommendations in the geotechnical investigation applicable to each project, the Project's impacts would not be cumulatively considerable.

Because the Project does not propose the use of a septic system, there is no cumulative impact.

This cumulative impact analysis takes into account the proposed Project's development in conjunction with other projects and planned developments in the vicinity of the Project site that may potentially disturb paleontological resources. Generally, impacts relating to paleontological resources are site-specific and are addressed on a case-by-case basis. Therefore, while there is a potential impact on a specific site, it would typically be limited to that site or its immediate surrounding area. Additionally, Mitigation Measure MM GEO-1 and MM GEO-2 would ensure that any paleontological impacts specific to the Project are minimized to an insignificant level. Although there may be situations where a paleontological resource extends across multiple properties, there are no adjacent projects that could potentially affect unknown paleontological resources beneath the project site. Therefore, the Project's impacts would not be cumulatively considerable.

4.7 Greenhouse Gas Emissions

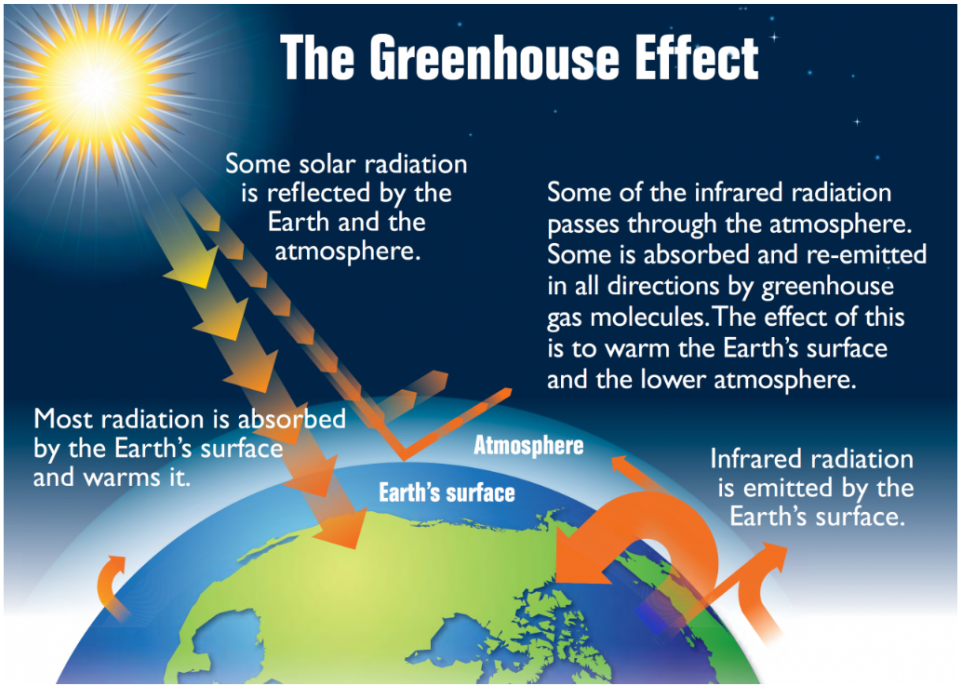
4.7.1 Introduction

Greenhouse Gases and Climate Change

Greenhouse gases (also known as GHGs) are gases in the earth's atmosphere that trap heat. During the day, the sun shines through the atmosphere, warming the earth's surface. At night, the earth's surface cools, releasing heat back into the air. Some of the heat is trapped by the greenhouse gases in the atmosphere. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. The emission of GHGs through the combustion of fossil fuels (i.e., fuels containing carbon) in conjunction with other human activities, contributes to global warming.

Figure 4.7.1 below shows how greenhouse gases effect climate change according to the United States Environmental Protection Agency.[99]

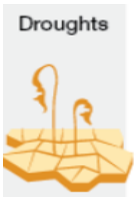
Figure 4.7.1 How Greenhouse Gases Effect Climate Change



[99] Basics of Climate Change, United States Environmental Protection Agency. Available at: https://www.epa.gov/climatechange-science/basics-climate-change#greenhouse. Accessed February 16, 2024.

The greenhouse effect helps trap heat from the sun, which keeps the temperature on earth comfortable. But people's activities are increasing the amount of heat-trapping greenhouse gases in the atmosphere, causing the earth to warm up.

Table 4.7.1 Impacts of Climate Change on California

	Of the twenty largest wildfires ever recorded in California, nine occurred in 2020 and 2021. The worst wildfire season in California's recorded history was in 2018, with over 24,226 structures damaged or destroyed and over 100 lives lost. The largest wildfire season ever recorded in state history was in 2020, where more than 4.3 million acres burned, albeit at different intensity and with varying ecological impacts, and over 112 million metric tons of carbon dioxide (CO2) emitted into the atmosphere[100]
	Drought is a recurring feature of the California climate that has been intensified by increasingly warmer average temperatures. Anthropogenic climate trends have exacerbated drought conditions; human-caused climate change accounts for 19 percent of drought severity and 42 percent of the soil moisture deficit in this region since 2000.[101]
	California's hottest summer on record was 2021.42 Death Valley recorded the world's highest reliably measured temperature (130°F) in July 2021[102]. : the daily maximum average temperature, an indicator of extreme temperature shifts, is expected to rise 4.4°F–5.8°F by 2050 and 5.6°F–8.8°F by 2100.[103]

Source: California Air Resources Board, *2022 AB32 Scoping Plan,* pps. 15-19. Available at: https://ww2.arb.ca.gov/sites/default/files/2023-04/2022-sp.pdf.

[100] CARB. 2020. Public Comment Draft Greenhouse Gas Emissions of Contemporary Wildfire, Prescribed Fire, and Forest Management Activities. https://ww3.arb.ca.gov/cc/inventory/pubs/ca_ghg_wildfire_forestmanagement.pdf
[101] CARB Scoping Plan https://ww2.arb.ca.gov/sites/default/files/2023-04/2022-sp.pdf

[102] Masters, J. 2021. Death Valley, California, breaks the all-time world heat record for the second year in a row. Yale Climate Connections. https://yaleclimateconnections.org/2021/07/death-valley-californiabreaks-the-all-time-world-heat-record-for-the-second-year-in-a-row/.
[103] Governor's Office of Planning and Research (OPR), CEC, and CNRA. 2018. California's Fourth Climate Change Assessment. Page 23. https://www.energy.ca.gov/sites/default/files/2019-11/Statewide_ReportsSUM-CCCA4-2018-013_Statewide_Summary_Report_ADA.pdf

4.7.2 Notice of Preparation (NOP) and Scoping Meeting Comments

A NOP is a brief notice sent by the City to notify governmental agencies and the general public that the City plans to prepare an EIR for the Project. The purpose of the NOP is to solicit input as to the scope and content of the environmental information to be included in the EIR. The NOP for the Project was released for a 30-day comment period started on December 13, 2023, and ended on January 11, 2024. Additionally, a virtual EIR Scoping Meeting was held on January 9, 2024.

Comments were received from the California Air Resources Board (CARB), and the State Attorney General's Office (State AG) during the NOP public comment period. The letter from CARB commented on the need for a Health Risk Assessment which was addressed in the Air Quality Section. The State AG comment on the need to address mitigation and business management practices (BMPs) to address GHG emissions from the project which have been addressed in this section.

4.7.3 Regulatory Framework

There are numerous federal and state laws, regulations, and policies that have been established to address GHG emissions. The analysis in this section is based on the Project's consistency with the regulatory requirements that are directly applicable to the Project. Further information on the overarching regulatory framework (i.e. federal and state laws, regulations, and policies), is available in section 8, References.

The specific regulations used to analyze the impacts related to GHG emissions generated by the Project are derived from the California Air Resources Board, the California Energy Commission, the California Green Building Commission, the Mojave Desert Air Quality Management Plan, and the City of Adelanto as shown on **Table 4.7.2**, *Regulatory Framework-Greenhouse Gas Emissions*, below.

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Table 4.7.2 Regulatory Framework-Greenhouse Gas Emissions

Regulatory Agency	Regulations
	2022 Scoping Plan for Achieving Carbon Neutrality, (AB 32 Scoping Plan). On December 15, 2022, the California Air Resources Board (CARB) approved the Final 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan) which lays out a path to achieve targets for carbon neutrality and reduce anthropogenic greenhouse gas (GHG) emissions by 85% below 1990 levels no later than 2045, as directed by Assembly Bill 1279.
	2022 Building Energy Efficiency Standards for Residential and Nonresidential Buildings. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions[104].
	2022 California Green Building Standards Code:The California Green Building Standards Code (CCR Title 24, Part 11 code) commonly referred to as the CALGreen Code. The CALGreen standards require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality.
	Mojave Desert Air Quality Management District. The MDAQMD's CEQA and Federal Conformity Guidelines (February 2020) indicate that any projects in the MDAB with daily regional emissions that exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact.
	City of Adelanto General Plan. Contains transportation and land use-related actions to reduce vehicle-related GHG emissions throughout the region. The General Plan policies applicable to the Project are listed below. City of Adelanto Zoning Ordinance: contains the following provisions that serve to reduce sources of GHG emissions. Chapter 10.36-Trip Reduction and Travel Demand Management; Section 10.40- Electric Vehicle Charging Stations; Chapter 17.60-Landscaping/Water Conservation; and Chapter 17.67-Trip Reduction.

[104] California Energy Commission, *Building Efficiency Standards*, Title 24, part 6, California Code of Regulations. https://www.energy.ca.gov/publications/2022/2022-building-energy-efficiency-standards-residential-and-nonresidential

City of Adelanto General Plan

The City of Adelanto General Plan sets forth the following policies regarding greenhouse gas emission impacts that are most relevant to the Project:

LC 3.2 Accommodate industrial, logistics, and warehousing uses to complement the SCLA in the Airport Development District, Business Park District, and Light Manufacturing District East. Ensure the sustainable concepts and practices described in Policy OS 3.2, OS 3.5, OS 4.5, OS 6.1, OS 6.2, OS 6.3, OS 8.2, OS 9.1 are implemented.

OS 3.2 Encourage new warehousing, manufacturing, industrial, and large commercial retail buildings to be designed to accommodate future rooftop solar panel systems.

OS 3.5 Require all new development to provide site design and building orientation that take into account passive solar design to reduce heating and cooling loads through energy-efficiency strategies.

OS 4.5 Provide for recycled water distribution by requiring recycled water dual piping in new developments, retrofitting existing landscaped areas, and constructing recycled water pumping stations and transmission mains to reach areas far from the treatment plants.

OS 6.1 Pursue efforts to reduce air pollution and greenhouse gas emissions by promoting the use of renewable energy (e.g., solar and wind power), and implement effective energy conservation and efficiency measures.

OS 6.2 Integrate air quality planning with land use, economic development, and transportation planning.

OS 6.3 Require projects that generate potentially significant levels of air pollutants and odors to incorporate the most effective air quality mitigation into project design, as feasible.

OS 8.2 Reduce greenhouse gas emissions caused from the use of electricity and natural gas by residential, commercial, industrial, and municipal buildings.

OS 9.1 Encourage and support green building principles in Adelanto.

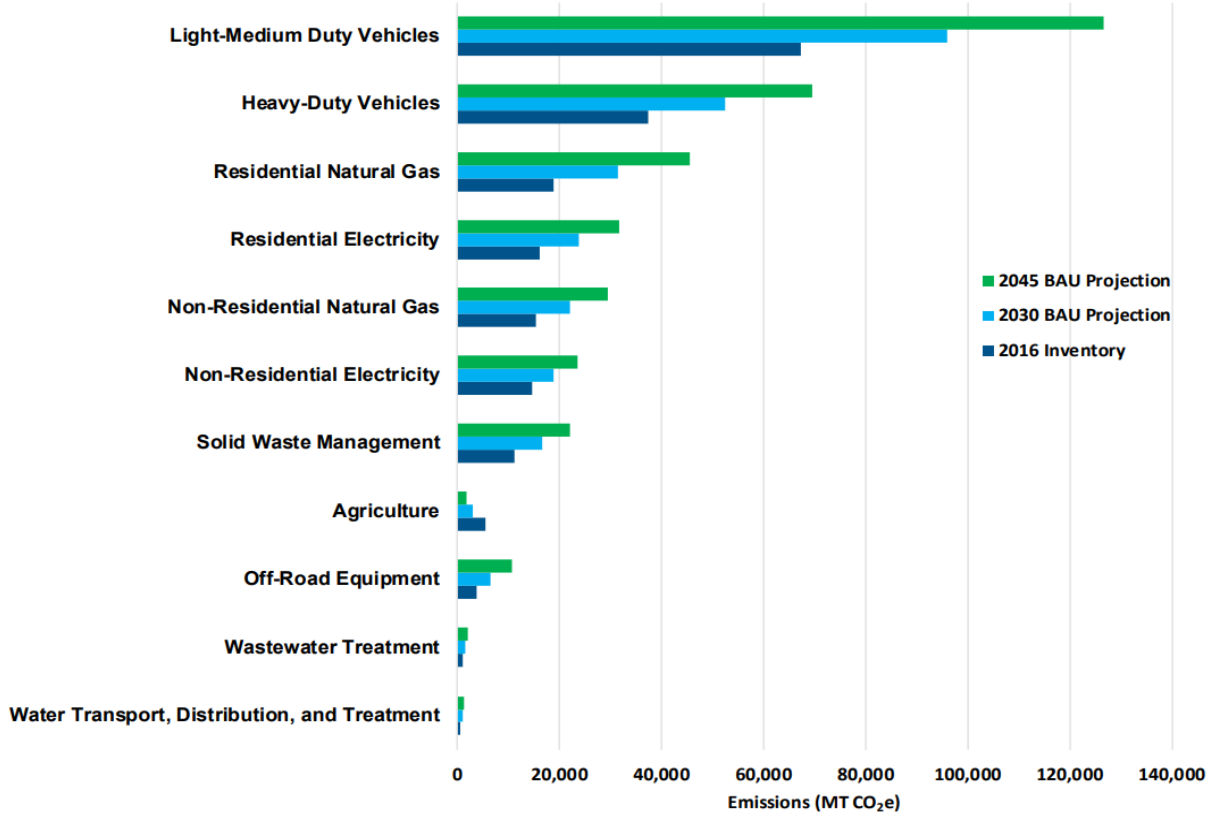
Consistency with the above described policies is discussed in Table 4.7.9. *General Plan Policy Consistency-Greenhouse Gas Emissions* on page 242.

4.7.4 Environmental Setting

GHG Emissions in Adelanto

The San Bernardino County Transportation Authority (SBCTA,) adopted the *San Bernardino County Regional Greenhouse Gas Reduction Plan*[105] in March 2021 (GHG Plan). The GHG Plan compiled an inventory of GHG emissions for 25 Partnership Jurisdictions (which included Adelanto). The GHG Plan identified the primary sources of GHG emissions in Adelanto as on-road transportation (55%), building energy (34%), and waste (6%).

Figure 4.7.2 Adelanto GHG Emissions by Sector for 2016

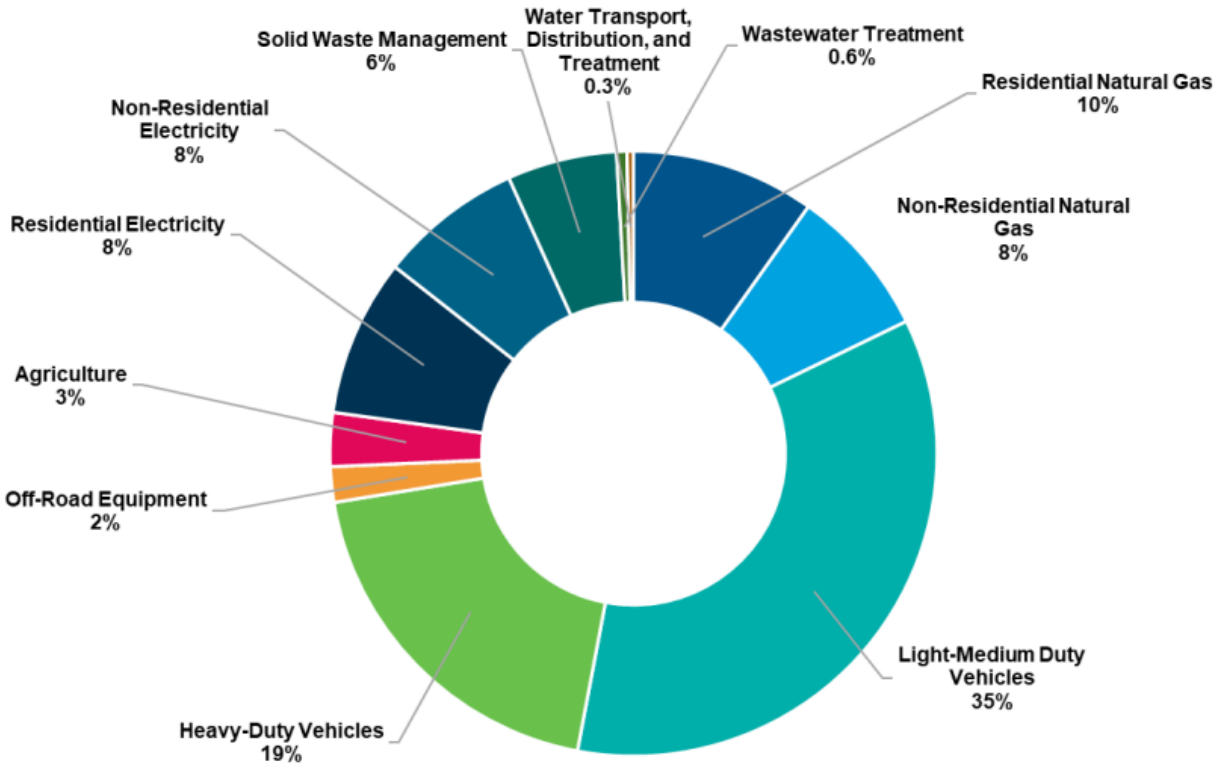


Source: *San Bernardino County Regional Greenhouse Gas Reduction Plan* Figure 3-1a. n, Adelanto GHG Emissions by Sector for 2016.

[105] https://www.gosbcta.com/plan/regional-greenhouse-gas-reduction-plan/

The GHG Plan also projected the amount of GHG emissions for Adelanto for 2030 and 2045 as shown on Figure 4.7.3.

Figure 4.7.3 Adelanto GHG Emissions by Sector for 2016, 2030, 2045



Source: GHG Plan, Figure 3-1b. Adelanto GHG Emissions by Sector for 2016, 2030, 2045.
https://www.gosbcta.com/wp-content/uploads/2019/09/San_Bernardino_Regional_GHG_Reduction_Plan_Appendices_Mar_2021.pd

As shown on **Figure 4.7.2** and **Figure 4.7.3** above, automobiles and trucks produce the highest percentage of GHG emissions in the City (44%).

4.7.5 Methodology

The EIR uses the following methodology to analyze the Project's impacts from GHG emissions *as* required by CEQA Guidelines §15064.4: *Determining the Significance of Impacts from Greenhouse Gas Emissions:*

"*15064.4(b). In determining the significance of a project's greenhouse gas emissions, the lead agency should focus its analysis on the reasonably foreseeable incremental contribution of the project's emissions to the effects of climate change. A project's incremental contribution may be cumulatively considerable even if it appears relatively small compared to statewide, national or global emissions. The agency's analysis should consider a timeframe that is appropriate for the project. The agency's analysis also must reasonably reflect evolving scientific knowledge and state regulatory schemes. A lead agency should consider the following factors, among others, when determining the significance of impacts from greenhouse gas emissions on the environment:*

(1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;
(2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
(3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions (see, e.g., section 15183.5(b).)"

The analysis in this EIR demonstrates a good faith effort, based on the extent possible from scientific and factual data, to describe, calculate, or estimate the amount of GHG emissions from a project. (CEQA Guidelines, § 15064.4, subd. (a).)

The methodology follows these primary steps:

Step 1: Quantify the Project's GHG Emissions.

Step 2: Compare GHG Emissions to Thresholds of Significance

Step 3: Apply GHG Reduction Measures Above Code Requirements

Step 4. Determine Level of Significance

Each of these steps is discussed in more detail below.

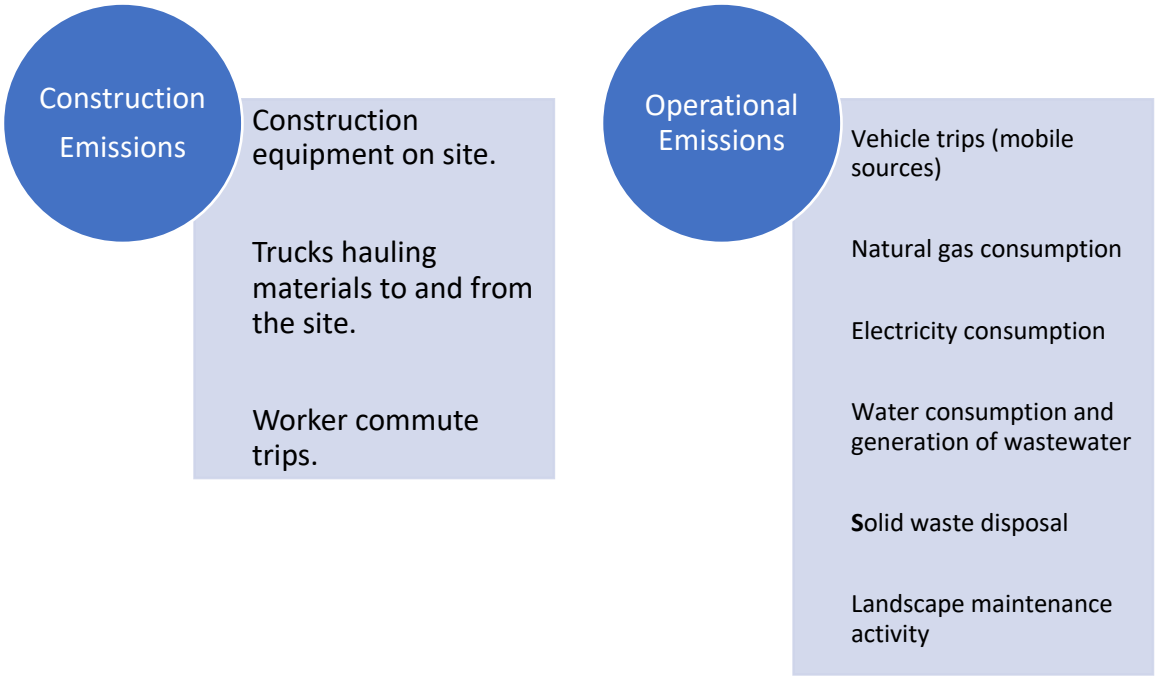
Step 1. Quantify the Project's Baseline GHG Emissions

As stated in CEQA Guidelines §15064.4 (c) *"A lead agency may use a model or methodology to estimate greenhouse gas emissions resulting from a project. The lead agency has discretion to select*

the model or methodology it considers most appropriate to enable decision makers to intelligently take into account the project's incremental contribution to climate change. The lead agency must support its selection of a model or methodology with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use".

The following GHG emission sources were modeled as shown on **Figure 4.7.4,** *Type of Construction and Operational GHG Emissions Modeled.*

Figure 4.7.4 Type of Construction and Operational GHG Emissions Modeled



The GHG emissions for the Project will be quantified using the California Emissions Estimator Model (CalEEMod), which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify potential GHG associated with both construction and operations emissions.

Step 2. Compare GHG Emissions to Thresholds of Significance

According to CEQA Guidelines §15064.4, when making a determination of the significance of greenhouse gas emissions, the "lead agency shall have discretion to determine, in the context of a particular project, whether to use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use." Moreover, CEQA Guidelines §15064.7(c) provides that "a lead agency may consider thresholds of significance previously

adopted or recommended by other public agencies or recommended by experts" on the condition that "the decision of the lead agency to adopt such thresholds is supported by substantial evidence."

The Mojave Desert Air Quality Management District (MDAQMD) has developed regional significance thresholds for regulated pollutants. The MDAQMD's *CEQA and Federal Conformity Guidelines* (February 2020) indicate that any projects in the MDAB with daily regional emissions that exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact.

Currently neither the CEQA statutes, OPR guidelines, nor the draft proposed changes to the CEQA Guidelines prescribe thresholds of significance or a particular methodology for performing an impact analysis; as with most environmental topics, significance criteria are left to the judgment and discretion of the Lead Agency. The MDAQMD has identified thresholds of 100,000 tons per year (90,718 $MTCO_2e$/year) or 548,000 pounds per day of CO_2e emissions for individual projects.

However, the 100,000 MT/year CO_2e threshold is more conducive to a large point sources emitter and not a logistics/warehouse project. Therefore, the City of Adelanto has opted to apply the South Coast Air Quality Management District (SCAQMD) Tier 3 GHG threshold.

> "*Tier 3. Numerical Screening Threshold: If GHG emissions are less than the numerical screening level threshold, project-level and cumulative GHG emissions are less than significant. For projects that are not exempt or where no qualifying GHG reduction plans are directly applicable, SCAQMD requires an assessment of GHG emissions. SCAQMD, under Option 1, is proposing a "bright-line" screening level threshold of 3,000 metric tons (MT) of CO2e (or MT CO2e) per year (or MT CO2e/year) for all land use types or, under Option 2, the following land use-specific thresholds: 1,400 MT CO2e commercial projects; 3,500 MT CO2e for residential projects; or 3,000 MT CO2e for mixed-use projects. This bright-line threshold is based on a review of the OPR database of CEQA projects. Based on their review of 711 CEQA projects, 90 percent of CEQA projects would exceed the brightline thresholds identified above. Therefore, projects that do not exceed the bright-line threshold would have a nominal and therefore less than cumulatively considerable impact on GHG emissions."*[106]

[106] SCAQMD

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

Additionally, the City did not opt to apply s "net zero" emission threshold, because as stated by the California Air Resources Board (CARB):

> "*Achieving net zero increases in GHG emissions, resulting in no contribution to GHG impacts, may not be feasible or appropriate for every project, however, and the inability of a project to mitigate its GHG emissions to net zero does not imply the project results in a substantial contribution to the cumulatively significant environmental impact of climate change under CEQA. Lead agencies have the discretion to develop evidence-based numeric thresholds (mass emissions, per capita, or per service population) consistent with this Scoping Plan, the State's longterm GHG goals, and climate change science. (Page 101.)"*[107]

Step 3. Apply GHG Emission Reduction Measures Beyond Code Requirements

The CalEEMod program will be used to quantify reduction measures, PDFs, and MMs, provided a selection is available in the Measures section of the program. For reductions that can not be performed using CalEEMod manual calculations will be used if available to quantify reduction levels. If quantification is not available either through CalEEMod or using acceptable manual calculations the reduction measures will be noted in Table 4.7-5 without reducing the GHG emissions of the Project.

Step 4. Determine Level of Significance

CEQA Guidelines §15126.4, subd. (a)(1).) requires that an EIR describe feasible measures that could minimize significant adverse impacts. The CEQA Guidelines require that the formulation of mitigation measures shall not be deferred until some future time. Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. (CEQA Guidelines, § 15126.4, subd. (a)(2).)

[107] California Air Resources Board – 2017 Scoping Plan Supplemental Responses to Comments Document, p.15. https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2008-scoping-plan-documents

4.7.6 Thresholds of Significance

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?

4.7.7 Impacts Analysis

Threshold 4.7 – Greenhouse Gas Emissions Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	✓			

Discussion

Construction Emissions Summary

The estimated maximum daily construction emissions without mitigation are summarized on **Table 4.7.3**. For construction related Project GHG emissions the GHGs are quantified using CalEEMod and amortized over the life of the project. The MDAQMD recommendation is to amortize using a 30-year project life.

Table 4.7.3 Construction Greenhouse Gas Emissions

Source		GHG Emissions MT/yr.		
	N_2O	CO_2	CH_4	CO_2e
Construction 2024	0.08	1,696	0.06	1,721
Construction 2025	0.15	3,080	0.10	3,131
Total Construction	**0.23**	**4,776**	**0.16**	**4,852**
Significance Threshold	Metric Tons / Year			3,000
Exceed Threshold?				**NO**

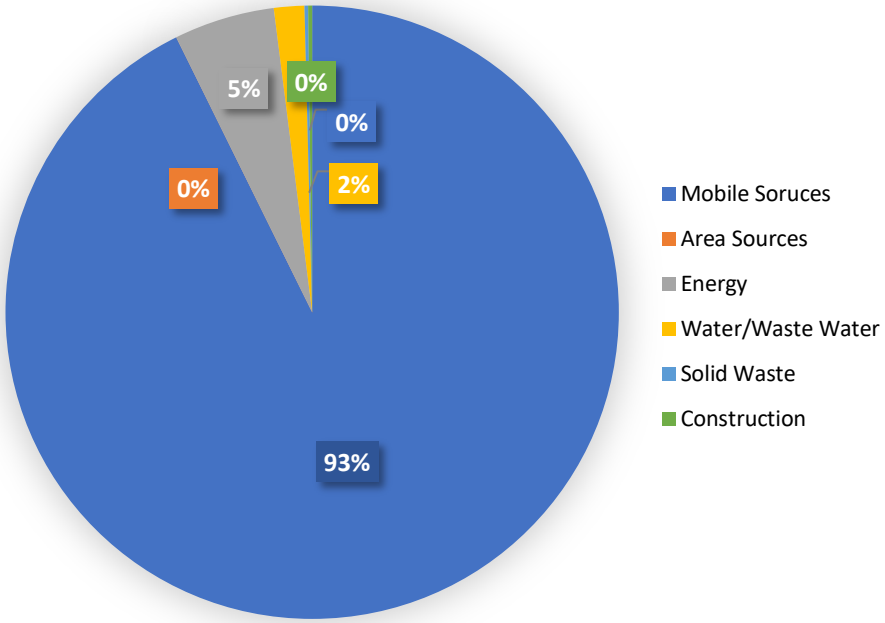
Table 4.7.4 Operations Baseline (Unmitigated)Greenhouse Gas Emissions (Annual)

Source	GHG Emissions (metric tons per year)			
	N_2O	CO_2	CH_4	CO_2e
Mobile Sources	6.04	67,353	1.19	69,286
Area	<0.005	36.3	<0.005	36.4
Energy	0.05	6,078	0.56	6,105
Water/Wastewater	0.45	708	18.7	1,311
Solid Waste	0.00	208	20.8	729
Yard Trucks	0.01	1,627	0.07	1,633
30-year Amortized Construction GHG				162
Total	metric tons per year			**79,262**
Significance Threshold	metric tons per /year			3,000
Exceed Threshold?				**YES**

Table 4.7.5 Operations Project Mitigated Greenhouse Gas Emissions (Annual)

Source	GHG Emissions (metric tons per year)			
	N_2O	CO_2	CH_4	CO_2e
Mobile Sources	6.04	67,353	1.19	69,286
Area	-	-	-	-
Energy	0.05	3,969	0.38	3,992
Water/Wastewater	17.2	649	0.41	1,200
Solid Waste	0.00	41.7	0.00	146
Yard Trucks	0.01	1,627	0.07	1,633
30-year Amortized Construction GHG				162
Total	metric tons per year			**76,419**
Significance Threshold	metric tons per /year			3,000
Exceed Threshold?				**YES**

Figure 4.7.5 Project Greenhouse Gas Emissions by Percentage



Mobile Sources	69,286	92.6 %
Area	-	
Energy	3,992	5.3%
Water/Wastewater	1,200	1.6%
Solid Waste	146	0.19%
Construction	162	0.21%
Total	**74,786**	100 rounded

As shown on **Figure 4.7.5** above, 92.6% of the GHG emissions generated by the Project are caused by motor vehicles.

GHG Reduction Measures

The California Air Pollution Control Officers Association (CAPCOA) has included a wide range of measures that are frequently used to reduce greenhouse gas (GHG) emissions and provide other benefits, like improved air quality, energy and fuel savings, and water conservation.

It is useful to organize GHG reduction measures into categories. Consistent with this practice, the emission reduction measures presented in **Table 4.7.6**, *GHG Reduction Measures*, below are categorized as follows:

1. **Mandatory Code Compliance (MCR):** These include existing regulatory requirements based on federal, state, or local law currently in place which effectively reduce environmental impacts.
2. **Project Design Features (PDF):** These are specific design and/or operational characteristics proposed by the Project Applicant that are incorporated into the Project to avoid or reduce its potential environmental effects. Because PDFs are incorporated into the Project, they do not constitute mitigation measures.
3. **Mitigation Measures (MM):** These measures include requirements that are imposed where the impact analysis determines that implementation of the proposed Project would result in significant impacts. Mitigation measures are proposed to reduce impacts to less than significant levels in accordance with the requirements of CEQA.

Table 4.7.6 below lists all of the measures applicable to the Project. Because GHG emissions involve air quality emissions, energy use, and transportation (vehicle miles traveled), reduction measures contained in Sections 4.2, *Air Quality*, 4.5 *Energy*, and 4.12, *Transportation*, of this EIR are listed so the reader can see the entire suite of GHG reduction measures in one place.

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Table 4.7.6 GHG Reduction Measures

Measure ID No.	Description
MANDATORY CODE REQUIREMENTS	
GHG-MCR-1	**Embodied carbon.** Project will meet new Title 24-2022 Calgreen requirements for a 10% reduction in embodied carbon.
GHG-MCR-2	**Energy requirements.** Project will comply with all requirements of Title 24-2022 energy code as applicable.
PROJECT DESIGN FEATURES BEYOND CODE REQUIREMENTS	
GHG-PDF-1	**All electric development.** There will be no natural gas provided to the site. The 42,221,578 kBtu of natural gas usage in the modeled baseline has been calculated to switch from minimally code compliant gas-fired furnace air handling equipment to minimally efficient electric heat pump equipment per Title 24-2022 efficiency values. The baseline gas usage was assumed to be for space or minimal water heating at 81% gas-fired furnace efficiency. The equivalent heating work has been converted to a 3.3 COP efficiency heat pump which would meet the minimum efficiency heating requirements defined in Title 24 for large air source rooftop units >135 kBtu/h per Table 110.2-B. This reduces the gas usage by 42,221,578 kBtu/year, but increases the electricity usage by 3,037,362 kWh/year. This measure is especially critical long term to reduce the impact of on-site combustion emissions associated with natural gas-fired appliances. As the emissions of the electric grid continue to reduce in order to meet California's requirement for 100% clean energy by 2045, this measure sets these buildings up to support California's long term decarbonization goals. Included in CalEEMod.
GHG-PDF-2	**Provide On-Site Photovoltaics Beyond Code Requirements.** Each building will include at least 45 kW of PV, which is 33 kW beyond the minimum requirements of the energy code. Each system will produce 79,740 kWh per year, or 159,480 kWh per year total for the site. The code minimum PV arrays would produce 42,548 kWh Included in CalEEMod E-10-B
GHG-PDF-3	**Optimized Building Envelope Beyond Code.** Project will provide lower U-Value and SHGC than required by code. The energy code requirement for fixed storefront vertical glazing is SHGC-0.26, while the project will utilize SHGC-0.21 glazing. The energy code requirement for the U-factor is U-0.41, while this project uses U-0.27 glazing.

Measure ID No.	Description
	These improvements to the envelope will reduce the amount of passive heat gain in the conditioned portion of the building and will reduce the amount of heating and cooling energy required. Included in CalEEMod E-1
GHG-PDF-4	**Optimized Building Envelope Beyond Code.** Project will provide higher solar reflectance index (SRI) roof than required by code. The energy code requirement is for a minimum 3-year aged Solar Reflectance Index (SRI) of 75, while the project is utilizing a TPO roofing product with an SRI of 85. This improvement to the roofing will reduce the amount of passive heat gain in the building, which is especially important in this hot climate. Included in CalEEMod E-1
GHG-PDF-5	**High Efficiency Lighting.** The Project will utilize higher lumen/watt efficacy fixtures than required by code. No specific reduction quantities have been claimed since the light fixtures will not be installed until the tenant improvements, but the typical fixture specification utilized will be higher efficiency than the minimum code requirements. Qualitative or Supporting Measure E-7
GHG-PDF-6	**EV Charging Beyond Code**. Project will be providing 10% more beyond code for EV Charging Infrastructure as well as EV Capable spaces. EV Infrastructure Code requires a total of 93 EV Charging stations between the two buildings. An additional 10 EV charging stations will be provided. ▪ Building A: Code required = 41. An additional 5 will be provided. ▪ Building B: Code required = 42. An additional 5 will be provided. Per the United States Department of Energy: Energy Efficiency & Renewable Energy, Annual emissions per vehicle in California state is as follows: ▪ Gasoline: 12,594 lbs of CO2e ▪ Hybrid: 6,898 lbs of CO2e ▪ Plug-In Hybrid: 3,866 lbs of CO2e ▪ All Electric: 1,385 lbs of CO2e Assuming that the additional charging stations serve 8 all electric and 2 plug in hybrids, **each building will save 24.3 MTCO2e annually, or 48.6 MTCO2e combined.** This calculation accounts for a 50% diversity factor of emissions for annual commuting.

Measure ID No.	Description
AIR QUALITY PROJECT DESIGN FEATURES (PDF)	
AQ-PDF-1	**Limit Heavy-Duty Vehicle Idling:** Truck drivers shall shut down the engine after three (3) minutes of continuous idling operation once the vehicle is stopped, the transmission is set to "neutral" or "park", and the parking brake is engaged.
AQ-PDF-2	**Electrical Connections:** Electrical hookups shall be provided as part of the tenant improvements at loading docks for use with electric powered trucks. The electrical hookups shall be provided at loading bays for truckers to plug in for recharging and operating any onboard auxiliary equipment while their truck is stopped
AQ-PDF-3	**Electric Cargo Handling Equipment.** On-site operational and cargo handling equipment including pallet jacks and forklifts shall be electric with the necessary charging stations included in the design of the Project electrical system, buildings, and equipment storage areas.
AQ-PDF-4	**Truck Idling Restrictions.** Tenant lease agreements for the Project shall include contractual language restricting trucks and support equipment from nonessential idling longer than 3 minutes while on site. The idling restriction will be presented on signs at the entrance to the facilities of the Project as well as at loading docks and truck parking areas.
AQ-PDF-5	**Cold Storage Not Allowed.** Tenant lease agreements for the Project shall include contractual language ensuring the property cannot be used to provide refrigerated warehouse space.
AQ-PDF-6	**Idling Signage.** Posting of both interior- and exterior- facing signs, including signs directed at all dock and delivery areas that states: ▪ Truck drivers shall turn off engines when not in use. ▪ Truck drivers shall shut down the engine after three (3) minutes of continuous idling operation once the vehicle is stopped, the transmission is set to "neutral" or "park", and the parking brake is engaged. Telephone numbers of the building facilities manager and CARB to report Violations.
ENERGY EFFICIENCY PROJECT DESIGN FEATURES (PDF)	

Measure ID No.	Description
ENG-PDF-1	Providing all-electric buildings, with no natural gas lines brought to the site ▪ Optimizing the design the buildings The project will be providing a design that goes beyond the minimum requirements of the building codes. The project design optimizations include: ▪ Improved building envelope design ▪ higher efficiency lighting fixtures ▪ Installing more on-site renewable energy than required Emissions Reduction There will also be strategies utilized to minimize the impact of the project during construction. These strategies include: ▪ Limiting idle time on gas-powered vehicles ▪ Utilizing electric battery hand tools in lieu of gas-powered tools ▪ Using higher efficiency diesel equipment
TRANSPORTATION PROJECT DESIGN FEATURES (PDF)	
TRANS-PDF-1	According to the CAPCOA handbook: *increasing job density accounts for the VMT reduction achieved by a project that is designed with a higher density of jobs compared to the average job density in the U.S. or the specific region where the project is located. Increased densities affect the distance people travel and provide greater options for the mode of travel they choose. Increasing job density results in shorter and fewer trips by single-occupancy vehicles and thus a reduction in GHG emissions.* Measure T-2 is a feature of the project given its size and the number of jobs it will produce and the infrastructure that is both implemented by the project and the infrastructure, supportive land uses and/or services that will follow the project. For example: ▪ Under Transportation Infrastructure, the measures to construct / improve bicycle facilities and expand the bikeway network (Measures T-19-A and T-20) will be partly implemented by the project in the form of bicycle lanes included in the construction of El Mirage Road and partly by other development that will follow the job density created by the project and other large job centers in the neighboring Southern California Logistics Airport (SCLA) Specific Plan area. ▪ Under Transit Related Measures, the Victor Valley Transportation Authority (VVTA) which operates bus service in Adelanto responds to concentrations of large new developments with restructuring of bus routes to serve the new areas if the density meets their criteria for providing service. Restructuring Route 32 to serve the project area will be possible using the streets being constructed or improved by the project as well the new development occurring on the west side of the SCLA

Measure ID No.	Description
	Specific Plan area. Service frequency often comes with route restructuring to meet the demands of the new development and expected supporting growth that follows. These infrastructure and transit related measures are assumed to contribute to the VMT reduction associated with Measure T-2. Infrastructure, services, and supporting land uses that occur around high-density job centers take time to implement and won't be in place when the project first opens. Therefore, the VMT reduction associated with Measure T-2 is only assumed in the future 2040 scenario.
MITIGATION MEASURES (MM)	
MM-GHG-1:	Prior to the issue the Certificate of Occupancy the developer or tenant shall provide the City with a list of all appliances to be installed in the facilities with specifications to ensure Energy Star compliance.
MM-GHG-2:	Prior to the issue the building permit the developer shall provide the City with specifications for all water fixtures to be installed in the facilities to ensure each is low-flow or high-efficiency fixtures including toilets, urinals, and faucets.
MM-AQ-1:	The following mitigation measures shall be implemented for Project operations: ▪ Implement MM-GHG-1 and GHG-2 ▪ All facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site shall meet or exceed 2010 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Facility operators shall maintain records on site demonstrating compliance with this requirement and shall make records available for inspection by the City of Adelanto, MDAQMD, and the State upon request. ▪ The Project's electrical rooms shall be sufficiently sized to hold additional panels that may be needed to supply power for installation of electric charging systems for electric trucks. Conduit shall be installed from the electrical room to all tractor trailer parking spaces in logical locations on site to facilitate future electric truck charging. ▪ Tenant lease agreements for the Project shall include contractual language requiring the use of Zero-Emission landscape equipment. ▪ All facility operators shall train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks. ▪ Signs shall be posted at every truck exit driveway showing directional information on the available truck route(s). ▪ Tenants shall be provided with information on incentive programs, such as the Carl Moyer Project and Voucher Incentive Program, to upgrade their fleets.
MM-TRANS-1	**Transportation Demand Management Program**. Prior to issuance of a certificate of occupancy for Building 1 or Building 2, the entity occupying a building shall provide assurances that the transportation demand management measures described below, will

Measure ID No.	Description
	be perpetually implemented, regardless of property ownership, and a mechanism for informing subsequent property owners of the transportation demand management plan requirements. These requirements may be accomplished through lease agreements, recordation of covenants, conditions and restrictions and/or the formation of a transportation management association which assumes responsibility for implementation and monitoring of the transportation demand management measures or other measures deemed acceptable by the City. 1. Prior to the issuance of an occupancy permit for any building, the building owner or lessee shall consult with the Victor Valley Transit Authority VVTA) on the need to connect the Project site with transit services. The building owner or lessee shall fund a study on behalf of VVTA to determine whether adding bus service along Adelanto Road in the Project site would be warranted by potential ridership and be practicable for VVTA. Evidence of compliance with this requirement may include correspondence from VVTA regarding the potential need for installing bus turnouts, shelters, or bus stops at the site. 2. Prior to the issuance of an occupancy permit for any building, the building owner shall implement measures including, but not be limited to, the following: ride- matching assistance; preferential carpool parking; flexible work schedules for carpools; transportation coordinators; providing a web site or message board for coordinating rides; designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles; and including bicycle end of trip facilities including bike parking, bike lockers, showers, and personal lockers. The measures chosen must achieve a total estimated VMT reduction not less than 8.3 percent. This list may be updated as new methods become available.

MCR = Mandatory Code Requirement

PDF = Voluntary Project Design Feature

MM = Mitigation Measure

As shown on **Table 4.7.7** below, the Project would generate 76,370.4 $MTCO_2e$/year and exceed the significance threshold of 3,000 $MTCO_2e$/year and therefore would be potentially significant.

Table 4.7.7 Reduced Greenhouse Gas Emissions

Source	GHG Emissions (metric tons per year)			
	N_2O	CO_2	CH_4	CO_2e
Mobile Sources	6.04	67,353	1.19	69,286
Area	-	-	-	-
Energy	0.05	3,969	0.38	3,992
Water/Wastewater	17.2	649	0.41	1,200
Solid Waste	0.00	41.7	0.00	146
Yard Trucks	0.01	1,627	0.07	1,633
GHG-PDF-7				**- 48.6**
30-year Amortized Construction GHG				162
Total	metric tons per year			**76,370.4**
Significance Threshold	metric tons per /year			3,000
Exceed Threshold?				**YES**

Even with the implementation of the GHG reduction measures listed in **Table 4.7.6** above, the Project's GHG emissions were only reduced by 48.6 $MTCO_2e$/year (or 0.065%). This is because 92.6% of the GHG emissions generated by the Project are caused by automobiles and truck emissions (i.e. "tailpipe emissions"). Tailpipe emissions are regulated by the State and involve actions beyond the control of the Project Proponent or the City. GHG emissions caused by automobiles and trucks can only be achieved by transitioning away from vehicles that use gasoline and diesel fuel.

Level of Significance

Potentially Significant

Mitigation Measures

In addition to the Mandatory Code Requirements and Project Design Features listed in **Table 4.7.7** above, the following mitigation measures are required.

> **MM-GHG-1**: Prior to the issue the Certificate of Occupancy the developer or tenant shall provide the City with a list of all appliances to be installed in the facilities with specifications to ensure Energy Star compliance.
>
> **MM-GHG-2:** Prior to the issue the building permit the developer shall provide the City with specifications for all water fixtures to be installed in the facilities to ensure each is low-flow or high-efficiency fixtures including toilets, urinals, and faucets.

MM-AQ-1: Air Quality mitigation measure 1 shall apply as per section 4.2.

MM-TRANS-1: Transportation Demand Management Program. Prior to issuance of a certificate of occupancy for Building 1 or Building 2, the entity occupying a building shall provide assurances that the transportation demand management measures described below, will be perpetually implemented, regardless of property ownership, and a mechanism for informing subsequent property owners of the transportation demand management plan requirements. These requirements may be accomplished through lease agreements, recordation of covenants, conditions and restrictions and/or the formation of a transportation management association which assumes responsibility for implementation and monitoring of the transportation demand management measures or other measures deemed acceptable by the City.

1. Prior to the issuance of an occupancy permit for any building, the building owner or lessee shall consult with the Victor Valley Transit Authority VVTA) on the need to connect the Project site with transit services. The building owner or lessee shall fund a study on behalf of VVTA to determine whether adding bus service along Adelanto Road in the Project site would be warranted by potential ridership and be practicable for VVTA. Evidence of compliance with this requirement may include correspondence from VVTA regarding the potential need for installing bus turnouts, shelters, or bus stops at the site.
2. Prior to the issuance of an occupancy permit for any building, the building owner shall implement measures including, but not be limited to, the following: ride- matching assistance; preferential carpool parking; flexible work schedules for carpools; transportation coordinators; providing a web site or message board for coordinating rides; designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles; and including bicycle end of trip facilities including bike parking, bike lockers, showers, and personal lockers. The measures chosen must achieve a total estimated VMT reduction not less than 8.3 percent. This list may be updated as new methods become available.

As stated above, even with the implementation of the GHG reduction measures listed in **Table 4.7.6** above, the Project's GHG emissions were only reduced by 48.6 $MTCO_2e$/year (or 0.06%).

Level of Significance After Mitigation

Significant and Unavoidable.

Thresholds 4.7 – Greenhouse Gas Emissions Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

Discussion

This analysis evaluates the Project's consistency with the following plans:

1. California Air Resources Board's AB 32 Climate Change Scoping Plan.
2. City of Adelanto General Plan.

California Air Resources Board's AB 32 Climate Change Scoping Plan

On December 15, 2022, CARB adopted the Final 2022 Scoping Plan Update (2022 Scoping Plan), which identifies the State's progress towards the statutory 2030 target, while providing a path towards carbon neutrality and reduce greenhouse gases emissions by 85% below 1990 levels by 2045. Recent studies show that the State's existing and proposed regulatory framework will allow the State to reduce its GHG emissions level to 40% below 1990 levels by 2030.

The 2022 Scoping Plan sets one of the most aggressive approaches to reach carbon neutrality. In contrast to the 2017 Scoping Plan the CARB has no longer included a numeric per capita threshold, rather the Scoping Plan advocates for compliance with a local GHG reduction strategy such as a Climate Action Plan (CAP) consistent with CEQA Guidelines section 15183.5.

Key goals of the 2022 Scoping Plan include focusing on zero-emission transportation; phasing out the use of gas use for heating building; reducing chemical and refrigerants with high GWP; providing sustainable options in communities for walking, biking, and public transportation; transitioning from fossil-fuel electrical generation through the use of renewable energy such as solar and wind generation; and increasing new options for green hydrogen.

2022 Scoping Plan Consistency

The Project would not conflict with or impede the State's progress towards carbon neutrality by 2045 under the 2022 Scoping Plan. The Project is required to comply with applicable existing and future regulatory requirements for meeting the goals of the 2022 Scoping Plan.

As shown in **Table 4.7.8** the Project is required to meet the new Title 24-2022 CalGreen requirements for 10% reduction of embodied carbon and Title 24-2022 Energy Code compliance. Additionally, the Project is including numerous PDFs for GHG reductions that includes objectives from the 2022 Scoping Plan as shown in **Table 4.7.8.**

Table 4.7.8 Project Application of 2022 Scoping Plan Objectives

2022 Scoping Plan Objective	Consistency Determination
Implement all-electric new construction.	**Consistent.** GHG-PDF-1: all electric development.
Increase Solar and Wind Generation Capacity	**Consistent.** GHG-PDF-2: Provide 275% more on-site photovoltaics (solar generation) than required by the requirements of the energy code.
Transportation electrification	**Consistent.** GHG-PDF-7: Providing 10% more EV charging stations than required for a total of 93. AQ-PDF-2: Electrical connections for Net Zero trucks at unloading docks.
VMT reduction	**Consistent.** TRANS-PDF-1: implementation of CAPCOA Measure T-2. TRANS-1: The Project shall implement a Transportation Demand Management Program.
Building decarbonization	**Consistent.** GHG-MCR-1: Project will meet new Title 24-2022 Calgreen requirements for 10% reduction in embodied carbon.

Source: CARB 2022 Scoping Plan Appendix D.

The Project would not conflict with applicable Statewide actions measures contained in the 2022 Scoping Plan and would not conflict with a plan, policy, or regulation that has been adopted for the purpose of GHG emissions reductions and as such impacts would be less than significant.

4.7.8 General Plan Consistency

Table 4.7.9 General Plan Policy Consistency Analysis-Greenhouse Gas Emissions

General Plan Policy	Consistency Determination
LC 3.2 Accommodate industrial, logistics, and warehousing uses to complement the SCLA in the Airport Development District, Business Park District, and Light Manufacturing District East. Ensure the sustainable concepts and practices described in Policy OS 3.2, OS 3.5, OS 4.5, OS 6.1, OS 6.2, OS 6.3, OS 8.2, OS 9.1 are implemented	**Consistent.** The Project proposes logistics/warehouse use in the ADD zone. The consistency with General Plan Policies OS 3.2, OS 3.5, OS 4.5, OS 6.1, OS 6.2, OS 6.3, OS 8.2, OS 9.1 are discussed below.
OS 3.2 Encourage new warehousing, manufacturing, industrial, and large commercial retail buildings to be designed to accommodate future rooftop solar panel systems.	**Consistent.** The Project provides 275% more on-site photovoltaics (solar generation) than required. by the requirements of the energy code. (See GHG-PDF-2).
OS 3.5 Require all new development to provide site design and building orientation that take into account passive solar design to reduce heating and cooling loads through energy-efficiency strategies.	**Consistent.** The Project includes PDF-GHG- 3 & 4 to optimize the building envelopes to increase vertical glazing and solar reflectance beyond the energy code requirements to reduce passive heat gain reducing the amount of heating and cooling required.
OS 4.5 Provide for recycled water distribution by requiring recycled water dual piping in new developments, retrofitting existing landscaped areas, and constructing recycled water pumping stations and transmission mains to reach areas far from the treatment plants.	**Not Applicable.** According to the 2020 Urban Water Management Plan the City is not expected to begin deliveries of recycled water for irrigation uses until after 2025. There currently is no infrastructure or plans for recycled water deliveries to the project area.
OS 6.1 Pursue efforts to reduce air pollution and greenhouse gas emissions by promoting the use of renewable energy (e.g., solar and wind power), and implement effective energy conservation and efficiency measures.	**Consistent.** As shown in Table 4.7.6, the Project includes numerous measures to promote the use of solar and conserve energy.
OS 6.2 Integrate air quality planning with land use, economic development, and transportation planning.	**Consistent.** As discussed in Sections 4.2, *Air Quality*, and 4.12, *Transportation,* the Project reduces air quality emissions and vehicle miles traveled to the maximum feasible given that these impacts are caused by motor vehicles burning fossil fuels for which the Project has no control over.

General Plan Policy	Consistency Determination
OS 6.3 Require projects that generate potentially significant levels of air pollutants and odors to incorporate the most effective air quality mitigation into project design, as feasible.	**Consistent.** As discussed in Section 4.2, *Air Quality*, the Project includes mitigation to reduce air emissions to the maximum feasible given that these impacts are caused by motor vehicles burning fossil fuels for which the Project has no control over. The Project does not generate odors that would affect a substantial number of people as it is a logistics/warehouse facility and not a manufacturing plant.
OS 8.2 Reduce greenhouse gas emissions caused from the use of electricity and natural gas by residential, commercial, industrial, and municipal buildings.	**Consistent.** As shown in Table 4.7.6, the Project includes numerous measures to promote the use of solar and conserve energy.
OS 9.1 Encourage and support green building principles in Adelanto.	**Consistent.** As shown in Table 4.7.6 the Project includes numerous measures to promote green building principles.

Climate Action Plans

The *San Bernardino County Regional Greenhouse Gas Reduction Plan*[108] compiled a GHG emissions inventory and an evaluation of GHG reduction measures that could be adopted by the 25 Partnership Cities of San Bernardino County, which includes the City. Potential GHG reduction measures necessary to achieve a reduction goal of 40 percent below 2016 baseline levels by 2030 were identified, consistent with AB 32 targets. Although not formally adopted by the City, the City's General Plan policies in Table 4.7.8 above, support these GHG reduction strategies.

The *County of San Bernardino Greenhouse Gas Reduction Plan Update, 2021,* is built on a combination of State, County, and local reduction measures to achieve the County's GHG reduction goal of 40 percent below 2020 levels by 2030. Although not formally adopted by the City, the City's General Plan policies in Table 4.7.8 above,]support these GHG reduction strategies.

Level of Significance

Less than significant.

[108] https://www.gosbcta.com/plan/regional-greenhouse-gas-reduction-plan/

Mitigation Measures

No mitigation required.

Levels of Significance After Mitigation

Less than significant

4.7.9 Cumulative Impact Analysis

This cumulative impact analysis considers the development of the Project in conjunction with other development projects and planned development projects within the City.

According to CAPCOA, "GHG impacts are exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective."[109] The resultant consequences of that climate change can cause adverse environmental effects. A project's GHG emissions typically would be very small in comparison to state or global GHG emissions and, consequently, they would, in isolation, have no significant direct impact on climate change.

Individual projects that do not generate operational or construction emissions that exceed the City's recommended daily and annual thresholds for project-specific impacts would also not cause a cumulatively considerable increase in GHG, and, therefore, would not be considered to have a significant, adverse GHG impact. The Project analysis is using the more strict 3,000 $MTCO_2e$/year threshold and as previously noted, the Project construction-source GHG emissions would not exceed applicable thresholds. However, the Project's operations GHG emissions exceed the applicable threshold. The Project's operational impacts along with other future developments in the study area would contribute GHG emissions. While the Project's PDF's and MMs will reduce the operational emissions to the extent feasible, there are no additional quantifiable MMs that would reduce the Project's GHG impacts to less than significant. **The Project's cumulative impact would be significant and unavoidable.**

[109] California Air Pollution Control Officers Association, CEQA & Climate change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act, (2008).

4.8 HAZARDS AND HAZARDOUS MATERIALS

4.8.1 Introduction

This section focuses on any significant environmental effects the Project might cause or exacerbate by bringing development and people into the area that are subject to risks from hazards and hazardous materials such as hazards to the public through transport, disposal, or accident conditions involving hazardous material, handling or emitting hazardous materials close to schools, or if the Project is located on a hazardous material site that could create a hazard to the public. Additionally, it will also examine the impacts of hazards in regard to proximity to an airport, likelihood of increasing wildfire risk, and compatibility with emergency response plans.

4.8.2 NOP Scoping Comments

A Notice of Preparation (NOP) is a brief notice sent by the City to notify governmental agencies and the general public that the City plans to prepare an EIR. The purpose of the NOP is to solicit input from those agencies as to the scope and content of the environmental information to be included in the EIR. The NOP for the Project was released for a 30-day comment period starting on December 13, 2023, and ending on January 11, 2024. Additionally, a virtual EIR Scoping Meeting was held on January 9, 2024.

No written comments were received during the NOP public comment period, nor were any comments made during the EIR Scoping Meeting that pertain to hazards and hazardous materials.

4.8.3 Regulatory Framework

The regulatory framework described below is a set of rules and regulations established by the government to regulate activities that impact the environment. There are various roles within all levels of government who are involved in establishing a regulatory framework. Generally, the adoption of laws at the federal or state level set forth the policy for environmental protection. Local agencies can only create rules and regulations if a law has been passed enabling them to do so. The analysis in this section is based on the Project's consistency with the specific regulatory requirements that are directly applicable to the Project as allowed by the enabling law. Additional information about the applicable law(s) are available in Section 8.0, *References*, in this EIR.

Table 4.8.1 Regulatory Framework-Hazards and Hazardous Materials

Regulatory Agency	Regulations
CERCLA	**Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Superfund Amendments and Reauthorization Act (SARA).** The Comprehensive Environmental Response, Compensation, and Liability Act, also known as CERCLA or Superfund, provides a Federal "Superfund" to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Through CERCLA, the Environmental Protection Agency (EPA) was given power to seek out those parties responsible for any release and assure their cooperation in the cleanup. EPA cleans up orphan sites when potentially responsible parti es cannot be identified or located, or when they fail to act. Through various enforcement tools, EPA obtains private party cleanup through orders, consent decrees, and other small party settlements. EPA also recovers costs from financially viable individuals and companies once a response action has been completed. (EPA, 2022g) EPA is authorized to implement the Act in all 50 states and U.S. territories. Superfund site identification, monitoring, and response activities in states are coordinated through the state environmental protection or waste management agencies. (EPA, 2022g) The Superfund Amendments and Reauthorization Act (SARA) of 1986 reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, definitions clarifications, and technical requirements were added to the legislation, including additional enforcement authorities. Also, Title III of SARA authorized the Emergency Planning and Community Right-to-Know Act (EPCRA). (EPA, 2022g)
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY	**Resource Conservation and Recovery Act (RCRA)** The Resource Conservation and Recovery Act (RCRA) gives EPA the authority to control hazardous waste from the "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances. (EPA, 2022h) The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. Some of the other mandates of this law include increased enforcement authority for EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program. (EPA,2022h)

Regulatory Agency	Regulations
	Hazardous Materials Transportation Act (HMTA): The Hazardous Materials Transportation Act of 1975 (HMTA) empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property." (OSHA, n.d.) Hazardous materials regulations are subdivided by function into four basic areas: • Procedures and/or Policies 49 CFR Parts 101, 106, and 107 • Material Designations 49 CFR Part 172 • Packaging Requirements 49 CFR Parts 173, 178, 179, and 180 • Operational Rules 49 CFR Parts 171, 173, 174, 175, 176, and 177 (OSHA, n.d.) The HMTA is enforced by use of compliance orders [49 U.S.C. 1808(a)], civil penalties [49 U.S.C. 1809(b)], and injunctive relief (49 U.S.C. 1810). The HMTA (Section 112, 40 U.S.C. 1811) preempts state and local governmental requirements that are inconsistent with the statute, unless that requirement affords an equal or greater level of protection to the public than the HMTA requirement. (OSHA, n.d.)
	Hazardous Materials Transportation Uniform Safety Act of 1990: In 1990, Congress enacted the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) to clarify the maze of conflicting state, local, and federal regulations. Like the HMTA, the HMTUSA requires the Secretary of Transportation to promulgate regulations for the safe transport of hazardous material in intrastate, interstate, and foreign commerce. The Secretary also retains authority to designate to designate materials as hazardous when they pose unreasonable risk to health, safety, or property. (OSHA, n.d.) The statute includes provisions to encourage uniformity among different state and local highway routing regulations, to develop criteria for the issuance of federal permits to motor carriers of hazardous materials, and to regulate the transport of radioactive materials. (OSHA, n.d.)
	Occupational Safety and Health Act (OSHA): Congress passed the Occupational and Safety Health Act (OSHA) to ensure worker and workplace safety. Their goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions. (EPA, 2021c) In order to establish standards for workplace health and safety, the Act also created the National Institute for Occupational Safety and Health (NIOSH) as the research institution for OSHA. OSHA is a division of the U.S. Department of Labor that oversees the administration of the Act and enforces standards in all 50 states. (EPA, 2021c)

Regulatory Agency	Regulations
	**Toxic Substances Control Act:** The Toxic Substances Control Act (TSCA) of 1976 provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint. (EPA, 2021d) Various sections of TSCA provide authority to: • Require, under Section 5, pre-manufacture notification for "new chemical substances" before manufacture. • Require, under Section 4, testing of chemicals by manufacturers, importers, and processors where risks or exposures of concern are found. • Issue Significant New Use Rules (SNURs), under Section 5, when it identifies a "significant new use" that could result in exposures to, or releases of, a substance of concern. • Maintain the TSCA Inventory, under Section 8, which contains more than 83,000 chemicals. As new chemicals are commercially manufactured or imported, they are placed on the list. • Require those importing or exporting chemicals, under Sections 12(b) and 13, to comply with certification reporting and/or other requirements. • Require, under Section 8, reporting and record-keeping by persons who manufacture, import, process, and/or distribute chemical substances in commerce. • Require, under Section 8(e), that any person who manufactures (including imports), processes, or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment to immediately inform EPA, except where EPA has been adequately informed of such information. EPA screens all TSCA b§8(e) submissions as well as voluntary "For Your Information" (FYI) submissions. The later are not required by law but are submitted by industry and public interest groups for a variety of reasons. (EPA, 2021d)
	**CAL/OSHA and the California State Plan:** Under an agreement with OSHA, since 1973 California has operated an occupational safety and health program in accordance with Section 18 of the federal OSHA. The State of California's Department of Industrial Relations administers the California Occupational Safety and Health Program, commonly referred to as Cal/OSHA. The State of California's Division of Occupational Safety and Health (DOSH) is the principal agency that oversees plan enforcement and

Regulatory Agency	Regulations
	consultation. In addition, the California State program has an independent Standards Board responsible for promulgating State safety and health standards and reviewing variances. It also has an Appeals Board to adjudicate contested citations and the Division of Labor Standards Enforcement to investigate complaints of discriminatory retaliation in the workplace. (OSHA, n.d.) Pursuant to 29 CFR 1952.172, the California State Plan applies to all public and private sector places of employment in the state, with the exception of federal employees, the United States Postal Service, private sector employers on Native American lands, maritime activities on the navigable waterways of the United States, private contractors working on land designated as exclusively under federal jurisdiction and employers that require federal security clearances. Cal/OSHA is the only agency in the state authorized to adopt, amend, or repeal occupational safety and health standards or orders. In addition, the Standards Board maintains standards for certain things not covered by federal standards or enforcement, including elevators, aerial passenger tramways, amusement rides, pressure vessels and mine safety training. The Cal/OSHA enforcement unit conducts inspections of California workplaces in response to a report of an industrial accident, a complaint about an occupational safety and health hazard, or as part of an inspection program targeting industries with high rates of occupational hazards, fatalities, injuries or illnesses. (OSHA, n.d.)
Department of Toxic Substances Control	**California Hazardous Waste Control Law** The Hazardous Waste Control Law (HWCL) (Health and Safety Code [HSC], Division 20, Chapter 6.5, Secti on 25100, et seq.) is the primary hazardous waste statute in California. The HWCL implements RCRA as a "cradle-to-grave" waste management system in the state. It specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure its proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reuse as raw materials. The HWCL exceeds federal requirements by mandating source reduction planning and broadening requirements for permitting facilities that treat hazardous waste. It also regulates a number of waste types and waste management activities not covered by federal law (RCRA). (CA Legislative Info, n.d.)
CA.GOV	**California Code of Regulations (CCR), Title 22 and 26:** A variety of California Code of Regulation (CCR) titles address regulations and requirements for generators of hazardous waste. Title 22 contains detailed compliance requirements for hazardous waste generators, transporters, and facilities for treatment, storage, and disposal. Because California is a fully authorized state according to RCRA, most regulations (i.e., 40 CFR 260, et seq.) have been duplicated and integrated into Title 22. However, because the Department of Toxic Substances Control (DTSC) regulates hazardous waste more stringently than the EPA, the integration of state and federal

Regulatory Agency	Regulations
	hazardous waste regulations that make up Title 22 does not contain as many exemptions or exclusions as does 40 CFR 260. As with the HSC, Title 22 also regulates a wider range of waste types and waste management activities than does RCRA. To aid the regulated community, California has compiled hazardous materials, waste, and toxics-related regulations from CCR, Titles 3, 8, 13, 17, 19, 22, 23, 24 and 27 into one consolidated listing: CCR Title 26 (Toxics). However, the hazardous waste regulations are still commonly referred to collectively as "Title 22." (DTSC, n.d.; DTSC, 2019)

Local Regulations

City of Adelanto General Plan

The Safety Element of the General Plan sets forth the following policy regarding hazards and hazardous materials impacts:

Δ Policy HS 4.1 Comply with all applicable local, State, and Federal regulations regarding the transport, use, and disposal of solid and hazardous waste.

Table 4.8.2, *General Plan Policy Consistency Analysis-Hazards and Hazardous Materials,* on page 260, provides a summary of the Project's consistency with these policies.

City of Adelanto Local Hazard Mitigation Plan:

The City of Adelanto Local Hazard Mitigation Plan (LHMP) is intended to identify hazards and implement mitigation strategies to reduce and/or eliminate loss of life and property in the City. The LHMP represents the City's commitment to create a safer, more resilient community by taking actions to reduce risks and by committing resources to lessen the effects of hazards on the people and property of the City. The most current version of the LHMP is dated May 2022.

Certified Unified Program Agency (CUPA):

The San Bernardino County Fire Department – Hazardous Materials Division is the local agency responsible for the enforcement of a variety of hazardous materials management requirements. The Fire Department is the state designated Certified Unified Program Agency (CUPA) for the County of San Bernardino. The purpose of the CUPA program is to provide a comprehensive approach to reduce the overlapping and sometimes conflicting requirements of different governmental

agencies. The CUPA provides consolidation and consistency in reporting requirements, permit formats, inspection criteria, enforcement standards, and fees for various hazardous materials programs. The CUPA is required by state law to maintain a list of facilities within the County that are known to use, store, and/or generate hazardous materials/wastes. Facilities that handle hazardous materials or generate hazardous waste must obtain a permit from the CUPA.

Southern California Logistics Airport Comprehensive Land Use Plan (SCLA CLUP):

The SCLA CLUP implementation promotes compatible use of land and restricts incompatible development in the vicinity of the SCAL, allowing for continued operation of the airport. The CLUP identifies four compatibility concerns related to:

- Exposure to aircraft noise;
- Land use safety with respect to both occupants and to people on the ground;
- Protection of airport airspace;
- General concerns related to overflights.

4.8.4 Environmental Setting

Site reconnaissance was completed as part of the five (5) Phase 1 Environmental Site Assessments (ESA) conducted by Haley & Aldrich (included as Technical Appendix E of this EIR), observing the general Project site conditions and operations on the Project site. The Project site was observed as undeveloped land consisting of exposed soil, desert brush, and occasional Joshua Trees. The site contains no structures and the use, storage, and/or disposal of petroleum products or hazardous materials was not observed or reported on the subject property.

No evidence of underground storage tanks (USTs), odors, pools of liquid, containers storing unidentified substances, stains or corrosion, stressed vegetation, wells, pits, ponds, or lagoons were observed on the Project site during the reconnaissance.

Adjoining properties were also observed. North of the site is Nichols Avenue followed by vacant, undeveloped land. East of the site is Mesa Lina Road followed by vacant, undeveloped land and the Southern California Logistics Airport. South of the site is Avalon Avenue followed by vacant, undeveloped land. West of the site is a Kinder Morgan petroleum pipeline along Adelanto Road followed by vacant, undeveloped land. No evidence of conditions on adjoining properties that may adversely impact the Project site were observed during the site reconnaissance.

The Project site is also located along the western boundary of the Southern California Logistics Airport and located within Airport Review Areas 2, 3 and 4. Review Area 2 is the Future 65 CNEL

Contour, Review Area 3 is the Part 77 Horizontal Surface zone, and Review Area 4 is the Airport Planning Area.

4.8.5 Methodology

A total of 5 Phase 1 ESA Site Assessments were conducted on the various parcels that make up the Project Site and are included as Technical Appendix E. As part of the Phase 1 ESA Site Assessments, Haley & Aldrich conducted visual observations of site conditions and of adjacent properties, reviewed federal, state, tribal, and local environmental database information, federal and state environmental files, and site historical use records to identify and formulate conclusions regarding the potential presence and impacts of Recognized Environmental Conditions (RECs), Controlled RECs (CRECs), or Historical RECs (HRECs) in accordance with ASTM E1527-21 (Standard Practice for Environmental Site Assessments).

4.8.6 Thresholds of Significance

Section IX of Appendix G to the CEQA Guidelines addresses typical adverse effects to Hazards and Hazardous Materials and includes the following threshold questions to evaluate the Project's impacts on Hazards and Hazardous Materials.

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

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?

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?

d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard or excessive noise 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 for people residing or working in the project area?

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

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

4.8.7 Impacts Analysis

Threshold 4.8 – Hazards and Hazardous Materials Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
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?			✓	

Discussion

Construction of the Project has the potential to create a hazard to the public or the environment through the routine transportation, use, and disposal of construction-related hazardous materials such as fuels, oils, solvents, and other materials.

Construction

Potential hazardous materials such as fuel, paint products, lubricants, solvents, and cleaning products may be used and/or stored on-site during construction of the proposed Project. These materials are typical of materials delivered to construction sites. The transport, use, and disposal of hazardous materials during construction would be regulated by the Hazardous Materials Division of the San Bernardino County Fire Department and the California Occupational Safety and Health Administration. Additionally, the United States Department of Transportation Office of Hazardous Materials Safety prescribes strict regulations for the safe transportation of hazardous materials by truck and rail on state highways and rail lines, as described in Title 49 of the Code of Federal Regulations and implemented by Title 13 of the CCR.

Operation

Similar to Project construction, the transport, use, and disposal of hazardous materials during Project operation would be regulated by the Hazardous Materials Division of the San Bernardino County Fire Department and the California Occupational Safety and Health Administration. Additionally, transport of hazardous materials by truck and rail on state highways and rail lines

would be regulated by the United States Department of Transportation Office of Hazardous Materials Safety as described above.

Pursuant to California Health and Safety Code §25507, a business shall establish and implement a Hazardous Materials Business Emergency Plan for emergency response to a release or threatened release of a hazardous material in accordance with the standards prescribed in the regulations adopted pursuant to §25503 if the business handles a hazardous material or a mixture containing a hazardous material that has a quantity at any one time above the thresholds described in §25507(a)(1) through (8).

Considering the proposed facilities and activities at the Project site, it is anticipated that small quantities of hazardous materials (e.g., diesel fuel, lubricants, solvents, pesticides, janitorial and landscaping supplies, etc.) would be utilized during the site's daily operations. The specific materials to be used on-site cannot be determined at this stage since the tenants for the warehouses have not been finalized. However, if any hazardous materials, other than the common materials mentioned earlier are associated with future warehouse operations, they would be stored and transported exclusively to and from the premises.

These regulations inherently safeguard life and property from the hazards of fire/explosion arising from the storage, handling, and disposal of hazardous substances, materials, and devices, as well as hazardous conditions due to the use or occupancy of buildings. **The Project is consistent with General Plan Policy HS 4.1** regarding the transport, use, and disposal of solid and hazardous waste.

Level of Significance

Given the mandatory regulatory compliance with federal, state, and local laws (as outlined above), the potential impacts associated with the long-term operation of the Project in relation to hazardous materials are considered to be insignificant. **Therefore, no mitigation measures are deemed necessary.**

Threshold 4.8– Hazards and Hazardous Materials Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✓	

Discussion

Westside Park Elementary School is located approximately 2 miles to the southwest of the Project site. As discussed in the responses to Thresholds 4.9(b) and 4.9(c) above, the transport and use of all hazardous or potentially hazardous materials would comply with all applicable federal, state, and local agencies and regulations with respect to hazardous materials. Therefore, regardless of the proximity of Westside Park Elementary School, the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste that would impact the school.

Level of Significance

The Project does not involve the emission of hazardous substances or the handling of hazardous or acutely hazardous materials, substances, or waste within a 0.25-mile distance from an existing or proposed school. **As a result, there would be no impact in this regard, and no mitigation measures are necessary.**

Threshold 4.8 – Hazards and Hazardous Materials Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓

Discussion

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the state and local agencies to comply with the California Environmental Quality Act requirements in providing information about the location of hazardous materials release sites pursuant to Government Code §65962.5. Below are the data resources that provide information regarding the facilities or sites identified as meeting the Cortese List requirements.

- List of Hazardous Waste and Substances sites from the Department of Toxic Substances Control (DTSC) EnviroStor database.
- List of Leaking Underground Storage Tank Sites from the State Water Board's GeoTracker database.
- List of solid waste disposal sites identified by the Water Board with waste constituents above hazardous waste levels outside the waste management unit.
- List of "active" CDO and CAO from Water Board.
- List of hazardous waste facilities subject to corrective action pursuant to §25187.5 of the Health and Safety Code, identified by DTSC.

Based on a review of the Cortese List maintained by the California Environmental Protection Agency, the Project site is not identified on the list of hazardous materials sites compiled pursuant to Government Code §65962.5.[110]

Additionally, a total of 5 Phase 1 ESAs were conducted on the parcels that make up the Project site and concluded that no Recognized Environmental Conditions (RECs), Historical Recognized Environmental Conditions (HRECs), or Controlled Recognized Environmental Conditions (CRECs) were identified during the ESAs and no further assessment was recommended. (Technical Appendix E).

Level of Significance

The Project site is not included in any of these lists of hazardous materials sites compiled in accordance with Government Code §65962.5 (DTSC, n.d.). **Therefore, the absence of the Project site on any such list indicates that there would be no impact.**

[110] California Environmental Protection Agency, Cortese List Data Resources, https://calepa.ca.gov/sitecleanup/corteselist/ , accessed December 10, 2023.

Threshold 4.8 – Hazards and Hazardous Materials Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
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?			✓	

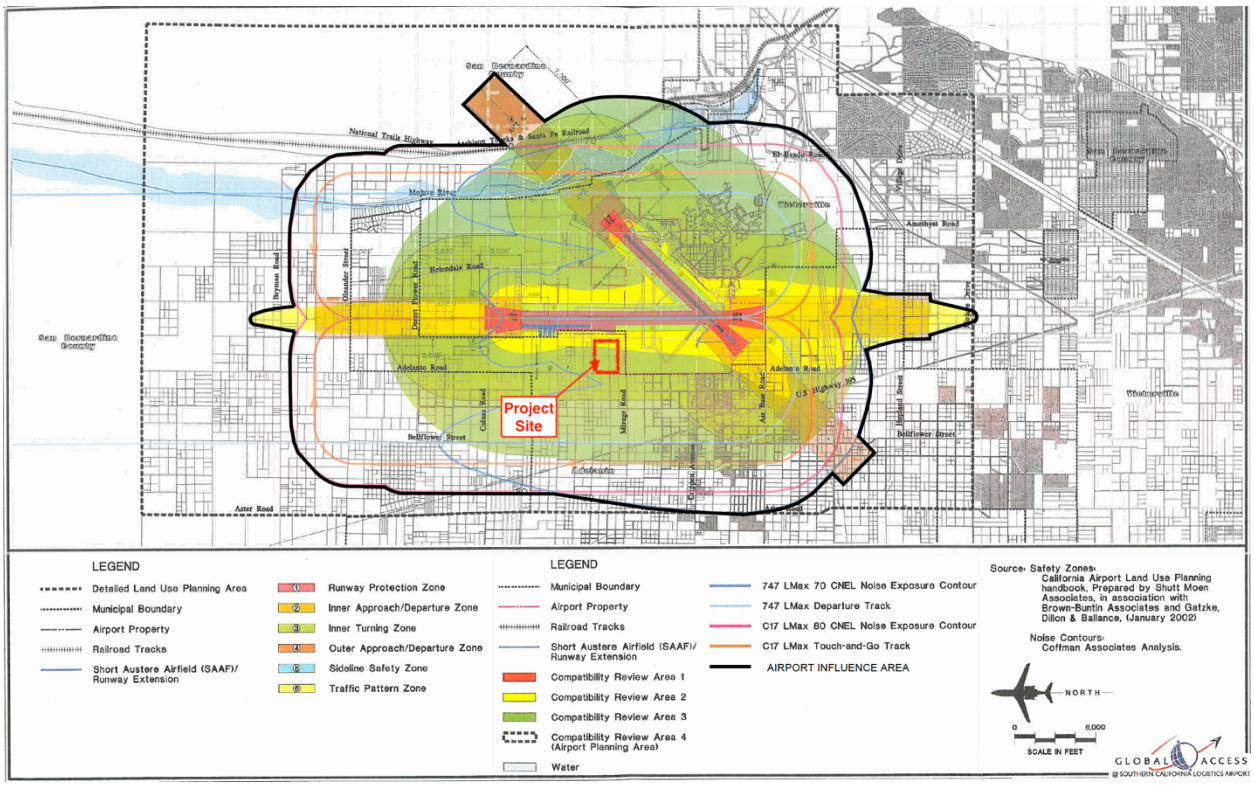
Discussion

According to the *Southern California Logistics Airport Compatibility Plan, Compatibility Review Areas Exhibit 3B*, (SCLA Airport Plan), as shown in Exhibit 4.8-1 below, a portion of the eastern side of the Project site is located within Review Area 2 while the remainder of the Project site is located in Review Area 3. Additionally, the entire Project site is within Review Area 4. Review Area 2 is the Future 65 CNEL Contour, Review Area 3 is the Part 77 Horizontal Surface zone, and Review Area 4 is the Airport Planning Area.

According to the Land Use Compatibility Standards for the SCLA Warehouse uses are "Normally Acceptable" in Review Area 2 provided they do not exceed an average intensity of 100 people per gross acre and in Review Area 3 provided they do not exceed an average intensity of 150 people per gross acre. The Project site is approximately 130 gross acres. As such, 13,000 persons would be allowed to occupy the property in Review Area 2 and 19,500 would be allowed in Review Area 3. The Project will employ an estimated 2,600 persons[111], which represents an intensity of 0.05 persons per gross acre, which is far below the 13,000-person maximum allowed in Review Area 2 and the 19,500-person maximum in Review Area 3.

[111] Source: Project VMT Analysis, Appendix J-3

Figure 4.8.1 Southern California Logistics Airport Influence Area Map



Although building height is not a standard that is required in Review Area 3, according to the SCLA Airport Plan, "defining the height limits according to Title 14, Part 77 of the Code of Federal Regulations (CFR) provides an ample margin of safety for aircraft operations. Part 77 establishes the standards and notification requirements for objects affecting navigable airspace. Employing Part 77 regulations help to prevent the construction of buildings or other structures that may interfere with the safe operation of aircraft near the airport. Establishing maximum height standards within airport influence areas that are tied to the Part 77 restrictions can be an effective means of avoiding airspace obstructions.

The Airport Development District (ADD) Land Use and Zoning District is located within Review Area 2 -Future 65 CNEL Noise Contour, Review Area 3 -Part 77 Horizontal Surface (height limits), and Review Area 4 -Airport Planning Area (requires disclosure notice for residential development). Pursuant to Chapter Three, Section 1.3. Types of Actions Reviewed, Paragraph B, of the Comprehensive Land Use Plan (CLUP) States 4.1 Airspace Obstructions: The proposed use or structure shall not be greater than the imaginary surfaces defined according to 14 CFR Part 77.

Part 77 Horizontal Surface (height limits), which is regulated by 14 CFR § 77.17 Obstruction standards as described below.

(a) An existing object, including a mobile object, is, and a future object would be an obstruction to air navigation if it is of greater height than any of the following heights or surfaces:

(1) A height of 499 feet above ground level ("AGL") at the site of the object.

(2) A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet.

(3) A height within a terminal obstacle clearance area, including an initial approach segment, a departure area, and a circling approach area, which would result in the vertical distance between any point on the object and an established minimum instrument flight altitude within that area or segment to be less than the required obstacle clearance.

(4) A height within an enroute obstacle clearance area, including turn and termination areas, of a Federal Airway or approved off-airway route, that would increase the minimum obstacle clearance altitude.

(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under §77.19, 77.21, or 77.23. However, no part of the takeoff or landing area itself will be considered an obstruction.

The proposed building height of 52 feet is significantly below the height restrictions contained in the SCLA Airport Plan and allowed by the FAA and the warehouse land use proposed by the Project is considered "Normally Acceptable" within Review Areas, 2, 3, and 4.

Level of Significance

Based on the preceding analysis, impacts are less than significant.

Threshold 4.8 – Hazards and Hazardous Materials Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	

Discussion

The Project site does not serve as an emergency evacuation route. However, during construction and long-term operation, the proposed Project would be obligated to maintain suitable access for emergency vehicles. As part of the City's discretionary review process, the access driveways and circulation of the proposed Project were thoroughly assessed to ensure the availability of appropriate emergency ingress and egress to the Project site including adequate turning and road construction to support the emergency vehicles.

Level of Significance

The City concluded that the proposed Project would not significantly hinder emergency response routes in the local area. Therefore, the implementation of the Project would not impede or physically obstruct an adopted emergency response plan or emergency evacuation plan. Consequently, no impact would arise, and no mitigation measures are necessary.

Threshold 4.8 – Hazards and Hazardous Materials Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				✓

Discussion

The Project site is situated at a distance from wildlands or areas characterized by high fire hazards. The nearest areas mapped for high or very high fire hazards are located south of Palmdale Road

(SR-18) approximately 7.4 miles southwest of the site. Moreover, the Project site does not fall within an area officially designated by CAL FIRE as a fire hazard severity zone (CAL FIRE, 2022).

According to the California Fire Hazard Severity Zone Viewer maintained by Cal Fire, the Project site is located in a Local Responsibility Area (LRA) and not located within a high wildfire hazard area.[112]

Level of Significance

The Project would not subject individuals or structures, either directly or indirectly, to the risk of loss, injury, or fatality due to wildland fires. **As a result, there would be no impact in this regard.**

4.8.8 General Plan Consistency

Table 4.8.2 General Plan Policy Consistency Analysis-Hazards and Hazardous Resources

General Plan Policy	Consistency Determination
HS 4.1 Comply with all applicable local, State, and Federal regulations regarding the transport, use, and disposal of solid and hazardous waste.	**Consistent.** These regulations inherently safeguard life and property from the hazards of fire/explosion arising from the storage, handling, and disposal of hazardous substances, materials, and devices, as well as hazardous conditions due to the use or occupancy of buildings. The Project is consistent with General Plan Policy HS 4.1 regarding the transport, use, and disposal of solid and hazardous waste.

4.8.9 Cumulative Impacts Analysis

The Project's Phase I Environmental Site Assessments (Technical Appendix E) confirmed that the Project site is not at risk of adverse impacts from hazardous materials. No Recognized Environmental Conditions (RECs), Controlled Recognized Environmental Conditions (CRECs), or Historic Recognized Environmental Conditions (HRECs) were identified at the Project site under existing conditions. Although temporary construction activities for the Project would involve the storage, handling, and use of hazardous substances, the associated risks would not exceed those typically encountered at similar construction sites. Any other future developments in the vicinity that involve the handling, storage, or transport of hazardous materials during construction or operation would also be subject to the same federal, state, and local regulations as the Project, thereby ensuring that no cumulatively significant impact would occur.

[112] https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414, accessed on January 1, 2023.

There are no existing or planned schools within a 0.25-mile radius of the Project site, ensuring that the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste in close proximity to schools. Consequently, no impact would occur in this regard, and there is no potential for cumulative impacts related to hazardous materials within the specified distance.

The Project site is not listed on any hazardous materials sites lists compiled according to Government Code §65962.5, thereby precluding any cumulative impacts in this regard.

The Project site is located within an Airport Influence Area (AIA) and is consistent with the SCLA CLUP reducing potential impact associated with air travel safety hazards or aircraft operations. Thus, there is no potential for the Project to contribute to cumulative impacts in this regard.

As the Project site does not contain any emergency facilities or serve as an emergency evacuation route, it would not interfere with the implementation of emergency response plans or evacuation plans. Therefore, no impact would occur, and there is no potential for cumulative impacts associated with emergency facilities or evacuation routes.

The Project site and the surrounding area not located within a high or very high fire hazard severity zone and is not susceptible to wildfire hazards, ensuring that there would be no impact in terms of significant risks of loss, injury, or death related to wildland fires. Consequently, the Project would not contribute to any cumulative impacts associated with such hazards.

4.8.9 Conclusion

The project would result in less than significant impacts related to hazards and hazardous materials; therefore, no mitigation is required.

4.9 HYDROLOGY AND WATER QUALITY

4.9.1 Introduction

This section focuses on any significant environmental effects the Project has a potential to cause or exacerbate regarding hydrology and water quality impacts by bringing development and people into the area. Potential impacts to hydrology and water quality include groundwater quality and supplies, altering an existing drainage pattern that could result in erosion, flooding and flood flows, exceed the capacity of the current stormwater drainage system, or create polluted runoff. Additionally, this section also covers the risk of floods, tsunamis, and seiches and the potential to release pollutants and consistency with the Lahontan Basin Plan.

4.9.2 NOP Scoping Comments

A Notice of Preparation (NOP) is a brief notice sent by the City to notify governmental agencies and the general public that the City plans to prepare an EIR. The purpose of the NOP is to solicit input from those agencies as to the scope and content of the environmental information to be included in the EIR. The NOP for the Project was released for a 30-day comment period starting on December 13, 2023, and ending on January 11, 2024.

Additionally, a virtual EIR Scoping Meeting was held on January 9, 2024. No comments were received during the NOP public comment period, nor were any comments made during the EIR Scoping Meeting that pertain to hydrology and water quality.

4.9.3 Regulatory Framework

The regulatory framework described below is a set of rules and regulations established by the government to regulate activities that impact the environment. There are various roles within all levels of government who are involved in establishing a regulatory framework. Generally, the adoption of laws at the federal or state level set forth the policy for environmental protection. Local agencies can only create rules and regulations if a law has been passed enabling them to do so. The analysis in this section is based on the Project's consistency with the specific regulatory requirements that are directly applicable to the Project as allowed by the enabling law. Additional information about the applicable law(s) are available in Section 9.0, References, in this EIR.

Federal and State Law

The primary laws regulating hydrology and water quality impacts are the federal Clean Water Act and the California Porter Cologne Water Quality Act. A comparison of the Acts and their related

regulations as shown in **Table 4.9.1** *Comparison of the Federal Clean Water Act and the Porter Cologne Water Quality Act Regulations.*

Table 4.9.1 Comparison of the Federal Clean Water Act and the Porter Cologne Water Quality Act Regulations.

Federal Clean Water Act	State Porter-Cologne Water Quality Act
Statute: 33 U.S.C. §1251 et seq. (1972)[113] Regulation: National Pollution Discharge Elimination System (NPDES) [114]	Statute: Water Code Division 7 and Related Sections (As amended, including Statutes 2023) Regulation: Lahontan Basin Plan[115]

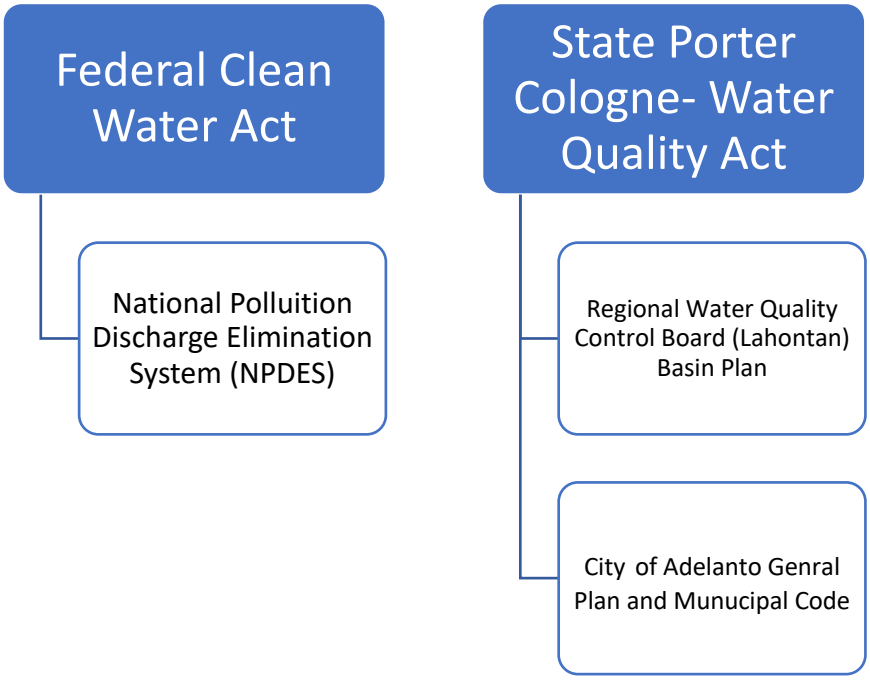
The Clean Water Act required the states or the U.S. Environmental Protection Agency (USEPA) to set standards for surface water quality, mandate sewage treatment and regulate wastewater discharges into the nation's surface waters. The Porter-Cologne Act is the principal law governing water quality in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. Unlike the Clean Water Act, Porter-Cologne applies to both surface water and ground water.

The State assumed responsibility for enforcing the Clean Water Act by melding state and federal processes together for activities such as setting water quality standards, issuing discharge permits and operating the grants program. The Lahontan Water Quality Control Plan (Basin Plan) is the fundamental water quality protection plan for the Region.

The NPDES Program is a federal program which has been delegated to the State of California for implementation through the State Water Resources Control Board (State Water Board) and the nine Regional Water Quality Control Boards (Regional Water Boards), collectively Water Boards. In California, NPDES permits are also referred to as waste discharge requirements (WDRs) that regulate discharges to waters of the United States.[116]

[113] https://uscode.house.gov/view.xhtml?path=/prelim@title33/chapter26&edition=prelim
[114] https://www.waterboards.ca.gov/water_issues/programs/npdes/
[115] https://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/

Figure 4.9.1 Hydrology and Water Quality Regulatory Framework



As enabled by these statutes and regulations, the following agencies have oversight responsibility and can issue regulatory permits if the Project meets the established regulations. **Table 4.9.2** *Hydrology and Water Quality Regulatory Agencies and Permits/Approvals,* identifies the permits that are, or may be required, by the applicable regulatory agencies.

Table 4.9.2 Regulatory Framework-Hydrology and Water Quality

Regulatory Agency	Regulations
CALIFORNIA WATER BOARDS Lahontan - R6	**Lahontan Regional Water Quality Control Board Basin Plan** implements a number of state and federal laws, the most important of which are the federal Clean Water Act (P.L. 92-500, as amended), and the State Porter-Cologne Water Quality Control Act (California Water Code § 13000 et seq.). The Lahontan RWQCB is responsible for the issuance of the following: 1) Report of Waste Discharge under the Porter Cologne Act for the alteration of 0.183 acres of natural drainage courses that bisect the site. 2) NPDES general permit to reduce pollutants from reaching surface waters by requiring specified control measures for: • Discharges of pollutants in storm water and non-storm water, including sediment. • Preventing exposure of pollutant sources to storm water.

Regulatory Agency	Regulations
	• Preventing alterations to hydrology affecting sediment loads in local waters. • Erosion and pollutant discharges from construction and roadways/operations.
	The City of Adelanto is responsible for ensuring that grading plans meet NPDES requirements by implementing General Plan Policies and Municipal Code Requirements.

City of Adelanto General Plan and Municipal Code

Δ PF 5.3 Assure that storm infrastructure is designed to carry flows as outlined in the Drainage Master Plan.

Δ PF 5.4 Encourage developers to minimize impervious surfaces to reduce storm water runoff and increase flood protection.

Δ PF 5.6 Enforce requirements for new constructions' protection against flooding.

Δ PF 5.7 Require street and parking lot vegetated swales to filter stormwater pollutants and allow stormwater infiltration.

Δ PF 6.4 Ensure developers comply with current standards for stormwater management and consistent with State Water Resources Control Board requirements.

Table 4.9.3, *General Plan Policy Consistency Analysis-Hydrology and Water Quality,* provides a summary of the Project's consistency with these policies.

City of Adelanto Municipal Code Requirements

Section 17.93.150 – Soil Erosion and Sediment Control Plan

Section 17.93.060 – Runoff Control

4.9.4 Environmental Setting

Regional Hydrology

The Project is situated within the Mojave River Watershed, an expansive region spanning more than 5,400 square miles in the California High Desert, specifically in San Bernardino County. This watershed exhibits significant hydrological diversity. The majority, over 90% of the basin's groundwater recharge originates from the San Gabriel and San Bernardino Mountains. Groundwater discharge occurs primarily through activities such as well pumping, evaporation from the soil, plant transpiration, seepage into dry lakes where water evaporates, and seepage into the Mojave River.

Site Hydrology

The project site is currently undeveloped with an estimate elevation difference of roughly 20 feet flowing from southeast to northwest. The drainage area is relatively flat at an average descending rate of 0.6%, northwest towards Adelanto Road. The current surface conditions are barren and undeveloped, with a hydrologic soil classification of 'A & C', as shown per the NRCS Soil Survey Report in Appendix H. The project area does not have existing infrastructure, including any public storm drain on the streets. The current site runoff is sheet flow to the northwest. There is significant off-site runoff from the south, which drains into the subject site. This off-site flow originates from an off-site drainage area of 87.13 acres, combined with the existing basin overflow from the Airport in the south. An irregular earth channel facilitates the flow through the subject site towards Coronado Avenue and Adelanto Road, specifically the northwest corner of the project site. The runoff continuously flows to northwest then reaches Fremont Wash which carrying flow merge to Mojave River.

Flooding and Dam Inundation

Based on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Number 06071C5785H, the Project site falls within "Zone X". This zone indicates an area with a low flood risk, with a 0.2% chance of annual flooding occurrence (FEMA, 2016). The designation of Zone X signifies a minimal flood hazard area and does not classify as a special flood hazard area.

Water Quality

Under the Federal Water Pollution Control Act Amendment of 1972, commonly known as the Clean Water Act (CWA), states are mandated to assess the water quality of their water resources to identify

areas where water quality standards are not met. Water bodies that fail to meet these standards due to excessive pollutant concentrations are listed as impaired waters under Section 303(d) of the CWA. Within the region, the groundwater basins exhibit several areas with water quality concerns. Some prominent contaminants found include arsenic, nitrates, iron, manganese, Chromium VI, and TDS. While certain contaminants occur naturally in desert environments, others are associated with human activities. Elevated levels of these constituents, exceeding drinking water standards, have been detected in the Mojave River Basin and the Morongo Basin/Johnson Valley Area (Morongo). As a result, groundwater in these areas may require treatment before it is suitable for consumption[117].

4.9.5 Methodology

The Project's Hydrology Study Appendix G references design criteria for the site are based on the County of San Bernardino Hydrology Manual CIVILCADD/CIVILDESIGN Engineering Software, Version 7.0. The Project design criteria was used to perform hydrologic calculations to determine the required capacity for the onsite storm drain system and ensure the designed system is adequate to contain the 100-year storm event. 'Peak flow' and 'Time of Concentration' values for each storm event were obtained using the San Bernardino County Rational Hydrology Program within the software.

4.9.6 Thresholds of Significance

Section 2 of Appendix G to the CEQA Guidelines addresses typical adverse effects to Hydrology and Water Quality and includes the following threshold questions to evaluate the Project's impacts on Hydrology and Water Quality.

> *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 a substantial erosion or siltation on- or off-site;*
> >
> > *ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;*

[117] Final Mojave Region Integrated Regional Water Management Plan, Mojave Water Agency, June 2014.

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?

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?

4.9.7 Impacts Analysis

Threshold 4.9 – Hydrology and Water Quality Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			✓	

Discussion

The Project Applicant will be required to adhere to the regulations outlines in Section 402 of the Clean Water Act, which establishes the National Pollution Discharge Elimination System (NPDES) permit program for point sources of pollution discharging into water bodies. The NPDES program mandates operators of construction sites with an area of one acre or more to develop a Storm Water Pollution Prevention Program (SWPP) and obtain authorization to discharge stormwater under an NPDES construction stormwater permit. Additionally, the Project Applicant must comply with the California Porter-Cologne Water Quality Control Act (Section 13000 et seq., of the California Water Code), which necessitates the development of comprehensive water quality control plans for all waters within the State of California. The Project site falls under the jurisdiction of the Lahontan Regional Water Quality Control Board. The Project will be required to comply with the current standards of stormwater management and the State Water Resource Board requirement. **The Project is consistent with General Plan Policy PF 6.4.**

Pre-Development Conditions

Currently, the Project site is undeveloped, generally sloping from southeast to northwest. There are no existing storm drains within the Project site. The existing flows entering the site are 47.82 CFS for the 24-hour 10-year event and 122.82 CFS for the 24-hour 100-year event. The existing flows departing the site at the northwest corner at Adelanto and Coronado Roads are 100.02 CFS for the 24-hour 10-year event and 239.53 CFS for the 24-hour 100-year event. The slopes within the Project are generally flat, only gaining 20 feet in elevation. With the majority of the site being A & C type soils, type A being clay, silty clay, sandy clay, and type C being granular soils such as gravel, sand, loamy sand, the drainage percolates into the ground, and the remaining runoff flows to Coronado Road.

Construction Impacts

Construction activities for the proposed Project would include clearing, grading, paving, utility installation, building construction, and the installation of landscaping, which would result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints, trash, petroleum products, and other pollutants with the potential to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during construction activities in the absence of any protective or avoidance measures.

To address these concerns, the development projects may necessitate the submission of a Notice of Intent and a Stormwater Pollution Prevention Plan (SWPPP) to the State Water Resources Control Board (SWRCB) to demonstrate compliance with the Construction General NPDES Permit. The Construction General Permit mandates the elimination or reduction of non-storm water discharges from construction sites to the maximum extent practicable. It requires the development of a SWPPP that governs construction activities and the implementation of routine inspections to ensure the effectiveness of stormwater pollution prevention measures and control practices before and after storm events. The SWPPP would include the implementation of various Best Management Practices (BMPs) during construction activities to prevent, minimize, and appropriately treat potential pollutants before their discharge from the project site. Examples of these BMPs include sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydroseeding. Additionally, the Project would be required to implement an erosion control plan in accordance with the City of Adelanto Municipal Code Section 17.93.150 – Soil Erosion and Sediment Control Plan to mitigate water- and windborne erosion.

Compliance with the SWPPP and erosion control plan would ensure that the Project's construction activities do not violate water quality standards or waste discharge requirements. Consequently, short-term water quality impacts associated with temporary construction activities would be considered less than significant.

Operational Impacts

The Project proposes to create approximately 4,869,955 sq ft of impervious surfaces including approximately 2,483,836 sq. ft. of building area and 2,386,119 sq. ft. of paved surface out of the approximately 5,587,006 sq ft total Project site. 13% of the Project site would be left as pervious service that would allow for additional infiltration for groundwater recharge and reducing stormwater runoff. **The Project is consistent with General Plan Policy PF 5.4.** Out of the total pervious area, 666,432 sq ft (15.3 acres) will be landscaped including landscaped infiltration basins and swales. **The Project is consistent with General Plan Policy PF 5.7.**

Stormwater pollutants commonly associated with industrial land uses include sediments, nutrients, trash and debris, bacteria and viruses, oil and grease, and pesticides. The Project must comply with the City of Adelanto Municipal Code Chapter 17.93.060 – Runoff Control, as well as prepare a Water Quality Management Plan (WQMP) for managing the quality of stormwater or urban runoff that flows from a developed site after construction is completed. The Project will comply with the City of Adelanto Ordinances and the Phase II Small MS4 General Permit for the Mojave River Watershed as described below.

According to the Preliminary Hydrology Report (Technical Appendix G) to address stormwater management and mitigate potential runoff impacts associated with the increase in impervious surface the Project will include two (2) detention/infiltration basins. Basin-1 which will serve Building 2 is planned for the south side of Nichols Avenue. Basin-2 which will serve Building 1 is planned for the southeast corner of Adelanto Road and Coronado Road.

Onsite runoff will be directed through concrete swales throughout the site and collected by the proposed catch basins via drainpipe. The catch basins will drain to the detention/infiltration basins described above, which are designed to accommodate the increase in runoff, as well as LID (Low Impact Development) devices to satisfy WQMP requirements. The Project's stormwater system and basins are designed to mitigate the 100-year 24-hour storm. For storm events less than the 10-year 24-hour storm, runoff will be fully captured by the proposed detention/infiltration basins, which will infiltrate the underlying soil within 48 hours as required for water quality purposes. Overflow from an 80-foot concrete wide rectangular weir will continue under the improved Adelanto and Coronado Roads downstream using the existing condition drainage path. The stormwater system has been designed to limit discharge to pre-development levels discussed above.

Level of Significance

Based on the comprehensive analysis conducted, it can be concluded that the Project will not contravene any water quality standards or waste discharge requirements during its long-term

operation. **Therefore, the anticipated impacts on water quality would be considered less than significant.**

Threshold 4.9 – Hydrology and Water Quality Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✓	

Discussion

Ground Water Supply Discussion

Development of the Project would lead to an increase in impervious surfaces on the property, which could reduce the amount of water that infiltrates into the underlying aquifer. However, the proposed Project includes infiltration chambers and landscaped areas designed to capture and allow water to percolate into the ground. Therefore, with the full buildout of the Project, it is anticipated that the local groundwater levels would not be significantly adversely affected. As a result, the Project's buildout would not substantially interfere with groundwater recharge.

The City of Adelanto Water Department, through the Adelanto Public Utility Authority (APUA), provides domestic water services to the City of Adelanto and would provide water to the Project.

The sole source of water in the City is from groundwater in the Mojave River Groundwater Basin, commonly referred to as the Mojave Basin Area (MBA). The MBA is an adjudicated basin and pursuant to the Judgment, the Court appointed the Mojave Water Agency (MWA) as Watermaster of the MBA.

For management purposes under the Mojave Basin Judgment, MWA subdivided the Mojave River watershed and associated groundwater basins into five subareas: Alto, Baja, Centro, Este, and Oeste. The City of Adelanto lies within MWA's Alto Subarea. Adelanto and the other purveyors in the area supply water to their customers from local groundwater. MWA replenishes the groundwater supply, primarily with imported water purchased from the State Water Project (SWP).

The court ordered adjudication of the Mojave Basin Area allocates a variable free production allowance (FPA) to each purveyor that supplies 10 AFY or more, including Adelanto. The FPA can vary from year to year depending on the Watermaster's safe yield projections for the Basin.

Groundwater Recharge Discussion

The Mojave River Groundwater Basin combines 31 smaller groundwater basins and sub basins along the Mojave River. DWR's California Groundwater Bulletin 118 Updated 2003 and Bulletin 160, and The California Water Plan Update 2018, state that the Mojave Groundwater Basin has experienced overdraft since the early 1950s. To eliminate long-term overdraft conditions, the Mojave Basin Judgment directed MWA to manage conservation and recharge the basin with supplemental water. MWA has reduced allotments to purveyors each year and has recharged the Mojave River Basin in an effort to eliminate overdraft.

Since the Mojave Basin Judgment, MWA has invested in groundwater banking, groundwater replenishment system (recharge) facilities, and groundwater monitoring to effectively manage the basin.

Groundwater Banking Program: Groundwater banking programs involve storing available SWP surface water supplies during wet years in groundwater basins. Water would be stored either directly by surface spreading or injection, or indirectly by supplying surface water to farmers for use in lieu of their intended groundwater pumping. During water shortages, the stored water could be extracted and conveyed through the California Aqueduct to MWA as the banking partner or used by the farmers in exchange for their surface water allocations.

Groundwater is recharged by natural storm water flows, infiltration of the Mojave river and tributaries, SWP imported water, wastewater imports, and irrigation and wastewater return flow.

Regional Recharge and Recovery Project (R^3 Project): The R3 Project is a conjunctive use project constructed by MWA as a basin management tool that imports and recharges SWP water to be stored underground in the local aquifer and later recovers and distributes water to local retail water purveyors in lieu of pumping water from production wells. R3 is part of a comprehensive solution developed by MWA and the region's stakeholders to manage a sustainable water supply for the region. MWA maintains three Mojave River recharge sites immediately downstream of the recharge area recover and deliver the water through pipelines directly to retail water agencies in lieu of retail agencies utilizing some of their own production wells, which allows the pumping depressions some recovery.

Water pumped is billed through the Watermaster and any water pumped in excess of the retailers FPA is billed as Replacement Obligation and met through MWA's groundwater storage account. This method of water basin management targets the specific local well pumping depressions for the

wells the retail agencies would normally use so they can reduce or eliminate pumping from them while taking R^3 water.

The R^3 Project provides access to an alternative delivery system for the major water providers in the Mojave Basin and partially offsets their need to continue pumping within the local regional aquifer system. Water providers that benefit from the R3 Project include Liberty Utilities (Apple Valley Ranchos Water) Corp., City of Adelanto, City of Hesperia, Golden State Water Company, San Bernardino County Service Area 64 and the Victorville Water District.

The Project will provide for storm events less than the 10-year 24-hour storm, runoff will be fully captured by the proposed detention/infiltration basins, which will infiltrate the underlying soil within 48 hours. For larger storm events that exceed the capacity of the basins runoff, will continue on its current course to the Mojave River where additional infiltrate will take place.

The Project is not proposing wells or conditions that will directly increase groundwater withdrawals on the site and future development will not interfere with the MWA's groundwater management programs.

Sustainable Groundwater Management Discussion

California depends on groundwater for a major portion of its annual water supply, particularly during times of drought. This reliance on groundwater has resulted in overdraft and unsustainable groundwater usage in many of California's basins.[118] The Sustainable Groundwater Management Act (SGMA) was enacted to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. The City of Adelanto is located within the Upper Mojave River Valley portion of the Mojave River Basin.

The Mojave River is an adjudicated basin (i.e., water rights are determined by court order).[119] Adjudicated basins are exempt from the SGMA because such basins already operate under a court-ordered management plan to ensure the long-term sustainability of a basin. No component of the Project would obstruct or prevent the implementation of the management plan for the Mojave River Basin. As such, the Project would not conflict with any sustainable groundwater management plan. Impacts would be less than significant.

118 https://www.waterboards.ca.gov/water_issues/programs/gmp/, accessed on December 10, 2023.
119 https://gis.water.ca.gov/app/bp-dashboard/final/, accessed on December 10, 2023.

Level of Significance

Based on the analysis above, the Project is not forecast to substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

Threshold 4.9 – Hydrology and Water Quality Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
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 a substantial erosion or siltation on- or off-site;			✓	
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;			✓	
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			✓	
iv) impede or redirect flood flows?			✓	

Discussion

Existing Condition/Pre-Development

Currently, the Project site is undeveloped, generally sloping from southeast to northwest. There are no existing storm drains within the Project site. The slopes within the Project are generally flat, only gaining 20 feet in elevation. With the majority of the site being A & C type soils, type A being clay, silty clay, sandy clay, and type C being granular soils such as gravel, sand, loamy sand, the drainage percolates into the ground, and the remaining runoff flows to Coronado Road. The Project does not have existing infrastructure, including any public storm drains on the streets. The current site runoff

is sheet flow to the northwest. There is significant off-site runoff from the south, which drains into the subject site. The off-site flow originates from an off-site drainage area of approximately 87 acres, combined with existing basin overflow from the Southern California Logistics Airport (SCLA). An irregular earth channel facilitates the flow through the Project site towards Coronado Avenue and Adelanto Road at the northwest corner of the site. Runoff then continues to flow to the northwest to the Fremont Wash with flows merging to the Mojave River.

Proposed Condition/Post Development

The Project will include two (2) detention/infiltration basins. Basin-1 which will serve Building 2 is planned for the south side of Nichols Avenue. Basin-2 which will serve Building 1 is planned for the southeast corner of Adelanto Road and Coronado Road.

Onsite runoff will be directed through concrete swales throughout the site and collected by the proposed catch basins via drainpipe. The catch basins will drain to the detention/infiltration basins described above, which are designed to accommodate the increase in runoff, as well as LID (Low Impact Development) devices to satisfy WQMP requirements. The Project's stormwater system and basins are designed to mitigate the 100-year 24-hour storm. For storm events less than the 10-year 24-hour storm, runoff will be fully captured by the proposed detention/infiltration basins, which will infiltrate the underlying soil within 48 hours. For storm events greater than the 100-year 24-hour storm off-site runoff will be carried through an open channel around the subject site.

The drainage pattern for the proposed Project generally follows the existing site condition pattern which will carry runoff from the southwest to the northwest, towards Coronado and Adelanto Roads.

Off-site runoff will be carried through an open channel around the Project site to the downstream side of the Project site.

Proposed development is designed to be compatible with the City of Adelanto Master Plan of Drainage. The development of the Project site will not significantly change area drainage patterns, impact any of the surrounding properties, or change any of the regional master plan facilities. With the reduced peak flow rate for a 10-year and 100-year storm event compared to the pre-development conditions, the proposed Project helps to protect against flooding. **The Project is consistent with General Plan Policy PF 5.6 protection from flooding.**

Erosion or Siltation On- or Off-Site

While the Project would modify the drainage patterns on the property, these alterations would not result in significant erosion or siltation either on-site or off-site. The majority of the site would be covered by impervious surfaces after development, minimizing the amount of exposed soil.

Moreover, the Project includes an integrated storm drain system with Best Management Practices (BMPs) aimed at reducing water-borne pollutants carried from the site. The proposed detention/infiltration basins along with the BMPs will effectively remove sediment from stormwater runoff and control discharge with a low flow rate reducing the potential for substantial erosion as the stormwater leaves the Project site.

Storm Drain Systems and Polluted Runoff

The storm drain system of the Project would be designed and sized according to the master drainage plan for the area, ensuring that off-site flows passing through the Project site, as well as flows originating from off-site, can be accommodated by existing and planned downstream storm drain facilities.

As mentioned in Thresholds a) and b) above, the Project Applicant would be required to adhere to a future Project's SWPPP and WQMP (Appendix H). These plans identify the necessary Best Management Practices (BMPs) to be integrated into the Project's design and operation. In addition, the Project's stormwater infrastructure will comply with the City of Adelanto Drainage Master Plan Update. The Drainage Master Plan recommends the use of inlets, culverts, channels and on-site detention basins to conduct and store stormwater during 10-year and 100-year flood peak flow events. The Project proposes two detention basins along with the drainage infrastructure to conduct the water to the basins. Basin 1 which serves Building 2 will outlet to Basin 2 which serves Building 1 through a storm drainpipe system. Overflow from an 80-foot concrete wide rectangular weir will continue under the improved Adelanto and Coronado Roads downstream using the existing condition drainage path. The stormwater system has been designed to limit discharge to pre-development levels discussed above.

The Project is consistent with General Plan Policy PF 5.3 Drainage Master Plan.

Level of Significance

Implementation of the Project would not lead to significant on-site or off-site erosion, flooding, or siltation because the Site's storm water will be captured on site and directed to infiltration basins and to the existing drainage path that flows off-site. **This results in a less than significant impact on drainage, water quality and quantity.**

Threshold 4.9 – Hydrology and Water Quality Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				✓

Discussion

The Project site is situated approximately 75 miles northwest of the closest shoreline with the Pacific Ocean (Google Earth Pro, 2023), ensuring that it is not susceptible to potential tsunami impacts. While there could be potential threats of dam inundation to the Mojave River in the event of a failure at Silverwood or Arrowhead Lakes, resulting in water discharge into the Mojave River via Deep Creek, the distance to the nearest developed areas and the presence of protective measures in the holding basins below Lake Silverwood and the Deep Creek area reduce the probability of extreme flooding and the risk of dam failure-induced inundation.

According to the Federal Emergency Management Agency (FEMA), the Project site is not located within a flood hazard zone.[120] According to the California Department of Conservation, California Official Tsunami Inundation Maps,[121] the site is not located within a tsunami inundation zone. In addition, the Project would not be at risk from seiche because there is no water body around the Project site capable of producing as seiche.

Level of Significance

As the Project is not located within a flood hazard zone, a mapped dam inundation zone, and is not located near a large body of water that would create a tsunami or seiche impact are less than significant impact arising from these factors.

120 https://www.fema.gov/flood-maps, accessed on December 10, 2023.

121 California Department of Conservation, *California Official Tsunami Inundation Maps,* accessed December 10, 2023.

Threshold 4.9 – Hydrology and Water Quality Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			✓	

Discussion

As discussed under Thresholds 4.10 (a) and 4.10 (c), with implementation of the proposed drainage system improvements and features, the Project will not conflict with or obstruct implementation of the Lahontan Basin Plan. In addition, as discussed under Threshold 4.10 (b), the Project site is not subject to a Sustainable Groundwater Water Management program and will not substantially impede sustainable groundwater management of the basin.

Level of Significance

As explained in Threshold b), the Project's activities would not lead to a substantial decrease in groundwater supplies or significant interference with groundwater recharge. Therefore, the Project is not anticipated to conflict with or impede a sustainable groundwater management plan. Consequently, the construction and operation of the Project would not contradict the Lahontan Basin Plan, ensuring impacts remain less than significant.

4.9.8 General Plan Consistency

Table 4.9.3 General Plan Policy Consistency Analysis-Hydrology and Water Quality

General Plan Policy	Consistency Determination
PF 5.3 Assure that storm infrastructure is designed to carry flows as outlined in the Drainage Master Plan.	**Consistent.** the Project Applicant would be required to adhere to a future Project's SWPPP and WQMP (Appendix H). These plans identify the necessary Best Management Practices (BMPs) to be integrated into the Project's design and operation. In addition, the Project's stormwater infrastructure will comply with the City of Adelanto Drainage Master Plan Update. The Drainage Master Plan recommends the use of inlets, culverts, channels and on-site detention basins to conduct and store stormwater during 10-year flood peak flow events. The Project proposes two detention

General Plan Policy	Consistency Determination
	basins along with the drainage infrastructure to conduct the water to the basins.
PF 5.4 Encourage developers to minimize impervious surfaces to reduce storm water runoff and increase flood protection.	**Consistent.** The Project proposes to create approximately 4,869,955 sq ft of impervious service out of the approximately 5,587,006 sq ft total Project site. 13% of the Project site, approximately 15.3 acres, would be left as pervious service that would allow for additional infiltration for groundwater recharge and reducing stormwater runoff.
PF 5.6 Enforce requirements for new constructions' protection against flooding.	**Consistent.** Proposed development is designed to be compatible with the City of Adelanto Master Plan of Drainage. The development of the Project site will not significantly change area drainage patterns, impact any of the surrounding properties, or change any of the regional master plan facilities. With the reduced peak flow rate for a 10-year and 100-year storm event compared to the pre-development conditions, the proposed Project helps to protect against flooding.
PF 5.7 Require street and parking lot vegetated swales to filter stormwater pollutants and allow stormwater infiltration.	**Consistent.** Out of the total pervious area, 666,432 sq ft will be landscaped including landscaped infiltration basins and swales.
PF 6.4 Ensure developers comply with current standards for stormwater management and consistent with State Water Resources Control Board requirements.	**Consistent.** The Project Applicant will be required to adhere to the regulations outlines in Section 402 of the Clean Water Act, which establishes the National Pollution Discharge Elimination System (NPDES) permit program for point sources of pollution discharging into water bodies. The NPDES program mandates operators of construction sites with an area of one acre or more to develop a Storm Water Pollution Prevention Program (SWPP) and obtain authorization to discharge stormwater under an NPDES construction stormwater permit. Additionally, the Project Applicant must comply with the California Porter-Cologne Water Quality Control Act (Section 13000 et seq., of the California Water Code), which necessitates the development of comprehensive water quality control plans for all waters within the State of California. The Project site falls under the jurisdiction of the Lahontan Regional Water Quality Control Board. The Project will be required to comply with the current standards of stormwater management and the State Water Resource Board requirement.

4.9.9 Cumulative Impacts

The Project is required to comply with water quality standards and waste discharge requirements and will not degrade surface or groundwater quality. Other projects in the City will be required to comply with these standards and requirements as well. Substantial impacts to water quality standards and waste discharge requirements would not be cumulatively impactful.

Despite the increase in impervious surface coverage, the Project incorporates design features that facilitate surface runoff infiltration into the groundwater basin. Likewise, other development projects within the basin would be obligated to include design elements that promote percolation, such as minimum landscaped/ permeable area requirements and water quality/detention basins. The Project and other developments would not obstruct or hinder the implementation of applicable groundwater management plans. With no significant impacts to groundwater, the provision of percolation-friendly design measures, and compliance with relevant Lahontan Region Groundwater Basin management plans, cumulative development would not considerably and adversely affect local groundwater supplies. Substantial cumulative impacts to groundwater supply or recharge would not occur.

Construction activities associated with the Project and other cumulative projects in the study area have the potential to contribute waterborne pollution, such as erosion and siltation, to the Mojave River Watershed. To comply with regulatory requirements, construction projects disturbing 1.0 acre or more of land must obtain coverage under the state's General Construction NPDES Permit. This involves developing and implementing an effective site-specific SWPPP that identifies potential pollutants and employs erosion and sediment control measures. The Lahontan Region Basin Plan establishes water quality standards for the region, which the Project Applicant and all cumulative developments would need to comply with. By adhering to these mandatory regulations, the proposed Project and other developments in the Mojave River watershed would not substantially contribute to water quality impairments during construction.

During operation, the Project would also comply with its WQMP to minimize waterborne pollution, including erosion and sediment discharge. Similarly, other development projects within the watershed would be required to prepare and implement site-specific WQMPs to prevent substantial contributions to water quality violations. Consequently, the Project's operations would not cumulatively contribute to significant water quality effects. The Project is designed to maintain runoff during peak storm events at existing levels. Given the requirement for all developments in the Mojave River Basin to comply with regulations and prevent excessive stormwater discharges, a substantial cumulative impact related to flood hazards would not occur.

The Project site is not situated in a special flood hazard area or a susceptible inundation zone. Therefore, the development on the Project site would not impede or redirect flood flows, and there would be no significant cumulative impact in this regard.

Both the Project and other development projects within the Mojave River Basin would be required to comply with federal, state, and local regulations, as well as regional and local master drainage plans, to mitigate flood hazards on- and off-site. Compliance entails safeguarding development sites from flooding during extreme storm events (e.g., 100-year storm) and preventing increased flood risks to downstream properties. Future development proposals in the basin must submit hydrologic and hydraulic calculations for review and approval by the responsible City/County Engineer to demonstrate the absence of significant on- and/or off-site flood hazards. The Project's operations would not cumulatively conflict with or impede the Lahontan Basin Plan.

4.9.10 Conclusion

The Project would not impact water quality or water quantity because drainage will be handled on-site through an underground system, and some flows would be allowed to flow into the natural drainage off site, as they do currently. Overall, the impacts to hydrology and water quality are less than significant.

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4.10 Land Use and Planning

4.10.1 Introduction

This section of the EIR describes the existing land uses on the Project site and in its surroundings; land use compatibility; and if the Project is in conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

As required by CEQA Guidelines §15125(d), *"The EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans. Such regional plans include, but are not limited to, the applicable air quality attainment or maintenance plan or State Implementation Plan, area-wide waste treatment and water quality control plans, regional transportation plans, regional housing allocation plans, regional blueprint plans, plans for the reduction of greenhouse gas emissions, habitat conservation plans, natural community conservation plans and regional land use plans for the protection of the Coastal Zone, Lake Tahoe Basin, San Francisco Bay, and Santa Monica Mountains."*

Because the General Plan is organized into chapters ("Elements") that address certain issues (e.g. the Noise Element addresses impacts from noise), the General Plan consistency analysis is discussed in Section 4.11, *Noise*. Likewise, the consistency analysis for the area wide water quality control plan (Water Quality Control Plan for the Lahontan Region (Basin Plan), is analyzed in Section 4.9, *Hydrology and Water Quality*. **Table 4.10.1**, List of Applicable Plans, Policies, or Regulations Related to Environmental Effects, directs the reader to the applicable EIR section for which a specific environmental topic is discussed.

The focus of this section is to evaluate the land use and zoning standards applicable to the Project, and to determine if the Project is consistent with these requirements.

Table 4.10.1 List of Plans, Policies, or Regulations Related to Environmental Effects

Environmental Topic	Applicable Land Use Plan, Policy, or Regulation	EIR Section/Page
Aesthetics	▪ City of Adelanto General Plan Community Design Element. ▪ City of Adelanto Open Space and Conservation Element. ▪ City of Adelanto Zoning Ordinance Chapter 17.15 Design Review	4.1 Aesthetics
Air Quality	▪ Mojave Desert Air Quality Management District Air Quality Management Plan ▪ City of Adelanto Open Space and Conservation Element.	4.2 Air Quality
Biological Resources	▪ City of Adelanto Open Space and Conservation Element.	4.3 Biological Resources
Cultural Resources	▪ City of Adelanto Open Space and Conservation Element.	4.4 Cultural Resources
Energy	▪ City of Adelanto Open Space and Conservation Element.	4.5 Energy
Geology and Soils	▪ City of Adelanto General Plan Safety Element ▪ Water Quality Control Plan for the Lahontan Region (Basin Plan	4.6 Geology and Soils
Greenhouse Gas Emissions	▪ California Air Resources Board Scoping Plan ▪ Connect SoCal ▪ City of Adelanto Open Space and Conservation Element.	4.7 Greenhouse Gas Emissions
Hazards and Hazardous Materials	▪ City of Adelanto General Plan Safety Element. ▪ City of Adelanto Zoning Ordinance Chapter XX	4.8 Hazards and Hazardous Materials
Hydrology and Water Quality	▪ City of Adelanto General Plan Safety Element. ▪ City of Adelanto Zoning Ordinance Chapter 17.15 Soil Erosion ▪ Water Quality Control Plan for the Lahontan Region (Basin Plan)	4.9 Hydrology and Water Quality

Environmental Topic	Applicable Land Use Plan, Policy, or Regulation	EIR Section/Page
Land Use and Planning	• Adelanto General Plan Land Use and Community Design Element	4.10 Land Use and Planning
Noise	• City of Adelanto General Plan Noise Element. • City of Adelanto Zoning Ordinance Chapter 9.	4.11 Noise
Tribal Cultural Resources	• City of Adelanto General Plan Open Space and Conservation Element.	4.13 Tribal Cultural Resources
Utilities and Service Systems	▪ City of Adelanto Urban Water Management Plan ▪ County of San Bernardino Integrated Waste Management Plan	4.14 Utilities and Service Systems

4.10.2 Notice of Preparation (NOP) Scoping Comments

To initiate the preparation of this EIR, the City of Adelanto released a Notice of Preparation (NOP) for a 30-day comment period starting on December 13, 2023, and ending on January 11, 2024. A NOP is a brief notice sent by the City to notify governmental agencies and the general public that the City commenced preparation of this EIR and to solicit input from those agencies as to the scope and content of the environmental information to be included in the EIR. Additionally, a virtual EIR Scoping Meeting was held on January 9, 2024. There were no comments received during the virtual EIR Scoping Meeting nor any letters received specifically addressing Land Use and Planning during the NOP comment period.

4.10.3 Regulatory Framework

The Project is evaluated for consistency with the City of Adelanto General Plan Land Use and Community Design Element, and the City of Adelanto Municipal Code Chapter 17-Zoning Ordinance. Additionally, the interface with the adjacent Southern California Logistics Airport (SCLA) Specific Plan is discussed. The other documents listed in Table 4.102 below are discussed in the application section of this EIR.

Table 4.10.2 Regulatory Framework-Land Use and Planning

Regulatory Agency	Regulations
	General Plan. The applicable are listed in Table 4.10.1 List of Plans, Policies, or Regulations Related to Environmental Effects above. Zoning Code. The purposes of this Zoning Code are: (a) To implement the Adelanto General Plan and Adelanto North 2035 Comprehensive Sustainable Plan; (b) To classify, segregate, restrict, designate, regulate, and encourage the best type, location, and use of buildings, structures, and land; (c) To limit the intensity, height, number of stories, and size of buildings and other structures hereafter designed, erected, or altered; (d) To regulate and determine the size of yards and other open spaces; (e) To regulate and limit the intensity of development; (f) To facilitate adequate provisions for community facilities, such as transportation, water, sewage, schools, and parks; and (g) To provide the economic and social advantages resulting from an orderly use of land and its resources.
	AB32 Climate Change Scoping Plan. The 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan) lays out a path to achieve targets for carbon neutrality and reduce anthropogenic greenhouse gas (GHG) emissions by 85 percent below 1990 levels no later than 2045, as directed by Assembly Bill 1279. The actions and outcomes in the plan will achieve: significant reductions in fossil fuel combustion by deploying clean technologies and fuels, further reductions in short-lived climate pollutants, support for sustainable development, increased action on natural and working lands to reduce emissions and sequester carbon, and the capture and storage of carbon.
	Connect SoCal. Connect SoCal 2024 is a long-range visioning plan that balances future mobility and housing needs with economic and environmental goals. Connect SoCal 2024 represents the vision for Southern California's future through 2050, including planning policies, strategies, and projects. The Plan details how the region will address its transportation and land use challenges and leverage opportunities to support attainment of applicable federal air quality standards and achieve state's greenhouse gas (GHG) emissions reduction targets. Connect SoCal 2024 builds from the policy directions established in Connect SoCal 2020 as amended, as well as more recent policy directions from SCAG's Regional Council to reflect emerging issues including racial equity, resilience and conservation, climate change, next generation infrastructure, and the economy.
	Air Quality Management Plan. The applicable plans are: ▪ ***MDAQMD Federal 70 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area, January 23, 2023.*** ▪ ***Certification of District Measures to Reduce PM Pursuant to Former Health & Safety Code §39614(d) January 27, 2020.***

Regulatory Agency	Regulations
CALIFORNIA WATER BOARDS Lahontan - R6	**Lahontan Regional Water Quality Control Board Basin Plan.** The Lahontan RWQCB implements a number of state and federal laws, the most important of which are the federal Clean Water Act (P.L. 92-500, as amended), and the State Porter-Cologne Water Quality Control Act (California Water Code § 13000 et seq.). The Lahontan RWQCB is responsible for the issuance of the following: 1) Report of Waste Discharge under the Porter Cologne Act for the alteration of 0.183 acres of natural drainage courses that bisect the site. 2). NPDES general permit to reduce pollutants from reaching surface waters by requiring specified control measures for: • Discharges of pollutants in storm water and non-storm water, including sediment. • Preventing exposure of pollutant sources to storm water. • Preventing alterations to hydrology affecting sediment loads in local waters. • Erosion and pollutant discharges from construction and roadways/operations.
SAN BERNARDINO COUNTY	**County of San Bernardino Integrated Waste Management Plan.** County of San Bernardino Integrated Waste Management Plan._The intent of the IWM Act is to reduce, recycle and reuse as much of the state's solid waste as is feasible; to improve regulatory oversight and permitting for solid waste management facilities: and to outline the responsibilities of local government regarding waste management practices and programs. The preparation and periodic updating of the Countywide Integrated Waste Management Plan (CIWMP) continues to be one of the key requirements of the IWM Act. The Plan consists of four elements and a Summary Plan. Each jurisdiction was required to prepare a Source Reduction and Recycling Element (SRRE) which analyzed the local waste stream to determine where to focus diversion efforts, and developed diversion programs and funding. A Household Hazardous Waste Element (HHWE) was prepared by each jurisdiction and includes educational programs to encourage safe waste management practices and provides a framework for recycling, treatment, and disposal practices. Like the SRRE, the HHWE includes programs and their funding. Each jurisdiction also was required to prepare a Nondisposal Facility Element (NDFE) which lists planned and existing facilities such as material recovery facilities and composting facilities that recover waste from the waste stream.

4.10.4 Environmental Setting

As shown on General Plan Figure 4.10.1, *Growth Areas,* the Project site is located within Growth Area 2. General Plan Policy LC 5.3 states: "*Allow development outside of Growth Area 1 only if the applicant and/or developer provides for the construction and maintenance of extending infrastructure and public facilities beyond Growth Area 1".* Growth Area 2 is characterized by vacant, undeveloped land with access via dirt roads generally within the rights-of-way of public streets. Adjacent to the east of the Project site is the SCLA Airport, a fully operational logistics airport. The land within the SCLA is governed by the SCLA Specific Plan, which covers approximately 8,611 acres in the City of Victorville. The Specific Plan area designates 2,525 acres as Airport and Support Facilities, 1,125 acres of area designated as Business Park (BP) land use, 3,767 acres designated as Industrial (I) land use, and 44 acres of area designated as Public Open Space (POS) land use. In addition, there are approximately 940 acres of area designated as Public Institutional (PI) land use, which encompasses the existing Federal Correction Complex in the southern portion of the Specific Plan area. Recently, three logistic warehouse buildings have been constructed ¾ mile to the south in the City of Victorville. Additionally, the City of Adelanto approved a commercial center ¾- mile to the southeast at the intersection of El Mirage Road and Avalon Avenue.

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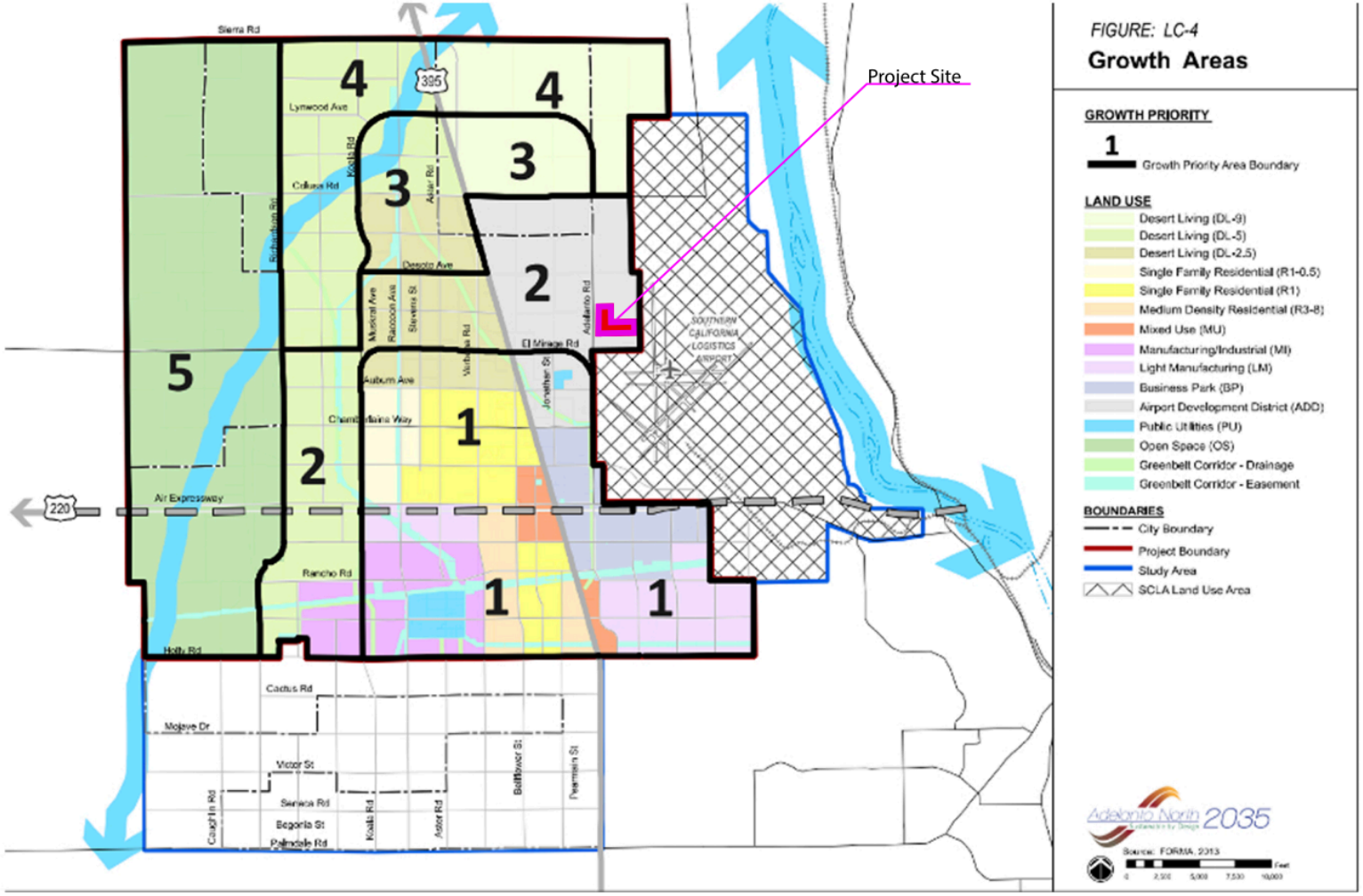
Figure 4.10.1 Growth Areas



Source: Adelanto North 2035 Comprehensively Sustainable Plan, Figure LC-4, Growth Areas.

Onsite and adjacent land uses, General Plan land use designations, and zoning classifications are shown in **Table 4.10.3**, Land Uses, General Plan Land Use Designations and Zoning Classifications.

Table 4.10.3 Land Uses, General Plan Land Use Designations and Zoning Classifications

Location	Current Land Use	General Plan Land Designations	Zoning Classification
Site	Undeveloped	Airport Development District	ADD
North	Undeveloped	Airport Development District	AD
South	Undeveloped	Airport Development District	ADD
East	Undeveloped with SCLA Airport further east	Specific Plan (SCLA Airport)	I
West	Undeveloped	Airport Development District	ADD

Source: Field inspection, City of Adelanto -General Plan Land Use & Zoning District Map, March 2022, City of Victorville General Plan Land Use< September 1, 2022. Google Earth Pro.

As shown in **Figure 4.10.2**, Adelanto General Plan Land Use Designations, the Project site is within the Airport Development District (ADD) which is intended to provide a limited development holding zone for airport-supportive uses. Site planning land use adjacent to commercial airports is intended to protect against intrusion of negative environmental conditions, such as excessive noise while allowing compatible aviation-related uses such as logistics, warehousing and distribution, automotive/truck/boat/sales, parts, and repair, RV/vehicle storage, or renewable energy facilities.[122]

As shown in **Figure 4.10.2**, Adelanto Zoning Map Classifications, the Airport Development District (ADD) provides for a wide range of nonresidential uses, generally encompassing light and heavy industrial, retail, office, and other commercial uses that are oriented around airport operation, services, industries and businesses. The Airport Development District is intended to provide maximum flexibility to the City, landowners, and tenants in establishing and operating non-residential uses. Development is expected to be predominated by buildings of one (1) or two (2) stories, but may attain any heights up to fifty-five (55) feet. In some cases, retail uses will be on the ground floor, with offices above. All uses in this district will be required to execute aviation easements.[123]

[122] Adelanto North 2035 Comprehensive Sustainable Plan, p.33. https://cms3.revize.com/revize/adelanto/Documents/Services/Community%20Development%20Services/Planning/General%20Plan/Adelanto%20North%202035%20Sustainable%20Plan.pdf. Accessed February 5, 2024.
[123] Title 17, Adelanto Zoning Ordinance, Section 17.30.090 (a). https://codelibrary.amlegal.com/codes/adelanto/latest/adelanto_ca/0-0-0-10408#JD_Chapter17.30. Accessed February 5, 2024.

Figure 4.10.2 Adelanto General Plan Land Use Designations

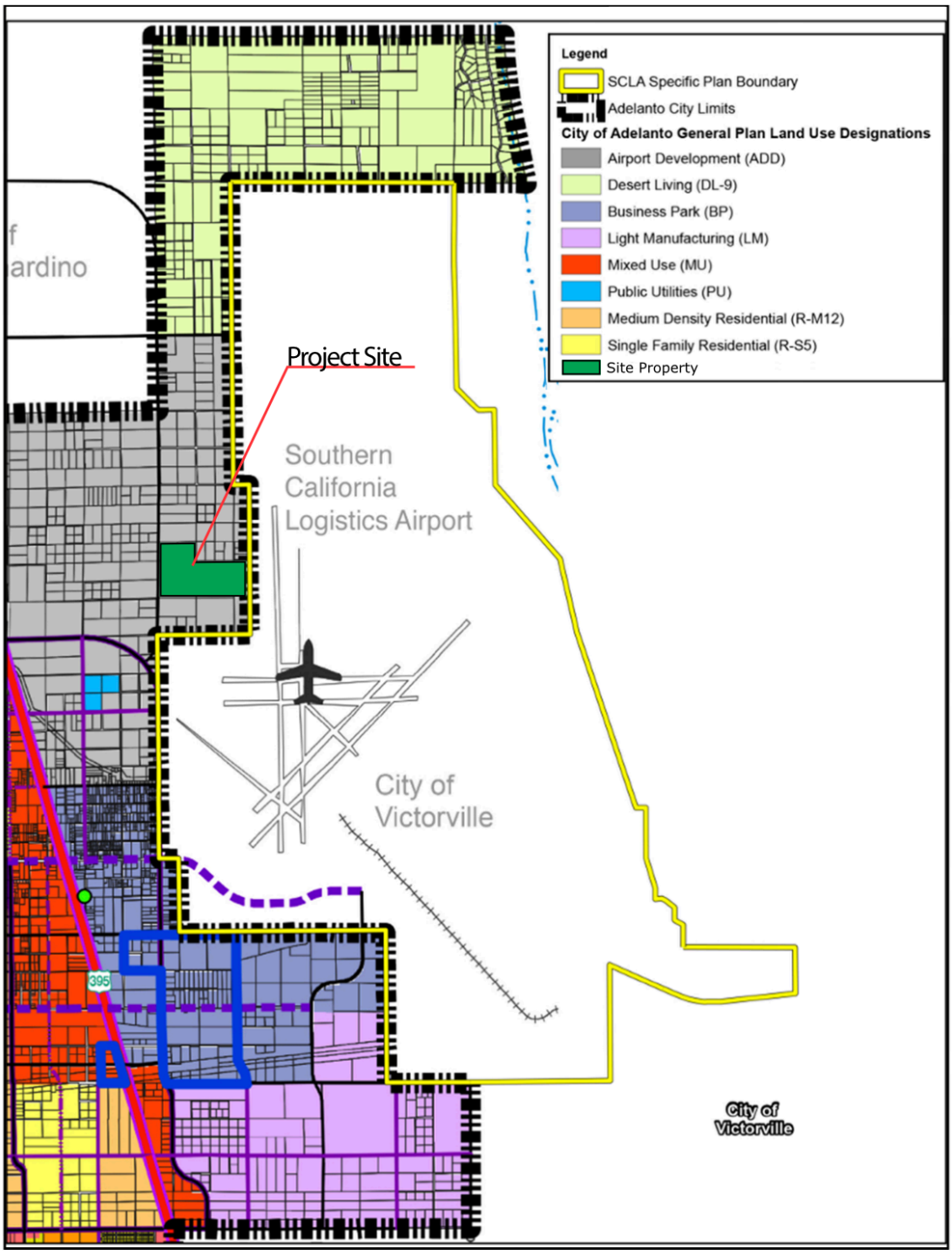
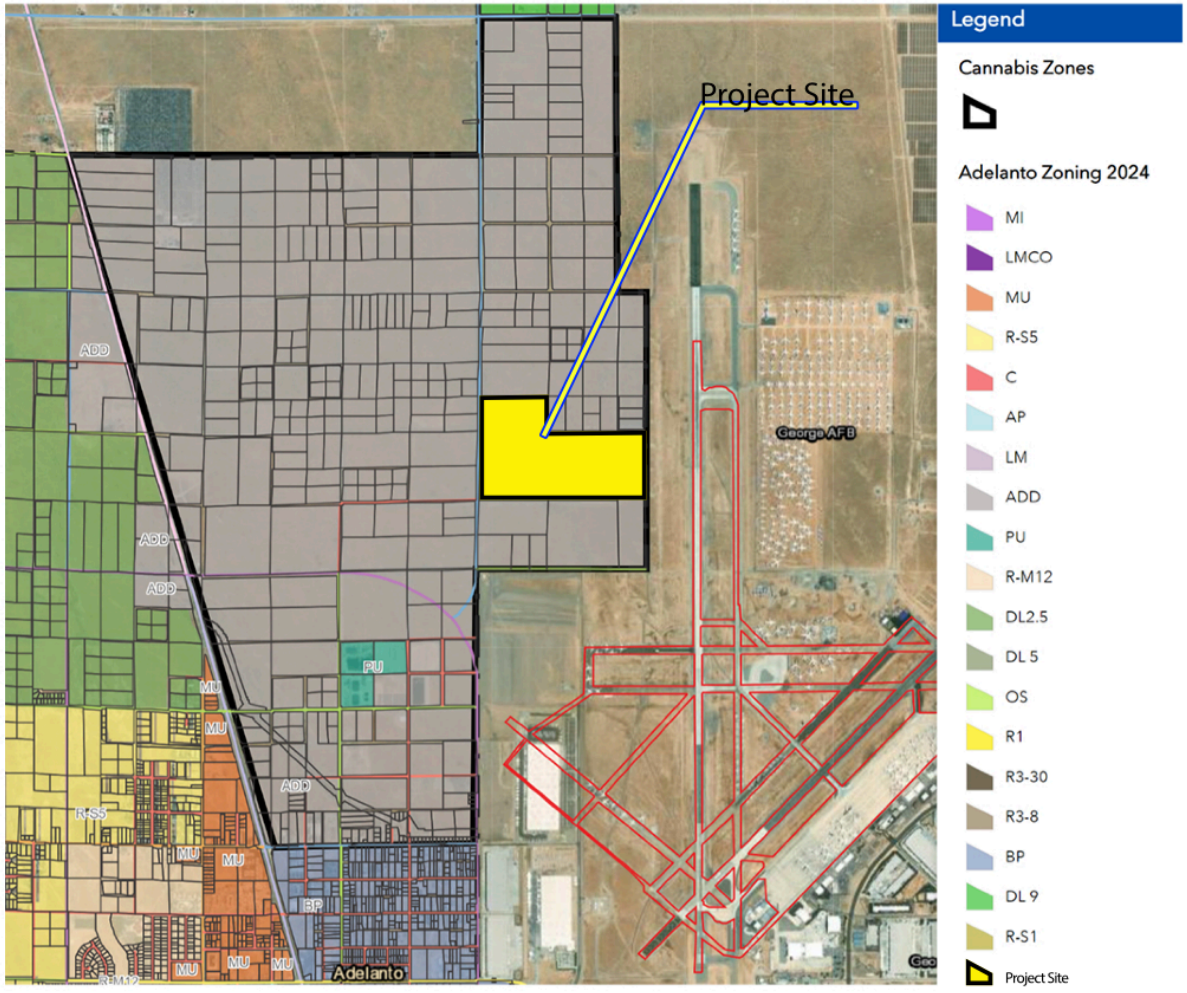


Figure 4.10.3 Adelanto Zoning Map Classifications



4.10.5 Methodology

The evaluation of impacts on land use and planning is based on whether the Project would physically divide an established community or conflict with applicable plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. This section discusses potential inconsistencies with the Adelanto General Plan Land Use and Community Design Element and the Adelanto Zoning Ordinance with respect to land use compatibility impacts that may result from such inconsistencies. Compatibility with the SCLA Specific Plan in the City of Victorville is also evaluated because the Project site shares a common border with the Specific Plan.

4.10.6 Thresholds of Significance

Section XI of Appendix G to the CEQA guidelines addresses the adverse effects that are typical to land use and planning. The following thresholds are used to evaluate the impacts that the Project might have on land use and planning:

a) Physically divide an established community;

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

4.10.7 Impacts Analysis

Threshold 4.10 – Land Use and Planning Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?				✓

Discussion

An example of a Project that has the potential to divide an established community includes the construction of a new freeway or highway through an established neighborhood that would result in physical barriers that divide a community. As shown in Figure 2.2, *Aerial Photo*, the Project site is in an area that consists primarily of vacant undeveloped land and there is no existing established community. Therefore, the Project would not divide an established community.

Level of Significance

No Impact.

Threshold 4.10 – Land Use and Planning Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
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?			✓	

Discussion

Land use plans and policies adopted for the purpose of avoiding or mitigating an environmental effect are those that directly address physical environmental issues and/or contain targets or standards that must be met to preserve or improve characteristics of Adelanto's physical environment. Applicable land use plans that regulate development on the Project site include the General Plan and the Zoning Ordinance.

General Plan

The General Plan contains ten elements that set forth goals, objectives, and policies for the physical development of the city as listed below:

Land Use and Community Design

This Element Promotes sustainable long-term growth in the City by providing a balanced allocation of residential, commercial, industrial, and open space uses. The goals and policies are also meant to encourage and require quality design that reflects the Adelanto desert conditions, create attractive streetscapes and development projects, and provide a more sustainable environment that minimizes resource consumption.

Economic Development

This Element provides a vision for healthy, long-term economic growth and defines, goals, policies, and programs that will help the City implement this vision.

Mobility

This Element's overarching transportation goal is to establish and maintain a complete, multi-modal transportation network that provides sustainable options for the automobile. The Element provides a network of streets, bicycle and transit routes, and trails that create a more sustainable transportation system to reduce greenhouse gases and air pollution.

Parks and Recreation

This Element provides a network of recreational park facilities to meet the needs of the current and future populations.

Open Space and Conservation

This Element provides a network of spaces to protect natural habitat and natural drainage courses. The Plan incorporates energy and water conservation methods to conserve natural resources over the long term. The Element Plan supports and encourages sustainable land use and mobility planning practices to ensure a reduction in air pollution and GHGs within the Planning Area.

Public Facilities and Infrastructure

This Element addresses the physical facilities needed for the conveyance of vital services and functions such as water supply and distribution; wastewater collection and treatment; storm drainage and flood control; education and public facilities; and safety services.

Public Health and Safety

The Element addresses health and safety issues including planning for and responding to natural and human-induced disasters, such as earthquakes, fires, and floods, and minimizing exposure to hazardous materials.

Noise

This Element provides a basis for comprehensive local programs to control and abate environmental noise and to protect residents from excessive exposure.

Housing

This Element identifies and analyzes the City's existing and projected housing needs and includes an outline and work program of the City's goals, policies, quantified objectives, and programs for the preservation, improvement, and development of housing for future growth of all segments of the community. The Housing Element facilitates the development of housing for the community based on predictions and forecasts for growth.

General Plan Consistency Analysis

As noted above, the consistency analysis for applicable General Plan policies is discussed within each environmental topic in Sections 4.1 through 4.14 of this EIR so as to provide context as part of the analysis for each environment topic. The focus of the analysis in this section is to evaluate the land use and zoning standards that are applicable to the Project, and to determine if the Project is consistent with these requirements.

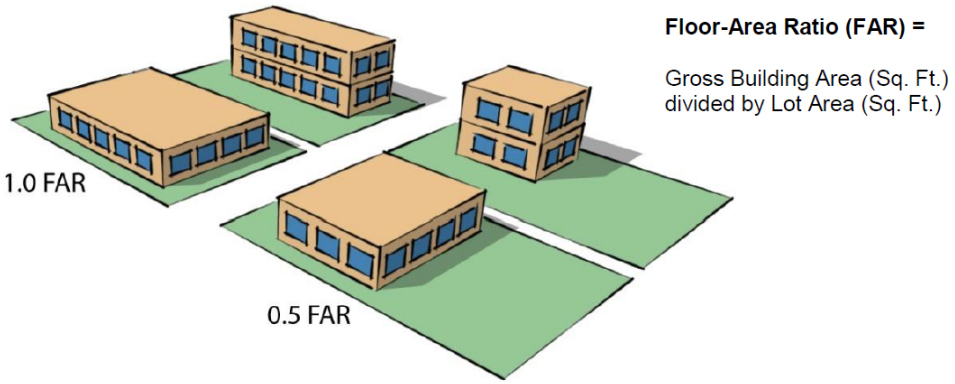
Table 4.10.4 General Plan Development Standards

Non-Residential Designations	Maximum Intensity Floor-Area Ratio (FAR)	Maximum Height	
		Story	Feet
Business Park (BP)	0.75 FAR	3 stories	50 feet
Light Manufacturing (LM)	0.60 FAR	3 stories	50 feet
Manufacturing/Industrial (MI) – Industrial or Manufacturing Uses	0.60 FAR	2 stories	30 feet
Manufacturing/Industrial (MI) – Correctional Facilities	0.60 FAR	4 stories	60 feet
Airport Development District	0.60 FAR	2 stories	55 feet
Mixed Use	0.45 FAR	4 stories	N/A

Source: *Adelanto North 2035 Comprehensive Sustainable Plan*, Table LC-2 Non-Residential Intensity and Height Standards.

As stated in the General Plan: *"Density and intensity are quantitative measures used to describe how much development may occur on a property…" "For nonresidential land uses, the term "intensity" is used. Development intensity addresses the amount of building square footage on a particular parcel or lot. Intensity can be described in many ways, including total building square footage, the percent of the lot the building occupies, the mass of a building, or a floor/area ratio. This Plan uses a floor-area ratio (FAR) to measure nonresidential intensity. The FAR defines the ratio of the total gross floor area of all buildings on a lot to the total land area of the lot. It is useful to note that FAR alone does not describe the form of buildings. For example, an FAR of 1.0 may yield a one-story building that covers the entire lot, or a two story building that covers half of the lot, or a number of other possible configurations…."* as illustrated in **Figure 4.10.4**, Floor Area Ratio.

Figure 4.10.4 Floor Area Ratio



The maximum FAR for the Project site is 0.60. As proposed, the Project FAR is 0.44 (gross building area = 2,483,836 sf / lot area = 5,577,153 sf = 0.44 FAR. As such, the Project FAR is consistent with the General Plan. The maximum allowable building height is 55 feet. Building 1 has a maximum height of 52 feet and Building 2 of 52 feet. As such, the Project is consistent with the maximum height limit required by the General Plan.

The Planning Commission (or City Council upon an appeal) would evaluate the Project for conformance with all of the policies of the General Plan and would consider potential inconsistencies as part of the decision-making process. The consideration of General Plan policies is carried out independent of the environmental review process, as part of the decision to approve, modify, or disapprove the Project.

Conflicts with the General Plan do not, in themselves, indicate a significant environmental effect related to the topic of Land Use and Land Use Planning. A significant impact would occur only if the Project substantially conflicts with a policy that was adopted for the purpose of avoiding or mitigating an environmental effect and would result in a substantial adverse physical change in the environment. **Based on the analysis above, and the detailed analysis in Sections 4.1 through 4.9 and 4.11 through 4.14, the Project is consistent with all applicable General Plan policies and development standards.**

Zoning Ordinance

The Zoning Ordinance, which implements the policies contained in the General Plan, governs permitted uses, densities, and configuration of buildings in Adelanto. Permits to construct new buildings may not be issued unless the Project either conforms to the planning code or is granted an exception according to provisions of the Zoning Ordinance. The Project is requesting approval of a Location and Development Plan (LDP No. 23-06). As stated in Zoning Ordinance Section

17.150.010 (a): *"The City recognizes that in order to provide safe and efficient circulation, compatibility with surrounding uses, attractive and efficient designs, and required landscaping, open space, and other areas, all new development, establishment of new uses require the formal review and approval of a detailed Location and Development Plan. The Location and Development Plan approval process is provided for this purpose."*

The basis for approval of a LDP is stated in Section 17.150.060: *"The Planning Director, Planning Commission, and City Council on appeal, in acting to approve a Location and Development Plan Application, may impose conditions as are reasonably necessary to ensure the project is consistent with the General Plan, compatible with surrounding land uses, and meets the provisions and intent of this Zoning Code. In making such a determination, the hearing body shall find that the proposed use is, in general, in accord with the following principles and standards:*

a) That the proposed uses are consistent with the General Plan;

b) That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures;

c) That the site for the proposed use is of adequate size and shape to accommodate the use and buildings proposed;

d) That the proposed use complies with all applicable development standards of the Zoning District; and

e) That the proposed use observes the spirit and intent of this Zoning Code.

Prior to consideration of approval of the Project by the Planning Commission (or City Council upon an appeal), the Planning Department will evaluate the Project for conformance with the Zoning Ordinance. The consideration of Zoning Ordinance requirements is carried out independent of the environmental review process, as part of the decision to approve, modify, or disapprove the Project.

Land Use Compatibility with the Southern California Logistics Airport Specific Plan

As shown in Figure 4.10.2 above, the Project is located adjacent to the western boundary of the SCLA. The Southern California Logistics Airport (SCLA) Specific Plan, covers approximately 8,611 acres in the City of Victorville. The Specific Plan area designates 2,525 acres as Airport and Support Facilities (ASF) and 210 acres of Runway Protection Zone (RPZ) land uses, where existing airport uses exist. The Specific Plan also has approximately 1,125 acres of area designated as Business Park (BP) land use, 3,767 acres designated as Industrial (I) land use, and 44 acres of area designated as Public Open Space (POS) land use. In addition, there are approximately 940 acres of an area

designated as Public Institutional (PI) land use, which encompasses the existing Federal Correction Complex in the southern portion of the Specific Plan area.

The land adjacent to the Project is designated "Industrial(I)". The Industrial designation is intended for the development of a broad range of industrial activities, including larger-scale industrial. The Project site is within the Airport Development District (ADD) which is intended to provide a limited development holding zone for airport-supportive uses. Site planning land use adjacent to commercial airports is intended to protect against intrusion of negative environmental conditions, such as excessive noise while allowing compatible aviation-related uses such as logistics, warehousing and distribution, automotive/truck/boat/sales, parts, and repair, RV/vehicle storage, or renewable energy facilities.

Both the ADD District and the I District are similar in the types of uses allowed and development standards concerning intensity (FAR 0.60) and building height (55 feet maximum). As such, it is not anticipated that the development of the Project site would result in a physical change in the environment that was not expected.

It should be noted that the SCLA Circulation Plan shows an extension of Gateway Drive between El Mirage Road and connecting to Mesa Linda Avenue at Coronado Avenue. This segment of Gateway Drive is outside the city limits of Victorville and bisects the Project site. The proposed Gateway Drive extension has been added to the City of Victorville's General Plan Circulation Element to ensure future consistency between the SCLA Specific Plan and the General Plan. This appears to be a mapping error on the part of Victorville as the Gateway Drive extension is not included in the City of Adelanto General Plan Mobility Element.

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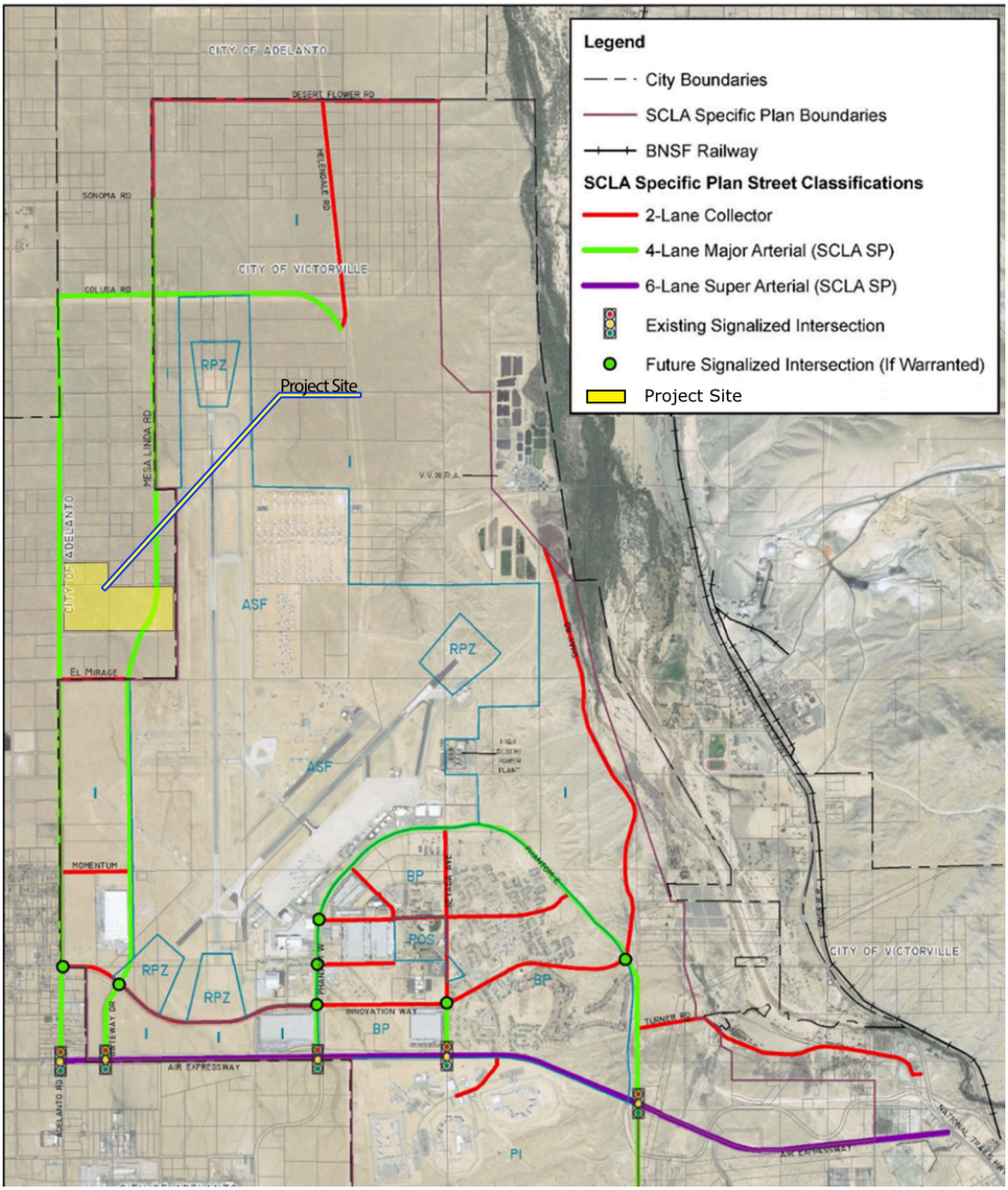
Figure 4.10.5 Gateway Drive Segment in the City of Adelanto



Comprehensive Land Use Plan, Southern California Logistics Airport (September 2008)

A SCLA Comprehensive Land Use Plan (CLUP) was drafted for the City of Victorville in 2008 by Coffman Associates, Inc.; however, this document was not officially adopted by the City. Thus, this CLUP is not a regulatory document but generally contains information that can be used to inform

land use decisions for the purposes of this Specific Plan. The 2008 draft of SCLA CLUP was prepared pursuant to the requirements of the 2002 Handbook of the State. As the 2008 CLUP was prepared prior to the 2011 Handbook, the CLUP may be inconsistent with updated regulations. The information from the 2008 draft of SCLA CLUP is included below for informational purposes, as the land use guidance provided is applicable to areas around SCLA.[124]

Level Of Significance

Less than significant, and no mitigation is required.

4.10.8 Cumulative Impact Analysis

This analysis considers the combined effects of the Project's development alongside other nearby development projects and planned development within the ADD land use designation and zoning classification on the vicinity of the Project site. As explained in Threshold a), the Project is located in an undeveloped area and there is no existing community that could be divided. Therefore, the Project's impact on the physical division of an existing community is less than cumulatively considerable.

Regarding Threshold b), the Project does not conflict with the City's General Plan, or any other relevant land use plan, policy, or regulation designed to mitigate negative environmental effects. Additionally, the Project is designed to meet the mandatory Zoning Ordinance requirements and any future development within the ADD district would similarly be required to demonstrate compliance and undergo Location and Development Plan review as required by the Zoning Ordinance. Other cumulative projects within the City would also be required to undergo project-specific reviews to ensure compliance with adopted land use plans, policies, or regulations. Thus, it is expected that future projects would be consistent with the applicable General Plan and Zoning Ordinance development regulations analyzed above and impacts would be less than cumulatively considerable.

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4.11 NOISE

4.11.1 Introduction

Noise Definitions

Noise is simply defined as "unwanted sound." Sound becomes unwanted when it interferes with normal activities, when it causes actual physical harm or when it has adverse effects on health. Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). A-weighted decibels (dBA) approximate the subjective response of the human ear to broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum.

Range of Noise

Since the range of intensities that the human ear can detect is so large, the scale frequently used to measure intensity is a scale based on multiples of 10, the logarithmic scale. The scale for measuring intensity is the decibel scale. Each interval of 10 decibels indicates a sound energy ten times greater than before, which is perceived by the human ear as being roughly twice as loud. The most common sounds vary between 40 dBA (very quiet) to 100 dBA (very loud). Normal conversation at three feet is roughly at 60 dBA, while loud jet engine noises equate to 110 dBA at approximately 1,000 feet, which can cause serious discomfort.

Noise Descriptors

Environmental noise descriptors are generally based on averages, rather than instantaneous noise levels. The most commonly used figure is the equivalent continuous noise level (Leq). Leq represents a steady state sound level containing the same total energy as a varying signal over a given time period. Leq values are not measured directly but are calculated from sound pressure levels typically measured in dBA. Consequently, Leq can vary depending on the time of day.

Peak hour or average noise levels, while useful, do not completely describe a given noise environment. Noise levels lower than peak hour levels may be disturbing if they occur during times when quiet is most desirable, namely evening and nighttime (sleeping hours). To account for this, the Community Noise Equivalent Level (CNEL), representing a composite 24-hour noise level, is utilized. The CNEL is the weighted average of the intensity of a sound, with corrections for time of day and average over 24 hours. The time-of-day corrections require the addition of five (5) dB to sound levels in the evening from 7:00 p.m. to 10:00 p.m., and the addition of 10 dB to sound levels at night between 10:00 p.m. and 7:00 a.m. These additions are made to account for the noise sensitive time periods during the evening and nighttime hours when sound appears louder. CNEL

does not represent the actual sound level heard at any particular time, but rather represents the total sound exposure. The City of Adelanto relies on the 24-hour CNEL level to assess land use compatibility with transportation-related noise sources.

Noise Propagation

When sound propagates over a distance, it changes in level and frequency content. The manner in which noise reduces with distance depends on geometric spreading, ground absorption, atmospheric effects, and shielding.

Geometric Spreading

Sound from a localized source (i.e., a stationary point source) propagates uniformly outward in a spherical pattern. The sound level attenuates (or decreases) at a rate of 6 dB for each doubling of distance from a point source. Highways consist of several localized noise sources on a defined path and hence can be treated as a line source, which approximates the effect of several point sources. Noise from a line source propagates outward in a cylindrical pattern, often referred to as cylindrical spreading. Sound levels attenuate at a rate of 3 dB for each doubling of distance from a line source.

Ground Absorption Noise

To account for the ground-effect attenuation (absorption) of noise, two types of site conditions are commonly used in noise models: soft site and hard site conditions. For acoustically hard sites (i.e., sites with a reflective surface between the source and the receptor, such as a parking lot or body of water), no excess ground attenuation is assumed. For acoustically absorptive or soft sites (i.e., sites with an absorptive ground surface between the source and the receptor such as soft dirt, grass, or scattered bushes and trees), an excess ground attenuation value of 1.5 dB per doubling of distance is normally assumed.

Atmospheric Effects

Receptors located downwind from a noise source can be exposed to increased noise levels relative to calm conditions, whereas locations upwind can have lowered noise levels. Other factors that may affect noise levels include air temperature, humidity, and turbulence.

A large object or barrier in the path between a noise source and a receptor can substantially attenuate noise levels at the receptor. The amount of attenuation provided by shielding depends on the size of the object and the frequency content of the noise source. Solid objects or barriers are most effective at attenuating noise levels. Effective noise barriers can reduce noise levels by 10 to 15 dBA. Noise barriers, however, do have limitations. For a noise barrier to work, it must be high enough and long enough to block the path of the noise source.

Community Response to Noise

Surveys have shown that community response to noise varies from no reaction to vigorous action for newly introduced noises averaging from 10 dB below existing to 25 dB above existing. According to research originally published in the Noise Effects Handbook, the percentage of high annoyance ranges from approximately 0 percent at 45 dB or less, 10 percent are highly annoyed around 60 dB, and increases rapidly to approximately 70 percent being highly annoyed at approximately 85 dB or greater. Despite this variability in behavior on an individual level, the population can be expected to exhibit the following responses to changes in noise levels: A change of 1 dBA is just perceptible, a change of 3 dBA is considered barely perceptible, and changes of 5 dBA are considered readily perceptible.

Vibration

The Federal Transit Administration (FTA) Transit Noise Impact and Vibration Impact Assessment Manual defines vibration as the periodic oscillation of a medium or object. Sources of groundborne vibration include natural phenomena (e.g., earthquakes, volcanic eruptions, sea waves, landslides) or human-made causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, groundborne vibrations may be described by amplitude and frequency. Decibel notation (VdB) serves to reduce the range of numbers used to describe human response to vibration.

The background vibration-velocity level in residential areas is generally 50 VdB. Groundborne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels. Typical outdoor sources of perceptible ground-borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the ground-borne vibration is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration-velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings.

4.11.2 NOP/Scoping Comments

A NOP is a brief notice sent by the City to notify governmental agencies and the general public that the City plans to prepare an EIR. The purpose of the NOP is to solicit input as to the scope and content of the environmental information to be included in the EIR. The NOP for the Project was released for a 30-day comment period started on December 13, 2023, and ended on January 11, 2024. Additionally, a virtual EIR Scoping Meeting was held on January 9, 2024. Comments were

received from the following agencies during the NOP public comment period: State of California Department of Justice Office of the Attorney General submitted a comment letter which included references to the Warehouse Projects: *Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* document (AG BMPs). The AG BMPs includes comments on assessing noise impacts to residential areas from truck and worker traffic noise, which is included in this DEIR.

4.11.3 Regulatory Framework

The regulatory framework described below is a set of rules and regulations established by the government to regulate activities that impact the environment. There are various roles within all levels of government who are involved in establishing a regulatory framework. Generally, the adoption of laws at the federal or state level set forth the policy for environmental protection. Local agencies can only create rules and regulations if a law has been passed enabling them to do so. The analysis in this section is based on the Project's consistency with the specific regulatory requirements that are directly applicable to the Project as allowed by the enabling law. Additional information about the applicable law(s) are available in Section 8.0, *References*, in this EIR.

Table 4.11.1 Regulatory Framework-Noise

Regulatory Agency	Regulations
Federal Transit Administration	**Federal Transit Administration.** As neither the City of Adelanto General Plan or Municipal Code establish numeric maximum acceptable construction source noise levels at potentially affected receivers for CEQA analysis purposes, a numerical construction threshold based on the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual is used. The FTA considers a daytime exterior construction noise level of 80 dBA Leq as a reasonable threshold for noise sensitive residential land use with a nighttime exterior construction noise level of 70 dBA Leq.
CITY OF ADELANTO CALIFORNIA "Progress through unity" INCORPORATED DECEMBER 22, 1970	**City of Adelanto** implements General Plan policies imposes mitigation measures under CEQA to reduce air pollutant emissions for a development project.

The analysis in this section is based on the Project's consistency with the regulatory requirements that are directly applicable to the Project. The overarching enabling legislation (i.e. the law(s) that

allows governmental agencies to set standards for establishing and implementing noise regulations are described in more detail in Section 8, References.

The specific regulations used to analyze the impacts related to Noise Impacts are described below.

Because the City does not have construction noise level limits, construction noise was assessed using criteria from the Federal Transit Administration's (FTA) Transit Noise and Vibration Impact Assessment Manual (FTA 2018).

City of Adelanto General Plan

The Health and Safety Element of the General Plan sets forth the following policy regarding noise impacts:

> **Δ HS 8.6** Minimize noise impacts on noise-sensitive land uses ("sensitive receptors"), such as residential uses, schools, hospitals, childcare facilities, wildlife habitat areas, and other noise sensitive areas.
>
> **Δ HS 8.8** Continue to consider noise impacts as part of the development review process.
>
> **Δ NS 1.10** Ensure through the design review process that exterior noise levels at commercial and industrial areas do not exceed 75 dBA.
>
> **Δ NS 1.14** Consider the following uses noise sensitive and discourage them in areas where exterior noise levels exceed 65 CNEL unless measures are implemented which reduce the noise exposure below this level: single and multiple family residential uses, group homes, hospitals, schools, and other learning institutions, parks and open space areas where quiet is a basis for use.

Table 4.11.14, *General Plan Policy Consistency Analysis-Noise,* on page 328, provides a summary of the Project's consistency with these policies.

4.11.4 Environmental Setting

Existing Ambient Noise

The primary source for existing ambient noise in the Project area is from the Southern California Logistics Airport (SCLA) with its main runway located approximately 1,500 feet to the east of the eastern site boundary. Additionally, ambient noise from industrial uses primarily to the south, approximately 0.8 miles to the south, and traffic generated noise from U.S. 395, which is approximately 1.23 mile to the west.

To assess the existing noise level environment, one (1) long-term 24-hour and two (2) short-term noise measurements were obtained from three (3) locations in the Project study area and one (1) long-term and two (2) short-term noise measurements were obtained from three (3) locations to assess impacts along Adelanto Road south of Chamberlain. **Figure 4.11.1** provides the locations of the noise level measurements. **Table 4.11.1** provides the noise measurements.

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Figure 4.11.1 Locations of Ambient Noise Level Measurements

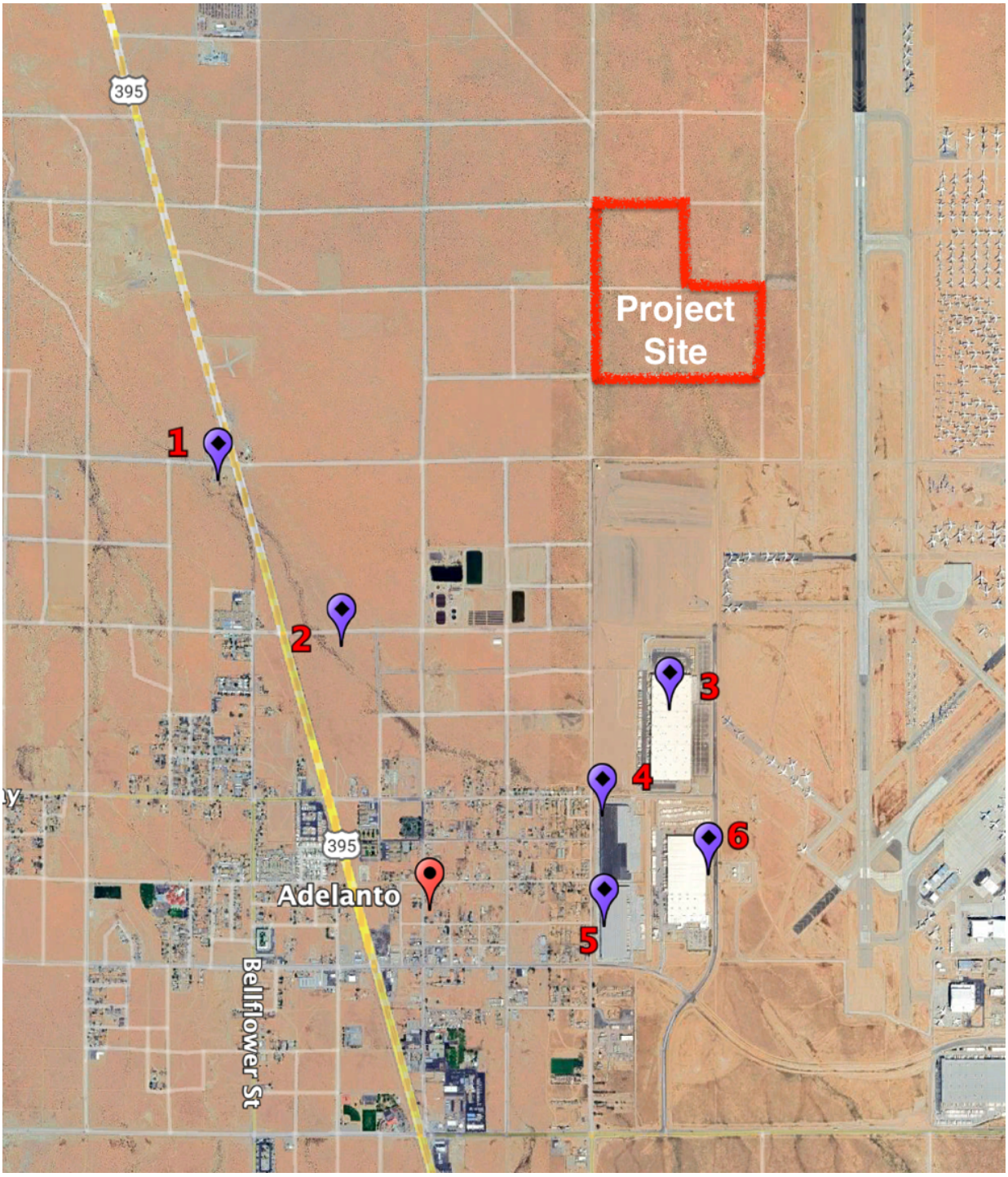
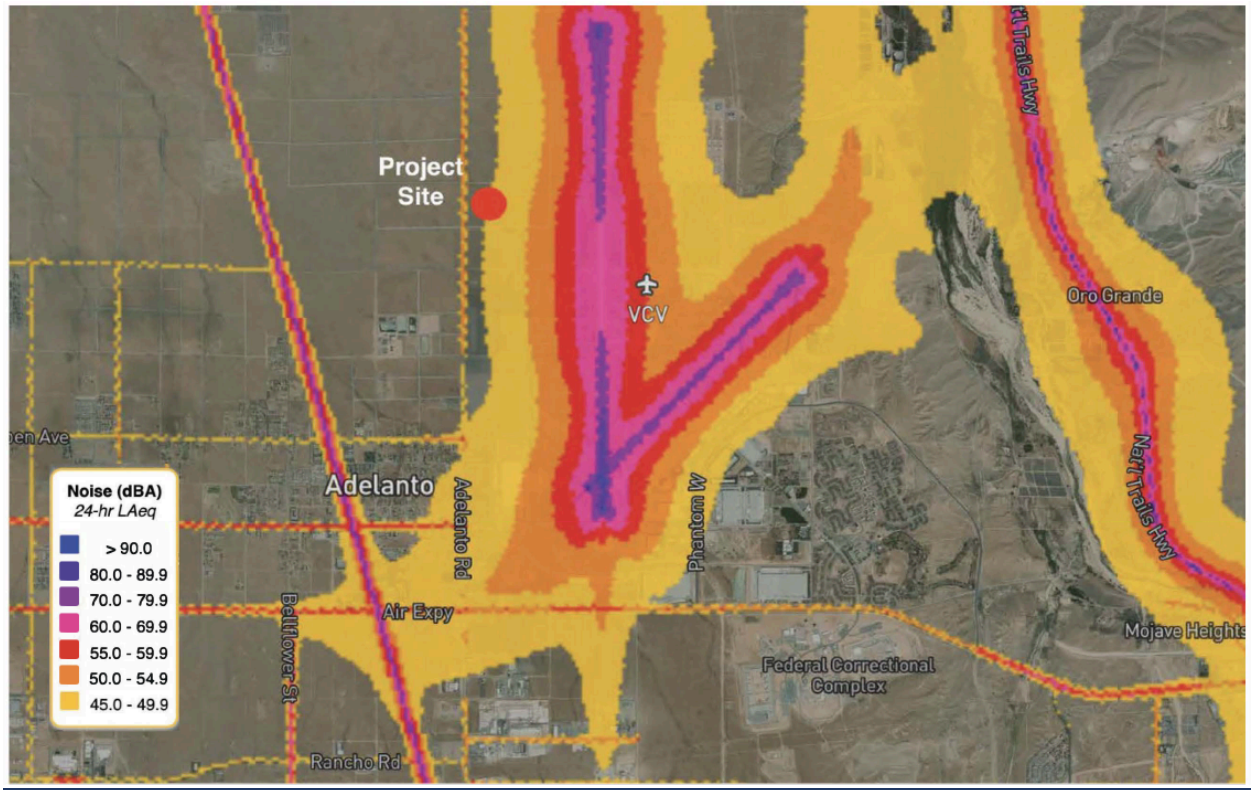


Table 4.11.1 Ambient Noise Level Measurements

Location	Description	Average Noise Level dBA (Leq)	CNEL
ST-1	Nichols Avenue and Mesa Linda Avenue	36.2	-
ST-2	Adelanto Road and Colorado Avenue	49.2	-
LT-1	Adelanto Road and Avalon Avenue	44.2	48.8
ST-3	Adelanto Road and Lee Avenue	59.5	
ST-4	Chamberlaine Road 425 feet west of Adelanto Road.	59.1	
LT-2	Adelanto Road 190 feet north of Brockman Avenue.	66.8	65.3

The Bureau of Transportation Statistics provides the National Transportation Noise Map as a basis for understanding what-if scenarios and helping policy makers and planners to prioritize noise-related transportation investments. The data on the noise map allows for viewing the potential exposure to aviation, highway, and rail noise. The current data for the Adelanto Area is from the 2020 noise map and is presented in **Figure 4.11.2.** The noise map indicates that the ambient noise levels from traffic along Adelanto Road near the project site range from 50.0 to 54.9 dBA Leq and from 45.0 to 49.9 dBA Leq from airport generated noise.

Figure 4.11.2 National Transportation Ambient Noise Map



Existing Groundborne Vibrations

The adjacent land to the Project site is vacant and not currently creating vibrations or exposed to sources of groundborne vibration.

Existing Airport Noise

The Southern California Logistics Airport (SCLA) runway 17/35 is located approximately 1,500 feet to the east of the eastern site boundary. Discussion on Airport noise along with the SCLA noise contour map are found in Section 4.11.7 Impact Analysis Threshold c. The eastern portion of the Project site is located within the 65 dBA LDN contour.

4.11.5 Methodology

Construction Noise Analysis

Neither the City of Adelanto General Plan nor Municipal Code establish numeric maximum acceptable construction source noise levels at potentially affected receivers for CEQA analysis purposes, in lieu of a City Standard, a numerical construction threshold based on the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual is used. The FTA considers a daytime exterior construction noise level of 80 dBA Leq as a reasonable threshold for noise sensitive residential land use with a nighttime exterior construction noise level of 70 dBA Leq.

The construction noise analysis was conducted using reference construction equipment noise levels from the Federal Highway Administration (FHWA). The FHWA published the Roadway Construction Noise Model (RCNM), which includes a national database of construction equipment reference noise emission levels. The RCNM equipment database provides a comprehensive list of the noise generating characteristics for specific types of construction equipment. In addition, the database provides an acoustical usage factor to estimate the fraction of time each piece of construction equipment is operating at full power (i.e., its loudest condition) during a construction operation.

The assessment of construction noise impacts was made with FTA guidance for general construction noise assessment using the reference levels from the RCNM and presenting the combined noise levels for the loudest construction equipment operating during the site preparation and grading phases, assuming all equipment operates at the same time.

Operational Noise Analysis

The General Plan Noise Element Policy NS 1.10 sets an exterior noise level for commercial and industrial areas not to exceed 75 dBA.

Stational Operational Noise

To estimate the Project operational noise impacts, reference noise level measurements were collected from similar types of activities to represent the noise levels expected with the development of the proposed Project. This section provides a detailed description of the reference noise level measurements shown on **Table 4.11.8**, *Operational Reference Noise Levels,* used to estimate the Project operational noise impacts. It is important to note that the following projected noise levels assume the worst-case noise environment with the cold storage loading dock activity, roof-top air conditioning units, trash enclosure activity, parking lot vehicle movements, and truck movements all operating at the same time. These sources of noise activity will likely vary throughout the day.

The reference noise level measurements presented in this section were collected using Extech Instruments Type 2 integrating sound level meter and datalogger. The sound level meter was calibrated using an Extech Instruments sound level calibrator, Model 407766. The noise meter was programmed in "slow" mode to record noise levels in "A" weighted form. The sound level meter and microphone were equipped with a windscreen during all measurements. All noise level measurement equipment satisfies the American National Standards Institute (ANSI) standard specifications for sound level meters ANSI S1.4-2014/IEC 61672-1:2013.

Mobile (Traffic) Operational Noise

Vehicle noise is a combination of the noises produced by the engine, exhaust, and tires. The primary source of noise generated by the Project will be from the vehicle traffic generated by the vehicle ingress and egress to the Project site. Under existing conditions, the site does not generate any traffic noise that impacts the surrounding area. The Project is proposing improvements to El Mirage Road, currently a 2-lane dirt road from the site to U.S. 395. As there is no available traffic data for El Mirage Road east of U.S. 395 and the only sensitive receptor is located at the northeastern intersection of El Mirage Road and U.S. 395, roadway noise impacts from vehicular traffic were projected using the Federal Highway Administration (FHWA) Traffic Noise Prediction Model- 3.5 (the “TNM 3.5”) to predict Peak Hour traffic noise impacts. The FHWA TNM 3.5 arrives at a predicted noise level through a series of adjustments to the Reference Energy Mean Emission Level (REMEL). Adjustments are then made to the REMEL to account for: the roadway classification (e.g., collector, secondary, major or arterial), the roadway active width (i.e., the distance between the center of the outermost travel lanes on each side of the roadway), the peak hour traffic, the travel speed, the

percentages of automobiles, medium trucks, and heavy trucks in the traffic volume, the roadway grade, the angle of view (e.g., whether the roadway view is blocked), and the site conditions ("hard" or "soft" relates to the absorption of the ground, pavement, or landscaping).

THE FHWA Noise Prediction Calculator formulas RD-77-108 was used to calculate CNEL along El Mirage and Adelanto Road and establish estimated contour distances for CNEL noise levels along the two (2) roadways.

A vehicle's noise level is a combination of the noise produced by the engine, exhaust, and tires. The cumulative traffic noise levels along a roadway segment are based on three primary factors: the amount of traffic, the travel speed of the traffic, and the vehicle mix ratio or number of medium and heavy trucks. The intensity of traffic noise is increased by higher traffic volumes, greater speeds, and increased number of trucks.

Noise contour maps generated from the FHWA TNM 3.5 showing the current traffic conditions and the estimated traffic noise that will be generated with the Project were added to current traffic along U.S. 395 and El Mirage Road.

Vibration Analysis Methodology

During construction the operation and movement of heavy equipment create seismic waves that radiate along the ground-surface in all directions. These waves are felt as ground vibrations. Vibrations from construction can result in effects ranging from annoyance to people to structure damage. Vibration levels are impacted by geology, distance, and frequencies. Ground-borne vibration from the construction activities would be intermittent and localized impacts. Ground-borne vibration was estimated using the Federal Transit Administration's (FTA). Transit Noise and Vibration Impact Assessment Manual data for typical construction equipment summarized in **Table 4.11.2,** Vibration Source Levels for Construction Equipment. Based on the vibration source levels for various construction equipment and the construction vibration assessment methodology published by the FTA, it is possible to estimate the Project vibration impacts.

Table 4.11.2 Vibration Source Levels for Construction Equipment

Equipment	PPV (inches per second) at 25 feet
Small bulldozer	0.003
Jackhammer	0.035
Loaded Trucks	0.076
Large bulldozer	0.089
Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual	

4.11.6 Thresholds of Significance

Section XIII of Appendix G to the CEQA Guidelines addresses typical adverse effects to land use and planning and includes the following threshold questions to evaluate the Project's impacts on land use and planning.

a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.*

b) *Generation of excessive groundborne vibration or groundborne noise levels.*

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.*

4.11.7 Impacts Analysis

Thresholds 4.11 – Noise Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
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?			✓	

Discussion

Existing Ambient Noise Levels

The primary source for existing ambient noise in the Project area is from the Southern California Logistics Airport (SCLA) north-south runway is located approximately 1,500 feet to the east of the eastern site boundary. Additionally, ambient noise is from traffic and industrial uses primarily to the south along Adelanto Road as well as traffic-generated noise from U.S. 395, which is approximately 1.05 mile to the west. **Table 4.11.3,** Occupied Structures/Receptors, describes the closest receptors, the location, and approximate distance(s) to the site.

Table 4.11.3 Occupied Structures/Receptors

Receptor	Location	Distance
Residential	Southwest at the intersection of El Mirage Road and U.S. 395	Occupied structures approximately 1.05 miles (5,544 feet) from southwest boundary
Amazon Fulfillment Center XLX7	South Adelanto Road and Auburn Avenue	Occupied structures approximately 4,717 feet from south boundary
Aquarion Services	Southwest at the intersection of La Paz Avenue and Jonathan Street	Occupied structures approximately 1 mile (5,280 feet) from southwest boundary

Noise-sensitive land uses are locations where people reside or where the presence of unwanted sound could adversely affect the use of the land. Residences, schools, hospitals, guest lodging, libraries, churches, nursing homes, auditoriums, concert halls, amphitheaters, playgrounds, and parks are considered noise sensitive. The nearest sensitive receptor to the Project site is the residential uses located at the intersection of El Mirage Road and U.S. 395, approximately 5,544 feet or 1.05 miles southwest of the property southwestern boundary. Due to the distances from the sensitive receptor **the Project is consistent with HS 8.6.**

Short-Term Construction Noise Impact Analysis

Construction activities that would create noise include site preparation, grading, building construction, paving, and architectural coating. Noise levels associated with the construction will vary with the different types of construction equipment, the duration of the activity, and distance from the source. Construction noise will have a temporary or periodic increase in the ambient noise level above the existing levels within the Project vicinity. The nearest sensitive receptor to the Project site is the residential uses located 5,544 feet or 1.05 miles southwest of the property southwestern boundary. The closest commercial structure to the project site is the Amazon Fulfillment Center XLX7 to the south approximately 4,717 feet from the southern boundary.

To estimate the potential impact of construction noise at the nearest sensitive receptor, the residential uses to the southwest, as well as nearby commercial and industrial land uses (current and future), equipment that is expected to be used during construction was input into the Federal Highway Administration Roadway Construction Noise Model (RCNM) to generate anticipated noise levels. The RCNM generates the maximum noise levels (Lmax) and the equivalent continuous sound level (Leq). The Leq is a calculation of the anticipated steady sound pressure level that, over a given time period (day, evening, night), has the same total energy as the actual fluctuating noise. The RCNM also uses an acoustical use factor in the noise calculations. The acoustical use factor is the percentage of time each piece of construction equipment is assumed to be operating at the full power level and is used to estimate the Leq values from the Lmax values. For example, typical

operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Noise levels will be loudest during the site preparation and grading phases. **Table 4.11.4,** Construction Equipment Noise Levels at the Nearest Sensitive Receptor (residential El Mirage Road and U.S. 395), and **Table 4.11.5**, Construction Equipment Noise Levels at the Amazon Fulfillment Center and identifies the level of noise generated by construction equipment.

The properties immediately adjacent and surrounding the Project site are vacant undeveloped parcels zoned Airport Development District (ADD); additionally, the nearest sensitive receptors are located over 1 mile away. The Project would be compatible with surrounding land uses and would not adversely impact sensitive receptors.

The City of Adelanto has set time restrictions to control noise impacts from construction activities. Section 17.90.020(d)(1) of the Adelanto Municipal Code restricts construction activities between the hours of 7:00 a.m. and dusk on weekdays, and construction will not occur on weekends or state holidays. While the City establishes limits to the hours during which construction activity may take place, it does not identify specific noise level limits for construction noise levels.

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Table 4.11.4 Construction Equipment Noise Levels at the Nearest Sensitive Receptor (El Mirage Road and U.S. 395)

Source	Approximate Distance to Nearest Receptor (Property Line to Construction Site) (feet)	Sound Level at Nearest Receptor		
		Lmax	Acoustical Use Factor (%)	Leq
Backhoe	5,544	36.7	40	32.7
Compressor (air)	5,544	36.8	40	32.8
Crane	5,544	39.7	16	31.7
Concrete mixer truck	5,544	37.9	40	33.9
Dozer	5,544	40.8	40	36.8
Dump truck	5,544	35.6	40	31.6
Excavator	5,544	39.8	40	35.8
Flat Bed Truck	5,544	33.4	40	29.4
Front end loader	5,544	38.2	40	34.2
Generator	5,544	39.7	50	36.7
Grader	5,544	44.1	40	40.1
Man Lift	5,544	33.8	20	26.8
Paver	5,544	36.3	50	33.3
Pickup truck	5,544	34.1	40	30.1
Pneumatic Tools	5,544	44.3	50	41.3
Roller	5,544	39.1	20	32.1
Scraper	5,544	42.7	40	38.7
Tractor	5,544	43.1	40	39.1
Welder/torch	5,544	33.1	40	39.1

Source: FHWA – RCNM Version 1.1

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Table 4.11.5 Construction Equipment Noise Levels at the Amazon Fulfillment Center

Source	Approximate Distance to Nearest Receptor (Property Line to Construction Site) (feet)	Sound Level at Nearest Receptor		
		Lmax	Acoustical Use Factor (%)	Leq
Backhoe	4,717	38.1	40	34.1
Compressor (air)	4,717	38.2	40	34.2
Crane	4,717	41.1	16	33.1
Concrete mixer truck	4,717	39.3	40	35.3
Dozer	4,717	42.2	40	38.2
Dump truck	4,717	37.0	40	33.0
Excavator	4,717	41.2	40	37.2
Flat Bed Truck	4,717	34.8	40	30.8
Front end loader	4,717	39.6	40	35.6
Generator	4,717	41.1	50	38.1
Grader	4,717	45.5	40	41.5
Man Lift	4,717	35.2	20	28.2
Paver	4,717	37.7	50	34.7
Pickup truck	4,717	35.5	40	31.5
Pneumatic Tools	4,717	45.7	50	42.7
Roller	4,717	40.5	20	33.5
Scraper	4,717	44.1	40	40.1
Tractor	4,717	44.5	40	40.5
Welder/torch	4,717	34.5	40	30.5

Source: FHWA – RCNM Version 1.1

Noise generation related to construction activities is addressed in §17.90.020(d) of the City's Zoning Ordinance, which requires construction projects to list general noise-reduction practices as "General Notes" on the construction drawings as part of the Project's conditions of approval (COA). These mandatory conditions are described as follows:

17.90.020 (d) Construction Practices

To reduce potential noise and air quality nuisances, the following items shall be listed as "General Notes" on the construction drawings:

(1) Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. to dusk on weekdays. Construction may not occur on weekends or State holidays, without prior consent of the Building Official. Non-noise generating activities (e.g., interior painting) are not subject to these restrictions. City and State construction projects, such as road re-building or resurfacing, and any construction activity that is in response to an emergency, shall be exempt from this requirement.

(2) Stationary construction equipment that generates noise in excess of sixty-five (65) dBA at the project boundaries must be acoustically shielded and located at least one hundred feet (100') from occupied residences. The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.

(3) Construction routes are limited to City of Adelanto designated truck routes.

(4) Water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, or transportation of cut or fill materials to prevent dust from leaving the site and to create a crust after each day's activities cease. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds fifteen (15) miles per hour.

(5) A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. The name and telephone number of such person(s) shall be provided to the City.

(6) All grading equipment shall be kept in good working order per factory specifications.

While the City establishes limits to the hours during which construction activity may take place, it does not identify specific noise level limits for construction noise levels. Therefore, to evaluate whether the Project will generate a substantial increase in the short-term noise levels at the offsite sensitive receptors (residences), the construction-related noise level threshold is based on the FTA daytime exterior construction noise level of 80 dBA Leq as a reasonable threshold for noise sensitive residential land. Using the equipment from the Air Quality GHG Technical Memorandum CalEEMod data for the Site Preparation and Grading Phases, each piece of equipment operating at the same time in the same location for a full 8-hour period was calculated with results provided in **Table 4.11.6,** Worst Case Construction Noise Levels (Site Preparation and Grading).

Table 4.11.6 Worst Case Construction Noise Levels (Site Preparation and Grading)

Phase	Equipment Type	Number of Units	Leq dBA/Unit	Leq dBA Total
Site preparation	Tractor/loader/backhoe	6	40.5	48.0
Site preparation	Rubber tired dozer	6	36.8	45.0
	Total noise level	**–**	**–**	**50.0**
Grading	Grader	8	40.1	49.0
Grading	Rubber tired loader	1	40.5	40.5
Grading	Rubber tired dozer	8	36.8	45.0
Grading	Excavator	4	37.2	43.0
	Total noise level	**–**	**–**	**52.0**

The highest equipment noise level at the nearest sensitive receptor as indicated in **Table 4.11.4** above will be 44.3 dBA (Lmax) and 41.3 dBA (Leq). During the construction phase the noise levels will be the highest as heavy equipment passes along the Project site boundaries. During the site preparation and grading phases, which produce the highest noise levels, equipment will not be stationary; rather, equipment will be moving throughout the site at varying speeds and power levels and as a result not operating at the maximum noise level for the entire workday. The levels of noise at the nearest sensitive receptor as indicated in **Table 4.11.4** are all below the FTA threshold of 80 dBA Leq and would be less than significant. Construction noise is of short-term duration and will not present any long-term impacts on the Project site or the surrounding area and construction noise will be less than significant.

Operational Noise Impact Analysis

Offsite Traffic Noise Impacts

Vehicle noise is a combination of the noises produced by the engine, exhaust, and tires. The primary source of noise generated by the Project will be from the vehicle traffic generated by the vehicle ingress and egress to the Project site. Under existing conditions, the site does not generate any traffic noise that impacts the surrounding area as the site and surrounding parcels are undeveloped and vacant.

According to the Federal Highway Administration, Highway Traffic Noise Analysis and Abatement Policy and Guidance, the level of roadway traffic noise depends on three things: (1) the volume of the traffic, (2) the speed of the traffic, and (3) the number of trucks in the flow of the traffic. Generally, the loudness of traffic noise is increased by heavier traffic volumes, higher speeds, and greater numbers of trucks. These factors are discussed below.

Volume of Traffic

Upon buildout, the proposed Project is expected to generate approximately 11,232 average daily vehicle trips (ADT) from passenger cars and trucks, of which 2,672 (23.8 %) trips will be from trucks. The total morning and afternoon peak hour traffic is calculated to be 1,449 AM and 1,894 PM with the truck traffic calculated to be 344 and 447 [125], respectively, which will increase the ambient traffic noise levels in the vicinity of the Project site in comparison to the existing site conditions (industrial and vacant land).

Due to the area of the Project being undeveloped and the adjacent and access roadways are unpaved there is no daily vehicle trip data available. The Project is proposing infrastructure improvements for water, sewer, and paving roadways. The Project's planned road improvements includes paving El Mirage to U.S. 395, which will be the primary access with a projected 60% of traffic to the future development the remaining 40% of traffic is projected to utilize Adelanto Road to Air Expressway. Peak hour traffic on U.S. 395 according to Caltrans is 970 trips north and 1,200 trips south of the El Mirage and U.S. 395 intersection.

Speed of Traffic

Adelanto Road in vicinity of the project is a 2-lane dirt road with future classification according to the City's mobility plan to be a 4-lane Major Boulevard with a speed limit of 45 miles per hour (mph). El Mirage Road from the Project site to U.S. 395 is a two-lane dirt road with future classification according to the City's mobility plan to be a 4-land Major Boulevard with a speed limit of 45 mph. These low levels of speeds do not result in vehicles generating high levels of noise.

Number of Trucks in the Flow of the Traffic

The Project is an industrial development in an area zoned as Airport Development District (ADD) which includes nonresidential uses, light and heavy industrial, office and commercial uses oriented around airport operation, services, industries, and businesses, and, although it will generate noise from large trucks, the site is located in an industrial area with similar truck and traffic uses. The total number of daily trips from passenger cars and trucks is calculated to be 11,232 ADT, of which 2,672 (23.8 %) trips will be from trucks. The morning and afternoon peak hour traffic is calculated to be 1,449 AM Peak and 1,894 PM Peak, of which 344 (23.74%) trucks will be AM Peak and 447 (23.60%) PM Peak.[126] Truck traffic in and out of the Project site once operational will primarily utilize Adelanto Road south to El Mirage Road and Air Expressway. The Project will be required to use the City's designated truck routes, which include Adelanto Road and U.S. 395 for north/south traffic, and Rancho Road, Holly Road, and Air Expressway for east/west traffic. The use of the truck routes will also decrease the impacts on sensitive receptors such as residential uses.

[125] Focused Traffic Impact Assessment, Table 5-2, Appendix J-1.
[126] Focused Traffic Impact Analysis, Table 5-2: Project Trip Generation, Appendix J-1.

Off-site Operational Traffic Noise Impact Analysis

To assess the off-site transportation noise level impacts associated with development of the proposed Project, noise contours were developed based on the Project's Traffic Analysis prepared by David Evans and Associates, Inc.[127]

Noise contours generated from FHWA 77-108 Noise Calculations and TNM 3.5 program were used to assess the Project's incremental traffic-related noise impacts at receiving land uses adjacent to roadways conveying Project traffic. The noise contours represent the distance to noise levels of a constant value and are measured from the center of the roadway for the 80, 75, 70, 65, 60, 55, and 50 dBA Leq noise levels. The noise contours do not consider the effect of any existing noise barriers or topography that may attenuate ambient noise levels. In addition, because the noise contours reflect modeling of vehicular noise on area roadways, they appropriately do not reflect any noise contributions from stationary sources or airport generated noise within the Project Study Area.

U.S 395 and El Mirage Traffic Impacts

Figure 4.11.3 (Existing Traffic Noise Map 395 and El Mirage) and **Figure 4.11.4** (Existing Traffic + Project Noise Map 395 and El Mirage) show the graphic noise contours for Peak Hour traffic, **Table 4.11.7** (Existing Noise Contours Map 395 and El Mirage), **Table 4.11.8** (Existing + Project Noise Contours Map 395 and El Mirage), and **Table 4.11.9** (Noise Levels Existing and w/Project Map 395 and El Mirage) present a summary of the exterior traffic noise levels, without barrier attenuation, for the residential use at the intersection of U.S. 395 and El Mirage and the vacant parcel at El Mirage west of Johnathan Street.

For modeling purposes to present a worse-case scenario on the closest sensitive receptor, the residential property (Receiver-1) at the northeast corner of U.S. 395 and El Mirage, for modeling it was assumed El Mirage to the east does not have any traffic. According to the Projects Traffic Impact Analysis 60% of the Project's projected peak hour traffic would use El Mirage to U.S. 395 with 55% going south on U.S. 395 and 5% going north. The remaining 40% of the Project traffic would continue south on Adelanto Road to Air Expressway where 30% of the traffic will travel east on Air Expressway while 10% continues south on Adelanto Road.

As indicated in **Table 4.11.7** the sensitive receptor is impacted primarily from traffic noise generated on U.S. 395. The additional traffic generated by the project would not create a significant increase in noise levels impacting the existing residential use. Although the noise levels along El Mirage east of U.S. 395 will notably increase with the Project's development, it does not represent

[127] Ibid.

a significant impact as the parcels are vacant and zoned as Airport Development District (ADD) with future development consistent with the proposed project.

Figure 4.11.3 Existing Traffic Noise Map 395 and El Mirage – Peak Hour

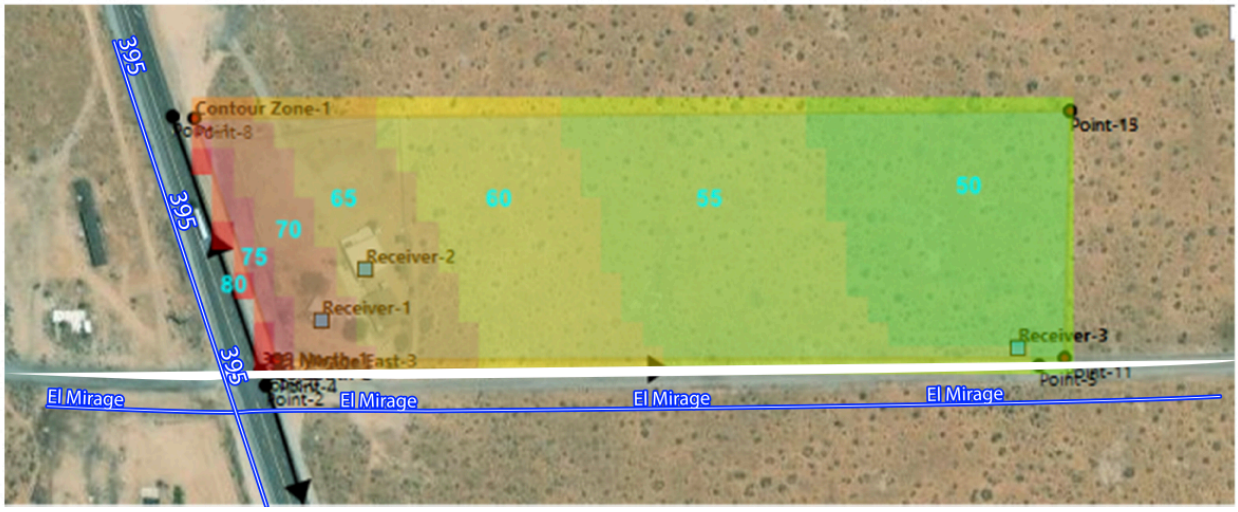

Table 4.11.7 Noise Contours Existing (No Project) 395 and El Mirage – CNEL

Roadway	Segment	CNEL @ 50 feet	Distance to CNEL Contour		
			70 dBA	65 dB	60 dBA
395	North of El Mirage	72.1	69	149	321
395	South of El Mirage	74.0	92	198	427

Figure 4.11.4 Existing + Project Traffic Noise Map 395 and El Mirage – Peak Hour

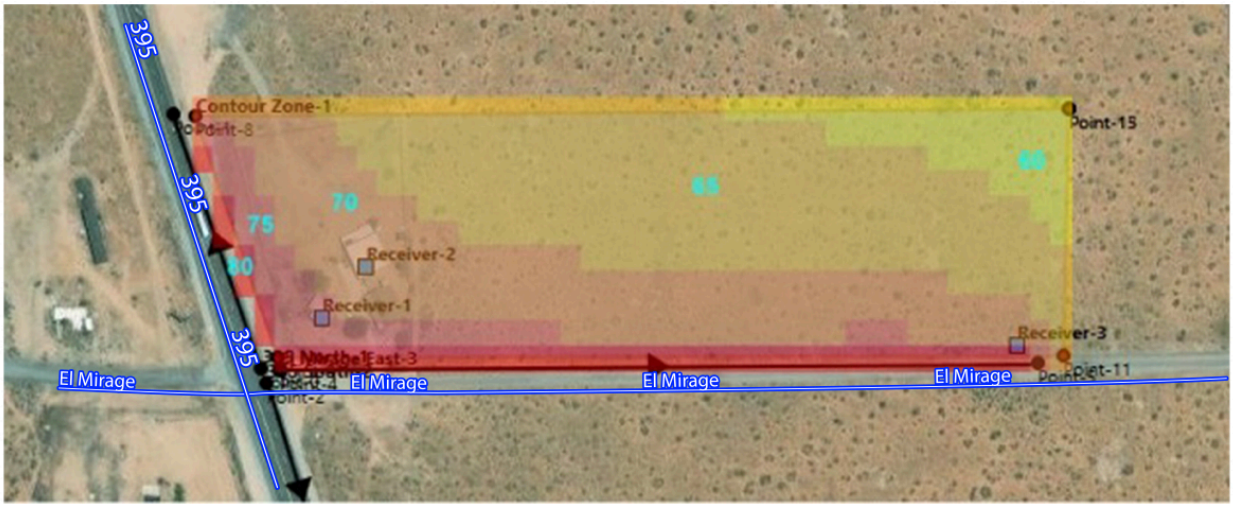

Table 4.11.8 Noise Contours Existing + Project 395 and El Mirage – CNEL

Roadway	Segment	CNEL at 50 feet	Distance to CNEL Contour		
			70 dBA	65 dB	60 dBA
395	North of El Mirage	72.2	70	151	326
395	South of El Mirage	75.6	118	255	548

Table 4.11.9 Noise Levels Existing (No Project) and With Project at 395 and El Mirage – Peak Hour

ID	Receiving Land Use	Noise Level at Receiving Land Use (dBA)		
		No Project	With Project	Project Addition
1	Existing Residential	65.2	69.5	4.3
2	Existing Residential	61.5	66.0	4.5
3	Vacant Land	44.8	70.5	25.7

As indicated in **Table 4.11.7** and **Table 4.11.9** the sensitive receptors at the northeast corner of U.S. 395 and El Mirage are impacted primarily from traffic noise generated on U.S. 395. The additional traffic generated by the project would not create a significant increase in noise levels impacting the existing residential use. Although the noise levels along El Mirage east of U.S. 395 will notably increase with the Project's development, it does not represent a significant impact as the parcels are vacant and zoned as Airport Development District (ADD) with future development consistent with the proposed project.

Adelanto Road Traffic Impacts

Figure 4.11.5 (Existing Traffic Noise Map Adelanto Road)and **Figure 4.11.6** (Existing Traffic + Project Noise Map Adelanto Road) show the graphic noise contours for Peak Hour traffic, **Table 4.11.7** (Existing Noise Contours), **Table 4.11.8** (Existing + Project Noise Contours Adelanto Road), and **Table 4.11.9** (Noise Levels Existing and w/Project Adelanto Road) present a summary of the exterior traffic noise levels, without barrier attenuation, for the residential uses along Adelanto Road south of Chamberlaine to Air Expressway.

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Figure 4.11.5 Existing Traffic Noise Map Adelanto Road – Peak Hour

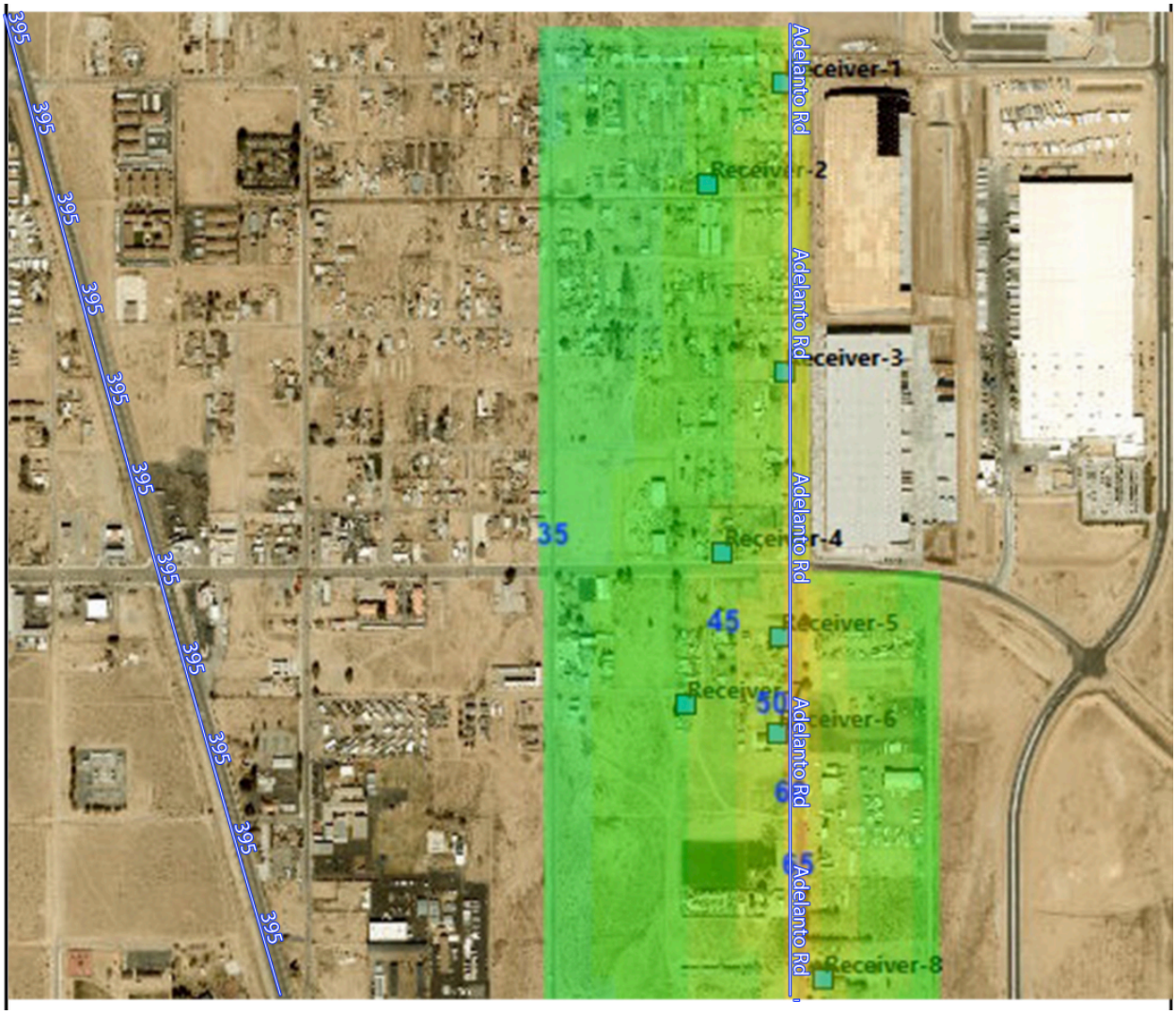


Table 4.11.10 Noise Contours Existing Adelanto Road – CNEL

Roadway	Segment	CNEL @ 50 feet	Distance to CNEL Contour		
			70 dBA	65 dB	60 dBA
Adelanto	Chamberlain to Innovation	51.8	3	7	14
Adelanto	Innovation to Air Expressway	57.6	7	16	35

Figure 4.11.6 Existing + Project Traffic Noise Map Adelanto Road – Peak Hour

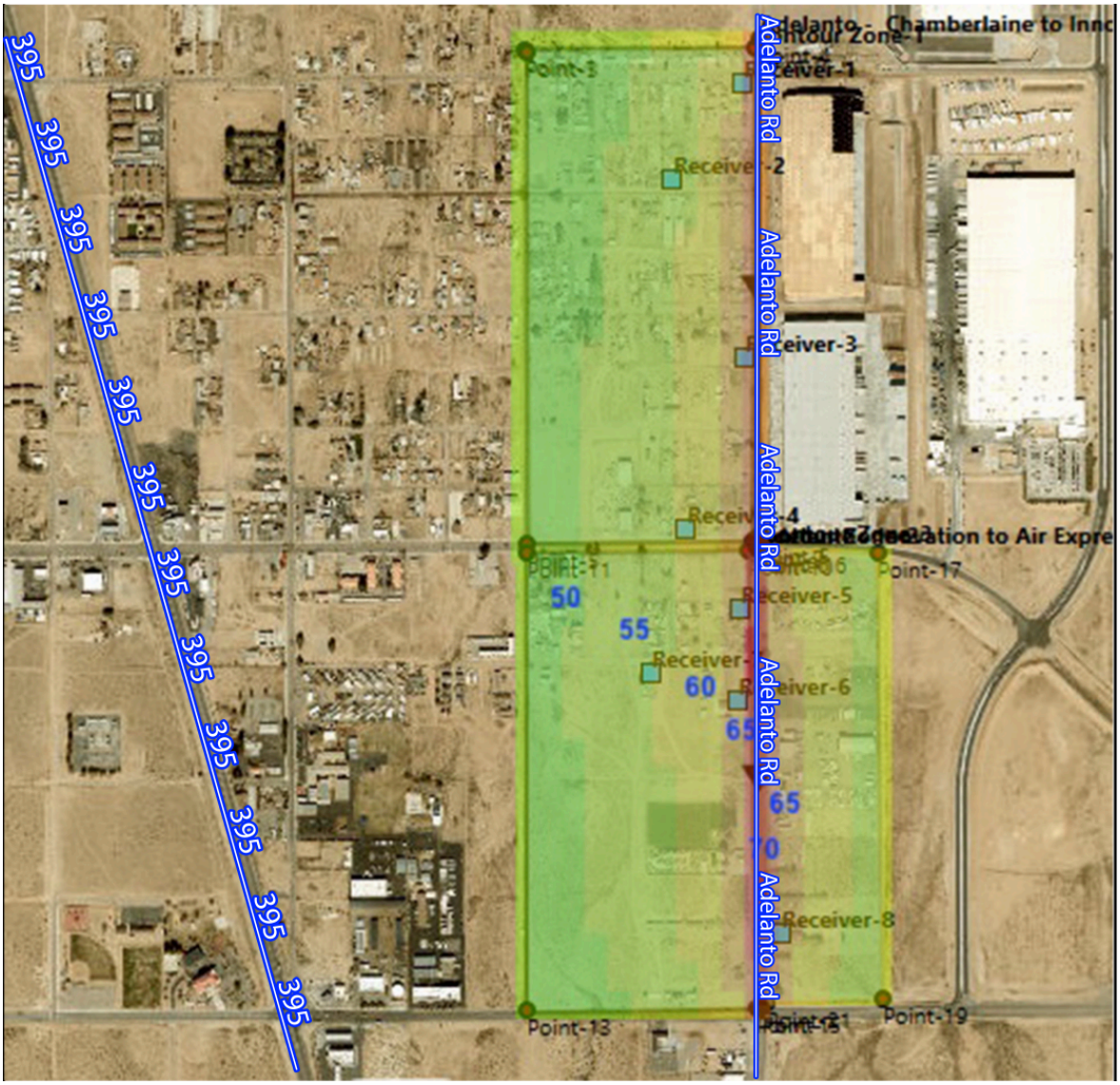


Table 4.11.11 Noise Contours Existing + Project Adelanto Road – CNEL

Roadway	Segment	CNEL @ 50 feet	Distance to CNEL Contour		
			70 dBA	65 dB	60 dBA
Adelanto	Chamberlain to Innovation	60.9	12	26	57
Adelanto	Innovation to Air Expressway	64.3	118	45	97

Table 4.11.12 Noise Levels Existing and With Project Adelanto Road – Peak Hour

ID	Receiving Land Use	No Project	With Project
1	Existing Residential	46.2	62.6
2	Existing Residential	37.2	53.8
3	Existing Residential	47.3	63.6
4	Existing Residential	47.1	55.9
5	Existing Residential	51.0	64.2
6	Existing Residential	50.2	63.5
7	Existing Residential	40.1	54.1
8	Existing Residential	50.6	63.8

As indicated in **Table 4.11.11** and **Table 4.11.12** The additional traffic generated by the project would not create a significant increase in noise levels impacting the existing residential use based on the City's General Plan Policy NS 1.10 as the Project's impacts are below the 75 dBA threshold the impact would be considered less than significant.

Although the area land use and zoning are for Business Park (BP) and future development would be consistent and compatible with the proposed Project and future noise levels, the Project's traffic noise impacts would increase existing noise level impacts on the existing residential uses on the east side of Adelanto Road. Therefore, the noise analysis considered the City's General Plan Policy NS 1.14 that exterior noise levels in areas of sensitive receptors (e.g. residential use) should not exceed 65 dBA. As the Project's off-site noise impacts are below 65 dBA there will be a less than significant increase in exterior noise levels on existing residential uses along Adelanto Road.

Facility Operations (Stationary Noise)

At the time the noise analysis was prepared, the future tenants of the proposed Project were unknown. The on-site Project-related noise sources are expected to include rooftop heating ventilation and air conditioning units (HVAC), refrigeration units, idling trucks, truck activities, backup alarms, as well as loading and unloading of dry goods, and parking lot vehicle movements. This noise analysis is intended to describe noise level impacts associated with the expected typical operational (stationary source) activities at the Project site.

Table 4.11.13 Reference Noise Level Measurements

Noise Source	Reference Distance (feet)	Reference Noise Level (dBA)	Distance to Receptor (feet)	Noise Level (dBA)
Rooftop HVAC [1]	1	88	500	34.02
Truck Loading Dock Activity [2]	50	63.6	500	43.6
Truck Backup Alarm [2]	50	75.0	500	55.0
Parking Lot Activity [2]	25	54.4	500	28.38

[1] Reference Level Lennox 10-ton air handler unit (AHU) manufacturer specifications.
[2] Reference Level collected at Amazon Fulfillment Center ONT-6 (24208 San Michele Road, Moreno Valley)

The proposed warehouse structures would include dock doors for truck loading and unloading. To determine the noise level impacts of the Project, short-term reference noise level measurements were collected at the Amazon Fulfillment Center located at 24208 San Michele Road in the City of Moreno Valley. The noise measurements represent a typical weekday warehouse loading/unloading operation on a large single building distribution center, approximately 1.2 million square feet with 200 trailer parking spaces and 90 docks. Operations during the noise measurements included multiple trucks being loaded/unloaded, forklift and truck/trailer movement.

The loading/unloading operations noise measurements were taken over a 15-minute period from an area approximately at the center of the docking stations at 50 feet from the building. The reference noise measurement obtained was 63.6 dBA Leq and calculated attenuation for 1,000-foot distance at 43.6 dBA Leq. The 1,000-foot distance was chosen as the closest sensitive receptor is 5,544 feet away and at a distance where no impacts would be expected. No attenuation for shielding from buildings or walls was used in the calculations.

Trucks at the Project site would utilize backup alarms during the loading/unloading activities, which according to ECCO, the first manufacturer of backup alarms, depending on the model, typically produce a noise level of 87 to 112 dBA at 1 foot, and at 1,000 feet with no sound barriers (walls or buildings) the noise level would be between 27.0 and 52.0 dBA. Reference noise level measurements taken at 50 feet during truck movement and backup alarm operation were measured at 75 dBA max, which would result in a 55.0 dBA noise level at 1,000 feet with no perimeter walls or buildings as shielding.

Traffic associated with parking lots is typically not at a sufficient level to exceed the community noise standards. The total parking estimated for the Project is 1,626 stalls (804 stalls for Building #1 and 822 stalls for Building #2), and the reference noise levels were taken at a parking lot that can accommodate approximately 1,000 stalls total. The Project's parking lots are similar in size to the

reference parking lots, and no significant noise impacts offsite from the parking lot use would be anticipated.

The USEPA Identifies noise levels affecting health and welfare as exposure levels over 70 dBA over a 24-hour period. Noise levels for various levels are identified according to the use of the area. Levels of 45 dBA are associated with indoor residential areas, hospitals, and schools, whereas 55 dBA is identified for outdoor areas where typical residential human activity takes place. According to the USEPA, levels of 55 dBA outdoors and 45 dBA indoors are identified as levels of noise considered to permit spoken conversation and other activities such as sleeping, working, and recreation, which are part of the daily human condition.[128] Levels exceeding 55 dBA in a residential setting are normally short in duration and not significant in affecting health and welfare of residents. As the Project site is located in an industrialized area that is zoned and planned for future industrial development, the nearest existing sensitive receptor is approximately 1 mile away and the nearest potential future sensitive receptors would be in the Desert Living zoned properties over 1 mile to the west on the western side of U.S. 395 and approximately 1.75 miles to the north on the north side of Colusa Road, and no significant noise impacts are expected at the distances to future residential properties.

Level Of Significance

Less Than Significant: The Project site is located on vacant parcels and surrounded by vacant parcels. Through compliance with mandatory requirements to reduce noise during construction, the Project's construction noise impacts will not result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project that would affect sensitive receptors. In addition, as shown above, the Project's operational noise would not be significant.

The Project's Impact on operational noise associated with traffic increases along Adelanto Road south of Chamberlaine would be less than significant.

[128] USEPA "EPA Identifies Noise Levels Affecting Health and Welfare" https://www.epa.gov/archive/epa/aboutepa/epa-identifies-noise-levels-affecting-health-and-welfare.html accessed December 21, 2023.

Thresholds 4.11– Noise Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Generation of excessive groundborne vibration or groundborne noise levels?			✓	

Discussion

During construction, the operation and movement of heavy equipment create seismic waves that radiate along the ground surface in all directions. These waves are felt as ground vibrations. Vibrations from construction can result in effects ranging from annoyance to people to structure damage. Vibration levels are impacted by geology, distance, and frequencies. According to the Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, September 2018[129], while ground vibrations from construction activities do not often reach the levels that can damage structures, construction vibration may result in building damage or prolonged annoyance from activities such as blasting, piledriving, vibratory compaction, demolition, and drilling or excavation near sensitive structures. The Project does not require these types of construction activities. Vibration amplitude and impact decreases with distance and perceptible groundborne vibration is generally limited to areas within 1 to 200 feet of the construction activity. The vibration standard used for the City is that no ground vibration shall be allowed that can be felt without the aid of instruments at or beyond the subject property line, nor will any vibration be permitted that produces a peak particle velocity (PPV) greater than or equal to two-tenths of an inch per second measured at or beyond the lot line.[130]

This threshold requires that no vibration greater than 0.2 PPV be felt at or beyond the lot line. The proposed Project therefore is not considered to result in exposure of people to excessive ground vibration. During operations of the Project following construction, the primary source of vibration would be from vehicle traffic, primarily truck traffic. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. Typical vibration levels from heavy truck activity at normal traffic speeds are in the order of 0.004 in/sec PPV at 25 feet based on the FTA's Transit Noise Impact and Vibration Assessment (2018). Trucks once on site will be travelling at very

[129] https://www.transit.dot.gov/research-innovation/transit-noise-and-vibration-impact-assessment-manual-report-0123.
[130] City of Adelanto Municipal Code Section 17.90.030 (vibration).

low speeds and it is expected that truck vibration impacts off site would not exceed the 0.2 in/sec PPV threshold.

Groundborne vibration levels from automobile traffic are generally overshadowed by vibration generated by heavy trucks that roll over the same uneven roadway surfaces. However, due to the rapid drop-off rate of groundborne vibration and the short duration of the associated events, vehicular traffic-induced groundborne vibration is rarely perceptible beyond the roadway right-of-way, and rarely results in vibration levels that would cause annoyance to people or damage to buildings in the vicinity.

The closest sensitive receptor to the Project property line is minimally 5,544 feet from the property line. The estimated construction vibration level from a large bulldozer (worst case scenario) measured at 25 feet would create a vibration level of 0.089 in/sec, which does not exceed the 0.2 in/sec threshold. Therefore, the vibrations at the nearest sensitive receptor will remain well below the strongly perceptible annoyance criteria and potential residential vibration damage criteria thresholds listed in the City of Adelanto Municipal Code Section 17.90.030 (vibration).

Level Of Significance

Less than significant: The Project would not generate excessive groundborne vibration or noise levels during construction or operations.

Thresholds 4.11 – Noise Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			✓	

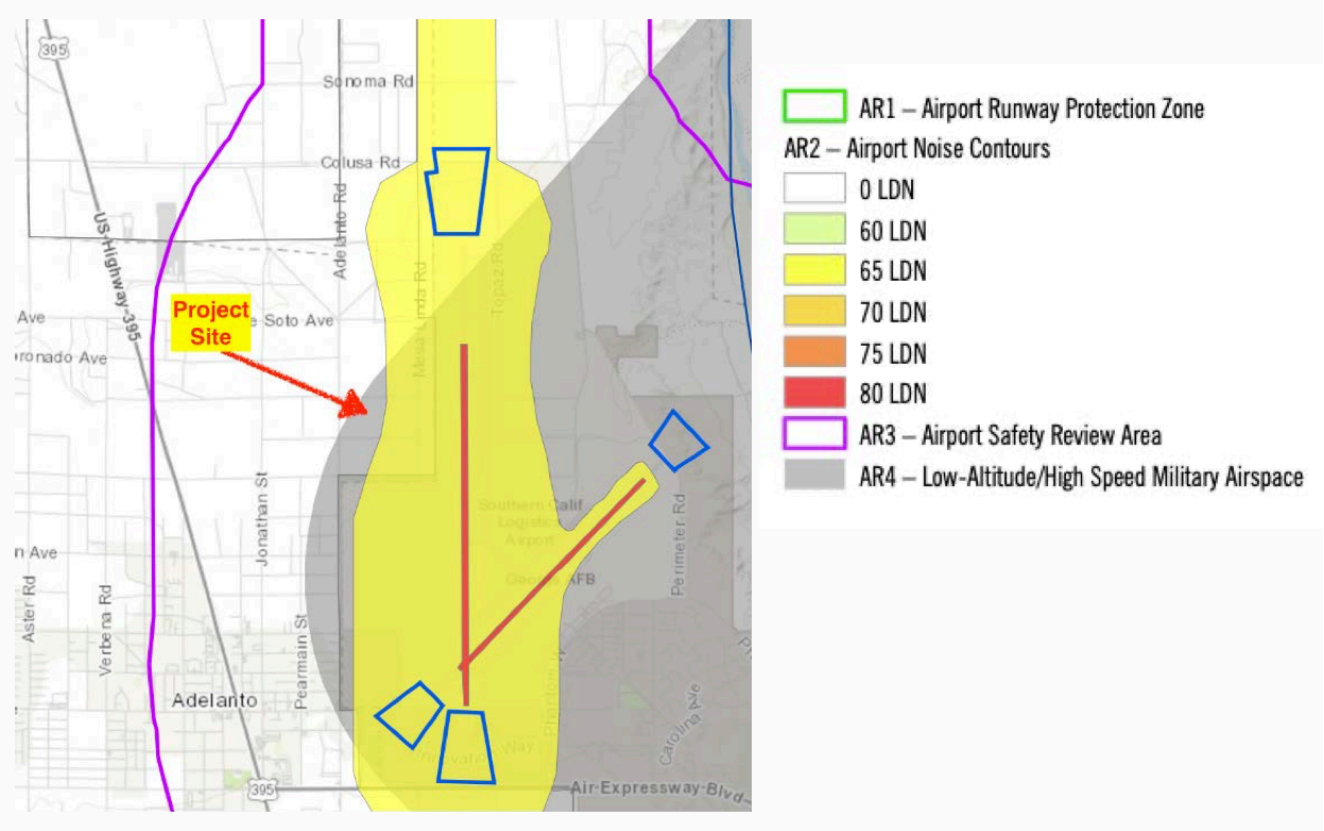
Discussion

The Project site is approximately 1,500 feet west of the Southern California Logistics Airport SCLA north-south runway. According to San Bernardino Countywide Plan Policy Map HZ-9, Airport Safety and Planning Areas, the eastern portion of the Project site is located within an area exposed to noise

levels in the 65 dBA LDN contour.[131] Based on the *Land Use Compatibility Standards (Table 3A)* described on Page 3-13 of the *SCLA Comprehensive Land Use Plan,* the Project's warehouse land use is considered a *normally acceptable* land use. Therefore, since the Project site falls within the *normally acceptable* 65 dBA LDN contour boundaries of SCLA, no further analysis is required.

Standard building design and construction methods would provide adequate noise attenuation to comply with the indoor noise standards and thereby not expose occupants of the Project to excessive aircraft noise levels.

Figure 4.11.7 SB County Policy Map HZ-9 Airport Safety & Planning



Level Of Significance

Less than significant impact: The Project site's eastern portion is located within the 65 dBA LDN contour boundaries for the SCLA and as discussed warehouse uses are considered "normally

[131] https://countywideplan.com/wp-content/uploads/sites/68/2021/02/HZ-9-Airport-Safety-Planning-201027.pdf?x23421, accessed on December 28, 2023.

acceptable" based on the SCLA Land Use Compatibility Standards and would not expose people residing or working in the project area to excessive noise levels from an airport or airstrip.

Cumulative Impacts

The Project would not involve the construction, operation, or use of any public airports or public use airports. There are no conditions associated with implementation of the Project that would contribute to airport noise or exposure of additional people to unacceptable levels of airport noise. Accordingly, the Project would have no potential to cumulatively contribute to impacts associated with noise from a public airport, public use airport, or private airstrip. Thus, there is no potential for cumulative development to expose persons residing or working in the Project area to excessive airport-related noise levels.

4.11.8 General Plan Consistency

Table 4.11.14 General Plan Policy Consistency Analysis-Noise

General Plan Policy	Consistency Determination
HS 8.6 Minimize noise impacts on noise-sensitive land uses ("sensitive receptors"), such as residential uses, schools, hospitals, childcare facilities, wildlife habitat areas, and other noise sensitive areas.	**Consistent.** Noise-sensitive land uses are locations where people reside or where the presence of unwanted sound could adversely affect the use of the land. Residences, schools, hospitals, guest lodging, libraries, churches, nursing homes, auditoriums, concert halls, amphitheaters, playgrounds, and parks are considered noise sensitive. The nearest sensitive receptor to the Project site is the residential uses located at the intersection of El Mirage Road and U.S. 395, approximately 5,544 feet or 1.05 miles southwest of the property southwestern boundary. The Project's impacts in areas with residential uses will be less than significant and below 65 dBA.
HS 8.8 Continue to consider noise impacts as part of the development review process.	**Consistent.** The Project's review and analysis includes noise impacts of construction, and operational on-site and off-site impacts.
NS 1.10 Ensure through the design review process that exterior noise levels at commercial and industrial areas do not exceed 75 dBA	**Consistent.** The Project's operational on-site and off-site exterior noise levels were estimated to be below the 75 dBA threshold for commercial and industrial areas.

General Plan Policy	Consistency Determination
NS 1.14 Consider the following uses noise sensitive and discourage them in areas where exterior noise levels exceed 65 CNEL unless measures are implemented which reduce the noise exposure below this level: single and multiple family residential uses, group homes, hospitals, schools, and other learning institutions, parks and open space areas where quiet is a basis for use.	**Consistent.** The Project's operational on-site and off-site exterior noise levels were estimated to be below the 65 dBA threshold for sensitive receptors.

4.11.9 Cumulative Impact Analysis

This cumulative impact analysis considers the development of the Project in conjunction with other development projects and planned development projects within the City.

As identified in the analysis presented under Threshold a), the Project would generate a substantial increase in ambient noise levels due to operations off-site traffic noise levels. The Project's operational off-site traffic noise impacts along with other future developments in the study area would contribute to increases in ambient noise levels along Adelanto Road south of Chamberlaine. The Project's Noise impacts were determined to be less than significant. The Project's cumulative impact would be less than significant.

4.12 TRANSPORTATION

4.12.1 Introduction

This section discusses how the increase in traffic generated by the Project affects the City's transportation circulation network (i.e. the streets, sidewalks, bike lanes, trails, and bus routes). The focus of the analysis is on how the Project promotes the goal of providing opportunities for people to walk, ride a bike, or take a bus rather than driving motor vehicles. Additionally, the amount of vehicle miles traveled generated by the Project is discussed. ("Vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a Project).

4.12.2 NOP/Scoping Comments

To initiate the preparation of this EIR, the City of Adelanto released a Notice of Preparation (NOP) for a 30-day comment period starting on December 13, 2023, and ending on January 11, 2024. A NOP is a brief notice sent by the City to notify governmental agencies and the general public that the City commenced preparation of this EIR and to solicit input from those agencies as to the scope and content of the environmental information to be included in the EIR. Additionally, a virtual EIR Scoping Meeting was held on January 9, 2024. There were no comments received during the virtual EIR Scoping Meeting nor any letters received specifically addressing Transportation during the NOP comment period.

4.12.3 Regulatory Framework

The regulatory framework described below is a set of rules and regulations established by the government to regulate activities that impact the environment. Various roles within all levels of government are involved in establishing a regulatory framework. Generally, the adoption of laws at the federal or state level sets forth the policy for environmental protection. Local agencies can only create rules and regulations if a law has been passed enabling them to do so. The analysis in this section is based on the Project's consistency with the specific regulatory requirements that are directly applicable to the Project as allowed by the enabling law. Additional information about the applicable law(s) is available in Section 8.0, *References,* in this EIR.

Table 4.12.1 Regulatory Framework-Transportation

Agency	Regulations
CA.GOV	**Senate Bill (SB) 743** became effective on July 1, 2020, and requires the amount of driving and length of trips – as measured by "vehicle miles traveled" or VMT – to be used to assess transportation impacts on the environment for CEQA review.
	City of Adelanto Transportation Regulations. The City regulates transportation through the following: ▪ General Plan Mobility Element. ▪ City Council Resolution 20-41: Adopting "Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment (LOS) Guidelines." ▪ City Council Resolution No. 20-41a- Amended: "Adopting Carbon Dioxide Equivalent Thresholds of Significance for Purposes of Analyzing Transportation Impacts."

City of Adelanto Regulations

General Plan Policies

The City of Adelanto General Mobility Element sets forth policies for the design of the City's circulation system for streets, sidewalks, trails, and bike lanes. The policies listed below are those that are most relevant to the Project.

Δ **M1.1** Apply Complete Streets strategies whenever practicable and feasible. Encourage development designs that integrate multiple modes of access and integrate Complete Streets in all capital improvement projects and new development projects.

Δ **M1.9** Require developers to construct or pay their fair share toward improvements for all modes consistent with this Mobility Chapter, and specific impacts associated with their development.

Table 4.12.4, *General Plan Policy Consistency Analysis-Transportation,* on provides a summary of the Project's consistency with these policies.

4.12.4 Environmental Setting

Existing Conditions in the Project Area

Streets

The Project site is located in an undeveloped area of the City. The surrounding site consists of unimproved dirt roads with no sidewalks or bicycle lanes as shown in **Figure 4.12.1** below.

Figure 4.12.1 Typical Existing Roadway Condition in the Vicinity of the Project Site

Avalon Avenue looking east toward the Southern California Logistics Airport.

City of Adelanto Programs, Plans, Ordinances, or Policies for Future Improvements to the Circulation System.

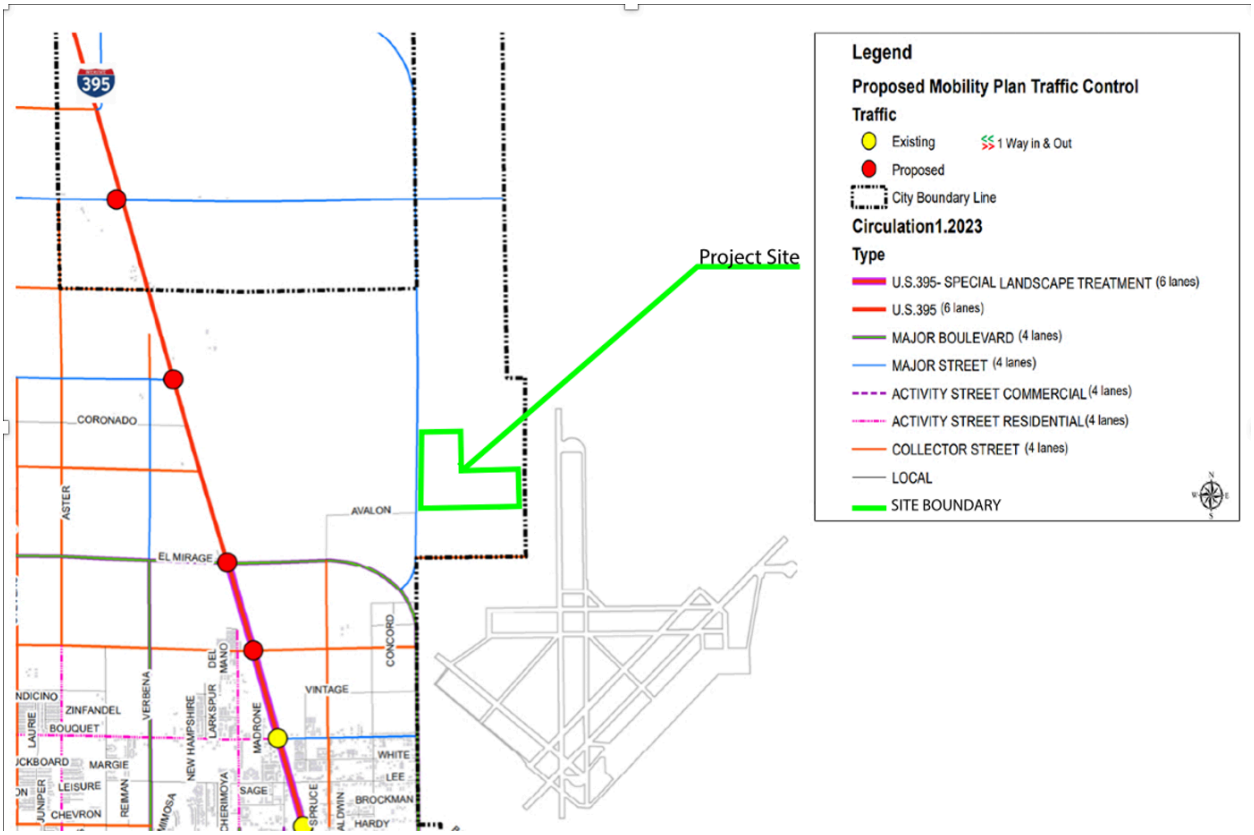
Street Classification

Circulation refers to all travel modes and routes people use to move within and beyond Adelanto: the local street system, via biking, walking, cars, or transit. The Mobility Element established Adelanto's overarching transportation goal, which is to establish and maintain a complete, multi-modal transportation network that provides sustainable options for the automobile.[132] As shown in

[132] Adelanto North 2935 Comprehensive Sustainable Plan , page 101. Available at: https://cms3.revize.com/revize/adelanto/Documents/Services/Community%20Development%20Services/Planning/General%20Plan/Adelanto%20North%202035%20Sustainable%20Plan.pdf. Accessed February 9, 2024.

Figure 4.12.2 the Project site's western boundary abuts Adelanto Road, which is classified as a Major Street (4 Lanes).

Figure 4.12.2 Circulation Plan for the Northeast Quadrant of the City of Adelanto



Source: City of Adelanto General Plan Circulation Map, October 4, 2022. Available at: https://cms3.revize.com/revize/adelanto/Documents/Services/Community%20Development%20Services/Planning/General%20Plan/City%20of%20Adelanto%20Circulation%20Map%20w%20Proposed%20Mobility%20%202023%20NEW_1.pdf. Accessed February 9, 2024

Complete Streets

A key component of the General Plan Mobility Element is "Complete Streets" designed in a gridded street pattern to facilitate mobility. Streets accommodate pedestrian, bicycling, and transit modes. According to the General Plan Mobility Element:

> ***Complete Streets:*** *Walking, Biking, and Transit. The Adelanto North 2035 Plan includes a hierarchal network of streets that accommodates a variety of transportation modes and users. The entire Planning Area consists of major streets, boulevards, and collector streets designed in a gridded street pattern to facilitate mobility. Streets accommodate pedestrian, bicycling, and transit modes whereas activity streets include the design of buildings,*

streetscapes, and amenities working together to create a pedestrian-friendly atmosphere. These streets are designed safer, more livable, and welcoming to all modes beyond just driving.

Figure 4.12.3 Example of Complete Street

The Adelanto North 2035 provides for new roadways to incorporate bike lanes and sidewalks

Truck Routes

Truck routes provide appropriate connections along the highway and major corridors to logistics, warehousing, distribution, and other industrial areas of the City. The Project site is adjacent to Adelanto Road, which is classified as a truck route by the General Plan as shown in **Figure 4.12.4** below.

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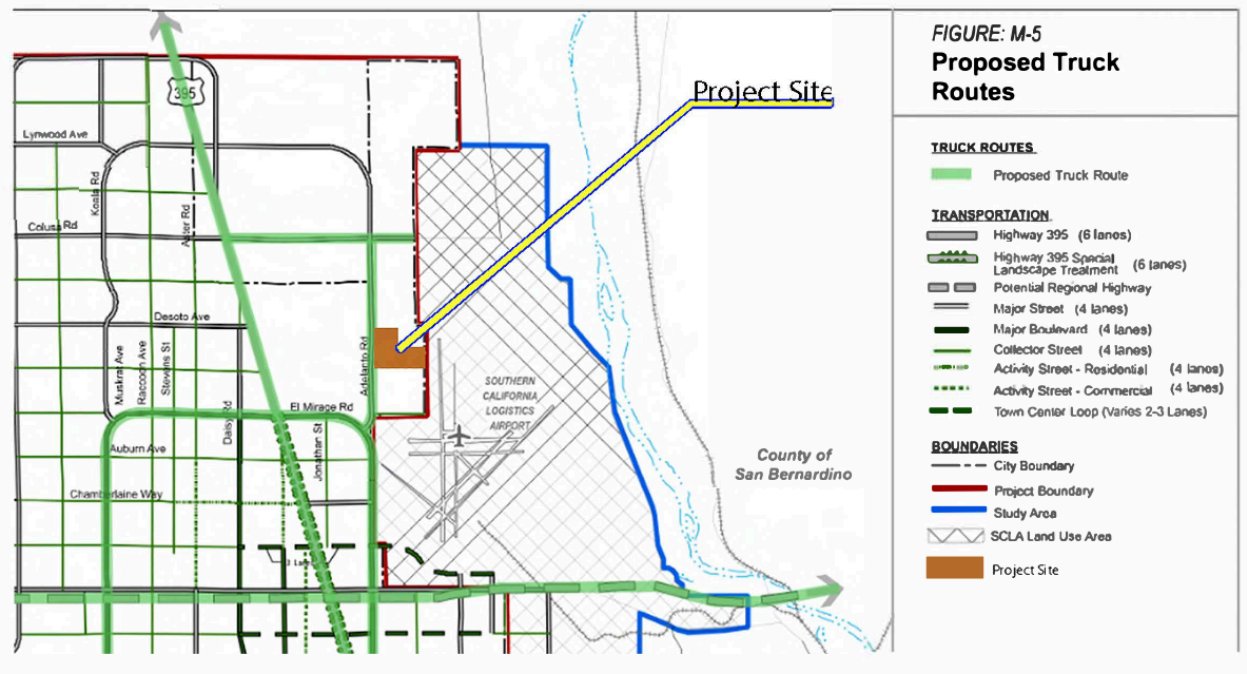
Figure 4.12.4 Truck Routes

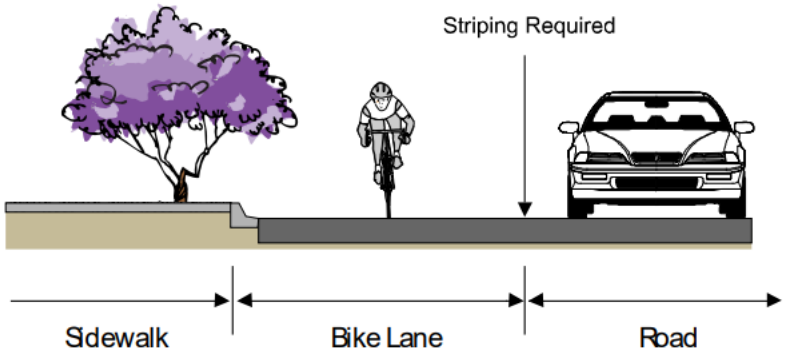


Bicycle Facilities

In October 2020, the City adopted the *Adelanto Active Transportation Plan. Adelanto in Motion is an Active Transportation Plan*[133] ("Plan") that represents a new commitment to walking and biking in Adelanto. The Plan does not call for a bike lane to be provided for the segment of Adelanto Road that is adjacent to, or in the immediate vicinity of, the Project site. In the event this changes, Adelanto Road is designed to accommodate a Class II bike lane. Thus, the Project would not interfere with a planned bicycle lane and there is no impact in this regard.

133

Figure 4.12.5 Example of a Class II Bike Lane



Public Transit Facilities

Victor Valley Transit provides bus service to the City. There are no bus services provided in the immediate vicinity of the Project site. The nearest bus stop is approximately 1.3 miles to the Southwest at the intersection of Jonathan Street and Chamberlain Way.

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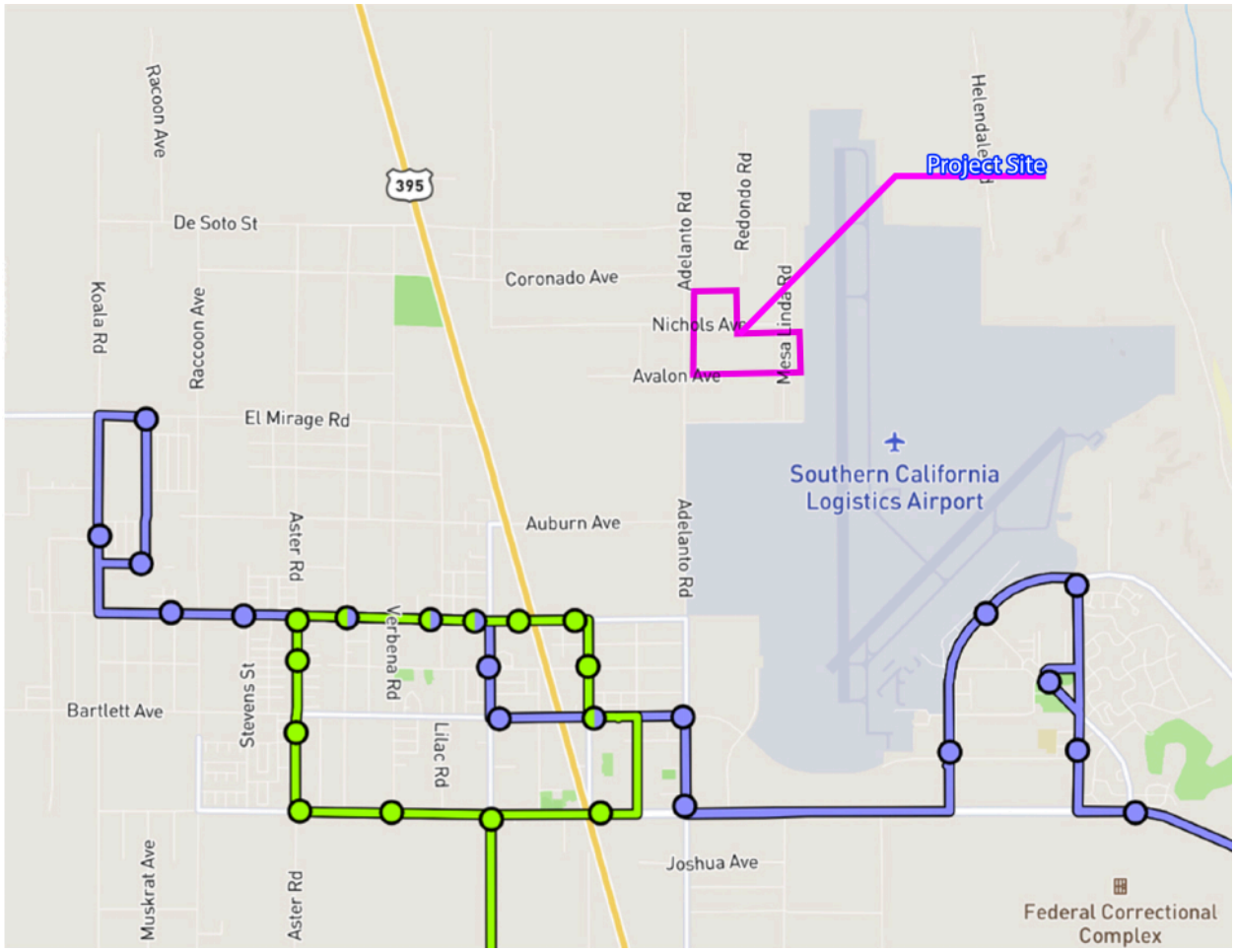
Figure 4.12.6 Nearest Bus Routes Serving the Project Area



4.12.5 Methodology

For CEQA purposes, circulation facilities are viewed in the context of how they reduce the amount of vehicle miles traveled and promote the use of other non-motorized modes of travel such as transit, bicycle, and pedestrian. The Project's proposed roadway improvements were compared to the design requirements stipulated in the General Plan Mobility Element to determine if the improvements would interfere with the ability to implement "Complete Streets "that accommodate pedestrian, bicycling, and transit modes of travel.

The Projects impacts related to VMT were analyzed consistent with City of Adelanto City Council adopted Resolution No. 20-41 on June 24, 2020, which approved VMT thresholds for CEQA compliance purposes. The analysis also relied upon the following documents:

- *Adelanto North 2035 Comprehensive Sustainability Plan* ("General Plan) as amended through October 2023.

- *City of Adelanto's Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment (LOS),* City of Adelanto, July 2020.

- *Focused Traffic Impact Analysis for Proposed Steelwave Warehousing Complex Located Northeast of Highway 395 And El Mirage Road In Adelanto, California*, David Evans & Associates, February 6, 2024. (Appendix J-1 of this EIR).

- Vehicle Miles Traveled (VMT) Analysis, SteelWave Fulfillment Center Complex, Adelanto, CA, GTS General Technologies Solutions, January 2024. Appendix J-2 of this EIR).

It should be noted that as required by SB 743, the traditional way of evaluating the effectiveness of the circulation system measured as "Level of Service" (LOS) has been replaced by a new metric of VMT and is explained in more detail in the analysis that follows. LOS is still used by the City for other transportation requirements but is not part of the EIR analysis, but is addressed as part of the Location and Development Plan (LDP) review process separate from the EIR.

4.12.6 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, the project would have a significant impact on transportation if it:

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

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

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)

d) Would the project result in inadequate emergency access.

4.12.7 Impacts Analysis

Threshold 4.12 – Transportation Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?				✓

Discussion

Project Trip Distribution and Assignment

As noted above, there is no existing development in the Project area, and vehicle traffic is nominal. When the buildings are fully occupied, the Project is estimated to generate 8,560 daily auto trips and 2,672 daily truck trips for a total of 11,232 daily trips.

Project distribution is the determination of where trips generated by land development come from, when they arrive at the Project and where they go when they depart from the Project. Because the Project is comprised of two warehouse buildings, with one assumed to be a fulfillment center (Building 1) , the trips generated by the project are automobile trips by employees and visitors, and trucks that both deliver and haul away goods. Trucks generated by a fulfillment center include large tractor-trailer trucks that primarily deliver bulk goods or packages from a more distant warehouse destined for local delivery and include smaller delivery trucks and vans that deliver products to the purchaser. Non-fulfillment center warehouses, like the project's second building (Building 2), are used primarily for the storage and/ or consolidation of large boxed or palleted manufactured goods prior to their distribution to retail locations or other warehouses. The trucks generated by these warehouses include large tractor-trailer trucks, but don't usually generate smaller delivery trucks and vans used for deliveries the end purchaser.

Project automobile traffic is distributed by general direction (east, west, north, and south) based on where the Project's employees are likely to reside or travel to between work and home (e.g., concentrations of residential and commercial uses). Once the general directional distribution pattern is established, the Project's automobile trips are assigned to the most direct routes to/from the general directions using higher order streets such as highways and arterial. Often, project automobile traffic is assigned to multiple parallel routes when travel times are similar, to avoid traffic congestion. Truck trips are distributed primarily to highways and freeways using the most

direct paths to/from the facility that are also designated truck routes, major arterials, or rural highways. Near the proposed project U.S. 395, Adelanto Road, El Mirage Road, and Air Expressway are designated truck routes.

The Project is uniquely located at the northern edge of development in the county's high desert region. North of El Mirage Road, there is very little development of any kind until the junction of U.S. 395 and State Route 58 some 30 miles to the north. As a result, most of the Project's automobile traffic (75 percent) is distributed to the south and east towards Victor Valley. About 20 percent of Project traffic is distributed to the west towards Palmdale / Lancaster, and the remaining 5 percent is distributed north of Adelanto. **Figure 4.12.7**, Project *Auto Trip Distribution (Actual Trips) by Percentage*, illustrates the Project's automobile trip distribution as a percentage by general direction and by route taken to / from the Project. **Figure 4.12.8,** *Truck Trip Distribution (Actual Trips) by Percentage* illustrates the Project's truck trip distribution in which 75 percent of truck trips travel to/from the south (U.S. 395) and east (Interstate 15). About 15 percent travel to / from the Palmdale / Lancaster area (Highway 18) and the remaining 10 percent travel to/from the north (U.S. 395).

A significant impact would occur if the traffic generated by the Project would conflict with programs, plans, or ordinances that support the opportunity to construct a Complete Street that can accommodate pedestrian, bicycle, and transit.

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Figure 4.12.7 Project Auto Trip Distribution by Percentage (8,560 Daily Trips)

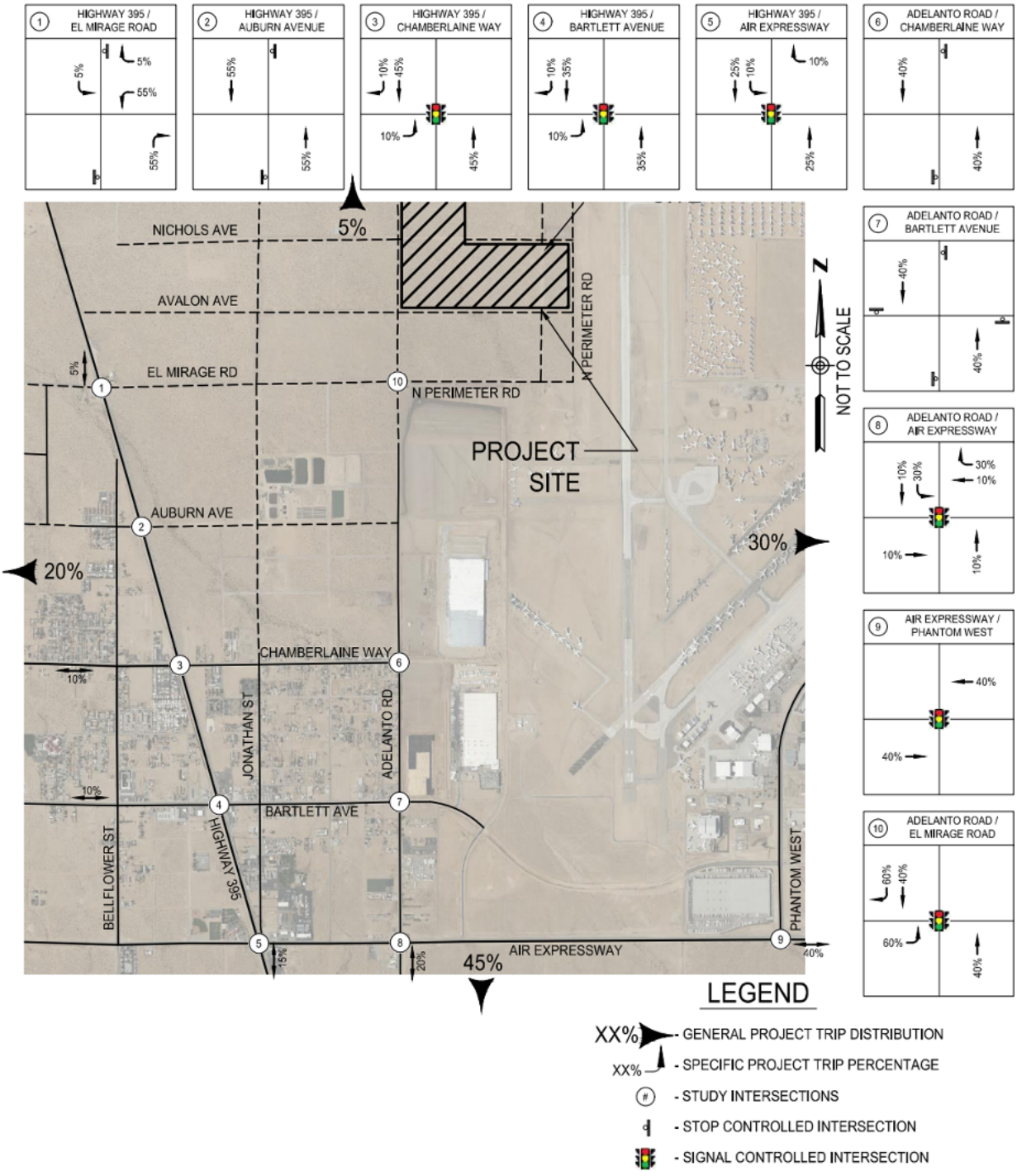
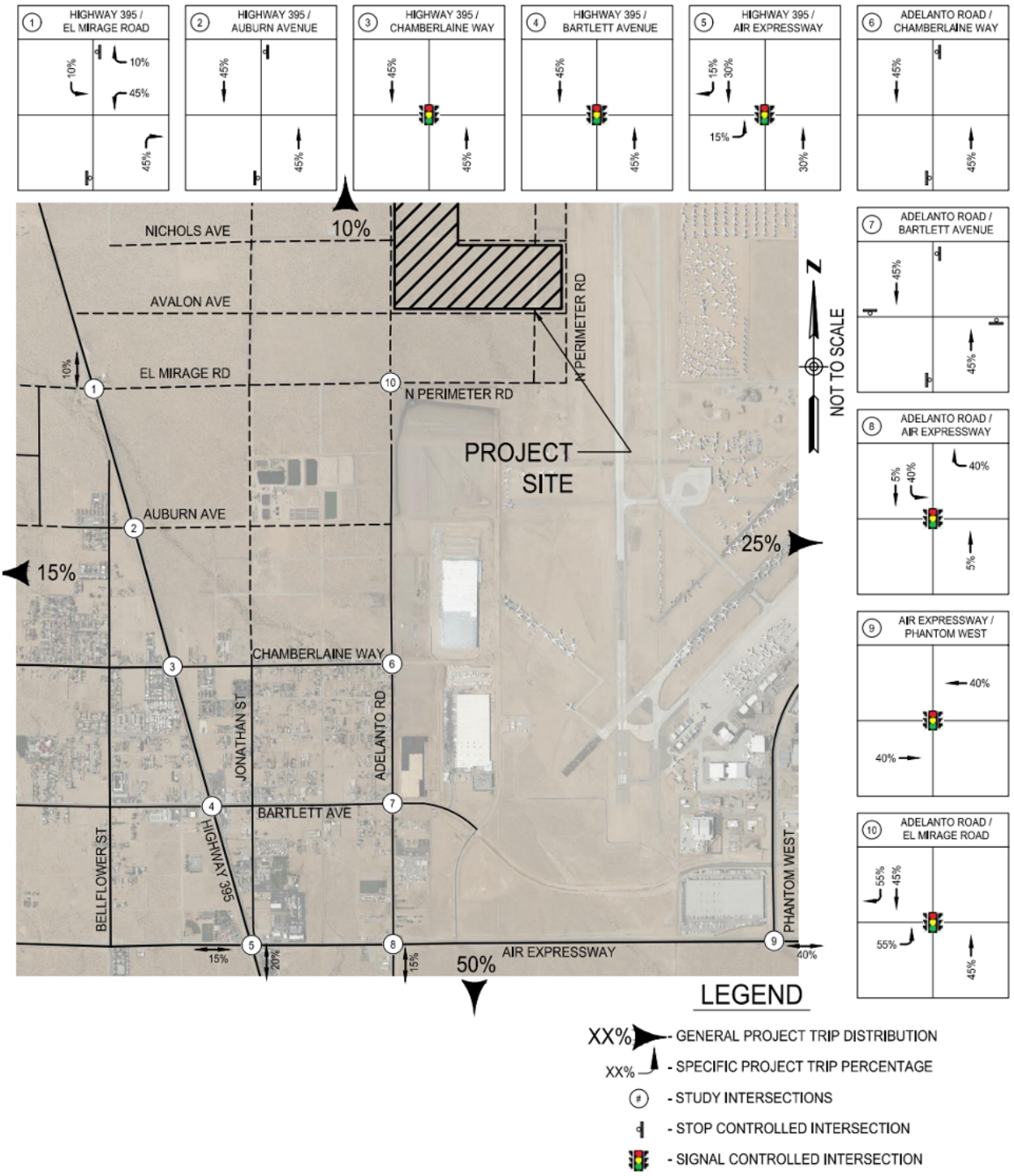


Figure 4.12.8 Project Truck Trip by Percentage (2,672 Actual Daily Trips)



Consistency with City of Adelanto General Plan Circulation Map

According to the City of Adelanto General Plan Circulation Map[134], Adelanto Road adjacent to the Project site is classified as a "Major Street." The other streets adjacent to the Project site including Avalon Avenue, Coronado Avenue, Nichols Road, and North Perimeter Road are not identified on the Circulation Map and are considered to be "local streets."

All of these streets will be improved to include paving, curb, gutter, sidewalk, and parkway landscaping. Nether the General Plan or the *Adelanto Active Transportation Plan-Adelanto in Motion* propose Class II bike lanes for these streets or are any of these streets planned for future bus routes. Notwithstanding, in the event bike lanes or bus facilities are proposed, the streets are designed to accommodate such facilities.

The off-site roads are considered "future roads" which will be improved as adjacent properties develop. The Project is only responsible for a portion of these future improvements. In any event, the construction of the street improvements would not conflict with the General Plan Mobility Element and City standards.

None of the streets adjacent to the Project site are planned for bus routes per Figure M-4, *Preferred Transit Routes,* of the *Adelanto North 2035 Comprehensive Sustainability Plan*.[135]

Additionally, Adelanto Road is identified on Figure M-5, *Proposed Truck Routes*[136]*,* of the *Adelanto North 2035 Comprehensive Sustainability Plan* as a Proposed Truck Route between Colusa Road to the north and Holly Road to the south. The portion of Adelanto Road adjacent to the Project site is denned to accommodate trucks.

Based on the analysis above, the proposed street improvements will meet the requirement for Complete Streets and would not conflict with plans for any future bike lanes or bus routes, and the Project is **consistent with General Plan policies M 1.1 and M 1.9.**

Level of Significance

No impact.

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[134] City of Adelanto General Plan Circulation Map, October 4, 2022 available at: https://ci.adelanto.ca.us/services/community_development_services/planning/maps.php#outer-414. Accessed February 11. 2024.

[135] https://cms3.revize.com/revize/adelanto/Documents/Services/Community%20Development%20Services/Planning/General%20Plan/Adelanto%20North%202035%20Sustainable%20Plan.pdf

[136] ibid

Threshold 4.12– Transportation Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	✓			

Discussion

CEQA Guidelines §15064.3 (a) purpose is defined as follows:

> *" (a)Purpose. This section describes specific considerations for evaluating a project's transportation impacts. Generally, vehicle miles traveled is the most appropriate measure of transportation impacts. For the purposes of this section, "vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Except as provided in subdivision (b)(2[137]) below (regarding roadway capacity), a project's effect on automobile delay shall not constitute a significant environmental impact."*

As required by CEQA Guidelines §15064.3 (b), the City adopted a quantitative threshold for VMT. If a project exceeds the threshold of significance, this may indicate a significant environmental impact. The City of Adelanto City Council adopted Resolution No. 20-41 on June 24, 2020, which adopted VMT for determining consistency with CEQA Guidelines §15064.3, subdivision (b).

[137] (2) Transportation Projects. Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.

A graphic example of VMT is shown on **Figure 4.12.6** below.

Figure 4.12.9 29 Typical VMT Scenario

Methodology

The methods employed in this analysis are based on City Council Resolutions 20-41 and 20-41a and follows the format below.

1. Project Screening Analysis
2. Project Generated VMT Analysis
3. Effect on Countywide VMT Analysis

Project Screening Analysis

Project type screening includes a list of common land uses and the maximum size of development (dwelling units or square feet) that would generate less than the threshold established for CO_2e emissions (3,000 Metric Tons). This list includes general warehousing (unrefrigerated) at a threshold of 306,000 square feet and high-cube short-term transload warehousing at 413,000 square feet.

The new project type screening criterion adopted in Resolution 20-41-A states that an unrefrigerated warehouse of 306,000 square feet or less would generate CO_2e emissions of less than 3,000 metric tons (MT) per year and, therefore, have a less-than-significant impact on VMT under

CEQA. The proposed project with about 2,500,000 square feet of floor area exceeds the threshold for any type of warehouse. **The project was not screened from requiring a VMT analysis.** As such, a Project Generated VMT Analysis and an Effect on Countywide VMT Analysis was prepared using the San Bernardino County Traffic Analysis Model (SBTAM) model was to estimate project generated VMT for both baseline (2024) and horizon year (2040) scenarios.

Project-Generated VMT Analysis

Adelanto's adopted threshold of significance for VMT stipulates that a development project would result in a significant project-generated VMT impact if any of the following conditions are satisfied:

1. **Criterion 1: Baseline 2024 Project VMT.** The baseline project-generated VMT per service population exceeds the San Bernardino County regional average baseline of 32.7% VMT per service population.
2. **Criterion 2. Cumulative 2040 Project VMT:** The cumulative project generated VMT per service population exceeds the San Bernardino County regional average baseline of 32.7% VMT per service population.
3. **Criterion 3. Baseline 2024 Countywide Link-Level VMT.** The baseline link-level boundary (County of San Bernardino) VMT per service population increases under the plus project condition compared to the no project condition.
4. **Criteria 4: Cumulative 2040 Countywide Link-Level Boundary.** The cumulative 2040 countywide link-level boundary (County of San Bernardino) VMT per service population increases under the plus project condition compared to the no project condition.

The San Bernardino County Traffic Analysis Model (SBTAM) model was used to estimate project generated VMT for both baseline (2024) and horizon year (2040) scenarios. The SBTAM socioeconomic databases for each scenario (2016 baseline and 2040 future) were updated with the project land use to calculate project VMT. The databases were also used to obtain the county's population and employment to estimate the service population. The year 2024 baseline VMT was estimated by interpolating between the 2016 and 2040 model output.

The SBTAM uses employment as the independent variable representing non-residential land use. Because the size of most non-residential development is measured in floor area a conversion factor is required to update the SBTAM model's socioeconomic database to represent the project. The most conservative floor area to employee conversion factor, according to the authors of SCAG's "Employment Density Study Summary Report (October 31, 2001) was used to convert the 2,500,000 square feet of warehousing to 3,071 employees—a factor of 814 square feet per employee. The

databases were also used to obtain the county's population and employment to estimate the service population.

Table 4.12.1 presents the results of the project generated VMT analyses for the baseline and horizon year scenarios. As shown in the table, in both the baseline and horizon year scenarios, the VMT/service population metric for the Steelwave Warehouse Complex project is greater than San Bernardino County's regional average baseline significance threshold of 32.7 VMT/service population.

Table 4.12.1 Project-Generated VMT Analysis

Metric	2024 Baseline Conditions		2040 Cumulative Conditions	
	Steelwave Warehouse Complex	City of Adelanto (Threshold) [a]	Steelwave Warehouse Complex	City of Adelanto (Threshold) [a]
Population	0		0	
Employment [b]	3,071		3,071	
Service Population	3,071		3,071	
OD VMT [c]	142,201		135,410	
OD VMT per service population	46.3	32.7	44.1	32.7
Exceeds Threshold?	**YES (+ 41.5%)**		**YES (+34.9%)**	

Notes:
[a] Source: Threshold value obtained from the City of Adelanto "Traffic Impact Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment (LOS), July 2020).
[b] Source: SCAG Employment Density Study Summary Report, October 31, 2001 (using 814 square feet per employee).
[c] The project's Origin/Destination (OD) VMT derived from the San Bernardino Traffic Analysis Model (SBTAM) Source of analysis: General Technologies and Solutions (GTS)

As shown in **Table 4.12.1** above, under baseline 2024 conditions the project-generated VMT metric exceeds the adopted threshold metric by about 42% and under future 2040 conditions the project metric exceeds the threshold metric by about 35%. The outcome of the Project-Generated VMT Analysis exceeds the threshold of significance for Criterion 1 (Baseline 2024 Project Generated VMT) and Criterion 2 (Cumulative 2040 Project VMT, and is considered a **potentially significant impact** To reduce the project-generated VMT to the equivalent or less than the adopted threshold, the project-generated VMT would need to be reduced by 41,901 in 2024 and by 35,110 in 2040.

The Project will implement TRANS-PDF-1, which requires compliance with CAPCOA Measure T-2. Measure T-2 is a feature of the project given its size and the number of jobs it will produce and the infrastructure that is both implemented by the project and the infrastructure, supportive land uses and/or services that will follow the project. For example:

- Under Transportation Infrastructure, the measures to construct / improve bicycle facilities and expand the bikeway network (CAPCOA Measures T-19-A and T-20) will be partly implemented by the project in the form of bicycle lanes included in the construction of El Mirage Road and partly by other development that will follow the job density created by the project and other large job centers in the neighboring Southern California Logistics Airport (SCLA) Specific Plan area.
- Under Transit Related Measures, the Victor Valley Transportation Authority (VVTA) which operates bus service in Adelanto responds to concentrations of large new developments with restructuring of bus routes to serve the new areas if the density meets their criteria for providing service. Restructuring Route 32 to serve the project area will be possible using the streets being constructed or improved by the project as well the new development occurring on the west side of the SCLA Specific Plan area. Service frequency often comes with route restructuring to meet the demands of the new development and expected supporting growth that follows. These infrastructure and transit related measures are assumed to contribute to the VMT reduction associated with CAPCOA Measure T-2.

Infrastructure, services, and supporting land uses that occur around high-density job centers take time to implement and won't be in place when the Project first opens. Therefore, the VMT reduction associated with CAPCOA Measure T-2 is only assumed in the future 2040 scenario. Therefore, Mitigation Measures TRANS-1 below is required.

Effect on Countywide VMT Analysis

The outcome of the Project's Effect on Countywide VMT Analysis is presented in **Table 4.12.2**. The SBTAM model was used to estimate the VMT on all roadways within San Bernadino County's unincorporated areas for the baseline and 2040 scenarios with and without the project. Using the resulting countywide VMT, the metric indicating a significant impact (VMT/Service population) at a countywide (unincorporated) scale was calculated.

Table 4.12.2 Project Effect Countywide VMT

Metric	2024 Baseline Conditions		2040 Cumulative Conditions	
	With Project	Without Project	With Project	Without Project
Roadway VMT [a]	67,874,654	67,863,044	88,849,969	88,879,672
Service population [b]	3,163,730	3,160,659	3,702,569	3,699,498
VMT per service population	21.5	21.5	24.0	24.0
Exceeds Threshold?	NO		NO	

Notes:
[a] Roadway VMT = sum of all vehicle miles travel on all streets within unincorporated San Bernardino County.
[b] Service population = sum of residents and employees in San Bernardino County in the scenario being analyzed.
Source: 2016 and 2040 land use summaries from the San Bernardino Traffic Analysis Model (SBTAM)
Source of analysis: General Technologies and Solutions (GTS)

As shown in **Table 4.12.2** above, the Project does not create a significant impact under the "effect on VMT" criterion in either Countywide baseline or future conditions, and no mitigation is required in this regard.

Mitigation Measure

TRANS-1: Transportation Demand Management Program. Prior to issuance of a certificate of occupancy for Building 1 or Building 2, the entity occupying a building shall provide assurances that the transportation demand management measures described below, will be perpetually implemented, regardless of property ownership, and a mechanism for informing subsequent property owners of the transportation demand management plan requirements. These requirements may be accomplished through lease agreements, recordation of covenants, conditions and restrictions and/or the formation of a transportation management association which assumes responsibility for implementation and monitoring of the transportation demand management measures or other measures deemed acceptable by the City.

Prior to the issuance of an occupancy permit for any building, the building owner or lessee shall consult with the Victor Valley Transit Authority VVTA) on the need to connect the Project site with transit services. The building owner or lessee shall fund a study on behalf of VVTA to determine whether adding bus service along Adelanto Road in the Project site would be warranted by potential ridership and be practicable for VVTA. Evidence of compliance with this requirement may include correspondence from VVTA regarding the potential need for installing bus turnouts, shelters, or bus stops at the site.

Prior to the issuance of an occupancy permit for any building, the building owner shall implement measures including, but not be limited to, the following: ride- matching assistance; preferential carpool parking; flexible work schedules for carpools; transportation coordinators; providing a web site or message board for coordinating rides; designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles; and including bicycle end of trip facilities including bike parking, bike lockers, showers, and personal lockers. The measures chosen must achieve a total estimated VMT reduction not less than 8.3 percent. This list may be updated as new methods become available.

The VMT reduction resulting from Mitigation Measures TRANS-1 is calculated in **Table 4.12.3** below.

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Table 4.12.3 VMT Reduction Calculations for Recommended Measures

Mitigation Measure (Number corresponds to the CAPCOA Handbook)	Max Reduction in Overall VMT(%)	CAPCOA Formula and Variables (See Appendix F for Calculation (1)	Calculated Reduction in Project-Generated VMT (%) (2)	Calculated Reduction in Project-Generated VMT
T-2. Increase Job Density	30% CAPCOA sets a cap on this measure's reduction in VMT at 30%	A= (B-C) / C X D where, A = percent reduction in VMT, B = job density of project, C = job density of typical development,† D = elasticity of VMT with respect to job density (-0.07) *† If reductions are being calculated from a specific baseline derived from a travel demand forecasting model, the job density of the relevant transportation analysis zone should be used for this variable instead of the default value used in the equation.*	**Opening year 2025** A = 0% (see discussion in report) **Future year 2040** A = -59% calculated With cap: A=-30%	**Opening year 2025** VMT over threshold: 41,901 **Future year 2040** VMT over threshold:35,110 VMT Reduction with T-2: 10,533 VMT
T-6: Implement Commute Trip Reduction Program	26%	A = B x C X D where, A = percent reduction in VMT, B = percent of employees eligible for program (82%), C percent reduction in vehicle mode share of employee commute trips (default = -26%)‡ D = Adjustment from vehicle mode share to commute VMT (default = 1) *‡ Based on several factors, the default effectiveness of -29% is adjusted downward by about 57%.*	A = -26% unadjusted A = -21% adjusted for eligible emp. (82%) A = -19% adjusted for reduced effectiveness factors A = -11% adjusted for commute to total factor (1)	**Opening year 2025** VMT over threshold: 41,901 VMT reduction = 4,749 **Future year 2040** VMT over threshold: 35,110 VMT reduction = 3,979

(1) See calculation worksheets in Appendix J-2

(2) CAPCOA's default trip reduction (26%) is not achievable for the proposed project in Adelanto, even if every element (T-7 through T-11) were implemented. The CAPCOA trip reduction effectiveness is based on a single study conducted in an urban area of the San Francisco Peninsula, served by extensive public transportation systems including bus and commuter rail, and located in more compact region than San Bernardino County. The effectiveness of a CTR program implemented for the project was reduced from 26 percent to 11 percent.

The factors contributing to the reduction include:

- CAPCOA's 26 percent effectiveness assumed that 100% of employees are eligible for a CTR program. However, the proposed fulfillment center will operate 24-hours per day usually with three shifts of employees and not all services are available for the later shifts nor are there as many constraints to commuting by car. The analysis in this report assumed 82 percent of the employees are eligible for the program.
- The availability and frequency of public transportation in the northern part of Adelanto does not compare to the public transportation options available to the employees in the single CAPCOA study. However, this study recommends using a privately operated frequent all day shuttle bus service to ferry employees between the project site and VVTA's transit center at the Victor Valley Mall. At this transit center, employees can access an express service between Barstow and San Bernardino including a stop at the Rancho Cucamonga Metro Link Station.
- Long distances to commute to the project site and a poor roadway and climate environment for bicyclists to commute to work.
- A much higher single occupant automobile mode share in Adelanto than in the CAPCOA study requiring an initial adjustment to the baseline mode share and the overall effectiveness of the program.

As shown in **Table 4.12.3** above, with implementation of Mitigation Measure TRANS-1, the project generated VMT would be reduced by 11%. However, under both Criterion 1: Baseline 2024 Project VMT and Criterion 2: Cumulative 2040 Project VMT, the Project generates a VMT/Service Population greater than San Bernardino County's regional average baseline significance threshold of 32.7 VMT/Service Population, and, therefore, the Project results in a **significant and unavoidable impact** since there is no feasible measure to reduce the metric to less than 32.7 VMT/service population without reducing the size of the project to a level that fails to meet the project's objectives.

Level of Significance Before Mitigation

- **Potentially Significant for Project Generated VMT.**
- **Less than significant for Countywide VMT**

Mitigation Measures

Mitigation Measure TRANS-1 above applies.

Level of Significance After Mitigation

- **Significant and unavoidable for Project Generated VMT.**
- **Less than significant for Countywide VMT**

Threshold 4.12 – Transportation Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓	

Discussion

At present, there is no development in the immediate vicinity of the Project site. Future traffic generated by the Project (i.e., passenger cars and trucks) is planned primarily to travel on two roadway segments: Adelanto Road between Avalon Avenue and Innovative Way, and between

Avalon Avenue to El Mirage Road to U.S. 395. The proposed roadway improvement on Adelanto Road, Avalon Road, Coronado Avenue, Nichols Street, and North Perimeter Road will be designed following the City of Adelanto's Standard Drawings and Specifications requirements. In addition, the Project is located in an area planned for light manufacturing uses. As such, the Project would not be incompatible with future development in the surrounding area to the extent that it would create a transportation hazard because of an incompatible use.

Level of Significance

Less than significant.

Threshold 4.12 – Transportation Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
d) Result in inadequate emergency access?			✓	

Discussion

Emergency access would be available from Adelanto Road, Avalon Road, Coronado Avenue, Nichols Street, and North Perimeter Road connecting to the citywide circulation system. During the preliminary review of the Project, the Project's transportation design was reviewed by the City's Engineering Department, Fire Department, and Sheriff's Department to ensure that adequate access to and from the site would be provided for emergency vehicles.

Level of Significance

Less than significant.

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4.12.8 General Plan Consistency

Table 4.12.4 General Plan Policy Consistency Analysis-Transportation

General Plan Policy	Consistency Determination
M1.1 Apply Complete Streets strategies whenever practicable and feasible. Encourage development designs that integrate multiple modes of access and integrate Complete Streets in all capital improvement projects and new development projects.	**Consistent.** All streets include pavement, sidewalks, and parkways and can serve all modes of travel.
M1.9 Require developers to construct or pay their fair share toward improvements for all modes consistent with this Mobility Chapter, and specific impacts associated with their development.	**Consistent.** The Project is required to pay applicable development impact fees as a condition of approval.

4.12.9 Cumulative Impact Analysis

This cumulative impact analysis considers the development of the proposed Project in conjunction with other development projects and planned development within the City.

As identified in the analysis presented under **Threshold a),** the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Cumulative development projects would be reviewed for consistency with adopted programs, plans, ordinances, or policies, implemented by the City. Therefore, the Project would not contribute to a cumulative impact in this regard.

As identified in the analysis presented under **Threshold b),** the Project exceeds the City's VMT thresholds of significance for. Criterion 1: Baseline 2024 Project VMT and Criterion 2: Cumulative 2040 Project VMT. Therefore, the Project would contribute to a cumulative impact and thus would be **cumulatively considerable** in this regard.

As identified in the analysis presented under **Threshold c),** the type of traffic generated by the Project (i.e., passenger cars and trucks) would be compatible with the type of existing traffic on Project area roadways, as the surrounding areas are either developed or planned to be developed with industrial or residential land uses. In addition, all proposed improvements within the public right of way would be installed in conformance with City design standards, as would all the projects in the planning area. Therefore, the Project would not contribute to a cumulative impact and thus **would not be cumulatively considerable** in this regard.

As identified in the analysis presented under **Threshold d),** the City of Adelanto reviewed the Project's design and confirmed that the Project would provide adequate access from the Project

site for emergency vehicles and also that development of the Project would not interfere with the circulation of emergency vehicles along public streets that abut the site. This is also required of other projects in the planning area. Therefore, the Project would not contribute to a cumulative impact and thus **would not be cumulatively considerable** in this regard.

4.12.10 Conclusion

The Project's impact on the City's roadway circulation does not interfere with the ability to provide transit, bicycle, or pedestrian modes of travel; does not create a hazard because of roadway design, or impair emergency vehicle access to the site or surrounding area. Therefore impacts are **less than significant for Thresholds a), c), and d).**

However, the Project does generate vehicle miles traveled that are above the acceptable thresholds adopted by the City to comply with CEQA Guidelines §15064.3, subdivision (b). Therefore, impacts are **significant and unavoidable for Threshold b) on a Project level and cumulative basis.**

4.13 TRIBAL CULTURAL RESOURCES

4.13.1 Introduction

This section of the EIR discusses the potential impacts to tribal cultural resources as a result of the construction of the Project. Section 21074 of the Public Resources Code states that "tribal cultural resources" are: (1) sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe that are listed, or determined to be eligible for listing, in the national or state register of historical resources, or listed in a local register of historic resources; or (2) resources that the lead agency determines, in its discretion, are tribal cultural resources.

4.13.2 NOP/Scoping Comments

To initiate the preparation of this EIR, the City of Adelanto released a Notice of Preparation (NOP) for a 30-day comment period starting on December 13, 2023, and ending on January 11, 2024. A NOP is a brief notice sent by the City to notify governmental agencies and the general public that the City commenced preparation of this EIR and to solicit input from those agencies as to the scope and content of the environmental information to be included in the EIR. Additionally, a virtual EIR Scoping Meeting was held on January 9, 2024. There were no comments received during the virtual EIR Scoping Meeting, nor were any letters received specifically addressing tribal cultural resources during the NOP comment period.

4.13.3 Regulatory Framework

The regulatory framework described below is a set of rules and regulations established by government to regulate activities that impact the environment. There are various roles within all levels of government who are involved in establishing a regulatory framework. Generally, the adoption of laws at the federal or state level set forth the policy for environmental protection. Local agencies can only create rules and regulations if a law has been passed enabling them to do so. The analysis in this section is based on the Project's consistency with the specific regulatory requirements that are directly applicable to the Project as allowed by the enabling law. Additional information about the applicable law(s) are available in Section 8.0, *References*, in this EIR.

Assembly Bill 52 (AB 52)

California Assembly Bill 52 (AB 52) (2014) Chapter 532 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21802.3, 21083.09, 21084.2 and 21084.3 to the California Public Resources Code, relating to Native Americans. AB 52 was approved on September 25, 2014. By including tribal cultural resources early in the CEQA process, the legislature intended

to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources. By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process. This process is summarized in Figure 4.13. California Assembly Bill 52 Tribal Consultation Process.

Table 4.13.1 California Assembly Bill 52 Tribal Consultation Process.

California Assembly Bill 52 Tribal Consultation Process
Lead agency provides formal notice to the Tribal contact on the list. PRC, § 21080.3.1(d) ⬇
Within 30 days, the Tribe writes the lead agency requesting consultation on the project. PRC, § 21080.3.1 (b)(1) ⬇
Within 30 days, Lead agency begins consultation with the Tribe. PRC, § 21080.3.1(b) ⬇
Consultation can be an ongoing process. Consultation ends when either: 1) Both Parties agree to measures to avoid or mitigate a significant effect on a TCR. Agreement upon mitigation measures shall be recommended for inclusion in the environmental document. PRC, § 21082.3(a) 2) A Party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. PRC, § 21080.3.2(b)(1)-(2), PRC, § 21080.3.1(b)(1) ⬇
Release of Environmental Document. Tribal information kept confidential.

Source: California Governor's Office of Planning and Research, *Technical Advisory AB 52 and Tribal Cultural Resources in CEQA,* June 2017, available at: https://opr.ca.gov/ceqa/docs/20200224-AB_52_Technical_Advisory_Feb_2020.pdf. Accessed December 15, 2023.

City of Adelanto General Plan

The General Plan policies listed below are applicable to the Project pursuant to the Open Space and Conservation Element of the General Plan.

Δ OS 10.2 Review proposed development for the possibility of cultural resources and for compliance with the cultural resources program.

Table 4.13.2, *General Plan Policy Consistency Analysis-Tribal Resources,* provides a summary of the Project's consistency with these policies.

4.13.4 Environmental Setting

The Project site setting consists of relatively flat, vacant land that is characteristic of the undeveloped portions of the high desert region with small trees, bushes, and plants scattered over exposed dirt and sand. Creosote brush scrub vegetation dominates most of the Project site with smaller portions covered with white bursage brush scrub and disturbed/developed areas (dirt/paved roads). Joshua trees occur throughout the Project site at low densities. Several dirt roads cross the site in north-to south or east-to-west orientations. During the AB52 consultation process, both the Yuhaaviatam of San Manuel Nation and the Morongo Band of Mission Indians requested to engage in formal government to government consultation with the City of Adelanto with respect to tribal cultural resources that may be present on the Project site.

4.13.5 Methodology

The methods employed in this analysis are consistent with Section 15064.5 of the CEQA Guidelines with respect to the identification and preservation of tribal cultural resources. The primary sources of information were provided by the YSMN and MBMI during the confidential government to government consultation between the parties. The Native American Heritage Commission was contacted for a Sacred Lands File Search on September 29, 2023, as part of their research for the cultural resources report for historic and archaeological resources as discussed in Section 4.3, *Cultural Resources*, of this EIR.

The NAHC's Sacred Lands Inventory is a confidential catalog of Native American sacred and cultural sites on public and private lands. It is maintained by the Environmental and Cultural Department staff, of the NAHC. Public Resources Code section 5097.94 (a), which authorizes the NAHC "to identify and catalog places of special religious or social significance to Native Americans, and known graves and cemeteries of Native Americans on private lands," and Public Resources Code

section 5097.95 authorizes the NAHC to "prepare an inventory of Native American sacred places that are located on public lands."

CEQA lead agencies that are conducting an environmental review of a proposed project prior to granting a permit or license for that project typically request a search of the Sacred Lands Inventory as part of the CEQA environmental review process to determine if a project has an impact on Native American cultural resources. If a Sacred Lands Inventory search reveals that a Native American cultural resource is in a project area, the NAHC provides the requesting party a list of the California Native American Tribes on its AB 52/SB 18 Tribal Consultation Lists that are traditionally and culturally affiliated to the project area so that the CEQA lead agency may consult with the Tribes to discuss avoidance, preservation in place, or mitigation of impacts to any Native American cultural resources in a project area.[138]

4.13.6 Threshold of Significance

The City of Adelanto relies on Appendix G of the State CEQA Guidelines[139] to determine if a project could have a significant effect on the environment: Appendix G poses the following questions:

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

> *i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k), or*
>
> *ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

[138] NAHC website at: https://nahc.ca.gov/environmental-and-cultural-department/. Accessed February 7, 2024.
[139] https://opr.ca.gov/ceqa/guidelines/

4.13.7 Impacts Analysis

Threshold 4.13 – Tribal Cultural Resources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k).		✓		

Discussion

This threshold addresses tribal cultural resources that may also be found to be historic resources as defined by CEQA. According to PRC Chapter 2.5, §21074, tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and items with cultural value to a California Native American tribe and that are listed or eligible for listing in the California Register of Historical Resources or included in a local register of historical resources as defined in §5020.1(k). Tribal cultural resources that are not historic are addressed under Threshold b) below.

Based on the analysis in Section 4.3, *Cultural Resources*, there were no cultural resources that were identified as eligible for listing to the California Register of Historic Places within or near the Project site during the field investigation. Therefore, there would be no impact to a known tribal cultural resource that would also be considered a historic resource listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources.

However, during ground disturbing activities, the possibility exists that sub-surface tribal cultural resources may be discovered. Mitigation Measure CUL-1, Archaeological Monitoring shall be required to protect tribal cultural resources that may also be historic resources under CEQA, that

may be found during construction. As required by Mitigation Measure CUL-2. *Inadvertent Discovery of Archaeological Resources,* in Section 4.4, *Cultural Resources*, of this EIR, in the event that artifacts of Native American origin are discovered, the Property Owner/Developer and Archaeologist shall notify the City of Adelanto and the Yuhaaviatam of San Manuel Nation (YSMN) Cultural Resources Department, and the Morongo Band of Mission Indians (MBMI) Tribal Historic Preservation Office of the discovery and the Project Archaeologist, in consultation with the YSMN and MBMI, and the City, shall evaluate the resource(s) eligibility for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k).

Level Significance Before Mitigation

Potentially Significant.

Mitigation Measures

Mitigation Measure CUL-1 shall apply.

Level of Significance after Mitigation

Less than significant.

Threshold 4.13 – Tribal Cultural Resources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 §5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		✓		

Discussion

As stated in AB 52, one of the intentions of the legislature was to: *"Recognize that California Native American tribes may have expertise with regard to their tribal history and practices, which concern the tribal cultural resources with which they are traditionally and culturally affiliated. Because the California Environmental Quality Act calls for a sufficient degree of analysis, tribal knowledge about*

the land and tribal cultural resources at issue should be included in environmental assessments for projects that may have a significant impact on those resources."[140]

As part of the government-to-government consultation between the YSMN and MBMI, the following mitigation measures are recommended:

Mitigation Measures

Prior to the issuance of a grading permit, the Cultural Resources Management Program (CRMP) required by Mitigation Measure CUL-1 , shall incorporate the following mitigation measures, either individually or collectively, in cooperation with the Yuhaaviatam of San Manuel Nation (YSMN) and the (MBMI).

Yuhaaviatam of San Manuel Nation (YSMN)

YSMN- TCR-1. Archaeological Monitoring. *Prior to the issuance of a grading permit, the following note shall be placed on the grading plan:*

"A qualified Archaeologist, who meets the Secretary of the Interior's Professional Qualifications Standards, and San Manuel Tribal Monitor shall be onsite during all grading and other significant ground disturbing activities s in native sediments (which includes, but is not limited to, tree/shrub removal and planning, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). Prior to the issuance of a grading permit, the Property Owner/Developer shall provide a letter from a qualified Archaeologist and a representative from the Yuhaaviatam of San Manuel Nation's Cultural Resources Management Department (YSMN, also known as the San Manuel Band of Mission Indians) stating that the Property Owner/Developer has retained these individuals."

YSMN-TCR-2. Pre -Grading Conference. *Prior to the issuance of a grading permit, the following note shall be placed on the grading plan:*

"The qualified Archaeologist and Tribal Representative, including a representative from YSMN, shall attend the pre-grade conference and shall inform construction personnel of the potential for encountering unique cultural resources and how to identify these resources if encountered. This shall include the provision of written materials to familiarize personnel with the range of resources that

[140] Governor's Office of Planning and Research, *Technical Advisory AB52 and Tribal Cultural Resources in CEQA*, June 2017., page 3 ,Footnote 1. Available at: https://opr.ca.gov/ceqa/docs/20200224-AB_52_Technical_Advisory_Feb_2020.pdf. Accessed December 16, 2023.

might be expected, the type of activities that may result in impacts, and the legal framework of cultural resources protection. All construction personnel shall be instructed to stop work in the vicinity of a potential discovery until the Archaeologist and Tribal Representative assess the significance of the find and implements appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed that unauthorized collection of cultural resources is prohibited".

YSMN-TCR-3. Inadvertent Discovery of Artifacts During Ground Disturbance. *Prior to the issuance of a grading permit, the following note shall be placed on the grading plan:*

"*In the event that artifacts of Native American origin are discovered, ground-disturbing activities shall be suspended 60 feet around the resource(s), and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The Property Owner/Developer and Archaeologist shall notify the City of Adelanto and the appropriate local Native American tribe, including YSMN. The Project Archaeologist shall develop a research design that shall include a plan to evaluate the resource for significance under CEQA criteria. Representatives from YSMN, the Archaeologist, and the City shall confer regarding the research design, as well as any testing efforts needed to delineate the resource boundary. Following the completion of evaluation efforts, all par/es shall confer regarding the resource's archaeological significance, its potential as a Tribal Cultural Resource (TCR), and avoidance (or other appropriate treatment) of the discovered resource.*

The significance of Native American resources shall be evaluated in accordance with the provisions of the CEQA and shall consider the religious beliefs, customs, and practices of the tribe. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.

All items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling. Native American artifacts that cannot be avoided or relocated at the Project site shall be prepared in a manner for curation, and the Archaeologist shall deliver the materials to an accredited curation facility approved by the City of Adelanto.

Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. A peer analysis and reporting, these artifacts shall be subjected to curation or returned to the Property Owner/Developer, as deemed appropriate.

Once ground-altering activities have ceased or the Archaeologist determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to

the City of Adelanto. A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City of Adelanto, shall signify completion of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the report shall also be filed with the SCCIC. If unknown archaeological resources are present, potentially significant impacts to these resources would be reduced to a level considered less than significant with the implementation of the RR and MMs listed above."

YSMN-TCR-4. Treatment of Cultural Resources During Project Implementation. *Prior to the issuance of a grading permit, the following note shall be placed on the grading plan:*

"It is the preference of YSMN that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during project implementation not be feasible, then a reburial location for future reburial shall be decided upon by YSMN, the landowner, and the Lead Agency, and all finds shall be reburied within this location. Additionally, in this case, reburial shall not occur until all ground-disturbing activities associated with the project have been completed, all monitoring has ceased, all cataloging and basic recordation of cultural resources have been completed, and a final monitoring report has been issued to Lead Agency, CHRIS, and YSMN. All reburials are subject to a reburial agreement that shall be developed between the landowner and YSMN outlining the determined reburial process/location, and shall include measures and provisions to protect the reburial area from any future impacts".

Applicable to the Morongo Band of Mission Indians (MBMI)

MBMI-CR-1: Tribal Monitoring Services Agreement. *Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Services Agreement with the Morongo Band of Mission Indians (MBMI) for the Project. The Tribal Monitor shall be on-site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources.*

MBMI-CR-2: Retention of Archaeologist. *Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a Qualified Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). The Archaeologist shall be present during all grounddisturbing activities to identify any known or suspected archaeological*

and/or cultural resources. The Archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe[s] Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event.

MBMI-CR-3: Cultural Resource Management Plan. *Prior to any ground-disturbing activities the project Archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the project site. This Plan shall be written in consultation with the consulting Tribe[s] and shall include the following: approved Mitigation Measures (MM)/Conditions of Approval (COA), contact information for all pertinent parties, parties' responsibilities, procedures for each MM or COA, and an overview of the project schedule.*

MBMI-CR-4: Pre-Grade. *Meeting The retained Qualified Archeologist and Consulting Tribe[s] representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.*

MBMI-CR-5: On-site Monitoring. *During all ground-disturbing activities the Qualified Archaeologist and the Tribal Monitor shall be on-site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Tribal Monitoring will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The Qualified Archaeologist, in consultation with the Tribal Monitor, shall be responsible for determining the duration and frequency of monitoring.*

MBMI-CR-6: Inadvertent Discovery of Cultural Resources. *In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal Monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly nonsignificant deposits shall be minimally documented in the field and collected so the monitored grading can proceed. If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. All work shall be diverted away from the vicinity of the find, so that the find can be evaluated by the Qualified Archaeologist and Tribal Monitor[s]. The Archaeologist shall notify the Lead Agency and consulting Tribe[s] of said discovery. The Qualified Archaeologist, in consultation with the Lead Agency, the consulting Tribe[s], and the Tribal Monitor, shall determine the significance of the discovered resource. A recommendation for the*

treatment and disposition of the Tribal Cultural Resource shall be made by the Qualified Archaeologist In consultation with the Tribe[s] and the Tribal Monitor[s] and be submitted to the Lead Agency for review and approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference: A. Full avoidance. B. If avoidance is not feasible, Preservation In place. C. If Preservation In place Is not feasible, all items shall be reburied In an area away from any future Impacts and reside In a permanent conservation easement or Deed Restriction. D. If all other options are proven to be infeasible, data recovery through excavation and then curation in a Curation Facility that meets the Federal Curation Standards (CFR 79.1)

MBMI- CR-7: Inadvertent Discovery of Human Remains. *The Morongo Band of Mission Indians requests the following specific conditions to be imposed in order to protect Native American human remains and/or cremations. No photographs are to be taken except by the coroner, with written approval by the consulting Tribe[s].*

A. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.

B. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5.

C. The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98

D. If the Morongo Band of Mission Indians has been named the Most Likely Descendant (MLD), the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). Reburial location of human remains and/or cremations will be determined by the Tribe's Most Likely Descendant (MLD), the landowner, and the City Planning Department.

MBMI-CR-8: FINAL REPORT*: The final report[s] created as a part of the project (AMTP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe[s] for review and comment. After approval of all parties, the final reports are to be submitted to the Eastern Information Center, and the Consulting Tribe[s].*

4.13.8 General Plan Consistency

Table 4.13.2 General Plan Consistency Analysis-Tribal Cultural Resources

General Plan Policy	Consistency Determination
OS 10.2 Review proposed development for the possibility of cultural resources and for compliance with the cultural resources program.	**Consistent.** The methods employed in this analysis are consistent with Section 15064.5 of the CEQA Guidelines with respect to the identification and preservation of cultural resources.

4.13.9 Cumulative Impact Analysis

This cumulative impact analysis considers development of the proposed Project in conjunction with other development projects and planned development project in the vicinity of the Project site that are in the high desert region and the traditional use area of Yuhaaviatam of San Manuel Nation (YSMN) and the Morongo Band of Mission Indians (MBMI). These tribes have indicated that although the Project has the potential to yield tribal cultural resources, impacts would be less than significant with implementation of Mitigation Measures CUL-1 and CUL-2, and TCR-1 through TCR-4 as described above because these resources are generally site specific due to from ground disturbing activities. There is no potential for the proposed Project to contribute towards a significant cumulative impact. Additionally, other projects in the high desert region would be required to comply with the consultation requirements of AB 52 and SB 18 to determine and mitigate any potential impacts to tribal cultural resources. Thus, cumulative impacts to tribal cultural resources would be less than significant and would not be cumulatively considerable.

4.13.9 Conclusion

With implementation of mitigation measures YSMN-TCR-1 through YSMN-TCR-4 and MBMI-CR-1 through MBMI-CR-7 impacts are less than significant.

4.14 Utilities and Service Systems

4.14.1 Introduction

This section focuses on any significant environmental effects the Project might cause or increase by the relocation or construction of utilities and service systems to serve the Project site; the availability of water to serve the Project, the capacity of the wastewater treatment plant to serve the project, and the capacity of landfills serving the Project area. The focus of the analysis is on the physical impacts the relocation or construction of new utility and service systems would create on the environment if needed to serve the Project.

4.14.2 NOP/Scoping Comments

A Notice of Preparation (NOP) is a brief notice sent by the City to notify governmental agencies and the general public that the City plans to prepare an EIR. The purpose of the NOP is to solicit input from those agencies as to the scope and content of the environmental information to be included in the EIR. The NOP for the Project was released for a 30-day comment period starting on December 13, 2023, and ending on January 11, 2024.

Additionally, a virtual EIR Scoping Meeting was held on January 9, 2024. No written comments were received during the NOP public comment period, nor were any comments made during the EIR Scoping Meeting that pertain to utilities and service systems.

4.14.3 Regulatory Framework

The following describes the federal, state, and local environmental laws and related regulations related to utilities and service systems.

Table 4.14.1 Regulatory Framework-Utilities and Service Systems

Regulatory Agency	Regulations
CA.GOV	**Urban Water Management Planning Act:** The Urban Water Management Planning Act (UWMP Act) was proposed and adopted to ensure that water planning is conducted at the local level, as the State of California recognized that two water agencies in the same region could have very different impacts from a drought. The UWMP Act requires water agencies to develop Urban Water Management Plans (UWMPs) over a 20-year planning horizon, and further required UWMPs to be updated every 5 years. UWMPs are exempt from compliance with CEQA. (DWR, 2016, p. 1-2). The UWMPs provide a framework for long term water planning and inform the public of a supplier's plans for long-term resource planning that ensures adequate water supplies for

Regulatory Agency	Regulations
	existing and future demands. This part of the California Water Code (CWC) requires urban water suppliers to report, describe, and evaluate: • Water deliveries and uses; • Water supply sources; • Efficient water uses; • Demand management measures; and • Water shortage contingency planning.
	California Senate Bill 610: The California Water Code (Water Code) §10910 through §10915 were amended by the enactment of SB 610 in 2002. SB 610 requires an assessment of whether available water supplies are sufficient to serve the demand generated by a proposed project, as well as the reasonably foreseeable cumulative demand in the region over the next 20 years under average normal year, single dry year, and multiple dry year conditions. Under SB 610, water assessments must be furnished to local governments for inclusion in any environmental documentation for certain projects (as defined in Water Code 10912 [a]) subject to CEQA. For the purposes of SB 610, a "project" includes a proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.
	California Regional Water Quality Control Board: The Industrial Wastewater Treatment Plant (IWTP) is operated under Order No. R6V-2020-0028 NPDES No. Ca0102822 WDID No. 6B360109001 Waste Discharge Requirements, Water Reclamation Requirements, and National Pollutant Discharge Elimination System Permit for The Victor Valley Wastewater Reclamation Authority Regional Wastewater Treatment Plant, San Bernardino County. This Order in part stipulates that the average annual flow to the Mojave River, must not exceed 14.0 million gallons per day (MGD) in any calendar year.
	California Solid Waste Integrated Waste Management Act (AB 939, 1989): The Integrated Waste Management Act (IWMA) established an integrated waste management hierarchy to guide the California Integrated Waste Management Board (CIWMB) and local agencies in implementation, in order of priority: (1) source reduction, (2) recycling and composting, and (3) environmentally safe transformation and land disposal (it should be noted that the CIWMB no longer exists, and its duties have been assumed by CalRecycle). As part of the IWMA, the CIWMB was given a purpose to mandate the reduction of disposed waste.
	2022 California Green Building Standards Code (CAL Green; Part 11 of Title 24, California Code of Regulations): California Code of Regulations, Title 24, Part 11 is referred to as Jurisdictions are required to adopt CALGreen, Sections 4.410.2 and 5.410.1 in its municipal code. It requires newly constructed non-residential buildings, certain non-residential additions and

Regulatory Agency	Regulations
	multi-family housing with ≥ 5 units to provide readily accessible areas that serve the entire building for depositing, storage and collection of non-hazardous materials for recycling, including paper, corrugated cardboard and other organic waste. The regulations require that jurisdictions enforce this space allocation guideline to ensure that the maximum amount of organic waste is recovered from multifamily residential and non-residential building occupants.
SAN BERNARDINO COUNTY	**County of San Bernardino, Countywide Integrated Waste Management Plan:** The preparation of the Countywide Integrated Waste Management Plan (CIWMP) is one of the requirements of IWMA. The CIWMP consists of four elements and a Summary Plan. Each jurisdiction (cities and the county) prepared the first three elements: 1) Source Reduction and Recycling Element (SRRE) which analyzed the local waste stream to determine where to focus diversion efforts, and developed diversion programs and funding; 2) Household Hazardous Waste Element (HHWE) which provides a framework for recycling, treatment, and disposal practices; and 3) Nondisposal Facility Element (NDFE), which lists planned and existing facilities such as material recovery facilities and composting facilities that recover waste from the waste stream. The County prepared the Countywide Siting Element, which demonstrates that at least 15 years of disposal capacity remains to serve all the jurisdictions within the county. The Countywide Summary Plan, the final element of the CIWMP, contains goals and policies as well as a summary of integrated waste management issues faced by the County. It summarizes waste management programs and the steps needed to cooperatively implement programs among the County's jurisdictions continue to meet the statewide diversion mandates. The Summary Plan is to be updated every 5 years along with any other affected elements of the CIWMP.

The Conservation and Open Space Element of the General Plan sets forth the following policy regarding utilities and service systems:

> **Δ LC 5.1** Require new development to pay its fair share of the cost of public facilities, services, and infrastructure, including but not limited to transportation, incremental water supply, sewer and wastewater treatment, solid waste, flood control and drainage, schools, fire and police protection, and parks and recreation.

It should be noted that there are other General Plan polices related to the relocation or construction of utility and service systems related to air quality, biological resources, cultural resources, tribal cultural resources, energy use, and noise. The General Plan policies related to these environmental impacts topics are contained in Sections 4.2, *Air Quality*, 4.3, *Biological Resources,* 4.4, *Cultural Resources*, 4.5, *Energy,* 4.9, *Noise,* and 4.14, *Tribal Cultural Resources*.

4.14.4 Environmental Setting

The 128-acre building site and the surrounding area in which the utility infrastructure will be vacant, undeveloped land. The Project area is characterized off highway vehicle [OHV] use and trash dumping). Roadways consist of dirt roads. The vegetation type is dominated by western Joshua trees (Yucca brevifolia) with creosote bush (Larrea tridentata) also occurring. There are Western Joshua trees scattered throughout the Project Site area. The area is also bisected by desert washes which are under the jurisdiction of the California Department of Fish and Wildlife (CDFW) and the Lahontan Regional Water Quality Board.

With the exception of the Adelanto Sewer Interceptor line in the right-of-way of Mesa Linda Road, there are no water lines, sewer lines, storm drains, or electric service in the area.

4.14.5 Methodology

The following evaluation discusses whether the proposed Project would result in direct or indirect impacts from the relocation or construction of new or expanded on utilities and service systems such as water, wastewater (sewer) and stormwater drainage, electricity, and telecommunication facilities that would cause a physical change to the environment. The various technical documents described the existing conditions and identified the infrastructure necessary serve development of the site for two industrial buildings totaling 2,483,836 sq ft.

The analysis involved identifying the demand for utilities and service systems using quantified methods as described in the following sections and comparing the increased demand against published data and material provided Project.

4.14.6 Thresholds of Significance

Section XIX of Appendix G to the CEQA Guidelines addresses typical adverse effects to Utilities and Service Systems and includes the following threshold questions to evaluate the Project's impacts on Utilities and Service Systems.

> *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?

4.14.7 Impacts Analysis

Threshold 4.14 – Utilities and Service Systems Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
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?		✓		

Discussion

The Project would require construction of new utility infrastructure as described below.

Water Service

The Project site will connect to the 12-inch public water main south of the Project site in Auburn Avenue. The 12-inch water line will be extended to the eastern end of the property line.

Given that this project is a speculative development, and a tenant has not been identified, one 2-inch domestic water service connection is provided at the west end of the building and one single domestic irrigation service connection is provided for the overall site. This is a standard service size for this size building/development.

Sewer Service

The Project will connect to the nearest sanitary sewer line located north of the site in De Soto Avenue. A new 15-inch sewer line will be ran from De Soto Avenue through Adelanto Road to the southwestern corner of the Project site. Additionally, a 4-inch sewer force main will be ran from Auburn Avenue through Adelanto Road to the northwestern corner of the Project site.

Storm Water Improvements

The Project will include two (2) detention/infiltration basins. Basin-1 which will serve Building 2 is planned for the south side of Nichols Avenue. Basin-2 which will serve Building 1 is planned for the southeast corner of Adelanto Road and Coronado Road. Onsite runoff will be directed through concrete swales throughout the site and collected by the proposed catch basins via drainpipe. The catch basins will drain to the detention/infiltration basins described, which are designed to accommodate the increase in runoff. The Project's stormwater system and basins are designed to mitigate the 100-year 24-hour storm. Overflow from an 80-foot concrete wide rectangular weir will continue under the improved Adelanto and Coronado Roads downstream using the existing condition drainage path. The stormwater system has been designed to limit discharge to pre-development levels.

Off-site runoff will be carried through an open channel around the Project site to the downstream side of the Project site.

Electric Power Facilities

The Project will connect to the existing Southern California Edison electrical distribution facilities available in the vicinity of the Project site.

Natural Gas Facilities

The Project will not be utilizing natural gas as it is proposing an all-electric facilities.

Telecommunication Facilities

Telecommunication facilities include a fixed, mobile, or transportable structure, including all installed electrical and electronic wiring, cabling, and equipment, all supporting structures, such as utility, ground network, and electrical supporting structures, and a transmission pathway and associated equipment to provide cable TV, internet, telephone, and wireless telephone services to the Project site. Services that are not provided via satellite will connect to existing facilities maintained by the various service providers.

Level of Significance

Construction or installation of utilities and service systems may potentially impact Biological Resources, Cultural Resources, Paleontological Resources, and Tribal Cultural Resources.

Mitigation Measures

Mitigation Measures BIO-1 through BIO-10, CR-1, CR-2, GEO-1, GEO-2, and TCR-1 are required.

Level of Significance After Mitigation

Impacts would be less than significant.

Threshold 4.14 – Utilities and Service Systems Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			✓	

Discussion

The following analysis is based in part on the Water Supply Assessment, KPC EHS Consultants, LLC, December 27, 2023, included as Appendix K.

Groundwater

The sole source of water in the City is from groundwater in the Mojave River Groundwater Basin, commonly referred to as the Mojave Basin Area (MBA). The MBA is an adjudicated basin and, pursuant to the Judgment, the Court appointed the Mojave Water Agency (MWA) as Watermaster of the MBA.

For management purposes under the Mojave Basin Judgment, MWA subdivided the Mojave River watershed and associated groundwater basins into five subareas: Alto, Baja, Centro, Este, and Oeste. The City of Adelanto lies within MWA's Alto Subarea. Adelanto and the other purveyors in the area supply water to their customers from local groundwater. MWA replenishes the groundwater supply, primarily with imported water purchased from the State Water Project (SWP).

The court ordered adjudication of the Mojave Basin Area allocates a variable free production allowance (FPA) to each purveyor that supplies 10 acre-feet per year (AFY) or more, including Adelanto. The FPA can vary from year to year depending on the Watermaster's safe yield projections for the Basin.

Historic Groundwater Production

The City's potable water system is supplied by groundwater from seven active potable wells. Additionally, the City has nine wells currently inactive, one non-potable well, two emergency inter-ties with the Victorville Water District and one with the Mojave Water Agency. The City's seven active wells have a combined nominal capacity of 4,728 gallons per minute (gpm).

Projected Water Supply

The City will continue to use groundwater as the sole source of potable water supply combined with supplemental water through an intertie with MWA. The City's projected supply is the available FPA, which is currently 2,851 AFY, which may be adjusted annually by the Watermaster. Transfers between MWA and the City are also from groundwater; future year projections are determined based on the difference between available FPA and forecasted demand, although more would be available as needed. Recycled water will begin delivery for irrigation uses by 2025, increasing through 2045.

Normal Year, Single Year, and Multiple Year Supply

Due to its reliance on local groundwater sources, the City has not experienced any actual supply deficiencies, even during multiple drought years. The City does not anticipate a deficit in available water supplies during a dry year or during multiple dry years. According to the 2020 Urban Water Management Plan, the City is confident that water supplies are adequate to meet demands for all weather conditions through 2045.

Groundwater Management

The Sustainable Groundwater Management Act, passed by the California Legislature in 2014, is an effort to regulate the use of groundwater in the state so that it is sustainable into the long-term future.

The majority of the Mojave IRWM Plan Region is part of an adjudicated basin pursuant to: (1) Stipulated Judgment in *City of Barstow, et. al. vs. City of Adelanto, et al.,* Riverside County Superior Court Case No. 2018568 and (2) Hi-Desert Water District vs. Yucca Valley Water Company Ltd, San Bernardino County Court Case No. 172103. SGMA does not apply to these adjudicated areas.

Imported Water

During normal operation there are no water transfers or exchanges of water within the City's service area. In the event of a dry year, the City's water system has two available water source interties with the Victorville Water District (VWD) that have been utilized during the past 5 years and now has a third intertie with MWA for future years.

The MWA purchases State Water Project (SWP) water for groundwater recharge. MWA's available SWP supply has historically been greater than the demands within their service area. MWA stores excess water in various groundwater basins for future use when SWP supplies are limited or not available. To enhance the long-term reliability of the water supply, MWA continues to explore opportunities to purchase water supplies from other water agencies and sources in addition to the SWP water supply.

Recycled/Non-Potable Water

At this time there is no recycled water available for customer use in the City of Adelanto. However, recycled water capacity is being developed and is anticipated for distribution for irrigation purposes by 2025 and increasing through 2045.

Project Water Demand

To compare the Project's water demand to the projected supply and demands in the 2020 UWMP, the Project's Proposed Site Plan was used to determine acreage of the Project site and multiplied by a water demand factor (WDF) to determine the total projected water demand. WDF's are applied to development units either by acre or square-feet (sqft). The WDF was calculated using the Adelanto 2020 UWMP and Water Master Plan. The 2020 UWMP determined the actual gallons per capita per day (GPCD) to be 116 gallons gpcd. The City's Water Master Plan established Equivalent Residential Dwelling Units (EDUs) for calculating nonresidential usage. The EDU for industrial project is 2 EDU per acre times GPCD. Using this method, total acres times the WDF 232 gpd times 2 EDU for a total of 29,756 gpd or 33.33 AFY. The WDF and calculated demand was compared to other WSAs performed in the region for similar land uses to validate the calculations.

Additionally, 666,432 square feet of the Project site will be landscaped. The plant types used for the landscaping were specifically chosen as they are drought tolerant and low water consuming. This will minimize the amount of water the Project uses to maintain the landscaping. **The Project is consistent with General Plan Policy PF 1.5 and OS 4.2.**

Urban Water Management Plan (UWMP)

The Adelanto 2020 UWMP documented General Plan land uses, population, and proposed projects as well as projections that reflect increases in population, planned residential and commercial development at the time of the assessment. The 2020 UWMP plan determined that there would be

adequate water supply for the residential, general commercial, industrial, and open space parks and resources within the City's Public Works Water Service Area. The proposed Project zoning was part of the current General Plan and was evaluated under the 2020 UWMP.

Based on the Water Supply Assessment prepared for the Project (Appendix H), the City has adequate supplies to serve 100% of the Project's water demands of 33.33 AFY during normal, dry year, and multiple dry year demands through 2045. **The Project is consistent with General Plan Policy OS 5.2** because there is sufficient supply and the Project will comply with the City and State water efficient fixture and landscaping requirements.

According to the 2020 UWMP: "With continued effective water management strategies, the City is projected to have 100 percent water reliability in a single dry year or five-consecutive year drought conditions for the forecast period to 2045." The Mojave 2014 IRWM Plan (amended 2018) replaces the 2007 GWMP as a critical source document for MWA's groundwater management since the City relies 100% on the Alto Subarea for its drinking water supply. More specifically, MWA has expressly stated, "MWA has reliable water supplies to meet retail demands within its service area".

Based on the analysis above and technical studies cited, the water demand projections are expected to increase slightly due to the proposed project; however, these demands are not anticipated to exceed the supply capacity of the City and the ground water subbasins. Therefore, the projected water demand for the proposed Project is within the scope of the analysis contained in the 2020 UWMP, and there is a sufficient water supply to serve the uses planned in the proposed Project.

Level of Significance

Impacts would be less than significant.

Mitigation Measures

No mitigation measures required.

Level of Significance After Mitigation

Impacts would be less than significant therefore no mitigation is required.

Threshold 4.14 – Utilities and Service Systems Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
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?			✓	

Discussion

The Adelanto Public Utilities Authority (APUA) is the sole agency for collecting, treating, and discharging wastewater within its service area through the Adelanto Wastewater Treatment Facility. Wastewater from Adelanto's water service area is collected and treated at the City-owned 4.0 MGD activated sludge wastewater treatment facility through an operations and maintenance contract with the PERC Water Corporation.

Municipal wastewater is generated in Adelanto's service area from a combination of residential, commercial, and industrial sources. The quantities of wastewater generated are generally proportional to the population and water usage in the service area. It is estimated that Adelanto's customers generate wastewater roughly proportional to 60 to 70 percent of the City's water demand. Based on the Projects water demand of 33.33 AFY, and based on a 70% wastewater-to-water calculation, the Project is estimated to generate 23.33 AFY (20,827.68 gallons per day). The Project's wastewater represents only 0.021 MGD of wastewater per day of the 4.0 MGD treatment capacity available at the Adelanto Wastewater Treatment Facility. The City would have adequate capacity to serve the Project's wastewater needs and would not significantly impact existing commitments. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Level of Significance

The impacts are less than significant.

Mitigation Measures

No mitigation required.

Level of Significance After Mitigation

The impacts are less than significant.

Threshold 4.14 – Utilities and Service Systems Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
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?			✓	

Discussion

Construction Related Impacts

The California Green Building Standards Code (CALGreen) requires all newly constructed buildings to prepare a Waste Management Plan and divert construction waste through recycling and source reduction methods. The City of Adelanto Building and Safety Department reviews and approves all new construction projects required to submit a Waste Management Plan. Mandatory compliance with CALGreen solid waste requirements will ensure that impacts are less than significant.

Operational Related Impacts

The Project is estimated to generate 2,335.2 tons of solid waste per year.[141] The amount of estimated solid waste generated by the Project is derived from the California Emissions Estimator Model, which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions associated with construction and operations from a variety of land use projects. The model also quantifies the amount of solid waste generated by a project. The program uses annual waste disposal rates from the California Department of Resources Recycling and Recovery (CalRecycle) data for individual land uses.

Although solid waste may ultimately be disposed of at various landfills, the closest landfill to the Project site is the Victorville Sanitary Landfill located at 18600 Stoddard Wells Road. According to the CalRecycle website, the Victorville Sanitary Landfill has a daily throughput of 3,000 tons per day

[141] Appendix C CalEEMod Datasheets.

and a remaining capacity of 93,400,000 cubic yards. The expected closure is October 1, 2047.[142] As such, there is adequate landfill capacity to serve the Project.

Level of Significance

The impacts are less than significant.

Mitigation Measures

No mitigation required.

Level of Significance After Mitigation

The impacts are less than significant.

Threshold 4.14 – Utilities and Service Systems Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			✓	

Discussion

The California Integrated Waste Management Act (Assembly Bill (AB) 939), signed into law in 1989, established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the bill established a 50% waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted.

The proposed Project would be required to coordinate with City of Adelanto and the waste hauler, to develop collection of recyclable material for the Project on a common schedule as set forth in applicable local, regional, and state programs. Recyclable materials that could be recycled by the Project include paper products, glass, aluminum, and plastic. Additionally, the Project would be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Act of 1991) and other applicable local, state, and federal solid

[142] https://www.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1870?siteID=2652, accessed on December 11, 2023.

waste disposal standards. This would ensure that the solid waste stream to regional landfills is reduced in accordance with existing regulations.

Avco Disposal (Burrtec) currently provides solid waste collection services to the City. Avco is required to provide these services in compliance with federal, state, and local management and reduction statutes and regulations related to solid waste.

Level of Significance

The impacts are less than significant.

Mitigation Measures

No mitigation required.

Level of Significance After Mitigation

The impacts are less than significant.

4.14.8 General Plan Consistency

Table 4.14.2 General Plan Consistency Analysis-Utilities and Service Systems

General Plan Policy	Consistency Determination
LC 5.1 Require new development to pay its fair share of the cost of public facilities, services, and infrastructure, including but not limited to transportation, incremental water supply, sewer and wastewater treatment, solid waste, flood control and drainage, schools, fire and police protection, and parks and recreation.	**Consistent:** The Project will be extending water and sewer lines from their current terminus to the Project site. Additionally, the Project is subject to connection and service fees to offset the demand or future facility expansion and service.
Note: It should be noted that there are other General Plan polices related to the relocation or construction of utility and service systems related to air quality, biological resources, cultural resources, tribal cultural resources, energy use, and noise. The General Plan policies related to these environmental impacts topics are contained in Sections 4.2, Air Quality, 4.3, Biological Resources, 4.4, Cultural Resources, 4.5, Energy, 4.9, Noise, and 4.14, Tribal Cultural Resources.	

4.14.9 Cumulative Impact Analysis

The Project would expand the water and sewer lines from the nearest connection point in Auburn Avenue and De Soto Avenue, respectively, to the Project site. The offsite improvements could create an impact but with would be reduced to less than significant with identified mitigation. Additionally, all the utility services are in adequate supply and each individual development project is subject to review for utility capacity. The Project would also be subject to connection and service

fees to offset the demand or future facility expansion and service, thereby precluding cumulative impacts in this regard.

The cumulative area considered for water supply is the service area of the Adelanto Water Department (AWD). The 2020 Urban Water Management Plan (UWMP) was adopted by the Adelanto Public Utilities Authority (AUPA) on August 25, 2021, which details the City of Adelanto's current and future water supply. The 2020 UWMP plan determined that there would be adequate water supply for the residential, general commercial, industrial, and open space parks and resources within the City's Public Works Water Service Area. The Project's zoning is consistent with what was included and evaluated in the 2020 UWMP. According to the 2020 Urban Water Management Plan, the City is confident that water supplies are adequate to meet demands for all weather conditions through 2045. Because the demand for water services can be met through 2045, including dry years, cumulative impacts to water services would be less than significant.

Due to the ability of the Adelanto Wastewater Treatment Facility (AWTF) having the capacity of 4.0 MGD and the Project's wastewater generation of 0.021 MGD, the Project represents approximately 0.5% of the daily capacity of the AWTF. Because the wastewater treatment demand can be met and leaves 95.5% of daily capacity available for other uses and projects within the City, there is a less than significant cumulative impact.

AB 341 mandates the reduction of solid waste disposal in landfills (PRC Section 42649). The solid waste generated by construction and operation of the Project would represent a nominal portion of daily disposal capacities at existing landfill facilities. The existing landfill facilities have sufficient daily capacity to handle solid waste during the Project's construction and operation and would not directly result in the need for expanded solid waste disposal facilities. With Victorville Landfill's planned capacity through 2047 and projected growth rates contained in the City's General Plan EIR, sufficient landfill capacity would exist to accommodate future disposal needs through General Plan buildout. Cumulative impacts associated with solid waste within the City would be considered less than significant.

The Project would adhere to applicable local and State regulations during both construction and long-term operation to reduce solid waste generation. Other cumulative development would be required to comply with such regulations. Therefore, development according to the City's General Plan would not create demands for solid waste services that would exceed the capabilities of the County's waste management system. Consequently, cumulative impacts associated with solid waste within the City would be considered less than significant.

All cumulative impacts would be less than significant.

4.14.10 Conclusion

The proposed Project's impacts associated with Utilities and Services would be less than significant, and no mitigation would be required.

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5.0 OTHER CEQA CONSIDERATIONS

5.1 Introduction

This section includes a description of the significant and unavoidable impacts of the Project. California Environmental Quality Act (CEQA) Guidelines Section 15126 requires that all aspects of a project must be considered when evaluating its impact on the environment, including planning, acquisition, development, and operation. As part of this analysis, the Draft Environmental Impact Report (Draft EIR) must also identify (1) significant environmental effects of the proposed project; (2) significant environmental effects that cannot be avoided if the proposed project is implemented; (3) significant irreversible environmental changes which would be involved in the proposed project should it be implemented; (4) growth-inducing impact of the proposed project; (5) mitigation measures proposed to minimize the significant effects; and (6) alternatives to the proposed project.

5.2 Significant Unavoidable Impacts

CEQA Guidelines Section 15126.2(c) requires an EIR to describe significant environmental effects of the proposed project that cannot be avoided if the proposed project were implemented. The Project was analyzed for potentially significant impacts related to each of the environmental issues discussed in Sections 4.1 through 4.14. All impacts were determined to be less than significant or less than significant with mitigation, except for the following environmental topics which would result in significant and unavoidable impacts:

- Air Quality (operational emissions of NO_x, CO, PM_{10}, and $PM_{2.5}$)
- Greenhouse Gas Emissions
- Vehicle Miles Traveled

5.3 Growth Inducing Impacts

In compliance with CEQA regulations, this section discusses the growth-inducing impacts of a project. CEQA Guidelines § 15126.2(e) requires a discussion of the potential growth-inducing impacts of a project. There are two types of growth-inducing impacts that a project may have: direct and indirect. To assess the potential for growth-inducing impacts, the project's characteristics that may encourage and facilitate activities that individually or cumulatively may affect the environment must be evaluated (CEQA Guidelines § 15126.2(e)). Consistent with the State CEQA Guidelines, the proposed project may result in a significant growth-inducing impact if the proposed project would:

- Induce substantial population growth in an area (for example, by proposing new homes and commercial or industrial businesses beyond the land use density/intensity envisioned in the general plan);
- Substantially alter the planned location, distribution, density, or growth rate of the population of an area; or
- Include extensions of roads or other infrastructure not assumed in the general plan or adopted capital improvements project list when such infrastructure exceeds the needs of the project and could accommodate future developments.

Direct growth-inducing impacts occur when the development of a project imposes new burdens on a community by directly inducing unplanned population growth, or by leading to the construction of additional developments in the same area. Also included in this category are projects that remove physical obstacles to population growth (such as a new road into an undeveloped area or a wastewater treatment plant with excess capacity that could allow additional development in the service area). Construction of these types of infrastructure projects cannot be considered isolated from the development they facilitate and serve. Projects that physically remove obstacles to growth, or projects that indirectly induce growth may provide a catalyst for future unrelated development in an area such as a new residential community that requires additional commercial uses to support residents.

Direct Population Growth

The Project consists of two logistic warehouse buildings totaling 2,483,836 square feet. As such, it would not induce direct population growth because it does not propose housing. However, it could induce indirect population growth through the creation of new jobs.

Indirect Population Growth

Based on the analysis contained in the Vehicle Miles Traveled (VMT) Analysis (Appendix J-3), the Project is estimated to create 3,071 new jobs.

According to the US Census data, in 2020, Adelanto had a total of 10,564 workers over the age of 16 working within its borders working across 13 major sectors. The most prevalent industries in Adelanto are transportation and warehousing, and utilities sectors which employ about 1,751 people (16.5% of the total workforce). The second most prevalent industry in Adelanto is

educational services, health care, and social services which employ 1,507 people (14.2% of the total workforce).[143]

According to the Adelanto Housing Element, the City has very few jobs within a 45-minute commute. To be exact, the number of jobs available within a 45-minute drive from Adelanto ranges from 7,811 to 1,847. This is in correlation with the job proximity index (showing that fewer job opportunities are accessible for residents). Overall, the number of accessible jobs available to the residents of Adelanto is poor. The City could address this issue by bringing additional employment opportunities into the City of Adelanto.[144]

Based on the statistical data above, it is assumed that the Project employment would be absorbed from the regional labor force and would not attract substantial numbers of workers to move into the region. Therefore, employment impacts would be less than significant.

Removal of a Barrier to Growth

The Project proposes water, wastewater, and storm drainage improvements described in Section 4.14, *Utilities and Service Systems*, of this EIR, The Project site is located in an undeveloped area of the City but is on the fringe of existing development (adjacent to the Southern California Logistics Airport, and within ¾- mile of several logistic warehouse buildings. Sewer lines, water lines, and roadway improvements will extend off-site to connect to the existing utility improvements but will not extend into land not proposed for development beyond the Project's boundaries. Additionally, according to General Plan Figure LC-4, *Growth Area*s, the Project site is located in Growth Area 2. General Plan Policy LC 5.3 states: "Allow development outside of Growth Area 1 only if the applicant and/or developer provides for the construction and maintenance of extending infrastructure and public facilities beyond Growth Area 1."[145] The Project is constructing all of the infrastructure improvements to serve the Project consistent with Policy LC 5.3. As such, the Project does not remove a barrier to growth.

5.4 Significant Irreversible Environmental Changes

[143] *City of Adelanto, 6th Cycle Housing Element Update*, 2021-2029, November 2023,page 20. Available at: https://cms3.revize.com/revize/adelanto/Documents/Housing%20Element%20Update/Revised%20DRAFT%20Adelanto%20HEU%20(11.03.23).pdf. Accessed on February 12, 2024.
[144] Ibid, p. 90.
[145] Adelanto North 2035 Comprehensive Sustainable Plan, p. 69. Available at: https://cms3.revize.com/revize/adelanto/Documents/Services/Community%20Development%20Services/Planning/General%20Plan/Adelanto%20North%202035%20Sustainable%20Plan.pdf.Accessed on February 12, 2024.

As mandated by the CEQA Guidelines, the EIR must address any significant irreversible environmental change that would result from the implementation of the Project. According to CEQA Guidelines Section 15126.2(d), such an impact may occur if:

- The Project would involve a large commitment of nonrenewable resources;
- Primary and secondary impacts would generally commit future generations to similar uses;
- The proposed project involves uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in the wasteful use of energy).

The Project consists of two logistics warehouse buildings totaling 2,483,836 square feet. Implementation of the Project would require the long-term commitment of natural resources and land, as discussed in the following paragraphs. Approval and implementation of actions related to the Project would result in an irretrievable commitment to nonrenewable resources such as energy supplies and other construction-related materials. The energy resource demands would be used for the construction, heating, and cooling of buildings; transportation of people and goods; heating and refrigeration; lighting; and other associated energy needs.

Environmental changes with the implementation of the Project would occur as the physical environment is altered through continued commitments of land and construction materials to urban development. There would be an irretrievable commitment to materials used in construction. Nonrenewable resources would be committed primarily in the form of fossil fuels and would include fuel, oil, natural gas, and gasoline used by vehicles and equipment associated with the implementation of the Project. Refer to Section 4.5 *Energy,* of this EIR for a detailed discussion of energy consumption.

The consumption of other nonrenewable or slowly renewable resources would result from the development of the Project. These resources would include but would not be limited to lumber and other forest products, sand and gravel, asphalt, steel, copper, lead, and water. These resources are available in abundance in the Victorville region and the Project would not require a need for new supplies to be secured. Furthermore, the Project would be designed and constructed per the California Building Standards Code (CBC), which includes energy and water efficiency standards. Thus, excessive and wasteful consumption would not occur.

The Project is not anticipated to result in significant irreversible environmental damage because, according to CEQA Guidelines §15126.2(d), the Project does not meet any of the scenarios described

above. Irreversible damage is also not anticipated from environmental accidents associated with the proposed Project, as it would comply with all applicable local and State regulations regarding handling and storage of hazardous materials. While a large commitment to nonrenewable resources would be required, the Project would use the energy efficiently and would not result in the wasteful use of energy.

Based on this analysis, the Project would not require utility improvements that would be growth-inducing and impacts would be less than significant.

5.5 Environmental Justice

Environmental justice is defined in State law as the "fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies."[146] The principle of environmental justice ensures equal and equitable protection from environmental and health hazards, while giving people fair and equal access to the planning and decision-making process.

The full definition of "environmental justice" in California State Law is found in California Government Code Section 65040.12(e). The Federal EPA defines environmental justice similarly; the full definition can be found at: http://www.epa.gov/environmentaljustice/.

Environmental Justice is not an environmental topic that is required to be addressed under CEQA. The "environment" as defined by CEQA Guidelines §15360 is defined below.

"Environment" means the physical conditions which exist within the area which will be affected by a proposed project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. The area involved shall be the area in which significant effects would occur either directly or indirectly as a result of the project. The "environment" includes both natural and man-made conditions.[147]

Although the process of achieving environmental justice is not an environmental impact with an adopted threshold of significance to measure the level of physical impact on the environment, some of the environmental issues, such as air pollution, water quality, hazardous materials, and noise, can negatively affect people living In disadvantaged communities or neighborhoods. As

[146] The full definition of "environmental justice" in California State Law is found in California Government Code Section 65040.12(e). The Federal EPA defines environmental justice similarly; the full definition can be found at: http://www.epa.gov/environmentaljustice/
[147] Cal. Code Regs. tit. 14 § 15360

such, the intent of the following discussion is to inform the public and City of Adelanto decision makers about the environmental setting of the Project site with respect to environmental justice considerations.

Achieving environmental justice goals is a coordinated effort led by the California Environmental Protection Agency (CalEPA), who works with the California Air Resources Board (CARB), the Department of Pesticide Regulation (DPR), the Department of Resources Recycling and Recovery (CalRecycle), the Department of Toxic Substances Control (DTSC), the Office of Environmental Health Hazard Assessment (OEHHA), and the State Water Resources Control Board (SWRCB) to achieve environmental justice through various efforts,

The following discussion identifies the framework for achieving environmental justice goals In California.

Senate Bill 535 Disadvantaged Communities Designation

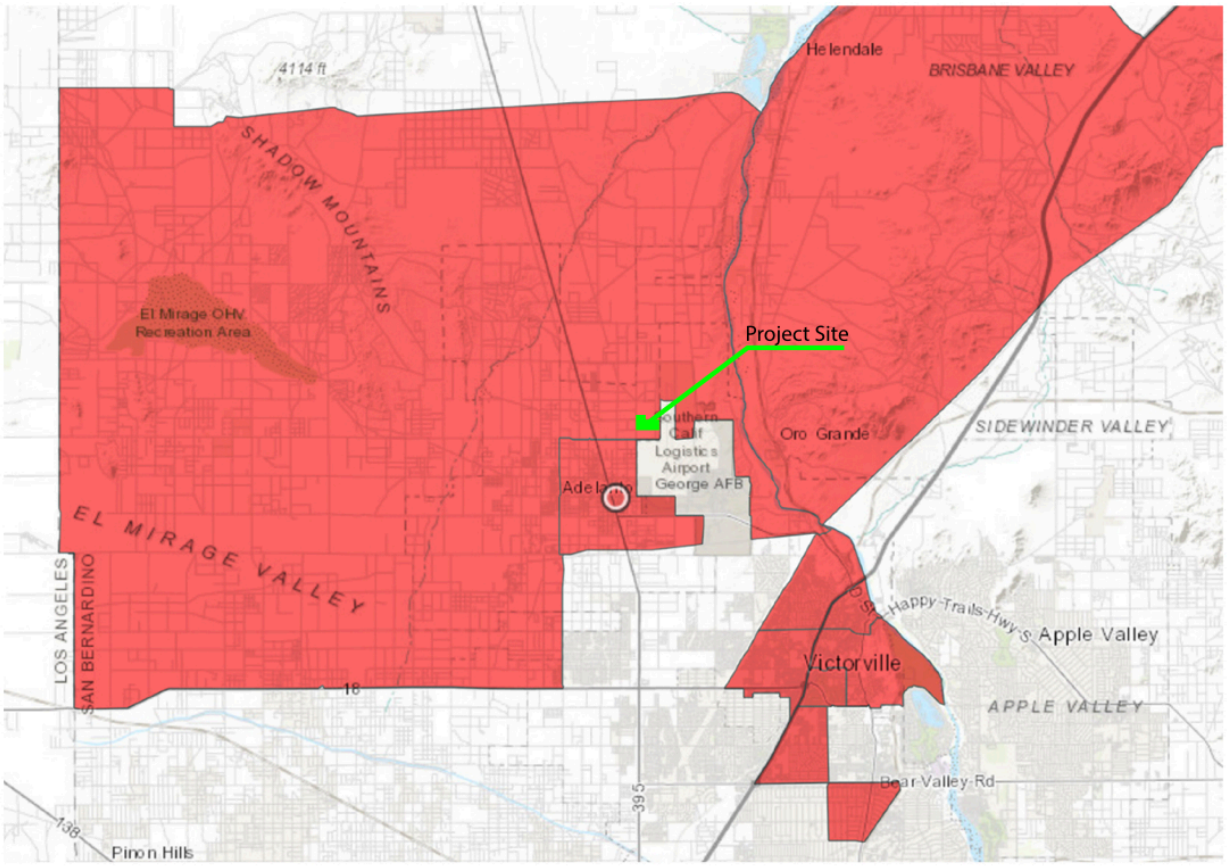
The City of Adelanto Is within an area that is identified as a "Disadvantaged Community" according to California Senate Bill (SB) 535.

> *"SB 535. In this designation, CalEPA formally designated four categories of geographic areas as disadvantaged:*
>
> *Census tracts receiving the highest 25 percent of overall scores in CalEnviroScreen 4.0 (1,984 tracts).*
>
> *Census tracts lacking overall scores in CalEnviroScreen 4.0 due to data gaps, but receiving the highest 5 percent of CalEnviroScreen 4.0 cumulative pollution burden scores (19 tracts).*
>
> *Census tracts identified in the 2017 DAC designation as disadvantaged, regardless of their scores in CalEnviroScreen 4.0 (307 tracts).*
>
> *Lands under the control of federally recognized Tribes. For purposes of this designation, a Tribe may establish that a particular area of land is under its control even if not represented as such on CalEPA's DAC map and therefore should be considered a DAC by requesting a consultation with the CalEPA Deputy Secretary for Environmental Justice, Tribal Affairs and Border Relations at TribalAffairs@calepa.ca.gov."*[148]

Figure 5.1, *SB 35 Disadvantaged Communities-Adelanto Area*, shows the disadvantaged communities designated by CalEPA for the purpose of SB 535 in the Adelanto area.

[148] California Office of Office of Environmental Health Hazard Assessment website at: https://oehha.ca.gov/calenviroscreen/sb535,accessed February 23, 2024.

Figure 5.1. SB 535 Disadvantaged Communities-Adelanto Area (2022 Update)



Source: SB 535 Disadvantaged Communities (2022 Update):

Being designated as a Disadvantaged Community means that the City of Adelanto Is eligible for investment of proceeds from the state's Cap-and-Trade Program. These investments are aimed at improving public health, quality of life and economic opportunity in California's most burdened communities, and at the same time, reducing pollution that causes climate change. The investments are authorized by the California Global Warming Solutions Act of 2006 (Assembly Bill 32, Nunez, 2016).

Pollution Burden Mapping – CalEnviroScreen Version 4.0

According to CalEPA website:

"CalEnviroScreen is a mapping tool that helps identify California communities that are most affected by many sources of pollution, and where people are often especially vulnerable to pollution's effects.

CalEnviroScreen uses environmental, health, and socioeconomic information to produce scores for every census tract in the state.

The scores are mapped so that different communities can be compared. An area with a high score is one that experiences a much higher pollution burden than areas with low scores.

CalEnviroScreen ranks communities based on data that are available from state and federal government sources.

CalEnviroScreen 4.0 was last updated in October 2021."[149]

It should be noted that the Cal EnviroScreen scor are not intended to determine the level of impact to the environment for CEQA purposes. The Office of Environmental Health Hazard Assessment (OEHHA) developed CalEnviroScreen as part of California Environmental Protection Agency's (CalEPA) environmental justice program. CalEnviroScreen is being used to identify communities that face multiple burdens of pollution and socioeconomic disadvantage. This information helps CalEPA to prioritize its work in the state's most burdened communities. As stated by CalEPA, CalEnviroscreen is used for:

- Identifying California's most environmentally burdened and vulnerable communities.
- Assisting CalEPA's boards and departments with decisions, such as prioritizing resources and cleanup activities. Disadvantaged communities in California are targeted for investment of proceeds from the State's cap-and-trade program. CalEPA designated census tracts with the highest CalEnviroScreen scores as disadvantaged communities for investing cap-and-trade proceeds.
- Used by CalEPA's Environmental Justice Task Force and other state entities as guidance in allocating grants and in other decisions.

As it applies to CEQA, CalEPA advises that:

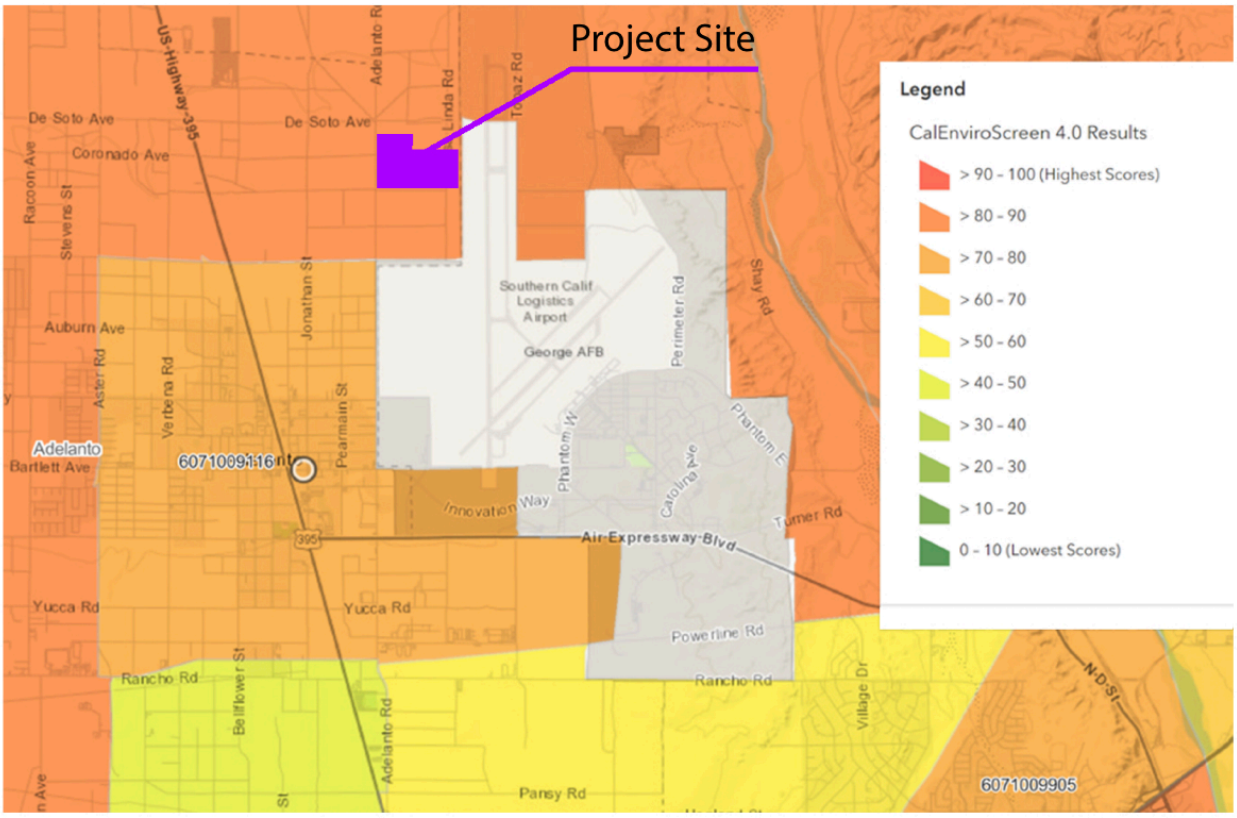
[149] CalEPA website: https://calepa.ca.gov/EnvJustice/, accessed February 23, 2024.

- The CalEnviroScreen Tool scoring results are not directly applicable to the cumulative impacts analysis required under the California Environmental Quality Act (CEQA).
- Information provided by this tool cannot be used as a substitute for an analysis of the cumulative impacts of any specific project for which an environmental review is required by CEQA.
- The tool assesses environmental factors and effects on a regional or community wide basis and cannot be used in lieu of performing an analysis of the potentially significant impacts of any specific project.
- A Lead Agency under CEQA must determine independently whether a proposed project's impacts may be significant under CEQA based on the evidence before it, using its own discretion and judgment. The tool's results are not a substitute for this required analysis.
- This tool considers some social, health, and economic factors that may not be relevant when doing an analysis under CEQA.
- The tool's output should not be used as a focused risk assessment of a given community or site. It cannot predict or quantify specific health risks or effects associated with cumulative exposures identified for a given community or individual.

For the reasons stated above, the CalEnviroScreen scores are not considered as thresholds of significance adopted per CEQA Guidelines § 15064.7. Notwithstanding, the EIR addresses all applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect, including the impacts on disadvantaged communities. (Refer to Draft EIR Sections 4.2 *Air Quality*, 4.7 *Greenhouse Gas Emissions*, 4.8 *Hazards and Hazardous Materials*, 4.9 *Hydrology and Water Quality,* 4.10 *Land Use and Planning*, 4.11 *Noise*, 4.12 *Transportation*, 4.14 *Utilities and Service Systems*, 5.0 *Other CEQA Considerations,* and 6.0 *Alternatives*.)

The CalEnviroScreen 4.0 tool shows cumulative impacts in California communities by census tract. The Project site is located within Census Tract No. 6071009117 as shown in **Figure 5.2** *CalEnviroScreen Project Site Location in Relation to Surrounding Census Tracts* below.

Figure 5.2 CalEnviroScreen Project Site Location in Relation to Surrounding Census Tracts



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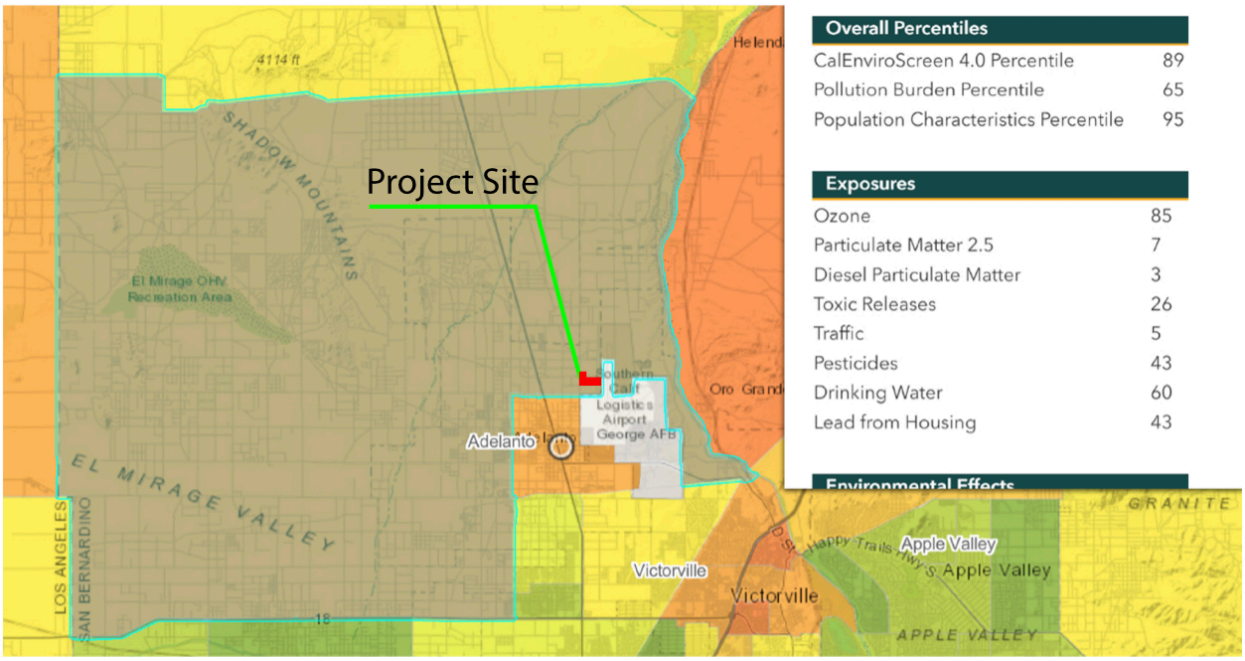
As stated previously, the pollution burden scores are aggregated by census tract. **Figure 5.3** shows the pollution burden scores for Census Tract No. 6071009117

Figure 5.3 Project Location within Census Tract No. 6071009117



As shown In Figure 5.3 above, the Project site is located in the eastern most portion of Census Tract No. 6071009117

As detailed in the consistency analysis for impacts on disadvantaged communities, please refer to Sections 4.2, *Air Quality*, 4.7, *Greenhouse Gas Emissions,* 4.8 *Hazards and Hazardous Materials*, 4.9 *Hydrology and Water Quality*, 4.10 *Land Use and Planning*, 4.11 *Noise*, 4.12 *Transportation*, 4.14 *Utilities and Service Systems,* 5.0 *Other CEQA Considerations*, and 6.0 *Alternatives*, which address the proposed project impacts under adopted CEQA thresholds of significance that apply to SB 535 communities as well as the City as whole.

5.6 Conclusion

The Project would not cause population growth exceeding the regional forecast for the City; would not extend infrastructure into areas not already designated for development; and would not remove an obstacle to population growth. While Project development would generate employment, such employment would be within the labor force available in the City. The Project site is in a developing area near existing development and is a logical extension of existing development. Therefore, direct and indirect growth-inducing impacts of the Project would be less than significant.

6.0 ALTERNATIVES

6.1 Introduction

CEQA Guidelines §15126.6(a) describes the scope of analysis that is required when evaluating alternatives to proposed projects, as follows:

An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selection of a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

As discussed in Section 4.0, *Environmental Analysis*, the Project would not result in significant and unavoidable impacts related to the following environmental topics:

- Air Quality (operational NOx, CO, PM10 and PM2.5 emissions)
- GHG Emissions
- Noise (off-site traffic roadway noise)
- Vehicle Miles Traveled

All other Project impacts would be mitigated to below levels of significance with the implementation of feasible mitigation measures.

6.2 Project Objectives

The underlying purpose and goal of the Adelanto Industrial Center Project is to develop two professional industrial warehouse buildings in the City of Adelanto that is also in proximity to the Southern California Logistics Airport and Highway US 395, in support of the region's goods movement network. The Project would achieve its underlying purpose and goal through the following objectives:

1. Create a professional, well-maintained, state of the art industrial complex consistent with the City of Adelanto General Plan Land Use designation of Light Manufacturing (LM) and the Zoning Classification of ADD (Airport Development District).

2. To develop warehouse logistics facilities near the Southern California Logistics Airport and Highway US 395 in support of the region's goods movement network.

3. Expand economic development, attract new businesses, and provide employment opportunities in the City of Adelanto thereby providing a more equal jobs-to-housing balance in the City that will reduce the need for members of the local workforce to commute outside the area for employment.

4. Design the facilities for energy efficiency and sustainability consistent with the State of California's goals to reduce impacts related to climate change.

5. Locate an industrial facilities in an area that minimizes conflicts with the surrounding existing uses to the extent possible.

6. Provide the necessary infrastructure to support the development of the Project and other undeveloped properties in the immediate vicinity consistent with the service providers capacity.

6.3 Summary of the Proposed Project's Significant Effects

As Discussed in Section 4.0, *Environmental Analysis*, the Project would result in significant and unavoidable impacts related to air quality, GHG emissions, traffic noise and vehicle miles traveled. The Project would otherwise not result in any significant environmental impacts that could not be mitigated to less than significant with Project Design Features (PDFs), mandatory regulatory requirements, and feasible mitigation measures.

6.4 Alternatives Under Consideration

CEQA Guidelines §15126.6(e) requires that an alternative be included that describes what would reasonably be expected to occur on the property in the foreseeable future if the proposed Project were not approved, based on current plans and consistent with available infrastructure and community services (i.e., "no project" alternative). For development projects that include a revision to an existing land use plan, the "no project" alternative is considered to be the continuation of the existing land use plan into the future. For projects other than a land use plan (for example, a development project on an identifiable property such as the proposed Project evaluated herein), the "no project" alternative is considered to be a circumstance under which the proposed Project does not proceed (CEQA Guidelines §15126.6(e)(3)(A-B). For the alternatives analysis in this Draft EIR, the "No Project/No Development Alternative" and the Reduced Intensity Alternative were considered.

No Project/No Development Alternatives

The No Project/No Development Alternative proposes no development on the 128-acre Project site, and it would remain in its current vacant state. No off-site improvements, such as paving of El

Mirage Road, Adelanto Road, or installation of water and sewer facilities would occur. This alternative was selected by the City to compare the environmental effects of the Project with an alternative that would leave the Project site undeveloped in its existing condition.

Reduced Intensity Alternatives

The Reduced Intensity Alternative would consider the development of the Project site with a 20% reduction in building square footage, in order to reduce vehicle and truck trips and associated air quality, GHG, traffic noise, and VMT impacts. Under this alternative, a total of 1,987,069 square feet of industrial uses would be constructed, resulting in a reduction of 496,767 square feet from the proposed building. Although the proposed building would be reduced, the development impact area would generally remain the same as the Project. This alternative would generate approximately 2,457 employees. Access to the site would be similar to the Project with a proportional reduction in the number of parking spaces.

Alternatives Considered and Rejected

An EIR is required to identify any alternatives that were considered by the City but were rejected as infeasible. Factors described by CEQA Guidelines §15126.6 in determining whether to exclude alternatives from detailed consideration in the EIR include: a) failure to meet most of the basic project objectives, b) infeasibility, or c) inability to avoid significant environmental impacts. With respect to the feasibility of potential alternatives to the proposed Project, CEQA Guidelines §15126.6(f)(1) notes:

> *Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries…and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site…*

In determining an appropriate range of alternatives to be evaluated in this EIR, a number of possible alternatives were initially considered and, for a variety of reasons, rejected. Alternatives were rejected because either: 1) they could not accomplish the basic objectives of the Project, 2)they would not have resulted in a reduction of significant adverse environmental impacts, or 3)they were considered infeasible to construct or operate. A summary of the alternatives that were considered but rejected are described below.

Alternative Sites

The City considered but rejected an alternative that would develop the Project on an alternative site. In making the decision to include or exclude analysis of an alternative site:

> (A) The key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need to be considered for inclusion in the EIR. (CEQA Guidelines §15126.6(f)(2)

To meet the Project objectives and implement the Adelanto Industrial Center Project, an Alternative Site for consideration in this analysis would include other sites designated as Light Manufacturing (LM) where the City anticipates future industrial development. For this alternative, any development within these areas would need to be consistent with the Project, the Project objectives, and development anticipated in the area, as presented in City of Adelanto General Plan and zoning. There are 8,805 acres of land within the City designated as Light Industrial land use, located in the northwest portion of the City in the immediate vicinity of the Project site, as well as within Specific Plan areas and in the southwestern portion of the City, that currently occupies 1,548,000 square feet. Based on the Land Use Element, the City's ultimate build out for Light Industrial is estimated to be 8,804,565 square feet.

The Project occurs within the Airport Development District (ADD) area in the northeast portion of the City. The other lands available for the Project site occur in the vicinity of the Project site and also do not have improved roadways. These lands would not meet the objective of providing a facility that has close access to the SCLA.

Other areas would include Business Park (BP), Light Manufacturing (LM) and Manufacturing Industrial to the south; however, this area has several existing businesses and entitlements, and there is no property large enough to accommodate the Project's design or objectives. The areas designated west of U.S. 395 for MI and LM would be less compatible with the proposed use being closer to residential areas.

Therefore, because a suitable alternative location is not available that would avoid or substantially lessen the environmental effects of the Project, and because the Project Applicant does not have ownership control over, and cannot reasonably obtain ownership control over, any other parcels of land in the jurisdiction of the City that could accommodate the Project, an alternative location alternative is not feasible. Accordingly, this alternative is not further considered in the Draft EIR.

6.5 Analysis of Alternatives

The City has identified the following alternatives as a range of reasonable alternatives to the Project in accordance with CEQA Guidelines §15126.6. These alternatives are described in more detail and evaluated for their level of environmental effects, compared to the Project's environmental effects. The following discussion compares the impacts of each alternative considered by the City with the impacts of the Project, as detailed in Section 4.0, *Environmental Analysis*, of this EIR. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code §21002.1), CEQA Guidelines §15126.6(d) requires that the discussion of alternatives focus on alternatives which are capable of avoiding or substantially lessening the environmental effects of the Project. Therefore, the analysis provided herein focuses on a comparison of the Project's environmental impacts to the level of impact that would occur under each evaluated alternative. A conclusion is provided for each environmental impact of the Project as to whether the alternative results in one of the following: 1) reduction or elimination of the Project's impact, 2) a greater impact than would occur under the Project, 3) the same impact as the proposed Project, or 4) a new impact in addition to the Project's impacts.

6.6 No Project/No Development Alternatives

The No Project/No Development Alternative considers no development on the Project site beyond what occurs on the site under existing conditions (as described in EIR Section 2.0). As such, the approximately 128-acre Project site would continue to consist of undeveloped land. Under this alternative, no improvements would be made to the Project site and none of the Project's internal parking, utility, and other infrastructure improvements as well as proposed offsite roadway and infrastructure improvements would occur. This alternative was selected by the City to compare the environmental effects of the proposed Project with an alternative that would leave the Project site undeveloped in its general existing conditions.

Air Quality

The No Project/No Development Alternative would avoid the introduction of new potential sources of short-term (construction) and long-term (operational) air pollutant emissions that would occur during the implementation of the Project. Accordingly, all the Project's short- and long-term air quality impacts would be avoided under this alternative because no construction and operational activities would occur at the Project site. No impacts associated with air quality would occur under this alternative.

Biological Resources

The No Project/No Development Alternative would leave the property in its existing condition. Under this alternative, impacts would be less than the Project because the property would not be disturbed compared to the permanent disturbance that would occur as the result of the Project's proposed development. Accordingly, although the Project would result in less than significant impacts associated with biological resources, the No Project/No Development Alternative would eliminate the Project's potential impacts to Jurisdictional waters and special-status wildlife and plant species, including burrowing owl, Joshua trees, Mohave ground squirrel, and nesting migratory birds, and no mitigation would be required.

Cultural Resources

No known historic resources, archaeological resources, cultural resources, or human remains were identified as occurring within the Project site under existing conditions. Based upon cultural resources studies performed for the Project site, there does not appear to be any potential to encounter surface archaeological deposits within the Project site. Given the presence of previously identified archaeological resources within the Project vicinity, there is a potential for the Project site or off-site improvement areas to contain unidentified subsurface archaeological resources. The No Project/No Development Alternative would avoid impacts associated with unearthing previously undiscovered archaeological resources during the Project's grading operations; therefore, this alternative has no potential to impact archaeological resources that may exist in undisturbed soils beneath the ground surface. Accordingly, although the Project would result in less than significant impacts associated with cultural resources, this alternative would have no impact related to cultural resources.

Energy

Under the No Project/No Development Alternative, the Project site would remain vacant and undeveloped; therefore, the site would not require any additional near-term or long-term energy resources. Accordingly, although the Project would result in less than significant impacts associated with energy, the No Project/No Development Alternative would have no impact related to energy use.

Geology and Soils

The No Project/No Development Alternative would result in no grading of the property; therefore, no impacts to geology or soils would occur. No known paleontological resources were identified as

occurring within the Project site under existing conditions. However, the Pleistocene alluvium of the ancestral Mojave River can be considered to have a high potential to yield paleontological resources. The No Project/No Development Alternative would avoid potential impacts associated with unearthing previously undiscovered paleontological resources during the Project's grading operations; therefore, this alternative has no potential to impact subsurface resources that may exist in undisturbed soils beneath the ground surface. Accordingly, this alternative would eliminate the Project's potential paleontological resource impacts and no mitigation would be required.

Greenhouse Gas Emissions

Under the No Project/No Development Alternative, no development would occur on the Project Site; therefore, there would be no potential sources of near-term or long-term GHG emissions. Selection of this alternative would eliminate all of the Project's near- and long-term effects associated with GHG emissions and no impacts associated with GHG emissions would occur under this alternative; therefore, this alternative would eliminate the Project's significant and unavoidable GHG emissions impacts. Although selection of the No Project/No Development Alternative would prevent the Project site from new development, it would not necessarily prevent the Project or another project of its nature from being developed in another location in response to the demand for an industrial use within the region. As such, it is possible that selection of the No Project/No Development Alternative would merely displace the Project's GHG emissions to another location in the MDAB resulting in the same or greater environmental effects related to GHG emissions.

Hazards and Hazardous Materials

Because no development would occur under the No Project/No Development Alternative, no impacts related to hazards or hazardous materials would occur. Project impacts were determined to be less than significant related to hazards and hazardous materials, including those associated with the routine transportation, storage, and use of common household chemicals during the operation of the Project. Similarly, this alternative would have no hazardous materials impacts and no mitigation would be required.

Hydrology and Water Quality

The No Project/No Development Alternative would result in no grading or development of the property; therefore, no impacts to hydrology or water quality would occur. However, no drainage improvements or water quality features would be installed, and runoff would continue to flow southeast to northwest across the site to an unimproved section of Adelanto Road as it does under

existing conditions. Additionally, development of the Project would increase impervious surface coverage on the Project site, which would, in turn, reduce the amount of water percolating down into the groundwater sub-basin that underlies the Project site. However, since no water quality features would be constructed to treat runoff under this alternative, water quality impacts, including erosion and sedimentation, would be greater under this alternative. Accordingly, this alternative would result in greater impacts associated with hydrology and water quality when compared to the Project.

Land Use and Planning

The No Project/No Development Alternative would not result in any new development that would indirectly result in environmental impacts due to a conflict with an existing land use plan. However, this alternative would not help to implement the land uses assumed in the General Plan and would not help to meet substantial and unmet regional demands for this type of building space consistent with Southern California Association of Governments' (SCAG's) Connect SoCal. Therefore, implementation of this alternative would result in less than significant impacts related to land use and planning and similar impacts as the Project.

Noise

Because no development would occur on the Project site under this alternative, no new sources of stationary noise and no new traffic trips would be generated; therefore, the No Project/No Development Alternative would avoid the significant and unavoidable noise impact that would occur under the Project. Selection of this alternative would eliminate all of the Project's near- and long-term effects associated with noise and no impacts associated with noise generation would occur under this alternative.

Transportation

Under the No Project/No Development Alternative, no new development would occur on the Project site and no traffic would be generated at the Project site. Therefore, this alternative would have no impacts related to vehicle miles traveled or access, thereby avoiding the Project's significant and unavoidable VMT impact.

Tribal Cultural Resources

There is potential that resources could be encountered during ground-disturbing construction activities in native soils. The No Project/No Development Alternative would leave the Project site in its existing condition; no additional grading or disturbance of native soil would occur and no

mitigation would be required. As such, this alternative would not result in impacts to undiscovered tribal cultural resources. Accordingly, implementation of this alternative would have no impacts related to tribal cultural resources.

Utilities and Service Systems

The Project site does not generate any need for utilities under the existing condition, including domestic water, wastewater treatment, or solid waste disposal; therefore, the implementation of this alternative would avoid the increases in the demand for utility services that would be generated by the Project. Although the Project would have less than significant impacts, implementation of this alternative would result in no impacts associated with utilities and service systems.

Conclusion

Avoid or Substantially Lessen the Significant Impacts of the Project

The No Project/No Development Alternative would result in no physical environmental impacts to the Project site. All less than significant impacts of the Project would be eliminated or lessened by the selection of the No Project/No Development Alternative. However, this alternative would not result in benefits from the roadway improvements, stormwater drainage and expanded water and sewer lines the Project proposes. Impacts related to land use and planning would be similar to the proposed Project.

Attainment of Project Objectives

The No Project/No Development Alternative would fail to meet all of the Project's objectives, as described in Subsection 6.2.

6.7 Reduced Intensity Alternatives

The Reduced Intensity Alternative would consider the development of the Project site with a 20% reduction in building square footage to reduce vehicle and truck trips and significant impacts associated with air quality, greenhouse gas emissions, and noise, and VMT. Under this alternative, a total of 1,987,069 square feet of industrial uses would be constructed, resulting in a reduction of 496,767 square feet from the proposed building. Although the proposed building would be reduced, the development impact area would generally remain the same as the Project. This alternative would generate approximately 2,457 employees. Access to the site would be similar to the Project with a proportional reduction in the number of parking spaces.

Air Quality

The Reduced Intensity Alternative would have a reduced amount of building square footage. As such, the Reduced Intensity Alternative would reduce the number of vehicle trips and associated VMT by 20%, which is calculated based on square footage. Therefore, implementation of the Reduced Intensity Alternative would result in 20% less impacts from construction and operational-related air quality that would occur from implementation of the Project.

Biological Resources

The Reduced Intensity Alternative would continue to cover the same impact area as the Project site. Impacts to Jurisdictional waters and special-status wildlife and plant species, including burrowing owl, Joshua trees, and nesting migratory birds would continue to occur and mitigation measures would be implemented to reduce impacts to such resources to a less than significant level. Therefore, impacts would be similar compared to the Project.

Cultural Resources

The Reduced Intensity Alternative would have the same impact area and no known historic resources, archaeological resources, cultural resources, or human remains were identified as occurring within the Project site and off-site improvement areas under existing conditions. Given the presence of previously identified archaeological resources within the Project vicinity, there is a potential for the off-site improvement areas to contain unidentified subsurface archaeological resources. Like the Project, mitigation measures would be required to reduce potential impacts to less than significant. Therefore, impacts to cultural resources from the Reduced Intensity Alternative would be similar to those associated with the Project.

Energy

Under the Reduced Intensity Alternative, the total building square footage would be reduced and building energy demand would also be reduced by approximately 20% due to a proportional decrease in building energy consumption and fuel from the reduction in vehicle trips. Additionally, the reduction in vehicle trips associated with this alternative would reduce fuel consumption. Construction and operational activities associated with this alternative would have reduced energy demand compared to the Project. Impacts would remain less than significant.

Geology and Soils

Grading and development of the Project site would still occur under the Reduced Intensity Alternative, and therefore, impacts to geology and soils would be similar to those that would be generated from the Project. This alternative would result in a similar potential to impact undiscovered paleontological resources during grading, as the Project. However, like the Project, mitigation measures would be required to reduce potential impacts to less than significant. Therefore, impacts to paleontological resources from the Reduced Intensity Alternative would be similar to those associated with the Project.

Greenhouse Gas Emissions

The Reduced Intensity Alternative would have a reduced amount of building square footage. As such, the Reduced Intensity Alternative would also decrease vehicle trips by 20%, which is calculated based on square footage. Therefore, implementation of the Reduced Intensity Alternative would result in 20% less impacts from Project related GHG emissions that would occur from implementation of the Project.

Hazards and Hazardous Materials

The Reduced Intensity Alternative would develop the Project site for the same uses, and therefore the same type of hazardous materials typically used for construction and operation of the Project would be used under the Reduced Intensity Alternative. The use and storage of hazardous materials would be regulated by the same federal, state, and local laws and permitting requirements as would occur with the Project. The Phase 1 Environmental Site Assessment (ESA) conducted for the Project determined that there were no identified Recognized Environmental Conditions (RECs) such as contaminated soils on the Project site; therefore, construction activities would not involve the transport of contaminated soils. Similar to the Project, this alternative would result in less than significant impacts related to hazards and hazardous materials.

Hydrology and Water Quality

The Reduced Intensity Alternative would reduce the total building square footage; however, the area of impervious surfaces would be similar compared to the Project. Therefore, this alternative would result in similar runoff and potential for impacts to drainage, erosion, and water quality. Like the Project, this alternative would introduce new sources of water pollutants from construction and operation activities. Additionally, this alternative would be required to include storm drain facility improvements, source control, site design, and treatment control BMPs. Therefore, the Reduced

Intensity Alternative would result in similar impacts to hydrology and water quality as the Project and would be less than significant.

Land Use and Planning

The Reduced Intensity Alternative would not require a General Plan amendment and zone change, however a Location and Development Plan approval would be required to implement the development, similar to the Project. This Alternative would be similarly consistent with the SCAG's Connect SoCal policies, the City's General Plan and Municipal Code. Therefore, the Reduced Intensity Alternative would result in a less than significant impact related to land use and planning like the Project.

Noise

Construction and operation noise impacts would be reduced under the Reduced Intensity Alternative because this alternative would decrease the building size by 219,460 square feet. Although construction of this alternative would generate the same peak noise volumes and similar type and volume of construction noise as the Project, the length of time of construction and the associated noise would be marginally shorter. Operational noise would also be reduced under this alternative as traffic-generated and stationary noise sources would decrease in relation to the reduction in industrial warehousing square footage. However, noise impacts from the Reduced Intensity Alternative would be remain less than significant, similar to the Project.

Transportation

Construction and operation-related vehicle truck trips would be reduced under the Reduced Intensity Alternative and would decrease by approximately 20%. Trip generation is based on land uses and its associated square footage. This would result in a corresponding decrease in overall VMT and proportional decrease in employees. As a result, the Reduced Intensity Alternative would have less impacts as compared to the Project however impacts would remain significant and unavoidable.

Tribal Cultural Resources

The Reduced Intensity Alternative would result in a similar potential to adversely affect any tribal cultural resources on the Project site as the Project. However, like the Project, mitigation measures would be required to reduce potential impacts to less than significant. Therefore, impacts that could occur by the Reduced Intensity Alternative would be similar to those associated with the Project.

Utilities and Service Systems

The Reduced Intensity Alternative would reduce the total building square footage by 496,767 square feet. This would reduce the number of employees on the Project site and the demand for utilities and service systems. The water and wastewater generation rates are based on the number of employees and square footage. Therefore, the demand for regional water supplies and generation of wastewater would be approximately 20% less than the Project. Thus, the impacts related to water supplies and wastewater would be less than from the implementation of the proposed Project. Similarly, solid waste generation would be less than and require less landfill capacity than the Project. However, the impacts on water, sewer, and solid waste disposal are less than significant for the Project. Impacts to utilities and service system would be less under this alternative than the Project, but the impacts for both the alternative and Project are less than significant.

Conclusion

Avoid or Substantially Lessen the Significant Impacts of the Project

The Reduced Intensity Alternative would result in reduced impacts related to air quality, energy, greenhouse gas emissions, noise, transportation, and utilities and service systems due to the reduction in square footage and associated vehicular trips. However, the Project had significant and unavoidable impacts for Air Quality, GHG emissions, and Transportation VMT impacts and implementation of this alternative would result in a reduction of the impacts but the impacts will remain significant and unavoidable. Impacts related to biological resources, cultural resources, geology and soils, hazardous and hazardous materials, hydrology and water quality, land use and planning, transportation, and tribal cultural resources would be similar to the Project.

Attainment of Project Objectives

As described in Subsection 6.1.1, this alternative would only partially meet Objectives 1-3: To efficiently develop a vacant and underutilized property with industrial uses, consistent with the property's zoning and land use, to help meet the substantial and unmet regional demands for goods movement facilities consistent with the Southern California Association of Governments' 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (SCAG, 2020) and Objectives 5: Locate an industrial facility in an area that minimizes conflicts to the extent possible with the surrounding existing uses.

6.8 Environmentally Superior Alternative

CEQA Guidelines §15126.6(e)(2) requires identification of an environmentally superior alternative if the proposed Project has significant impacts that cannot be mitigated to a less-than significant level. The environmentally superior alternative is the alternative that best avoids or lessens any significant and unavoidable effects of the proposed project, even if the alternative would impede, to some degree, the attainment of some of the project objectives. The No Project Alternative is considered the overall environmentally superior alternative because implementation of the proposed Project would not occur; therefore, no significant impacts related to historic resources and land use policy conflicts would occur. If the No Project Alternative is environmentally superior, CEQA requires selection of the "environmentally superior alternative other than the No Project/No Development Alternative" from among the other alternatives evaluated.

The Reduced Intensity Alternative is environmentally superior to the Project. As shown in Figure 6-1, the Reduced Intensity Alternative would have less impacts under six of the environmental topical areas. The reduction in impacts is due to the fact that the use would have reduced vehicular trips, which would result in a reduction in operational-related impacts, including air quality, GHG emissions, energy, and noise impacts. However, this alternative would not eliminate the Project's significant unavoidable impacts related to air quality, GHG emissions, and transportation VMT. Additionally, the Reduced Intensity Alternative would not meet one of the Project objectives and would only partially meet most of the Project's objectives.

Figure 6.1 Comparison of Alternatives to the Project

Impact Area	Project	No Project/No Development	Reduced Intensity
Air Quality			
Construction	S/U	No Impact (less)	S/U (less)
Operation	S/U	No Impact (less)	S/U (less)
Biological Resources	LTS/M	No Impact (less)	LTS/M (similar)
Cultural Resources	LTS/M	No Impact (less)	LTS/M (similar)
Energy	LTS	No Impact (less)	LTS (less)
Geology and Soils	LTS/M	No Impact (less)	LTS/M (similar)
GHG Emissions	S/U	No Impact (less)*	LTS (less)
Hazards and Hazardous Materials	LTS	No Impact (less)	LTS (similar)
Hydrology and Water Quality	LTS	No Impact (greater)	LTS (similar)
Land Use and Planning	LTS	LTS (similar)	LTS (similar)
Noise			
Construction	LTS	No Impact (less)	LTS (similar)
On-site Operations	LTS	No Impact (less)	LTS (similar)
Off-site Traffic-Related	LTS	No Impact (less)*	LTS (less)
Transportation	S/U	No Impact (less)	S/U (less)
Tribal Cultural Resources	LTS/M	No Impact (less)	LTS/M (similar)
Utilities and Service Systems	LTS	No Impact (less)	LTS (less)

Project Objectives	No Project/ No Development	Reduced Intensity
1. To efficiently develop a vacant and underutilized property with industrial uses, consistent with the property's zoning and land use, to help meet the substantial and unmet regional demands for goods movement facilities consistent with the Southern California Association of Governments' 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (SCAG, 2020) and Objective	Not met	Partially met
2 To establish new business to the City of Adelanto and thereby provide a more equal jobs to housing balance in the City of Adelanto that will reduce the need for members of the local workforce to commute outside the area for employment.	Not met	Partially met
3 To develop an industrial building along a City-established truck route that is in proximity to I-15 and U.S. 395 that can be used as part of the region's goods movement network.	Not met	Met
4 To develop a use that maximizes energy conservation measures that are sustainable and consistent with Smart Growth principles.	Not met	Met
5 To develop a vacant property that has access to available infrastructure, including roads and utilities.	Not met	Met

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8.0 REFERENCES

The following is a compendium of the documents described in the Regulatory Framework of each environmental topic addressed in sections 4.1 through 4.14 of this EIR.

4.1 Aesthetics

State

State of California Scenic Highways Program.

California's Scenic Highway Program was created by the Legislature in 1963. Its purpose is to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. The State laws governing the Scenic Highway Program are found in the Streets and Highways Code, Sections 260 through 263.

Click to go to: State of California Scenic Highway Program

Title 24 of the California Code of Regulations Building Energy Efficiency Standards

Title 24 of the California Code of Regulations Building Energy Efficiency Standards California Building Standards Code (California Code of Regulations [CCR], Title 24)—including Title 24, Part 6—includes Section 132 of the Building Energy Efficiency Standards, which regulates lighting characteristics, such as maximum power and brightness, shielding, and sensor controls to turn lighting on and off. Different lighting standards are set by classifying areas by lighting zone.

Click to go to: Title 24 of the CCR

Local

City of Adelanto General Plan

The Community Design section of the General Plan's *Land Use and Community Design Element* provides a policy framework with the stated goal for Industrial development: "*Goal LC 14- Well planned and high quality industrial and business parks.*"

Click here to go to: City of Adelanto General Plan

City of Adelanto Zoning Ordinance

Chapter 17.15 *Design Review*, establishes the review procedures for residential, commercial, and industrial development proposals to facilitate project review by the City to ensure that development projects comply with all applicable local design guidelines, standards, and ordinances. Adelanto Municipal Code §17.15.070, Industrial Design Standards, contains design guidelines for industrial uses.

Click here to go to: Chapter 17.15 Design Review.

4.2 Air Quality

Federal

Federal Clean Air Act

Under the federal Clean Air Act, the Environmental Protection Agency (EPA) establishes health-based air quality standards that all states must achieve. These are known as National Ambient Air Quality Standards. The EPA oversees approval of all State Implementation Plans which are comprehensive plans that describe how a state will attain the National Ambient Air Quality Standards.

Click here to go to: Federal Clean Air Act

State

California Clean Air Act

The Federal Clean Air Act also allows states to adopt additional or more stringent air quality standards if necessary. California has adopted a set of standards known as California Ambient Air Quality Standards. The State Standards differ from the federal Standards in some instances.

Click here to go to: California Clean Air Act

California Air Resources Board (CARB)

The California Air Resources Board (CARB) is responsible for reducing emissions from motor vehicle and consumer products. The Board has the overall responsibility for statewide air quality maintenance and air pollution prevention. California has set standards for certain pollutants, such

as particulate matter and ozone, which are more protective of public health than the federal standards. California has also set standards for some pollutants that are not addressed by federal standards, such as Visibility Reducing Particles, Sulfates, Hydrogen Sulfide, and Vinyl Chloride. In addition, The California Air Resources Board reviews and approves State Implementation Plan elements prepared by the South Coast Air Quality Management and submits them to the EPA for approval and publication in the Federal Register.

Click here to go to: California Air Resources Board

Regional

Mojave Desert Air Quality Management District (MDAQMD)

California Environmental Quality Act (CEQA) and Federal Conformity Guidelines states: "Under CEQA, the Mojave Desert Air Quality Management District (District) is an expert commenting agency on air quality and related matters within its jurisdiction or impacting on its jurisdiction. Under the Federal Clean Air Act the District has adopted federal attainment plans for ozone and PM_{10}. The District has dedicated assets to reviewing projects to ensure that they will not: (1) cause or contribute to any new violation of any air quality standard; (2) increase the frequency or severity of any existing violation of any air quality standard; or (3) delay timely attainment of any air quality standard or any required interim emission reductions or other milestones of any federal attainment plan. These Guidelines are intended to assist persons preparing environmental analysis or review documents for any project within the jurisdiction of the District by providing background information and guidance on the preferred analysis approach[150]."

Click here to go to: California Environmental Quality Act (CEQA) and Federal Conformity Guidelines

MDAQMD Federal 70 ppb Ozone Attainment Plan

Initial air quality planning for the MDAB was the 1991 Air Quality Attainment Plan (AQAP) which was adopted on August 26, 1991, in response to the State of California ozone planning requirements. Additional ozone plans were adopted by the MDAQMD to address Federal ozone planning requirements, including the *MDAQMD 2004 Ozone Attainment Plan* adopted on April 26, 2004, the *Federal 8-hour Ozone Attainment Plan* adopted on June 9, 2008 (revision adopted January 25, 2010),

[150] https://www.mdaqmd.ca.gov/home/showpublisheddocument/8510/638126583450270000

and *the Federal 75 ppb Ozone Attainment Plan* adopted on February 27, 2017. The 2023 Plan replaced or updated all previously submitted federal ozone plans.[151] As noted earlier, the majority of ozone generated by land use projects is from motor vehicles. Since the MDAQMD is not directly responsible to reduce motor vehicle trips, vehicle miles traveled, or vehicle idling and associated pollutants, the focus of the Ozone Plan is on stationary sources, such as manufacturing and industrial facilities.

Click here to go to: MDAQMD Federal 70 ppb Ozone Attainment Plan

Certification of District Measures to Reduce PM Pursuant to Former Health & Safety Code §39614(d) January 27, 2020.

In 2003, the Legislature enacted H&S Code §39614 (SB 656, Sher), to reduce public exposure to PM10 and PM2.5. H&S Code §39614(d) required the California Air Resources Board (CARB) in consultation with local air pollution control and air quality management districts (air districts), to develop and adopt, by January 1, 2005, a list of the most readily available, feasible, and cost-effective control measures that could be employed by CARB and the air districts to reduce PM10 and PM2.5 (collectively PM)[152].

These control measures focus on the operational aspects of a project and include, but not limited to: vegetation and wood burning, fugitive dust, generators, boilers, process heaters, small Internal combustion engines, water heaters, spray booths, and manufacturing processes.

Click here to go to: Certification of District Measures to Reduce PM Pursuant to Former Health & Safety Code §39614(d) January 27, 2020.

4.3 Biological Resources

Federal

Federal Endangered Species Act

The Federal Endangered Species Act (FESA) protects plants and animals that the USFWS has listed as "Endangered" or "Threatened." A federally listed species is protected from unauthorized "take," which is defined in the FESA as acts to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture,

[151] *MDAQMD Federal 70 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area),* January 23, 2023. https://www.mdaqmd.ca.gov/home/showpublisheddocument/9693/638131029372000000

[152] *Certification of District Measures to Reduce PM Pursuant to Former Health & Safety Code §39614(d)* January 27, 2020. https://www.mdaqmd.ca.gov/home/showpublisheddocument/7061/637159054823270000

or collect or attempt to engage in any such conduct" (16 USC Sections 1532[19] and 1538[a]). In this definition, "harm" includes "any act which actually kills or injures fish or wildlife, and emphasizes that such acts may include significant habitat modification or degradation that significantly impairs essential behavioral patterns of fish or wildlife" (50 Code of Federal Regulations [CFR], Title 50, Section 17.3). Unless performed for scientific or conservation purposes with the permission of the USFWS, take of listed species is only permissible if the USFWS issues an Incidental Take Permit (ITP). When issuing an ITP, all federal agencies, including the USFWS, must ensure that their activities are "not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species" (16 USC 1536[a]). Enforcement of the FESA is administered by the USFWS.

The FESA also provides for designation of Critical Habitat: specific areas within the geographical range occupied by a species where physical or biological features "essential to the conservation of the species" are found and "which may require special management considerations or protection" (16 USC 1538[5][A]). Critical Habitat may also include areas outside the current geographical area occupied by the species that are nonetheless essential for the conservation of the species.

Click to go to: Federal Endangered Species Act

Section 404 of the Clean Water Act (CWA)

Section 404 of the Clean Water Act (CWA) (33 USC 1251 et seq.) regulates the discharge of dredged or fill material into waters of the United States (WOTUS), including wetlands. The U.S. Army Corps of Engineers (USACE) is the designated regulatory agency responsible for administering the 404 permit program and for making jurisdictional determinations. This permitting authority applies to all WOTUS where the material has the effect of (1) replacing any portion of WOTUS with dry land or (2) changing the bottom elevation of any portion of WOTUS. These fill materials would include sand, rock, clay, construction debris, wood chips, and materials used to create any structure or infrastructure in WOTUS. Dredge and fill activities are typically associated with development projects; water resource-related projects; infrastructure development; and wetland conversion to farming, forestry, or urban development. Authorizations are conducted through the issuance of Nationwide Permits, through Individual Permits, or through Letters of Permission. Wetlands and other waters that do not meet the definition of WOTUS are not covered by the CWA; however, they are regulated by the State of California through the Porter-Cologne Water Quality Control Act and State Water Resources Control Board (SWRCB) Resolution No. 2019-0015 for California (SWRCB 2019).

The definition of WOTUS has been the subject of shifting regulations. Past federal revisions to regulations addressing the extent of USACE jurisdiction and the definition of WOTUS have been issued by the Obama Administration in 2015 and the Trump Administration in 2020. On January 18, 2023, the USEPA published a final Water Rule in the Federal Register that went into effect on March 20, 2023 ("the 2023 Rule") (USACE and USEPA 2023a).

The definition of WOTUS changed again in response to the Supreme Court decision in the case of Sackett v. USEPA. On September 8, 2023, the USEPA and the USACE amended the Code of Federal Regulations to conform the definition of WOTUS to the Supreme Court decision (USACE and USEPA 2023b). This conforming rule amends the provisions of the agencies' definition of WOTUS that were invalid under the Supreme Court's interpretation of the CWA under Sackett. Based on these changes, tributaries must have at least relatively permanent flow to be considered WOTUS from the federal definition. This would exclude ephemeral drainages from being WOTUS. This represents a substantial change to areas under federal jurisdiction in the arid west. This report provides interpretations of WOTUS under the Amended 2023 Rule.

Under Section 401 of the CWA, an activity requiring a USACE Section 404 permit must obtain a State Water Quality Certification (or waiver thereof) to ensure that the activity will not violate established federal or State water quality standards. The SWRCB, in conjunction with the nine California Regional Water Quality Control Boards (RWQCBs), is responsible for administering the Section 401 water quality certification program.

Under Section 401 of the federal CWA, an activity involving discharge into a water body must obtain a federal permit and a State Water Quality Certification to ensure that the activity will not violate established water quality standards. The SWRCB's and RWQCB's jurisdiction also extend to all "waters of the State" when no WOTUS are present, including wetlands and non-wetland waters of the State (isolated and non-isolated). The USEPA is the federal regulatory agency responsible for implementing the CWA. However, it is the SWRCB, in conjunction with the nine RWQCBs, who has been delegated the responsibility of administering the water quality certification (Section 401) program.

Click to go to: Sections 404 and 401 of the Clean Water Act

The Migratory Bird Treaty Act (MBTA) of 1918

The Migratory Bird Treaty Act (MBTA) of 1918 (16 USC 703–711), as amended in 1972, makes it unlawful at any time, by any means or in any manner, unless permitted by regulations, to "pursue; hunt; take; capture; kill; attempt to take, capture, or kill; possess; offer for sale; sell; offer to barter; barter; offer to purchase; purchase; deliver for shipment; ship; export; import; cause to be shipped,

exported or imported; deliver for transportation; transport or cause to be transported; carry or cause to be carried; or receive for shipment, transportation, carriage, or export, any migratory bird; any part, nest, or eggs of any such bird; or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof. . . ." (16 USC 703).

The MBTA covers the taking of any nests or eggs of migratory birds, except as allowed by permit pursuant to 50 CFR, Part 21. This regulation seeks to protect migratory birds and active nests. The MBTA protects over 800 species, including geese, ducks, shorebirds, raptors, songbirds, and many relatively common species. Bird species protected under the provisions of the MBTA are identified by the List of Migratory Birds (50 CFR 10.13), as updated by the 1983 American Ornithological' Society (AOS) Checklist and published supplements by the USFWS.

In 1972, the MBTA was amended to include protection for migratory birds of prey (e.g., raptors). Six families of raptors occurring in North America were included in the amendment: Accipitridae (kites, hawks, and eagles); Cathartidae (New World vultures); Falconidae (falcons and caracaras); Pandionidae (ospreys); Strigidae (typical owls); and Tytonidae (barn owls). The provisions of the 1972 amendment to the MBTA protect all species and subspecies of these families.

Click to go to: Migratory Bird Treaty Act

The Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (16 USC 668) provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and the golden eagle (*Aquila chrysaetos*) by prohibiting, except under certain specified conditions, the taking, possession, and commerce of such birds. The 1972 amendments increased penalties for violating provisions of the Act and strengthened other enforcement measures. A 1978 amendment authorizes the Secretary of the Interior to permit the taking of golden eagle nests that interfere with resource development or recovery operations.

A 1994 Memorandum from President William Clinton to the heads of Executive Agencies and Departments establishes the policy concerning collection and distribution of eagle feathers for Native American religious purposes.

Click to go to: Bald and Golden Eagle Protection Act

State

California Endangered Species Act

The State of California implements the CESA which is enforced by the CDFW. While the provisions of the CESA are similar to the FESA, CDFW maintains a list of California Threatened and Endangered species, independent of the FESA Threatened and Endangered species list. It also lists species that are considered Rare and Candidates for listing, which also receive protection. The California list of Endangered and Threatened species is contained in Title 14, Sections 670.2 (plants) and 670.5 (animals) of the *California Code of Regulations*.

State-listed Threatened and Endangered species are protected under provisions of the CESA. Activities that may result in take of individuals (defined in CESA as acts to "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") are regulated by the CDFW. While habitat degradation or modification is not included in the definition of take under CESA, the CDFW has interpreted take to include the destruction of nesting, denning, or foraging habitat necessary to maintain a viable breeding population of protected species.

If it is determined that the take would not jeopardize the continued existence of the species, an ITP can be issued by CDFW per Section 2081 of the California Code of Regulations, or CDFW may provide authorization through the Western Joshua Tree Conservation Act (for Joshua trees only). If a State-listed species is also federally listed, and the USFWS has issued an ITP that satisfies CDFW's requirements, CDFW may issue a consistency finding in accordance with Section 2080.1 of the California Fish and Game Code.

Click to go to: California Endangered Species Act

The California Environmental Quality Act (CEQA)

CEQA (13 *Public Resources Code* Sections 21000 et seq.) is a statute that requires State and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible. The CEQA Guidelines (14 *California Code of Regulations* Chapter 3) are the regulations that explain and interpret the law for both public agencies and private development required to administer CEQA.

With regards to plants and animals, Section 15380 of the CEQA Guidelines independently defines "Endangered" and "Rare" species separately from the definitions of the California Endangered Species Act (CESA). Under CEQA, Endangered species of plants or animals are defined as those whose survival and reproduction in the wild are in immediate jeopardy, while Rare species are

defined as those that (1) have such low numbers that they could become Endangered if their environment worsens; or (2) are likely to become endangered within the foreseeable future (i.e., "threatened" as used in the FESA). In addition, a Lead Agency can consider a non-listed species (e.g., species with a California Rare Plant Rank [CRPR], California Species of Special Concern, or species of Local Concern) to be treated as if it were Endangered, Rare, or Threatened for the purposes of CEQA if the species can be shown to meet the criteria in the definition of "Rare" or "Endangered" in the project region.

The CEQA Guidelines designates certain "trustee agencies" that have jurisdiction by law over natural resources affected by a project which are held in trust for the people of California. The CDFW is the trustee responsible for conservation, protection, and management of wildlife, native plants, and habitat necessary to maintain biologically sustainable populations. Trustee agencies are generally required to be notified of CEQA documents relevant to their jurisdiction, whether or not these agencies have actual permitting authority or approval power over aspects of the underlying project. The CDFW provides the requisite biological expertise to review and comment upon environmental documents and impacts arising from project activities and makes recommendations regarding those resources held in trust for the people of California (*California Fish and Game Code* §1802).

Click to go to: California Environmental Quality Act

The California Desert Native Plant Act

The California Desert Native Plant Act, codified in Sections 80001–80201 of the *California Food and Agricultural Code*, was enacted to protect California desert native plants from unlawful harvesting on both public and privately owned lands. This act is applicable within Imperial, Inyo, Kern, Los Angeles, Mono, Riverside, San Bernardino, and San Diego counties. Within these counties, the act prohibits the harvest, transport, sale, or possession of specific native desert plants without a valid permit or wood receipt and with the required tags and seals. The appropriate permits, tags, and seals must be obtained from the sheriff or commissioner of the county where collecting will occur; and the county will charge a fee.

The following native plants, or any parts thereof, may not be harvested except for scientific or educational purposes under a permit issued by the commissioner of the county in which the native plants are growing:

- All species of family *Burseraceae* (elephant tree);
- *Carnegiea gigantea* (saguaro cactus);

- *Ferocactus acanthodes* (barrel cactus)[153];
- *Castela emoryi* (crucifixion thorn);
- *Dudleya saxosa* (Panamint dudleya);
- *Pinus longaeva* (bristlecone pine); and

Washingtonia filifera (fan palm).

The following native plants, or any part thereof, may not be harvested except under a permit issued by the commissioner or the sheriff of the county in which the native plants are growing:

- All species of the family *Agavaceae* (century plants, nolinas, yuccas);
- All species of the family Cactaceae (cacti), except for the plants listed in subdivisions (b) and (c) of Section 80072, which may be harvested under a permit obtained pursuant to that section;
- All species of the family Fouquieriaceae (ocotillo, candlewood);
- All species of the genus Prosopis (mesquites);
- All species of the genus Cercidium (palos verdes);
- Acacia greggii (catclaw);
- Atriplex hymenelytra (desert-holly);
- Dalea spinosa (smoke tree); and
- Olneya tesota (desert ironwood), including both dead and live desert ironwood.

Click to go to: California Desert Native Plant Act

Western Joshua Tree Conservation Act

The California State Legislature passed the Western Joshua Tree Conservation Act (Assembly Bill 1008) on June 27, 2023, and it took effect on July 1, 2023. This bill, among other things, allows CDFW to issue ITPs to authorize the taking of western Joshua trees if specified conditions are met, including mitigation for western Joshua trees. The bill authorizes an in-lieu mitigation fee to the

153 *Ferocactus acanthodes* is not currently recognized by the Jepson Flora Project (2024). It is assumed to mean either of the two recognized species of *Ferocactus* in California, the California barrel cactus (*Ferocactus cylindraceus*), or the San Diego barrel cactus (*Ferocactus viridescens*).

State pursuant to a specified fee schedule; this is in lieu of the permittee completing compensatory mitigation for western Joshua trees on their own. The bill requires CDFW to present the final conservation plan at a public meeting of the California Fish and Game Commission (CFGC), for its review and approval, by December 31, 2024, and requires the CFGC to take final action on the plan by June 30, 2025.

The bill's in-lieu fee is available for projects purchasing mitigation credits within the Joshua Tree Mitigation Fund Area. The in-lieu fee program area is located within a portion of the western Joshua tree range within the area bounded by the intersection of Highway 58 and Interstate 5; east along Highway 58 to the intersection of Interstate 15; north along Interstate 15 to the intersection of Highway 247; south along Highway 247 to the intersection of Highway 18; west along Highway 18 to the intersection of Highway 138; west and north along Highway 138 to the intersection of Interstate 5; and north along Interstate 5 to Highway 58. Alternatively, in-lieu fees can be paid in areas outside of the geographical area described above if the project is in a jurisdiction that has entered into an agreement with the State pursuant to this bill. The Project site is located within the bill's in-lieu fee Joshua Tree Mitigation Fund Area.

Click to go to: Western Joshua Tree Conservation Act

California Fish and Game Code

The CDFW administers the *California Fish and Game Code*. Particular sections of the Code are applicable to natural resource management.

Sections 1900–1913 of the California Fish and Game Code (Native Plant Protection)

Sections 1900–1913 of the *California Fish and Game Code* were developed to preserve, protect, and enhance Endangered and Rare plants in the State of California. The act requires all State agencies to use their authority to carry out programs to conserve Endangered and Rare native plants. Provisions of the Native Plant Protection Act prohibit the taking of listed plants from the wild and require notification of the CDFW at least ten days in advance of any change in land use that would adversely impact listed plants. This allows the CDFW to salvage listed plant species that would otherwise be destroyed.

Click to go to: California Fish and Game Code

These sections duplicate federal protection under the MBTA. Section 3503 of the *California Fish and Game Code* makes it unlawful to take, possess, or destroy any bird's nest or any bird's eggs. Further, any birds in the orders *Falconiformes* or *Strigiformes* (birds of prey, such as hawks, eagles, and owls) and their nests and eggs are protected under Section 3503.5 of the *California Fish and Game Code*.

Section 3513 of the *California Fish and Game Code* prohibits the take and possession of any migratory nongame bird, as designated in the MBTA.

Click to go to: Unlawful Take or Destruction of Nests or Eggs

Various sections of the California Fish and Game Code

The State of California created the "Fully Protected" classification in an effort to identify and provide additional protection to those animals that are rare or that face possible extinction. Lists were created for fish, amphibians and reptiles, birds, and mammals. Most of the species on these lists have subsequently been listed under FESA and CESA; however, some have not been formally listed.

Various sections of the *California Fish and Game Code* provide lists of Fully Protected reptile and amphibian (§ 5050), bird (§ 3511), and mammal (§ 4700) species that may not be taken or possessed at any time, except as provided in Sections 2081.7, 2081.9, or 2835. The CDFW is unable to authorize the issuance of permits or licenses to take these species, except for necessary scientific research.

Click to go to: California Fully Protected Species

Section 460 of the California Fish and Game Code

Section 460 of the *California Fish and Game Code* prohibits the taking of the following fur-bearing mammals: fisher (*Martes pennanti*), American marten [marten] (*Martes americana*), North American river otter [river otter] (*Lontra canadensis*), desert kit fox (*Vulpes macrotis arsipus*), and red fox (*Vulpes vulpes*).

Click to go to: Fur-Bearing Mammals

Natural Communities Conservation Planning Act

The Natural Community Conservation Planning Act, codified in Sections 2800–2835 of the *California Fish and Game Code* and signed into law on October 1991, authorizes the preparation of Natural Community Conservation Plans (NCCPs). The Act is a State of California effort to protect critical vegetative communities and their dependent wildlife species. The purpose of an NCCP is to sustain and restore those species and their habitat identified by the CDFW that are necessary to maintain the continued viability of those biological communities impacted by human changes to the landscape. The NCCP process provides an alternative to protecting species on a "single species basis" as in the FESA and CESA. Under the Act, the CDFW is responsible for creating process planning and conservation guidelines for NCCP programs. Local governments and landowners may then prepare the NCCPs so that they comply with the CESA.

Click to go to: Natural Communities Conservation Planning Act

California Fish and Game Code Sections 1600 et seq.

California Fish and Game Code Sections 1600 et seq. establish a process to ensure that projects conducted in and around lakes, rivers, or streams do not adversely impact fish and wildlife resources or, when adverse impacts cannot be avoided, ensures that adequate mitigation and/or compensation is provided.

California Fish and Game Code Section 1602 requires any person, State, or local governmental agency or public utility to notify the CDFW before beginning any activity that will do one or more of the following:

- substantially obstruct or divert the natural flow of a river, stream, or lake;
- substantially change or use any material from the bed, channel, or bank of a river, stream, or lake; or
- deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into a river, stream, or lake.

Section 1602 of the *California Fish and Game Code* applies to all perennial, intermittent, and ephemeral rivers, streams, and lakes in the State. CDFW's regulatory authority extends to include riparian habitat (including wetlands) supported by a river, stream, or lake regardless of the presence or absence of hydric soils and saturated soil conditions. Generally, the CDFW takes jurisdiction to the top bank of the stream or to the outer limit of the adjacent riparian vegetation (outer drip line), whichever is greater. Notification is generally required for any project that will take place in or in the vicinity of a river, stream, lake, or their tributaries. This includes rivers or streams that flow at least periodically or permanently through a bed or channel with banks that support fish or other aquatic life and watercourses having a surface or subsurface flow that support or have supported riparian vegetation. A Section 1602 Lake or Streambed Alteration Agreement would be required if impacts to identified CDFW jurisdictional areas occur.

Click to go to: California Fish and Game Code (Sections 1600 through 1616)

Porter-Cologne Water Quality Control Act

Pursuant to the California Porter-Cologne Water Quality Control Act, the SWRCB and the nine RWQCBs may require permits (known as "Waste Discharge Requirements" or WDRs) for the fill or alteration of the waters of the State. The term "waters of the State" is defined as "any surface water

or groundwater, including saline waters, within the boundaries of the state" (*California Water Code,* Section 13050[e]). The SWRCB and RWQCB have interpreted their authority to require WDRs to extend to any proposal to fill or alter waters of the State, even if those same waters are not under USACE jurisdiction. Pursuant to this authority, the SWRCB and RWQCBs may require the submission of a "report of waste discharge" under Section 13260, which is treated as an application for WDRs.

The Porter-Cologne Water Quality Control Act charges the SWRCB and the nine RWQCBs statewide with protecting water quality throughout California. Typically, the SWRCB and RWQCB act in concert with the USACE under Section 401 of the CWA in relation to permitting fill of federally jurisdictional waters. SWRCB and the RWQCBs may require permits (i.e., WDRs) for the fill or alteration of the waters of the State.

Click to go to: California Porter-Cologne Water Quality Control Act

Regional

California Desert Conservation Area Plan

In 1976, Congress passed the Federal Land Policy Management Act (FLPMA), which directs the management of public lands in the United States. Section 601 of the FLPMA directed the Bureau of Land Management (BLM) to prepare and implement a comprehensive, long-range plan for the management, use, development, and protection of public lands within the California Desert Conservation Area (CDCA).

The CDCA Plan was prepared in 1980 to provide for the immediate and future protection and administration of the public lands in the California desert within the framework of a program of multiple use and sustained yield and the maintenance of environmental quality. The CDCA encompasses 25 million acres of desert land in Southern California, approximately 10 million of which is managed by the BLM.

The Plan established guidelines applicable to all multiple-use classes and to be followed throughout the public lands of the CDCA. The guidelines classify each area and determine the intensity of use: Controlled, Limited, Moderate, or Intensive Use. The decisions in this Plan apply only to public lands administered by the BLM.

Click to go to: California Desert Conservation Area Plan

The West Mojave Plan

The West Mojave Plan is an amendment to the CDCA Plan that represents a collaboration of resource agencies, local jurisdictions, and others with a stake in the future of the western Mojave Desert. The BLM is the federal Lead Agency, and the State Lead Agencies are the County of San Bernardino and the City of Barstow. The West Mojave Plan includes the West Mojave Desert area encompassing 9.3 million acres in Inyo, Kern, Los Angeles, and San Bernardino Counties: 3.3 million acres of public lands administered by the BLM, 3.0 million acres of private lands, 102,000 acres administered by the State of California, and the balance of military lands administered by the Department of Defense. A Final Environmental Impact Report and Statement for the West Mojave Plan was prepared in 2005. While the USFWS issued a Biological Opinion for the federal portion of the plan in 2006, the State portion of the plan has not been permitted. Until the State portion of the plan is passed, it cannot be used by State or private entities.

The West Mojave Plan establishes a regional biological strategy to conserve plant and animal species and their habitats and prevent future listing and provides for an efficient, equitable, and cost-effective process for complying with Threatened and Endangered species law. The West Mojave Plan addresses desert tortoise (*Gopherus agassizii*), Mohave ground squirrel (*Xerospermophilus mohavensis*), and over 100 species of plants and animals; designates Areas of Critical Environmental Concern and other special management areas specifically designed to promote species conservation; designates routes of travel on public lands; and establishes other management prescriptions to guide grazing, mineral exploration and development, recreation, and other public land uses.

Click to go to: West Mojave Plan

Local

Adelanto Municipal Code

Adelanto Municipal Code Ordinance No. 010, 020, and 030, Chapter 17.57, require a biotic resources study for projects in areas identified by State or federal agencies as habitat for animals or plants officially listed as endangered or threatened or ecologically significant areas. The biotic resources study is required to identify all biotic resources on and around the Project site that the proposed development may impact. The report's recommended mitigation measures to avoid and/or minimize impacts on identified resource(s) are typically incorporated into the Conditions of Approval for a land use application.

Municipal Code Ordinance No. 040, Chapter 17.57, ensures development projects comply with the County of San Bernardino's requirements for Joshua tree relocation (Adelanto, CA Code of Ordinances 2023).

Click here to go to: Adelanto Municipal Code

4.4 Cultural Resources

The treatment of cultural resources is governed by federal, state, and local laws and guidelines. There are specific criteria for determining whether prehistoric sites or objects are significant and thus protected by law. Federal and state significance criteria generally focus on the integrity and uniqueness of the resource, its relationship to similar resources, and its potential to contribute information important to scholarly research. Some resources that do not meet federal significance criteria may be considered significant by state criteria. The laws and regulations seek to mitigate Project impacts on significant prehistoric and historical-period resources.

Federal

National Historic Preservation Act (NHPA) of 1966

The NHPA of 1966 authorized the National Register of Historic Places (NRHP) and coordinates public and private efforts to identify, evaluate, and protect the Nation's historic and archaeological resources. The NRHP includes districts, sites, buildings, structures, and objects that are significant in American history, architecture, archaeology, engineering, and culture. Section 106 (Protection of Historic Properties) of the NHPA requires federal agencies to take into account the effects of projects on historic properties.

Click here to go the: National Historic Preservation Act

National Register of Historic Places

The NRHP is "an authoritative guide to be used by Federal, State, and local governments, private groups and citizens to identify the Nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment." (Title 36 Code of Federal Regulations, Part 60.2.)

Criteria

The NHPA, enacted in 1966, established the National Register program under the Secretary of the Interior. The National Register established four criteria to evaluate significance and eligibility for listing. They are:

Property is associated with events that have made a significant contribution to the broad patterns of our history.

Property is associated with the lives of persons significant in our past.

Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.

Property has yielded, or is likely to yield, information important in prehistory or history.

Context

To qualify for the National Register, "a property must be significant; that is, it must represent a significant part of the history, architecture, archaeology, engineering, or culture of an area, and it must have the characteristics that make it a good representative of properties associated with that aspect of the past." (National Park Service [NPS], 1995: p. 7). Additionally, National Register Bulletin #15 states that the significance of a historic property can be judged and explained only when it is evaluated within its historic context. The Bulletin defines Historic contexts as: "…historical patterns that can be identified through consideration of the history of the property and the history of the surrounding area" (NPS, 1995: p. 7).

Integrity

In addition to context, a property must have integrity, which is defined as: "…the ability of a property to convey its significance" (NPS, 1995: p. 44). The seven aspects of integrity include location, design, setting, materials, workmanship, feeling, and association. "To retain historic integrity a property will always possess several, and usually most, of the aspects" (NPS, 1995: p. 44).

Historic Districts

A Historic District "…possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. A district derives its importance from being a unified entity, even though it is often composed of a wide variety of resources. The identity of a district results from the interrelationship of its resources,

which can convey a visual sense of the overall historic environment or be an arrangement of historically or functionally related properties" (NPS, 1995: p. 5).

These same criteria are detailed in Title 36 of the Code of Federal Regulations Part 60.3(d).

Section 15064.5(b)(3) of CEQA states that:

"*Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource.*"

Click here to go the: National Register of Historic Places

State

California Register of Historic Resources

(Pub. Res. Code § 5024.1, Title 14 CCR, Section 14 CCR, Section 4850 et seq.) regulates object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource.

Click here to go to: Public Resource Code

California Environmental Quality Act (CEQA)

CEQA is the primary legal tool used to protect historic resources in California. Historical resources are considered part of the environment and a project that may cause a substantial adverse effect on the significance of a historical resource is a project that may have a significant effect on the environment. The definition of "historical resources" is contained in Section 15064.5 of the CEQA Guidelines, and includes, but is not limited to: Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets

the criteria for listing on the California Register of Historical Resources (Public Resources Code Section 5024.1) including the following:

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

Click here to go to the: California Environmental Quality Act

Public Resources Code Section 20183.2

A unique archaeological resource is defined as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

> 1) Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information;
>
> 2) Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
>
> 3) Is directly associated with a scientifically recognized important prehistoric or historic event or person. A nonunique archaeological resource is defined as an archaeological artifact, object, or site that does not meet these criteria. A nonunique archaeological resource need be given no further consideration, other than the simple recording of its existence by the lead agency if it so elects.

Click here to go to the: Public Resources Code Section 20183.2

California Health and Safety Code Section 7050.5

Section 7050.5 of the California Health and Safety Code provides for the disposition of accidentally discovered human remains. Section 7050.5 states that, if human remains are found, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent

remains shall occur until the County Coroner has determined the appropriate treatment and disposition of the human remains.

Click here to go to the: California Health and Safety Code Section 7050.5

Public Resources Section 5097.98

According to § 15064.5 of the *State CEQA Guidelines*, all human remains are a significant resource. § 15064.5 of the *State CEQA Guidelines* also assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. These procedures are discussed within PRC § 5097. Per PRC § 5.97.98(a): Whenever the commission receives notification of a discovery of Native American human remains from a county coroner pursuant to subdivision (c) of § 7050.5 of the Health and Safety Code, it shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The decedents may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The descendants shall complete their inspection and make their recommendation within 24 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Click here to go to the: Public Resources Section 5097.98

4.5 Energy

State

California Code of Regulations (CCR) Title 24, Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings

CCR Title 24, Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24) were first established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods.

The Title 24 standards are updated on a three-year schedule, with the most current 2022 standards adopted on August 11, 2021. In December, 2021, it was approved by the California Building Standards Commission for inclusion into the California Building Standards Code. The Building

Energy Efficiency Standards (Energy Code) apply to newly constructed buildings, additions, and alterations. They are a vital pillar of California's climate action plan. The 2022 Energy Code will produce benefits to support the state's public health, climate, and clean energy goals. The 2022 Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more.

The latest version of Title 24 of the California Code of Regulations (Title 24) became effective on January 1, 2023. Building permit applications submitted after January 1, 2023 must comply with the 2022 Energy Code. Public Resources Code § 25402 subdivisions (a)-(b) and § 25402.1 emphasize the importance of building design and construction flexibility by requiring the CEC to establish performance standards, in the form of an "energy budget" in terms of the energy consumption per square foot of floor space.

CCR Title 13 §2449(d)(3) requires limits to idling times of construction vehicles and engines to no more than 5 minutes, thereby precluding unnecessary and wasteful consumption of energy resources due to excessive and unproductive idling of construction equipment and engines.

Click here to go to: California Code of Regulations (CCR) Title 24, Part 6

Click here to go to: CCR Title 13 §2449(d)(3)

California Code of Regulations (CCR) Title 24, Part 11: California Green Building Standards

CCR Title 24, Part 11: California Green Building Standards (Title 24) was developed in response to continued efforts to reduce energy, water, and material consumption. The most current version is the 2022 California Green Building Standards Code (CalGreen), which became effective on January 1, 2023 (DGS, 2022). One focus of CCR Title 24, Part 11 is on clean air vehicles and increasing requirements for electric vehicle (EV) charging infrastructure, which would reduce pollutant emissions. For new multi-family dwelling units, the residential mandatory measures were revised to provide additional EV charging space requirements, including quantity, location, size, single EV space, multiple EV spaces, and identification.

Click here to go to: California Code of Regulations (CCR) Title 24, Part 11

California Environmental Quality Act (Appendix F)

Appendix F, titled Energy Conservation, identifies the state's goals of conserving energy and presents means of achieving the goal, including decreased per capita energy consumption,

decreased reliance on natural gas, and increasing reliance on renewable energy. To ensure that energy implications are considered when assessing proposed projects, CEQA requires that EIRs discuss potential energy impacts with an emphasis on reducing inefficient consumption of energy. Appendix F details the manner in which impacts to energy must be addressed in various parts of an EIR, including, but not limited to, the Project description, mitigation measures, and alternatives.

Click here to go to: Appendix F of the CEQA Guidelines,

4.6 Geology and Soils

State

The California Seismic Hazards Program

The Seismic Hazards Program delineates areas prone to ground failure and other earthquake-related hazards including soil liquefaction (the failure of water-saturated soil), earthquake-induced landslides, surface fault rupture, and tsunami inundation. Cities and counties are required to use the maps I produced through this program in their land-use planning and building permit processes so that these hazards are identified and mitigated for development projects prior to the next major earthquake.

Click here to go to: The California Seismic Hazards Program

California Geological Survey and Regulations

The California Geological Survey provides scientific products and services about the state's geology and seismology that affect the health, safety, and business interests of the people of California. A compilation of the statutes and regulations that govern seismic hazards can be found by clicking on the following link:

Click here to go to: California Geological Survey Statutes and Regulations January 2022

California Building Code

The California Building Code (CBC; 24 CCR Part 2) contains the regulations that govern the construction of buildings in California. The CBC contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance (California Building Standards Commission [CBSC, 2022). CBC § 1613 contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock onsite, and the strength

of ground motion with a specified probability at the site. CBC §§ 1801 – 1803.7 require soil investigations, geotechnical reports, and geohazard reports conducted on soils that may be classified as questionable, critically expansive subjected to seismic hazards including expansive soils, or prone to other seismic hazards (CBC § 1803.7). The provisions of CBC Chapter 33 govern safety during construction and the protection of adjacent public and private properties. It includes safety standards for (but is not limited to) the following: excavation and trenching, demolition, site work, and protection of pedestrians.

Click here to go to: California Building Code Chapter 14.12

Public Resources Code § 5097.5

Public Resources Code § 5097.5. (a) states, " A person shall not knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands (California Legislative Information, 2011).

Click here to go to: Public Resources Code § 5097.5

Public Resources Code § 30244

Public Resources Code § 30244 states that where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required (California Legislative Information, 1976).

Click here to go to: Public Resources Code § 30244

Local

City of Adelanto Municipal Code

This section of the Municipal Code states:

"1. A preliminary soils report may be required as part of the tentative map approval, providing the planning director makes a finding, based upon existing knowledge of soil qualities, that a preliminary analysis is necessary. The findings shall be based upon evidence, information and

recommendations of the development review committee or development review committee member acting within the departmental area of expertise.

2. If the City has knowledge of, or the preliminary soils report indicates, the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation of each lot in the subdivision may be required. Such soils investigation shall be done by a civil engineer registered in this state, who shall recommend the corrective action which is likely to prevent structural damage to each structure proposed to be constructed in the area where such soils problems exist.

3. If the planning agency has knowledge of areas of districts which are characterized by such expansive soils or other soils problems, upon the recommendation of the planning officer, development review committee, or environmental review board, the planning agency may require that a soils investigation be prepared for each lot of any subdivision proposed within said areas or districts.

4. The planning agency may approve the subdivision or portion thereof where such soils problems exist if it determines that the development review committee's recommended action is likely to prevent structural damage to each structure to be constructed. As a condition to the issuance of any building permit, it shall be required that the approved recommended action be incorporated in the construction of each structure.

5. Each report shall be kept on file at the Building and Safety Department for public inspection. The location of these reports shall be referenced on the composite development plan."

Click here to go to: §16.04.050.A, Soils Report Requirement

Chapter 17.93 Erosion and Sediment Control

The purpose of this chapter is to eliminate and prevent accelerated erosion that has led to, or could lead to, degradation of water quality, loss of fish habitat, damage to property, loss of topsoil and vegetation cover, disruption of water supply, increased danger from flooding and the deposition of sediments and associated nutrients.

This chapter requires control of all existing and potential conditions of human-induced accelerated erosion within all areas of the City. This chapter sets forth required provisions for project planning, preparation of erosion control plans, runoff control, land clearing and winter operations and establishes procedures for administering those provisions.

Click here to go to: Chapter 17.93 Erosion and Sediment Control

4.7 Greenhouse Gas Emissions

Federal

U.S. Environmental Protection Agency Endangerment Finding

The authority of the U.S. Environmental Protection Agency (USEPA) to regulate GHG emissions stems from the U.S. Supreme Court decision in *Massachusetts v. EPA* (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing Federal Clean Air Act (FCAA) and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court's ruling, the USEPA finalized an endangerment finding in December 2009. In light of scientific evidence, it found that six GHGs—carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6) — constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing FCAA and the USEPA's assessment of the scientific evidence that forms the basis for the agency's regulatory actions. The USEPA collects several types of GHG emissions data. These data help policy makers, businesses, and the USEPA track GHG emissions trends and identify opportunities for reducing emissions and increasing efficiency.

Until January 19, 2017, the USEPA's regulatory initiatives included USEPA's vehicle GHG rules and Clean Power Plan, partnering with the private sector through voluntary energy and climate programs, and reducing USEPA's carbon footprint with the federal GHG requirements and USEPA's Strategic Sustainability Performance Plan. The recently concluded Trump administration had a different strategy in relation to climate change and took the USEPA in a new direction. President

Click here to go to the: U.S. Environmental Protection Agency Endangerment Finding

State

Through several pieces of legislation, gubernatorial executive orders, and administrative regulations that relate to GHG emissions and climate change, California has set aggressive goals for GHG reductions within the state. Per Senate Bill (SB) 97, the California Natural Resources Agency adopted amendments to the CEQA Guidelines, which address the specific obligations of public agencies when analyzing GHG emissions under CEQA to determine a project's effects on the environment. However, neither a threshold of significance nor any specific mitigation measures are included or provided in these CEQA Guideline amendments. The major state provisions for reducing GHG emissions include the following.

Assembly Bill 32 (AB 32) Scoping Plan

The California Global Warming Solutions Act of 2006, widely known as AB 32, requires the California Air Resources Board (ARB) to develop and enforce regulations for the reporting and verification of statewide GHG emissions.[31] The ARB was directed to set a statewide GHG emission limit, based on 1990 levels, to be achieved by 2020. The bill set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner. The heart of the bill was the requirement that statewide GHG emissions be reduced to 1990 levels by 2020.

The first AB 32 Scoping Plan (ARB, 2008) contained the main strategies to achieve the 2020 emissions cap. The plan was developed by the ARB with input from the Climate Action Team and proposed a comprehensive set of actions designed to reduce overall carbon emissions in California, improve the environment, reduce oil dependency, diversify energy sources, and enhance public health while creating new jobs and improving the state's economy. The GHG reduction strategies contained in the AB 32 Scoping Plan included direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system.

In May 2014, the ARB adopted the First Update to the AB 32 Scoping Plan (ARB, 2014). This update identified the next steps for California's leadership on climate change. It described progress made to meet the near-term objectives of AB 32 and defined California's climate change priorities and activities for the next several years. It also framed activities and issues facing the state as it develops an integrated framework for achieving both air quality and climate goals in California beyond 2020.

In the original AB 32 Scoping Plan, the ARB approved a total statewide GHG 1990 emissions level and 2020 emissions limit of 427 million metric tons (MT) of CO_2e. As part of the update, the ARB revised the 2020 Statewide limit to 431 million MT of CO_2e, an approximately one percent increase from the original estimate. The 2020 business-as-usual forecast in the update is 509 million MT of CO_2e. The state would need to reduce those emissions by 15.3 percent to meet the 431 million MT of CO_2e 2020 limit.

In November 2017, the ARB published the 2017 AB 32 Scoping Plan (ARB, 2017), which built upon the former AB 32 Scoping Plan and Updates by outlining priorities and recommendations for the state to achieve its 2030 GHG target of a 40 percent reduction in GHGs by 2030, compared to 1990 levels. The major elements of the framework proposed are: enhancement of the Renewables Portfolio Standard (RPS) and the Low Carbon Fuel Standard (LCFS); a Mobile Source Strategy, Sustainable Freight Action Plan, Short-Lived Climate Pollutant Reduction Strategy, Sustainable Communities Strategies, and a Post-2020 Cap-and-Trade Program; a 20 percent reduction in GHG emissions from the refinery sector; and an Integrated Natural and Working Lands Action Plan.

Adopted December 15, 2022, ARB's 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan) sets a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels by 2045 in accordance with AB 1279. To achieve the targets of AB 1279, the 2022 Scoping Plan relies on existing and emerging fossil fuel alternatives and clean technologies, as well as carbon capture and storage. Specifically, the 2022 Scoping Plan focuses on zero-emission transportation; phasing out use of fossil gas use for heating homes and buildings; reducing chemical and refrigerants with high GWP; providing communities with sustainable options for walking, biking, and public transit; displacement of fossil-fuel fired electrical generation through use of renewable energy alternatives (e.g., solar arrays and wind turbines); and scaling up new options such as green hydrogen. The 2022 Scoping Plan sets one of the most aggressive approaches to reach carbon neutrality in the world. Unlike the 2017 Scoping Plan, ARB no longer includes a numeric per capita threshold and instead advocates for compliance with a local GHG reduction strategy (i.e., Climate Action Plan) consistent with CEQA Guidelines section 15183.5

The key elements of the 2022 ARB Scoping Plan focus on transportation. Specifically, the 2022 Scoping Plan aims to rapidly move towards zero-emission transportation (i.e., electrifying cars, buses, trains, and trucks), which constitutes California's single largest source of GHGs. The regulations that impact the transportation sector are adopted and enforced by ARB on vehicle manufacturers and are outside the jurisdiction and control of local governments. The 2022 Scoping Plan accelerates development of new regulations as well as amendments to strengthen regulations and programs already in

Included in the 2022 Scoping Plan (ARB, 2022) is a set of Local Actions (2022 Scoping Plan Appendix D) aimed at providing local jurisdictions with tools to reduce GHGs and assist the state in meeting the ambitious targets set forth in the 2022 Scoping Plan. Appendix D to the 2022 Scoping Plan includes a section on evaluating plan-level and project-level alignment with the State's Climate Goals in CEQA GHG analyses. In this section, ARB identifies several recommendations and strategies that should be considered for new development in order to determine consistency with the 2022 Scoping Plan. Notably, this section is focused on residential and mixed-use projects. ARB specifically states that Appendix D does not address other land uses (e.g., industrial). However, ARB plans to explore new approaches for other land use types in the future.

As such, it would be inappropriate to apply the requirements contained in Appendix D of the 2022 Scoping Plan to any land use types other than residential or mixed-use residential development.

Click here to go to the: Scoping Plan

Executive Order B-30-15

On April 29, 2015, Governor Edmund G. Brown Jr. issued an executive order to establish a California GHG reduction target of 40 percent below 1990 levels by 2030. This new emission reduction target is a step toward the ultimate goal of reducing emissions by 80 percent below 1990 levels by 2050. The executive order also specifically addresses the need for climate adaptation and directs state government to:

- Incorporate climate change impacts into the state's Five-Year Infrastructure Plan.
- Update the Safeguarding California Plan – the state climate adaption strategy – to identify how climate change will affect California infrastructure and industry, and what actions the state can take to reduce the risks posed by climate change.
- Factor climate change into state agencies' planning and investment decisions.
- Implement measures under existing agency and departmental authority to reduce GHG emissions.

Click here to go to the: Executive Order B-30-15

California Senate Bills 1078, 107, 2, 100 and 350; Renewables Portfolio Standard

Established in 2002 under California SB 1078 and accelerated in 2006 under California SB 107, California's renewable portfolio standard (RPS) required retail suppliers of electric services to increase procurement from eligible renewable energy resources by at least one percent of their retail sales annually, until they reached 20 percent by 2010.

On April 2, 2011, Governor Brown signed California SB 2 to increase California's RPS to 33 percent by 2020. This new standard also required regulated sellers of electricity to procure 25 percent of their energy supply from certified renewable resources by 2016. In October 2015, Governor Brown signed into law SB 350, which requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from eligible renewable energy resources by 2030. Under SB 100, signed by Governor Brown on September 10, 2018, the renewables requirement was increased to 60 percent.

Click here to search for California Senate Bills

Low Carbon Fuel Standard (LCFS)

California Executive Order S-01-07 (January 18, 2007) requires a 10 percent or greater reduction in the average carbon intensity for transportation fuels in California regulated by the ARB. The ARB identified the LCFS as a Discrete Early Action item under AB 32, and the final resolution (09-31) was issued on April 23, 2009.

Click here to go to the Low Carbon Fuel Standard

Energy Independence and Security Act of 2007

The Energy Independence and Security Act of 2007 (Public Law 110-140), among other key measures, requires the following, which would aid in the reduction of national GHG emissions:

- Increase the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard requiring fuel producers to use at least 36 billion gallons of biofuel in 2022.
- Set a target of 35 miles per gallon for the combined fleet of cars and light trucks by model year 2020 and direct the National Highway Traffic Safety Administration (NHTSA) to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks.
- Prescribe or revise standards affecting regional efficiency for heating and cooling products and procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances (Kimley-Horn, 2023c).

The federal government is taking several common-sense steps to address the challenge of climate change. The USEPA collects several types of GHG emissions data. These data help policy makers, businesses, and USEPA track GHG emissions trends and identify opportunities for reducing emissions and increasing efficiency. USEPA has been collecting a national inventory of GHG emissions since 1990, and in 2009 established mandatory reporting of GHG emissions from large GHG emissions sources.

Click here to go to the Energy Independence and Security Act of 2007

Sustainable Communities and Climate Protection Act (SB 375)

California's Sustainable Communities and Climate Protection Act, also referred to as SB 375, became effective January 1, 2009. The goal of SB 375 is to help achieve AB 32's GHG emissions reduction goals by aligning the planning processes for regional transportation, housing, and land use. SB 375 requires the ARB to develop regional reduction targets for GHGs and prompts the creation of regional plans to reduce emissions from vehicle use throughout the state. California's 18 Metropolitan Planning Organizations (MPOs) have been tasked with creating Sustainable Community Strategies in an effort to reduce the region's vehicle miles traveled (VMT) in order to help meet AB 32 targets through integrated transportation, land use, housing and environmental planning. Pursuant to SB 375, the ARB set per-capita GHG emissions reduction targets from passenger vehicles for each of the state's 18 MPOs. In May 2022, the ARB issued a regional VMT per capita reduced 12 percent below 2019 levels by 2030 and 22 percent below 2019 levels by 2045.

Click here to go to the: Sustainable Communities and Climate Protection Act

California Green Building Standards (CALGreen) Code

The California Green Building Standards Code (CCR Title 24, Part 11 code) commonly referred to as the CALGreen Code, is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. The CALGreen standards require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics. The most recent update to the CALGreen Code went into effect January 1, 2023 (2022 CALGreen). The 2022 CALGreen standards continue to improve upon the existing standards for new construction of, and additions and alterations to, residential and nonresidential buildings.

Click here to go to the: CALGreen Code

Regional

Southern California Association of Governments-Connect So Cal Plan

The Southern California Association of Governments (SCAG) is the federally-designated metropolitan planning agency for Ventura, Los Angeles, Riverside, San Bernardino and Imperial Counties. It works together with the SCAQMD to prepare the triennial Air Quality Management Plan (AQMP). It is also responsible for quadrennial updates of the Regional Transportation

Plan/Sustainable Communities Strategy (RTP/SCS), the latest of which guides transportation developments between 2020 and 2045 (SCAG, 2020a).

The RTP/SCS charts a course closely integrating land use and transportation so that the region can grow smartly and sustainably. The strategy was prepared through a collaborative, continuous and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within SCAG's member counties. The RTP/SCS is a long-range vision plan that balances future mobility and housing needs with economic, environmental and public health goals. The SCAG region strives toward sustainability through integrated land use and transportation planning. The SCAG region must achieve specific federal air quality standards and is required by state law to lower regional GHG Emissions.

Click here to go to the: SCAG

4.8 Hazards and Hazardous Materials

Federal

Occupational Safety and Health Act of 1970

The federal Occupational Safety and Health Act of 1970 (29 USC § 651 et seq.) authorizes each state (including California) to establish their own safety and health programs with the US Department of Labor, Occupational Safety and Health Administration (OSHA) approval. The California Department of Industrial Relations regulates implementation of worker health and safety in California. California OSHA enforcement units conduct on-site evaluations and issue notices of violation to enforce necessary improvements to health and safety practices. California standards for workers dealing with hazardous materials are contained in Title 8 of the California Code of Regulations (CCR) and include practices for all industries (General Industrial Safety Orders), and specific practices for construction and other industries. Workers at hazardous waste sites (or working with hazardous wastes as might be encountered during excavation of contaminated soil) must receive specialized training and medical supervision according to the Hazardous Waste Operations and Emergency Response (HAZWOPER) regulations.

The federal Occupational Safety and Health Act of 1970 (29 USC § 651 et seq.) authorizes each state (including California) to establish their own safety and health programs with the US Department of Labor, Occupational Safety and Health Administration (OSHA) approval. The California Department of Industrial Relations regulates implementation of worker health and safety in California. California OSHA enforcement units conduct on-site evaluations and issue notices of violation to enforce

necessary improvements to health and safety practices. California standards for workers dealing with hazardous materials are contained in Title 8 of the California Code of Regulations (CCR) and include practices for all industries (General Industrial Safety Orders), and specific practices for construction and other industries. Workers at hazardous waste sites (or working with hazardous wastes as might be encountered during excavation of contaminated soil) must receive specialized training and medical supervision according to the Hazardous Waste Operations and Emergency Response (HAZWOPER) regulations.

Click here to go to the: Occupational Safety and Health Act

The Toxic Substances Control Act (TSCA) of 1976

The Toxic Substances Control Act (TSCA) of 1976 provides the U.S. Environmental Protection Agency (EPA) with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. The TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

Click here to go to: Toxic Substances Control Act

The Resource Conservation and Recovery Act (RCRA)

The EPA has delegated implementation and enforcement of many programs to the states. Then the states apply national standards to sources within their borders through permit programs that control the release of pollutants into the environment. However, the U.S. EPA maintains an overarching role with respect to the states by establishing federal standards and approving state programs.

The Resource Conservation and Recovery Act (RCRA) gives the U.S. EPA the authority to control hazardous waste from cradle to grave. This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The EPA does not handle all environmental concerns, as some issues are primarily concerns of tribal, state, or local agencies. Many environmental programs have been delegated to the state and local level and they have primary responsibility for them.

Click here to go to: The Resource Conservation and Recovery Act (RCRA)

State

California Hazardous Waste Control Law (HWCL)

The State of California has developed the California Hazardous Waste Control Law (HWCL) and the EPA has delegated authority for RCRA enforcement to the State of California. Primary authority for the statewide administration and enforcement of HWCL rests with the DTSC.

The Hazardous Waste Control Law (Health and Safety Code [HSC], Division 20, Chapter 6.5, Article 2, Section 25100, et seq.) is the primary hazardous waste statute in California. The HWCL implements RCRA as a "cradle-to-grave" waste management system in the state. It specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure its proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reused as raw materials. The HWCL exceeds federal requirements by mandating source reduction planning and broadening requirements for permitting facilities that treat hazardous waste. It also regulates a number of waste types and waste management activities not covered by federal law.

Click here to go to: California Hazardous Waste Control Law (HWCL)

Cal/OSHA and the California State Plan

Under an agreement with OSHA, since 1973 California has operated an occupational safety and health program in accordance with § 18 of the federal OSHA. The State of California's Department of Industrial Relations administers the California Occupational Safety and Health Program, commonly referred to as Cal/OSHA. The State of California's Division of Occupational Safety and Health (DOSH) is the principal agency that oversees plan enforcement and consultation. In addition, the California State program has an independent Standards Board responsible for promulgating State safety and health standards and reviewing variances. It also has an Appeals Board to adjudicate contested citations and the Division of Labor Standards Enforcement to investigate complaints of discriminatory retaliation in the workplace.

Pursuant to 29 CFR 1952.172, the California State Plan applies to all public and private sector places of employment in the state, with the exception of federal employees, the United States Postal Service, private sector employers on Native American lands, maritime activities on the navigable waterways of the United States, private contractors working on land designated as exclusively under federal jurisdiction and employers that require federal security clearances with certain exceptions. Cal/OSHA is the only agency in the state authorized to adopt, amend, or repeal occupational safety and health standards or orders. In addition, the Standards Board maintains standards for certain things not covered by federal standards or enforcement, including:

elevators, aerial passenger tramways, amusement rides, pressure vessels and mine safety training. The Cal/OSHA enforcement unit conducts inspections of California workplaces in response to a report of an industrial accident, a complaint about an occupational safety and health hazard, or as part of an inspection program targeting industries with high rates of occupational hazards, fatalities, injuries, or illnesses.

Click here to go to the: Cal/OSHA and the California State Plan

California Code of Regulations (CCR), Title 22 and Title 26

A variety of CCR titles address regulations and requirements for generators of hazardous waste. Title 22 contains detailed compliance requirements for hazardous waste generators, transporters, and facilities for treatment, storage, and disposal. Because California is a fully authorized state according to RCRA, most regulations (i.e., 40 CFR 260, et seq.) have been duplicated and integrated into Title 22. However, because the DTSC regulates hazardous waste more stringently than the EPA, the integration of State and federal hazardous waste regulations that make up Title 22 does not contain as many exemptions or exclusions as does 40 CFR 260. As with the HSC, Title 22 also regulates a wider range of waste types and waste management activities than does RCRA. To aid the regulated community, California has compiled hazardous materials, waste, and toxics-related regulations from CCR, Titles 3, 8, 13, 17, 19, 22, 23, 24 and 27 into one consolidated listing: CCR Title 26 (Toxics). However, the hazardous waste regulations are still commonly referred to collectively as “Title 22.”

Click here to go to: California Code of Regulations (CCR), Title 22 and Title 26

Unified Program

CalEPA oversees California’s Unified Program. The program protects Californians from hazardous waste and hazardous materials by ensuring local regulatory agencies consistently apply statewide standards when they issue permits, conduct inspections and engage in enforcement activities. The Unified Program is a consolidation of multiple environmental and emergency management programs

Click here to go to: the Unified Program

Cortese List

The provisions in Government Code Section 65962.5 are commonly referred to as the "Cortese List" (after the Legislator who authored the legislation that enacted it). The list, or a site's presence on the list, has bearing on the local permitting process as well as on compliance with the California Environmental Quality Act (CEQA). Because this statute was enacted over twenty years ago, some of the provisions refer to agency activities that were conducted many years ago and are no longer being implemented and, in some cases, the information to be included in the Cortese List does not exist.

Below are the data resources that provide information regarding the facilities or sites identified as meeting the "Cortese List" requirements.

- List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database.
- List of Leaking Underground Storage Tank Sites from the State Water Board's GeoTracker database.
- List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit (PDF).
- List of "active" CDO and CAO from Water Board (MS Excel, 1,453 KB). PLEASE NOTE: This list contains many Cease and Desist Orders and Cleanup and Abatement Orders that do NOT concern the discharge of wastes that are hazardous materials. Many of the listed orders concern, as examples, discharges of domestic sewage, food processing wastes, or sediment that do not contain hazardous materials, but the Water Boards' database does not distinguish between these types of orders. If there is a question about whether a specific order concerns the discharge of wastes that are hazardous materials, please contact the applicable Regional Water Board.
- List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC.

Click here to go the Cortese List: California Environmental Protection Agency, Cortese List Data Resources

Cal Fire - Fire Hazard Severity Zone Maps

Fire Hazard Severity Zone maps arose from major destructive fires, prompting the recognition of these areas and strategies to reduce wildfire risks. Legislative response led to mandated mapping

across California under the California Public Resources Code 4201-4204, encompassing all State Responsibility Areas (SRA).

The State Fire Marshal is mandated to classify lands within State Responsibility Areas into Fire Hazard Severity Zones (FHSZ). Fire Hazard Severity Zones fall into one of the following classifications:

- Moderate
- High
- Very High

The California laws that require Fire Hazard Severity Zones include California Public Resources Code 4201-4204, California Code of Regulations Title 14, Section 1280 and California Government Code 51175-89.

Click here to go to: California Department of Forestry and Fire Protection Fire Hazard Severity Zones (FHSZ) map

Regional

Certified Unified Program Agency (CUPA) for the County of San Bernardino

The San Bernardino County Fire Department – Hazardous Materials Division is the local agency responsible for the enforcement of a variety of hazardous materials management requirements. The Fire Department is the state designated Certified Unified Program Agency (CUPA) for the County of San Bernardino. The purpose of the CUPA program is to provide a comprehensive approach to reduce the overlapping and sometimes conflicting requirements of different governmental agencies. The CUPA provides consolidation and consistency in reporting requirements, permit formats, inspection criteria, enforcement standards, and fees for various hazardous materials programs. The CUPA is required by state law to maintain a list of facilities within the County that are known to use, store, and/or generate hazardous materials/wastes. Facilities that handle hazardous materials or generate hazardous waste must obtain a permit from the CUPA.

Click here to go to: The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program)

Southern California Logistics Airport (SCLA) Comprehensive Land Use Plan

The Comprehensive Land Use Plan for SCLA is intended to protect and promote the safety and welfare of airport uses, residents, and visitors to the Cities of Adelanto and Victorville, while promoting the continued operation of the airport. Specifically, the plan seeks to protect the public from the adverse effect of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft crashes, and to ensure that no structures or activities encroach upon or adversely affect the use of navigable airspace.

Click here to go to: Southern California Logistics Airport (SCLA) Comprehensive Land Use Plan

4.9 Hydrology and Water Quality

Federal

National Pollution Discharge Elimination System

In 1987 the CWA was amended to add § 402(p), which established a framework for regulating municipal and industrial storm water discharges under the National Pollution Discharge Elimination System (NPDES) Program. On November 16, 1990, the U.S. Environmental Protection Agency (USEPA) published final regulations that established storm water permit application requirements for specified categories of industries. The regulations provide that discharges of storm water to waters of the United States from construction projects that one or more acres of soil disturbance are effectively prohibited unless the discharge is in compliance with an NPDES Permit (Order No. 2014-0057-DWQ, as amended).

The NPDES permit must require implementation of Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges (NSWDs). The NPDES permit must also include additional requirements necessary to implement applicable water quality objectives or water quality standards (water quality standards, collectively).

Click here to go to: NPDES order WQ 2014-0057-DWG

State

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act) was amended in 1999 to require the State Water Resource Control Board (SWRCB) to develop guidance to enforce the state's Non-Point Source (NPS) pollution control program. Compliance was attained by adopting the NPS Implementation and Enforcement Policy on May 20, 2004. Every five years the State Board, nine Regional Boards, and California Coastal Commission put together the NPS Implementation plan. The goal of this five-year plan is to present, in one place, the general goals and objectives of the co-lead agencies for addressing NPS pollution over the timeframe of January 2021 to June 2025.

The NPS program also administers grant money through section 319(h) of the Federal Clean Water Act. This funding can be used to implement projects that reduce NPS pollution. For more information on grants and funding please visit the 319(h) grant program website below.

The Region's NPS Program implements the statewide Nonpoint Source Pollution Implementation Plan, and is consistent with the statewide Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program.

Click to go to: California's 2020-2025 Nonpoint Source Program Implementation Plan

Click to go to: Policy for the Implementation and Enforcement of the Nonpoint Source Pollution Control Program

Regional Program Overview

In the 2020-2025 NPS Program Implementation Plan, the Lahontan Regional Board (Water Board) has identified seven priority topic areas to focus its NPS pollution control efforts. Those priority areas are:

- Agriculture
- Climate Change
- Forestry, Wildfire, and Fuels Reduction

Rangelands and Grazing

- Harmful Algal Blooms
- Onsite Wastewater Treatment Systems

- Source Water Protection

Click here to go to: Nonpoint Source Pollution Program

Regional and Local

Water Quality Control Plan for the Lahontan (Basin Plan)

Water quality standards and control measures for surface and ground waters of the Lahontan Region are contained in the Water Quality Control Plan for the Lahontan Region (Basin Plan). The plan designates beneficial uses for water bodies and establishes water quality objectives, waste discharge prohibitions, and other implementation measures to protect those beneficial uses. State water quality standards also include a Nondegradation Policy. Water quality control measures include Total Maximum Daily Loads (TMDLs), which are often, but not always, adopted as Basin Plan amendments. See the Lahontan Water Board's TMDL Program web page for further information.

The Lahontan Basin plan took effect in 1995, replacing three earlier plans. The current edition of the plan includes fully approved sets of amendments adopted since 1995. Chapters and sections of the plan are available in separate files to facilitate downloading.

In addition to the state standards in the Basin Plan, federal water quality standards for certain toxic pollutants apply to surface waters within California, including the Lahontan Region. These standards are contained in the National Toxics Rule (40 CFR 131.36) and the California Toxics Rule (40 CFR 131.37). The California State Water Resources Control Board (SWRCB) has adopted a statewide implementation policy for the federal toxics standards, including summary tables listing the standards themselves. The federal standards have not yet been physically incorporated into the Basin Plan.

The National Toxics Rule and California Toxics Rule standards differ from federal water quality criteria in that they are enforceable. Federal criteria are non-enforceable, science-based thresholds that can be used in development of enforceable state water quality standards.

A number of other statewide plans and policies contain water quality control measures that apply in addition to those in the Basin Plan. Some of these documents are included in the appendices to the Basin Plan, but others have not yet been physically incorporated into or referenced in the plan. These documents include the following:

- The NPS Program Implementation Plan and the NPS Implementation and Enforcement Policies are found on the NPS Plans and Policy page.
- 2017 Water Quality Enforcement Policy

Click here to go to the: Water Quality Control Plan for the Lahontan Region (Basin Plan)

4.10 Land Use and Planning

Federal

There are no federal regulations that pertain to this issue area.

State

Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (Connect SoCal)

The Southern California Association of Governments (SCAG) is the designated regional planning agency for the following six counties in Southern California: Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. SCAG is a Joint Powers Authority under California state law, established as an association of local governments that voluntarily convene to address regional issues. Under federal law, SCAG is designated as a Metropolitan Planning Organization and under state law as a Regional Transportation Planning Agency and a Council of Government.

In 2020 SCAG adopted the 2020-2045 RTP/SCS, which presents a vision for the region in 2045. Guided by the leadership of the Regional Council, in 2012 SCAG adopted the region's first RTP/SCS—a plan now called *Connect SoCal,* which is a major planning document for the southern California regional transportation and land use network. It balances the region's future mobility and housing needs with economic, environmental and public health goals. The 2020-2045 *Connect SoCal* has goals that would build more than 20 miles of light rail, creating a rail backbone to serve the entire region; accommodate 51 percent of all future housing near major transit stations and corridors; and would replace gas taxes with mileage-based user fees to ensure a long-term sustainable funding mechanism that isn't eroded by rising fuel efficiency and construction costs.

Click here to go to: Connect SoCal

AB 32 Scoping Plan

Refer to 4.7 Greenhouse Gas Emissions.

Regional

California Environmental Quality Act (CEQA) and Federal Conformity Guidelines

Refer to 4.2 Air Quality.

MDAQMD Federal 70 ppb Ozone Attainment Plan

Refer to 4.2 Air Quality.

Certification of District Measures to Reduce PM Pursuant to Former Health & Safety Code §39614(d) January 27, 2020.

Refer to 4.2 Air Quality.

Water Quality Control Plan for the Lahontan (Basin Plan)

Refer to 4.8 Hydrology and Water Quality

Local

City of Adelanto General Plan

The General Plan is the City's “constitution “for the development and to guide the city to future development. The General Plan guide overall building activities in the city. The General Plan designates what land uses can go where. Also, the General Plan represents the City’s long-term vision for land uses. It directs land use decisions in the community and includes goals, policies and maps to guide decisions. State law requires every general plan to include seven elements: Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety.

Click to go to: City of Adelanto General Plan Documents

City of Adelanto Municipal Code

All new development or modification/upgrade to existing commercial, industrial, or residential structures must be reviewed for conformance to the Development Code, before that construction may begin. The Planning Division works with other City divisions, such as Building and Safety, Fire and Engineering, as well as other governmental agencies, to ensure new development has adequate infrastructure and services. Planning also provides zoning and land use regulation information to the general public.

Click here to go the: Adelanto Municipal Code

Southern California Logistics Airport Specific Plan

The Southern California Logistics Airport (SCLA) Specific Plan (Specific Plan) covers approximately 8,611 acres in the City of Victorville and is adjacent on its western boundary with the City of Adelanto. The Specific Plan area designates 2,525 acres as Airport and Support Facilities (ASF) and 210 acres of Runway Protection Zone (RPZ) land uses, where existing airport uses exist. The Specific Plan also has approximately 1,125 acres of area designated as Business Park (BP) land use, 3,767 acres designated as Industrial (I) land use, and 44 acres of area designated as Public Open Space (POS) land use. In addition, there are approximately 940 acres of area designated as Public Institutional (PI) land use, which encompasses the existing Federal Correction Complex in the southern portion of the Specific Plan area.

The Specific Plan is a focused guiding document for implementation of the City of Victorville's General Plan with the Specific Plan area. The Specific Plan provides a description of the proposed land uses, infrastructure, and specific implementation requirements. The Development Standards establish permitted uses, building regulations, and general development criteria.

The Specific Plan has no authority over development of land in the City of Adelanto, but is discussed in this EIR for informational purposes. Additionally, the Specific Plan should not be confused with the *Southern California Logistics Airport (SCLA) Comprehensive Land Use Plan,* which is a regulatory document for CEQA purposes.

Click here to go to the: Southern California Logistics Airport Specific Plan

4.11 Noise

Federal

Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual

Because the City does not have construction noise level limits, construction noise was assessed using criteria from the Federal Transit Administration's (FTA) Transit Noise and Vibration Impact Assessment Manual.

The Council on Environmental Quality (CEQ) regulations for implementing the procedural provisions of the National Environmental Policy Act of 1969 (NEPA) require that a federally-funded project be assessed for its impact on the human and natural environment prior to implementation. The Federal Transit Administration (FTA), in conjunction with the Federal Highway Administration (FHWA), has issued detailed regulations implementing NEPA fort ransit and highway projects. The

regulations are codified in part 771 of title 23, Code of Federal Regulations, and are titled "Environmental Impact and Related Procedures." (23 CFR part 771).

In general, the noise and vibration impact assessment process for projects includes the following steps:

1. Determine appropriate impact criteria.

2. Conduct screening and determine appropriate level of noise analysis, analyze project noise impacts, and evaluate mitigation options if appropriate.

3. Determine appropriate level of vibration analysis, analyze project vibration impacts, and evaluate mitigation options if appropriate.

4. Analyze construction noise and vibration impacts.

5. Document findings.

Click here to go the: Transit Noise and Vibration Assessment Manual

State

California Government Code §65303 (f)

California Government Code Section 65302(f) mandates that the legislative body of each county and city adopt a noise element as part of its comprehensive general plan. The local noise element must recognize the land use compatibility guidelines established by the State Department of Health Services. The guidelines rank noise land use compatibility in terms of "normally acceptable", "conditionally acceptable", "normally unacceptable", and "clearly unacceptable" noise levels for various land use types. Single-family homes are "normally acceptable" in exterior noise environments up to 60 CNEL and "conditionally acceptable" up to 70 CNEL. Multiple-family residential uses are "normally acceptable" up to 65 CNEL and "conditionally acceptable" up to 70 CNEL. Schools, libraries, and churches are "normally acceptable" up to 70 CNEL, as are office buildings and business, commercial, and professional uses.

Click here to go to: California Government Code Section 65302(f).

Regional

Southern California Logistics Airport (SCLA) Comprehensive Land Use Plan

The Comprehensive Land Use Pan for SCLA is intended to protect and promote the safety and welfare of airport uses, residents, and visitors to the Cities of Adelanto and Victorville, while promoting the continued operation of the airport. Specifically, the plan seeks to protect the public from the adverse effect of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft crashes, and to ensure that no structures or activities encroach upon or adversely affect the use of navigable airspace.

Click here to go to: Southern California Logistics Airport (SCLA) Comprehensive Land Use Plan

Local

City of Adelanto Zoning Code: Noise

The City of Adelanto has set time restrictions to control noise impacts from construction activities. Section 17.90.020(d)(1) of the Adelanto Municipal Code restricts construction activities between the hours of 7:00 a.m. and dusk on weekdays, and construction will not occur on weekends or state holidays. While the City establishes limits to the hours during which construction activity may take place, it does not identify specific noise level limits for construction noise levels.

Click to go to: City of Adelanto Zoning Code Noise

4.12 Transportation

State

Senate Bill 743

Senate Bill 743 (Steinberg, 2013), codified in PRC § 21099, required changes to the CEQA Guidelines regarding the analysis of transportation impacts. In 2018, the California Natural Resources Agency (Agency) has certified and adopted changes to the CEQA Guidelines that identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts. With the California Natural Resources Agency's certification and adoption of the changes to the CEQA Guidelines, automobile delay, as measured by "level of service" and other similar metrics, no

longer constitutes a significant environmental effect under CEQA. (Pub. Resources Code, § 21099, subd. (b)(3).)

Click here to go to the: Senate Bill 743

Local

City of Adelanto General Plan Mobility Element

The City of Adelanto General Plan Mobility Element is contained within the *Adelanto North 2035 Comprehensive Sustainable Plan,* August 2014. The Mobility Element's overarching transportation goal is to establish and maintain a complete, multi-modal transportation network that provides sustainable options to the automobile. The Mobility Element provides a network of streets, bicycle and transit routes, and trails that create a more sustainable transportation system to reduce greenhouse gases and air pollution. This is accomplished, in part, by designing streets that accommodates a variety of transportation modes and users, such as pedestrians, bicycles, and buses.

Click here to go to the: Adelanto North 2035 Comprehensive Sustainable Plan.

City Council Resolution 20-41: Adopting Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment (LOS) Guidelines

On June 24, 2020, the City Council adopted Resolution 20-41 approving City of Adelanto "Guidelines for Vehicle Miles Traveled (VMT)"

The Resolution required the following:

1. Utilize the San Bernardino County Travel Demand Model (SBTAM) as its preferred methodology to measure VMT.
2. Utilize the San Bernardino County Travel Demand Model (SBTAM) as its preferred method to analyze a project's VMT impact.
3. Utilize a threshold consistent with Table 1 contained in "Guidelines for Vehicle Miles Traveled (VMT)"

Click here to go to the: June 24, 2020 City Council Agenda Packet.

City Council Resolution No. 20-41a- Amended: Adopting Carbon Dioxide Equivalent Thresholds of Significance for Purposes of Analyzing Transportation Impacts

On April 27, 2022, the City Council adopted Resolution 2041a, amending Resolution No. 24-41 which was adopted on June 24, 2020 as noted above. Resolution No. 20-41 adopted a methodology utilizing Vehicle Miles Traveled (VMT) as a means of determining if a new project has a significant impact on the environment. This was done to meet requirements of Senate Bill 743 and promote reduction of greenhouse gas emissions in Adelanto. Although the State Office of Planning and Research (OPR) has proposed that VMT as the most appropriate means of evaluating transportation impacts, SB 743 does not specify any screening threshold, including VMT.

Many local agencies, including Adelanto, have adopted screening thresholds to determine if detailed transportation analysis is required. Projects that generate less than 110 trips per day are considered "screened out" from further analysis as they cause a less than significant transportation impact. Many land uses, including small projects of 10,000 square feet or less generate substantially more than 110 daily trips. As a result, relatively few small projects can prove a less than significant impact.

Several agencies have adopted screening thresholds that allow more projects to claim less than significant impacts while still reducing greenhouse gas emissions. Using the most stringent recommendations from two Air Quality Management Districts (AQMD), a 3,000 Metric Tons of Carbon Dioxide Equivalent (CO_2e) per year threshold was established as the criteria for screening small projects using carbon emission thresholds.

Click here to go to the: April 27, 2022 City Council Agenda Packet.

4.13 Tribal Cultural Resources

State

California Assembly Bill 52 (Native Americans: California Environmental Quality Act)

Assembly Bill 52 (Gatto, 2014) requires consideration of tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and tribal governments, public agencies, and project proponents would have information available early in the Project planning process to identify and address potential adverse impacts to tribal cultural resources. To determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed Project. That consultation must take

place prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project. Pub. Res. Code § 21080.3.1.

If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. Pub. Res. Code § 20184.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources. These measures may include avoidance and preservation of the resources in place, treating the resource with culturally appropriate dignity, or permanent conservation easements or other interests in real property.

Click here to go to: Public Resources Code § 21080.3.1.

4.14 Utilities and Service Systems

State

Urban Water Management Planning Act

The Urban Water Management Planning Act (UWMP Act) was proposed and adopted to ensure that water planning is conducted at the local level, as the State of California recognized that two water agencies in the same region could have very different impacts from a drought. The UWMP Act requires water agencies to develop Urban Water Management Plans (UWMPs) over a 20-year planning horizon, and further required UWMPs to be updated every 5 years. UWMPs are exempt from compliance with CEQA. (DWR, 2016, p. 1-2). The UWMPs provide a framework for long term water planning and inform the public of a supplier's plans for long-term resource planning that ensures adequate water supplies for existing and future demands. This part of the California Water Code (CWC) requires urban water suppliers to report, describe, and evaluate:

- Water deliveries and uses;
- Water supply sources;
- Efficient water uses;
- Demand management measures; and
- Water shortage contingency planning

Click here to go to the: Urban Water Management Planning Act

Senate Bill 610 (California Water Code §10910 et seq.)

The California Water Code (Water Code) §10910 through §10915 were amended by the enactment of SB 610 in 2002. SB 610 requires an assessment of whether available water supplies are sufficient to serve the demand generated by a proposed project, as well as the reasonably foreseeable cumulative demand in the region over the next 20 years under average normal year, single dry year, and multiple dry year conditions. Under SB 610, water assessments must be furnished to local governments for inclusion in any environmental documentation for certain projects (as defined in Water Code 10912 [a]) subject to CEQA. For the purposes of SB 610, a "project" includes a proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.

Click here to go to: California Water Code §10910 et seq.

California Solid Waste Integrated Waste Management Act (AB 939, 1989)

The Integrated Waste Management Act (IWMA) established an integrated waste management hierarchy to guide the California Integrated Waste Management Board (CIWMB) and local agencies in implementation, in order of priority:

(1) source reduction,

(2) recycling and composting, and

(3) environmentally safe transformation and land disposal (it should be noted that the CIWMB no longer exists, and its duties have been assumed by CalRecycle).

As part of the IWMA, the CIWMB was given a purpose to mandate the reduction of disposed waste.

Click here to go to the: California Solid Waste Integrated Waste Management Act

2022 California Green Building Standards Code (CAL Green; Part 11 of Title 24, California Code of Regulations

California Code of Regulations, Title 24, Part 11 is referred to as the California Green Building Standards Code (CALGreen Code). The most recent version of CALGreen became effective January 1, 2023, and is applicable to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout the State of California (including residential structures and elementary schools). The purpose of the CALGreen Code is to "improve public health, safety and general welfare by enhancing the design and construction of buildings

through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality." Unless otherwise noted in the regulation, all newly constructed buildings in California are subject to the requirements of the CALGreen Code.

Click here to go the: 2022 California Green Building Standards Code

Senate Bill 1383

Existing state law and regulations already require jurisdictions to adopt in their municipal code and enforce the California Green Building Standards Code (CCR, Title 24, Part 11 – CALGreen) and the Model Water Efficient Landscape Ordinance (CCR, Title 23, Division 2, Chapter 2.7)

Beginning in 2022, SB 1383 required every jurisdiction to provide organic waste collection services to all residents and businesses.

- "Jurisdiction" means a city, county, a city and county, or a special district that provides solid waste collection services.
- "Organic waste" includes food, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges.

Jurisdictions can select from a variety of organic waste collection services to match their unique communities and local infrastructure, while producing clean streams of organic feedstock that can be recycled into high-quality, marketable recycled products, including compost, renewable natural gas, electricity, and paper.

Jurisdictions will educate all residents and businesses about collection requirements, including what materials to put in curbside bins. Education to residents and businesses may vary by jurisdiction and educational content may be provided electronically, through hard copy materials, or through direct outreach.

Click here to go to: Senate Bill 1383

Regional

County of San Bernardino, Countywide Integrated Waste Management Plan

The preparation of the Countywide Integrated Waste Management Plan (CIWMP) is one of the requirements of IWMA. The CIWMP consists of four elements and a Summary Plan. Each jurisdiction (cities and the county) prepared the first three elements:

1) Source Reduction and Recycling Element (SRRE) which analyzed the local waste stream to determine where to focus diversion efforts, and developed diversion programs and funding;

2) Household Hazardous Waste Element (HHWE) which provides a framework for recycling, treatment, and disposal practices; and

3) Nondisposal Facility Element (NDFE), which lists planned and existing facilities such as material recovery facilities and composting facilities that recover waste from the waste stream.

The County prepared the Countywide Siting Element, which demonstrates that at least 15 years of disposal capacity remains to serve all the jurisdictions within the county. The Countywide Summary Plan, the final element of the CIWMP, contains goals and policies as well as a summary of integrated waste management issues faced by the County. It summarizes waste management programs and the steps needed to cooperatively implement programs among the County's jurisdictions continue to meet the statewide diversion mandates. The Summary Plan is to be updated every 5 years along with any other affected elements of the CIWMP.

Click here to go to the: County of San Bernardino, Countywide Integrated Waste Management Plan

Local

City of Adelanto Municipal Code

Municipal Code §14.27.010 adopts and incorporates by reference the 2022 California Green Building Code published by the California Building Standards Commission and to be codified in California Code of Regulations Title 24, Part 11.

Click here to go to the: 2022 California Green Building Code