



## THE CITY OF HESPERIA

9700 Seventh Avenue  
Hesperia, California 92345  
Phone: (760) 947-1000

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### ENVIRONMENTAL INITIAL STUDY

**Project Title:** Fountainhead Development Project  
**City Project No.:** SPR24-00016

**Lead Agency** City of Hesperia  
9700 Seventh Avenue  
Hesperia, CA 92345  
Phone: (760) 947-1000

**Project Sponsor's Name  
and Address:** Fountainhead Development  
1401 Quail Street, Suite 100  
Newport Beach, CA 92660

**Contact Person  
And Phone Number:** Leilani Henry  
(760) 947-1231

**Project Location:** 15887-15901 Main Street and 1588 Walnut Street  
Hesperia, CA 92345  
APN: 0413-101-08, -10, -11, -12, -13 and 0413-101-14

**Existing  
Zoning Designation:** Neighborhood Commercial (NC), City of Hesperia Main Street and  
Freeway Corridor Specific Plan

**Existing  
General Plan Designation:** Neighborhood Commercial (NC), City of Hesperia Main Street and  
Freeway Corridor Specific Plan

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## PROJECT DESCRIPTION

The proposed Project involves the redevelopment of 1.58± acres of commercial land located in the northeastern portion of the City of Hesperia, California. The site is located in the City's commercial and residential core, delineated in the City of Hesperia Main Street and Freeway Corridor Specific Plan. The property is bound by Main Street to the north, Walnut Street to the south, Seventh Avenue to the east, and Rosa Plaza abuts the site to the west. The site is arranged in a rectangular shape to include six (6) assessor parcels (APN): 0413-101-08, -10, -11, -12, -13, and -14. The site is relatively flat and located at an elevation of 3,260 feet above sea level.

### Existing Site Conditions

The proposed Project will be built on a previously developed 1.58± acre parcel. The north half of the site consists of three existing structures that were constructed in 1957, 1967, and 1980. The structures are one-story in height and comprise a total of 1,978 square feet of building space. Currently, the main structure operates as an automobile sale and service/repair shop with an extended outdoor space for automobile display. The second structure is an overhead canopy, a remnant of the gas station that once operated on-site. The third structure is unoccupied. On the south half of the site there are two areas of asphalt concrete pavement improvements. The paved area in the southeast portion of the site is in poor condition due to extensive weathering, severe cracking, and weeds sprouting from the cracks. The second paved area is a concrete slab from a previous development, surrounded by unpaved dirt. There are no structures on the parcel's southern half. A chain link fence borders the southern parcel on its north, south, and east sides, physically separating the area from commercial uses to the north. There is an unused electrical power pole near the site's southeast corner. A single mature Joshua Tree is also identified within the site's southern half. Based on historical aerial photographs, the site's southeast quadrant was utilized for outdoor parking until about 2006. All of the existing structures and pavement will be demolished for the proposed Project.

### Surrounding Land Uses

Land uses and development located in vicinity of the Project are outlined below:

- *The land to the north:* Beyond Main Street, there is a two-story commercial center with multiple tenant spaces, operating as office and clinic space. The area is zoned for Neighborhood Commercial.
- *The land to the south:* Beyond Walnut Street, there are two commercial retail building, one offering sales of household appliances and the other providing upholstery services. Adjacent to these facilities there is an undeveloped parcel which appears to have been graded and disturbed by surrounding land uses. The area is zoned for Neighborhood Commercial.
- *The land to the west:* The Rosa Plaza abuts the site to the west. The commercial center consists of three single-store commercial buildings and in total, the center offers 20 tenant spaces. The area is zoned for Neighborhood Commercial.
- *The land to the east:* On the southeast corner of Main Street and Seventh Avenue, there is a convenience store/Chevron gas station and within the same parcel, there is a dine-in restaurant/bar, automobile repair shop, and similar facilities. The area is zoned for Neighborhood Commercial.

### Proposed Project

The Project proposes the redevelopment of the subject 1.58± acre parcel for the construction of two (2) fast-food drive-through restaurants. Development is consistent with the parcel's Neighborhood Commercial land use designation and consistent with the permitted land use and development standards under the Main Street and Freeway Corridor Specific Plan and Hesperia Municipal Code. The key physical elements of the proposed Project are outlined below. Exhibit 4 and 5 illustrate the Project development plans.

- *Fast-Food Drive Through Restaurants:* The 1.58± acre parcel would be redeveloped to house two fast-food drive-through restaurants. McDonald and Starbucks being potential occupants. McDonalds is located on the west half and Starbucks is located on the east half of the property.
- *McDonald's Building:* The building is a single-story dine-in and drive-through fast-food restaurant, totaling to 3,684± square feet. The building's maximum height is 22± feet that includes the screen covering rooftop equipment. The dual drive-through lane begins at the building's south side and extends along the building's eastern perimeter. A total of 39 parking stalls will be provided to service dine-in or in-store pick up orders.
- *Starbucks' Building:* The building is a single-story drive-through coffee shop, totaling 1,300± square feet. The building's maximum height is 22 feet, including the rooftop screen. The drive-through lane extends along the building's eastern side, adjacent to Seventh Avenue and ends near the site's access point at Main Street. The building will not provide indoor seating. The building will strictly function as an in-store pickup or drive-through facility. A total of 16 stalls will be provided for in-store pickup orders.
- *Landscape:* The site's landscape area will total to 13,210 square feet and will primarily consist of drought tolerant and water conserving vegetation as mandated by the City's Municipal Code. Landscape coverage will be 19% of the overall parcel area.
- *Parking:* Based on the City of Hesperia Municipal Code, 37 parking stalls are required for the McDonald Building and 13 parking stalls are required for the Starbucks Building. The Project will provide a total of 55 parking stalls, of which 39 stalls are for McDonalds use and 16 are for Starbucks use.
- *Circulation and Roadway Access:* The site provides two (2) access points, consisting of one (1) existing right-in/right-out driveway on the south side of Main Street and one (1) new full-movement unsignalized driveway on the north side of Walnut Street. Both access points are connected by the on-site driveway that serves the entire site. Each drive-through directs traffic to the Main Street access point.
- *Off-site Roadway Improvements:* The Project would restripe Seventh Avenue to provide a 200 foot northbound left-turn pocket at the intersection with Main Street and a 50 foot southbound left-turn pocket at the intersection with Walnut Street. A Class II Bike Lane would also be implemented along the Project frontage on the west side of Seventh Avenue, as well as reconstruct or complete the sidewalks along the site's frontage on Seventh Avenue and Walnut Street.

**Table 1  
Project Summary**

Use	Square Feet
Existing Structures to be Demolished	1,978
McDonalds Restaurant	3,684
Starbucks Coffee Shop	1,300
Landscaping Area	13,210
Parking Spaces	55 Stalls
Driveway and Other Asphalt Surface	48,004
Seventh Avenue Improvements	2,628

**Utilities and Service Providers:**

Domestic Water: Hesperia Water District

Wastewater Facility: Hesperia Water District

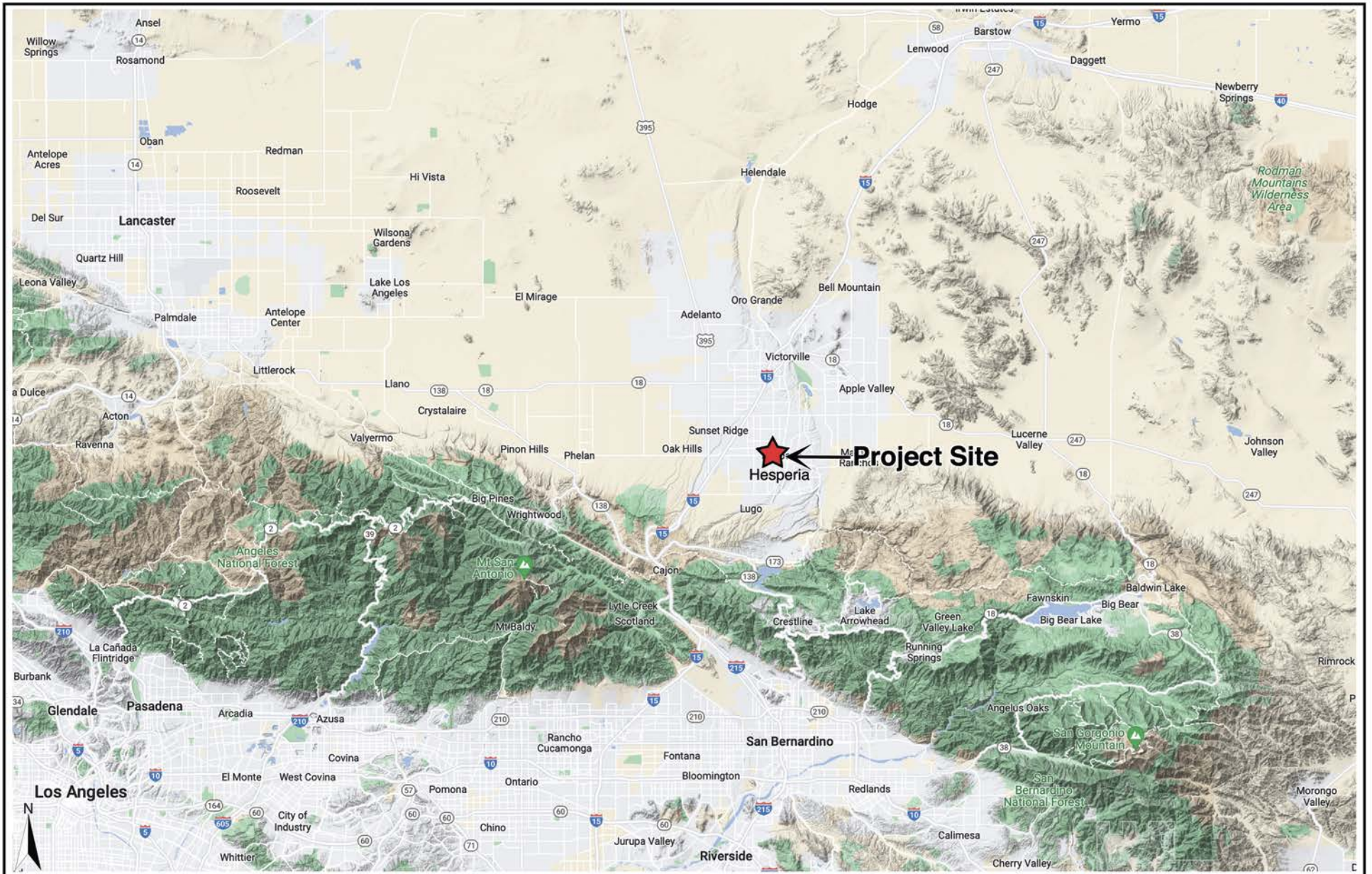
Electricity: Southern California Edison

Gas: Southwest Gas Corporation

Solid Waste: Advanced Disposal

Fire: San Bernardino County Fire Department

Police: San Bernardino County Sheriff's Department



Source: Google Maps, 2024

12.09.24



**Regional Location Map  
Fountainhead Development  
Hesperia, California**

**Exhibit  
1**



Source: Google Earth Imagery, 08,2022

12.09.24





Source: Bickel Group, Inc., 09.09.2024

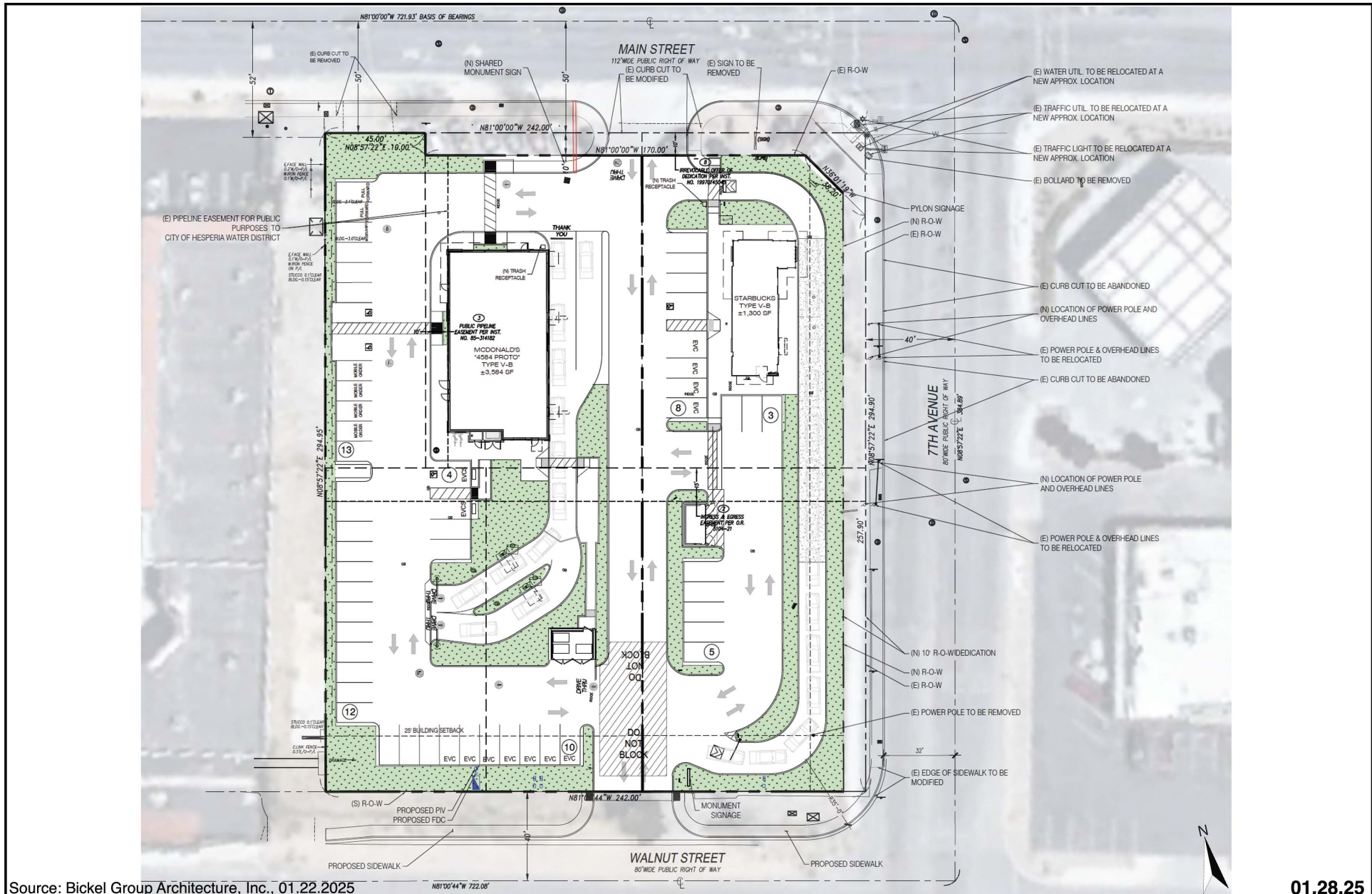
12.09.24



**Project Location Map**  
**Fountainhead Development**  
**Hesperia, California**

**Exhibit**

**3**



Source: Bickel Group Architecture, Inc., 01.22.2025

01.28.25



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

Source: Bickel Group Architecture, Inc., 01.09.2025

01.28.25



Source: Bickel Group Architecture, Inc., 12.24.2024

01.28.25

**EVALUATION OF ENVIRONMENTAL IMPACTS:**


**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

**DETERMINATION:** (To be completed by the Lead Agency)  
 On the basis of this initial evaluation:

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

	<p>4/16/25</p> <hr style="width: 80%; margin: 0 auto;"/> <p>Date:</p>
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1. AESTHETICS – Except as provided in Public Resource Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Sources:** City of Hesperia Main Street and Freeway Corridor Specific Plan, amended July 2021; Hesperia Municipal Code, updated October 2024; County of San Bernardino Countywide Plan, October 2020; California Department of Transportation State Scenic Highway System Map, accessed November 2024; Project Material; Google Earth Pro.

## Background

The City of Hesperia is a “high desert” region part of the Mojave Desert geomorphic province bound to the south by the Transverse Ranges including San Bernardino Mountains, the Colorado Desert Province to the southeast, to the north by the Sierra Nevada Province, and northeast by the Basin and Range Province. The City is characteristic of the high desert region with isolated mountain ranges separated by expansive desert terrain, sandy slopes, and native desert vegetation that include Joshua Trees, used in the City’s emblem.

## Discussion of Impacts

a) **Less Than Significant Impact.** The proposed Project involves the redevelopment of the subject 1.58± acre parcel located at 15887-15901 Main Street and 15888 Walnut Street in the northeastern region of the City of Hesperia. The site is developed and used as a commercial car sale and repair shop. The automobile service development has frontage on the southwest corner of Main Street and Seventh Avenue where the three on-site structures are visible. The most notable structure is located on the site’s northeast corner, being a one-story tall overhead canopy that functions as an outdoor viewing area for available cars for sale. The automobile repair shop is a single-story structure with two garage doors and customer service area, located 30± feet south from the canopy. Both structures are visible on the south side of Main Street and west side of Seventh Avenue. The third structure is a vacant single-story building on the northwest corner of the site with frontage on Main Street. The building appears abandoned and in poor conditions.

The south half of the parcel is highly disturbed from previous development. On the southeast quadrant, the surface is paved with asphalt and poorly kept with noticeable and extensive cracks throughout the pavement. West of this area, the parcel appears to have been graded in its entirety and a building foundation slab is located near the site’s southwest corner. There are no structures on the parcel’s southern half. The area is separated from the commercial uses on the north side of the site by fencing.

The Project proposes the construction of two fast-food drive-through restaurants within the subject 1.58± acre parcel. Based on the site plan (See Exhibit 4), the two buildings would be located on the site's northern half to increase visibility along the adjacent corridors including Main Street and Seventh Avenue. Per building standards outlined in the City of Hesperia Main Street and Freeway Corridor Specific Plan (MSFCSP), the Project will conform to the setback, building height, building design, and landscape requirements to secure compliance with the Specific Plan policies regarding the preservation and enhancement of scenic quality. Additionally, all proposed design elements will be reviewed by the City Development Committee to ensure that the Project will complement the visual character and support the high-quality development standards of the area, as mandated by MSFCSP Policy UD-5.3.

The visual character of the surrounding area consists of commercial development as outlined below:

- *North:* Beyond Main Street to the north, there is a two-story building with multiple tenant spaces of which most operate as office/clinic space. Along the perimeter of the building there is parking, with minimal landscaping coverage provided by mature trees.
- *South:* To the south side of Walnut Street, there are two commercial retail buildings, one of which operates as a household appliance retail store with an outdoor yard space used to display or store appliances. West of this site, there is an undeveloped, yet highly disturbed parcel covered by weeds and fenced with chain link.
- *West:* A single-story commercial building abuts the site to the west. The building is part of a larger commercial center, comprised of three large scale buildings that extend along the property's south, west, and east perimeter. The commercial center provides 20 tenant spaces, most of which appear to be occupied. Minimal landscaping is provided along the parcel's frontage with Main Street, Walnut Street, and Eighth Avenue.
- *East:* On the southeast corner of Main Street and Seventh Avenue, there is a convenience store/gas station facility. The overhead fueling station canopy is the most prominent structure for its height and expansive coverage. The convenience store is a single-story building, located south of the fueling station. The parcel is landscaped with desert shrubs, bushes, and trees along its perimeter. Further south, a single-story building serving as a dine-in restaurant/bar is located and sparse palm tree landscaping limits the site's view east of Seventh Avenue.

The dominant scenic views from the Project site include distant views from the surrounding mountain ranges, including San Gorgonio Mountain to the southeast and San Antonio Mountain to the southwest. Mountain views are either located at a distance where scenic views are limited or obstructed by surrounding structures. Local views are dominated by neighboring development and traffic along site-adjacent corridors. As mentioned above, the Project will be designed, constructed, and operated in accordance with the City MSFCSP development standards for Neighborhood Commercial use. Consistent with Hesperia's MSFCSP, the Project will comply with the intended objective of Specific Plan Policy UD-2.1 which requires the establishment of "development and design standards that encourage high quality of construction and lead to the creation of attractive developments."

In accordance with the MSFCSP landscape mandate for commercial uses, the Project will provide greater than 10% landscaping coverage on-site. The total proposed landscape area is 13,210 square feet which equates to 19% of the net lot acreage. The design and layout of the site's landscape area must conform to the landscape design standards as outlined in Chapter 10 (Commercial Design Standards and Guidelines) of the MSFCSP, as well as landscape provisions per the City Municipal Code Chapter 16.20, Article XII (Landscape



Regulations) and Chapter 16.24 (Protected Plants). Through compliance of the MSFCSP and Municipal Code, the proposed Project would minimize the contrast between the Project features and the surrounding visual character of the urbanized area and that of the Mojave Desert natural landscape.

Once operational, views to the site will be minimized by the surrounding landscape along the property's frontage with Main street and Seventh Avenue. There are no quality scenic vistas to Mt. San Gorgonio or Mt. San Antonio from the Project site because surrounding development currently obstructs and dominates the viewshed. The proposed development would not obstruct or minimize the quality of scenic vistas on-site or for those in the surrounding area beyond its existing condition. For these reasons, impacts to scenic vistas by the redevelopment of the subject site would be less than significant.

- b) **Less Than Significant Impact.** As illustrated in the San Bernardino County Scenic Routes and Highways Map<sup>1</sup> and the California State Scenic Highway System Map<sup>2</sup> there are no "classified" or "eligible for classification" scenic corridors in the City of Hesperia or within proximity to the Project site. The nearest is the segment of the National Trail Highway (SR-66) located north of Victorville and south of Barstow and classified as a County Scenic corridor. There is no tree, rock outcropping, historical building, or any other qualified scenic resources on-site that is visible from a classified scenic corridor.

Scenic resources on-site are limited due to extensive commercial land use throughout the last decades. However, there is a mature Joshua Tree located on the parcel's southwest quadrant. In Hesperia, Joshua Trees are a protected scenic resource and a classified protected species under the State Desert Native Plants Act. Most notably, the Joshua Tree is a "state threatened" species under the Western Joshua Tree Conservation Act of 2023. The Project applicant will request approval of a take permit by the California Department of Fish and Wildlife (CDFW) to remove the Joshua tree currently on the property, as allowed by State law. Please see complete discussion in the Biological Resources section below. Adverse impacts to scenic resources including trees, rock outcropping, and historical buildings will be reduced to less than significant levels.

- c) **Less Than Significant Impact.** There are no protected scenic views in vicinity of the Project site. As discussed in Question (a) of this section, scenic vistas on-site are either obstructed by neighboring structures or located at a distance so as to contribute marginally to scenic resources at the site. Additionally, the MFSCSP does not contain any regulations governing scenic quality other than development standards to which new Project buildings will conform. As such, the Project will not conflict with applicable policies or regulations conserving scenic quality within the Specific Plan Area. Less than significant impacts are anticipated.
- d) **Less Than Significant Impact.** The Project occurs within a commercial corridor and is surrounded by similar commercial projects which currently are lighted and contribute to lighting in the area. Sources of nighttime light within the Project site will include light posts in the parking area, security lighting, vehicular headlights, and drive-through digital menu boards. Consistent with Municipal Code Section 16.16.405 (Site Design Standards and Guidelines) all commercial facilities must satisfy the following requirements: 1) provide exterior lighting not overly bright, 2) all outdoor light fixtures must be hooded and directed down towards the ground, and 3) minimize the amount of light pollution on nighttime skies. In accordance with these development standards, the Project would not be permitted to excessively illuminate the site or cause spillage into adjacent properties. As such, the proposed development would not create a new source of substantial light or glare which could otherwise affect daytime and nighttime views in the area. In accordance with local standards, impacts from the use of outdoor light fixtures will remain less than significant.

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<sup>1</sup> Countywide Plan Policy Map NR-3, San Bernardino County, October 2020.

<sup>2</sup> California State Scenic Highway System Map, California Department of Transportation, accessed November 2024.

**Mitigation:** None required.

**Monitoring:** None required.

<b>2. AGRICULTURE AND FORESTRY RESOURCES</b> -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Sources:** City of Hesperia Main Street and Freeway Corridor Specific Plan, amended July 2021; California Department of Conservation, Farmland Mapping and Monitoring Program, September 2021; California Department of Conservation, Williamson Act Program, accessed November 2024; Project Material.

**Background**

The City of Hesperia is a “high desert” region, characterized by an arid desert environment which does not support farmland or forestry productions. There are no agricultural or timberland land uses or permitted land uses under the MSFCSP. Designated land uses under the Specific Plan include residential, commercial, open space, public facilities, institutions, and industrial. The proposed site is designated for Neighborhood Commercial which does not permit agricultural or forestry uses. The parcel’s surrounding area is either developed for commercial use or highly disturbed from previous adjacent urban development. There is no agricultural or forestry production or related activities occurring in proximity to the Project site.

**Discussion of Impacts**

- a) **No Impact.** Based on the California Department of Conservation, State Important Farmland Finder Map, there is no prime farmland, unique farmland, or farmland of statewide importance within the City of Hesperia or in proximity to the Project.<sup>3</sup> The City is classified as “Urban and Built-Up Land” and “Other Land,” which

<sup>3</sup> California Important Farmland Finder, California Department of Conservation, <https://maps.conservation.ca.gov/dlrp/ciff/app/>, updated September 2021.

indicates that the City planning area is occupied by structures within a building density of at least 1 unit per 1.5 acres and pockets of vacant, nonagricultural lands surrounded by urban development<sup>4</sup>.

The subject 1.58± acre parcel is classified Neighborhood Commercial under the City MSFCSP and the City Updated 2010 General Plan Land Use Map. The designation allows for a variety of commercial development with an emphasis on shopping and service needs. Consistent with the land use, the Project proposes the construction of two fast-food drive-through restaurants, with McDonalds and Starbucks being potential occupants. The parcel will not be converted to non-agricultural use. No impact is anticipated.

- b) **No Impact.** The Project site is currently zoned for Neighborhood Commercial. There are no agricultural uses located within or in proximity to the Project site that would be adversely affected by the Project buildout. According to the California Department of Conservation Division of Land Resources Protection, the Project site is not subject to a Williamson Act Contract.<sup>5</sup> As such, no impacts would occur.
- c) **No Impact.** The site and its surrounding area are designed and developed for commercial uses. Currently, the 1.58± acre sized parcel is fully paved and developed with three single-story structures on the parcel's northern half. The south half of the parcel is both paved with asphalt and graded extensively by previous land uses. Consistent with the Neighborhood Commercial designation, the Project proposes the development of two drive-through restaurants. There are no lands designated for forestry uses in the City. There would be no conflict with the City's existing zoning, nor would the Project require the rezoning of the parcel for non-forestry use. Forestry production is not permitted at the site under the MSFCSP development guidelines. The Project will not reduce forestry or timberland or convert land use from either designation. No impact to these resources will occur by the Project's implementation.
- d) **No Impact.** As discussed above, the Project will not convert forestry land to non-forestry use. The parcel is intended for commercial use. No forestry lands or resources will be impacted by the Project's construction or long-term operation. No impact will occur.
- e) **No Impact.** The site is designated for commercial development, and no land use changes are proposed with the Project's implementation. As such, the Project would not result in the loss of farmland for nonagricultural use or forest land for non-forestry use. There is no agricultural or forestry production occurring at the subject site. No conversion impacts will occur.

**Mitigation:** None required.

**Monitoring:** None required.

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<sup>4</sup> Important Farmland Categories, California Department of Conservation, <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx>, accessed November 2024.

<sup>5</sup> Williamson Act Program, California Department of Conservation, <https://www.conservation.ca.gov/dlrp/wa>, accessed November 2024.

3. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Sources:** MDAQMD CEQA and Federal Conformity Guidelines, February 2020; MDAQMD Rule Book, 2021; 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of Hesperia, November 2023; Project-specific CalEEMod report (Appendix A), prepared December 2024; Project material; Google Earth Pro.

**Background**

The City of Hesperia is within the Mojave Desert Air Basin (MDAB), under jurisdiction of the Mojave Desert Air Quality Monitoring District (MDAQMD). The MDAQMD is an air quality monitoring agency responsible for all aspects of air quality management as defined by federal and state law within its jurisdictional boundaries that include the Desert Region of San Bernardino County and the far eastern end of Riverside County.

The MDAQMD monitors air pollutants identified by the U.S. Environmental Protection Agency (USEPA) as being prevalent in the atmosphere and which are known to cause health effects. To minimize exposure to these harmful air pollutants, the USEPA and the California Environmental Protection Agency (CEPA) have established ambient air quality standards (AAQS) which determine the maximum amount of air pollutants that may be present in the air at any given moment so as to ensure minimal adverse effects to sensitive receptors within the community and natural resources.

Ambient air quality standards for the MDAB are subject to federal guidelines known as the National Ambient Air Quality Standard (NAAQS), as well as state guidelines known as the California Ambient Air Quality Standard (CAAQS). Each AAQS focusses on certain air criteria which together include the following:

**Carbon Monoxide (CO)** is a colorless and odorless gas emitted from the incomplete combustion of all fossil fuels including oil, coal, and natural gas. It interrupts the delivery of oxygen to the brain and can cause dizziness, headaches, and nausea.

**Oxides of Nitrogen and Nitrogen Dioxide (NO<sub>2</sub>)** is a yellow-brown colored gas that forms when nitric oxide, emitted primarily from burning of petroleum gas, combines with atmospheric oxygen. NO<sub>2</sub>. This causes lung damage and breathing difficulties.

**Reactive Organic Gases (ROG)/Volatile Organic Compounds (VOCs)** are primary pollutants that form secondary pollutants, or photochemical smog, when they react with ultraviolet sunlight in the atmosphere.

**Sulfur Dioxide (SO<sub>2</sub>)** is a colorless and pungent gas emitted from coal and oil power plants, refineries, and diesel engines. It can irritate eyes, nose, and airways and cause shortness of breath.

**Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>)** refers to suspended air particles with a width of 10 microns down to 2.5 microns. These very small particles may occur as liquid or solid, and when they are inhaled, they cause damage to the respiratory system and aggravate respiratory illnesses.

**Lead (Pb)** is emitted from metals processing facilities, combustion of leaded fuel, manufacturing of lead-acid batteries. Lead can damage the nervous system, kidneys, and interfere with developmental and reproductive systems.

**Ozone (O<sub>3</sub>)** is a secondary pollutant that forms in the atmosphere when nitrogen oxides and other reactive gases react with ultraviolet sunlight. Ozone can damage the respiratory system and aggravate existing respiratory illnesses, and it also damages vegetation.

The MDAQMD operates two (2) air quality monitoring stations within its jurisdictional area. A monitoring station is located at 17288 Olive Street in the City of Hesperia which detects ozone and PM<sub>10</sub> levels. The other station is located at 14306 Park Avenue near Victorville and approximately six (6) miles north of the City of Hesperia monitoring site. Based on the data collected from these monitoring stations, the MDAB exceeds certain air pollutant thresholds under both the NAAQS and CAAQS. As shown in Table 2, MDAB is classified as nonattainment for NAAQS 8-hour ozone (Severe-15) and 24-hour PM<sub>10</sub> (Moderate). The air basin also exceeds the acceptable levels for ozone (Moderate), PM<sub>10</sub>, and PM<sub>2.5</sub> as designated in the CAAQS.

<b>Table 2</b>	
<b>Mojave Desert Air Quality Ambient Air Quality Attainment Classification</b>	
<b>Ambient Air Quality Standard</b>	<b>MDAQMD</b>
Eight-hour Ozone (Federal 70 ppb (2015))	Expected nonattainment; classified Severe-15*
Ozone (State)	Nonattainment; classified Moderate
PM <sub>10</sub> 24-hour (Federal)	Nonattainment; classified Moderate (portion of MDAQMD in Riverside County is unclassifiable/attainment)
PM <sub>2.5</sub> Annual (Federal)	Unclassified/attainment
PM <sub>2.5</sub> 24-hour (Federal)	Unclassified/attainment
PM <sub>2.5</sub> (State)	Nonattainment*
PM <sub>10</sub> (State)	Nonattainment
Carbon Monoxide (State and Federal)	Unclassifiable/Attainment
Nitrogen Dioxide (State and Federal)	Unclassifiable/Attainment
Sulfur Dioxide (State and Federal)	Attainment/unclassified
Lead (State and Federal)	Unclassifiable/Attainment
Particulate Sulfate (State)	Attainment
Hydrogen Sulfide (State)	Unclassified
Visibility Reducing Particles (State)	Unclassified
* Note: portion of MDAQMD outside of Western Mojave Desert Ozone Nonattainment Area is unclassified/attainment	
Source: California Environmental Quality Act and Federal Conformity Guidelines, Mojave Desert Air Quality Monitoring District, February 2020.	

Sources of emissions contributing to the nonattainment classification include stationary and mobile sources. Generally, the highest levels of VOC, NO<sub>x</sub>, and CO are associated with mobile sources while the highest emission levels of PM<sub>10</sub> and PM<sub>2.5</sub> arise from unpaved road dust, wood fireplace usage, paved road dust, and construction and demolition.

In response to the nonattainment status, the MDAQMD adopted the California Environmental Quality Act and Federal Conformity Guidelines in February 2020. The MDAQMD CEQA guidelines establish air pollutant standards which all new development within the Mojave Desert Air Basin is subject to, including the proposed Project. These thresholds are aimed at managing the maximum amount of air pollutants that a single development may release on a daily or annual basis so as to not conflict with the MDAQMD attainment plan for PM<sub>10</sub> and ozone. Table 3 reports MDAQMD emission thresholds that are applicable for a Project’s construction and operation phase.

<b>Table 3</b>		
<b>MDAQMD Significant Emissions Thresholds</b>		
<b>Criteria Pollutant</b>	<b>Daily Thresholds (pounds)</b>	<b>Annual Threshold (short tons)</b>
Greenhouse Gases (CO <sub>2</sub> e)	548,000	100,000
Carbon Monoxide (CO)	548	100
Oxides of Nitrogen (NO <sub>x</sub> )	137	25
Volatile Organic Compounds (VOC)	137	25
Oxides of Sulfur (SO <sub>x</sub> )	137	25
Particulate Matter (PM <sub>10</sub> )	82	15
Particulate Matter (PM <sub>2.5</sub> )	65	12
Hydrogen Sulfide (H <sub>2</sub> S)	54	10
Lead (Pb)	3	0.6
Source: California Environmental Quality Act and Federal Conformity Guidelines, Mojave Desert Air Quality Monitoring District, February 2020.		

Emission for the Project’s construction and operation were estimated by using the California Emission Estimator Model (CalEEMod) Version 2022.1 that is a land use emission model that quantifies the emission of criteria pollutants associated with the construction and operation phases of development. A Project-specific CalEEMod report was prepared on December 18, 2024 (Appendix A). The following discussion is based on the results.

**Discussion of Impacts**

- a) **No Impact.** According to MDAQMD’s CEQA Guidelines, a project is in conformance, if its growth factor is consistent with the Southern California Association of Governments’ (SCAG’s) 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) employment and population forecast and consistent with MDAQMD growth projection. Conformity with the regional growth forecast can be demonstrated by a project proposed land use pursuant to the City General Plan Land Use.

Regarding the proposed Project, the site is zoned for Neighborhood Commercial under the MFSCSP. The land use allows for a variety of commercial development centered on serving the local community. As it exists, the property is partially developed with the northern side consisting of three structures, two of which are used to operate an automobile sales and repair/service shop, and the southern side consisting of paved and graded areas, but largely unoccupied. In accordance with the parcel’s land use, the Project proposes the construction and operation of two (2) drive-through restaurants including a 3,684± square foot McDonald’s building and a 1,300± square foot Starbucks building. Implementation would be consistent with the SCAG and MDAQMD projected growth factor, considering that the property will continue to operate as a non-

residential area, avoiding the potential population growth and subsequent increase of emissions related to vehicle trips and vehicle miles traveled. The Project would however provide new employment opportunities. Once operational, both the McDonalds and Starbucks buildings are expected to hire a staff of 39 people in total. The increase in local employment contributes less than one (1) percent (0.082% exact) of SCAG's estimated count of 47,500 jobs in the City of Hesperia by 2050.<sup>6</sup> Additionally, future employees are expected to be residents to the City or adjacent unincorporated areas and thus, home to work vehicle trip lengths would be limited as within or near the City area. Because the Project conforms to the City's specific plan land use designation that was used to calculate SCAG and MDAQMD growth projection, the Project's use of the site has been included in the growth forecast and is therefore consistent with MDAQMD air quality plan. Impacts to MDAQMD as a result of the Project's implementation are negligible.

Lastly, if a project complies with all applicable standards pursuant to MDAQMD's Rule Book, as mandated, then any potential violations or impediments to MDAQMD air quality plan would be avoided. Pursuant to MDAQMD's Rule Book, the Project is required to obtain a construction permit by the Air Pollution Control Office according to Rule 201, as well as an operation permit pursuant to Rule 203. The Project must also not "interfere with the attainment and maintenance of Ambient Air Quality Standards" as mandated by Rule 1300. Consistent with these rules and other applicable rules, adverse effects to the efficiency of the local air quality plan in relation to the Project's implementation would be avoided to the greatest extent.

As shown, the Project is in conformance with the MDAQMD's air quality plan by proposing a development permitted within the City's MSFCSP designated Neighborhood Commercial land use and growth forecast for local employment opportunities within Hesperia. Additionally, air quality control measures as required by MDAQMD will be applied. Therefore, compliance with local, regional, and state guidelines and standards would ensure that the Project does not conflict with or delay the implementation of local or regional air quality plans. No impacts on the implementation of applicable air quality plans would occur.

- b) Less Than Significant Impact.** Cumulative impact is triggered when a project is in non-attainment under the federal and state ambient air quality standards. As shown in Table 2, MDAB is designated as an area of non-attainment for PM<sub>10</sub> and ozone thresholds by both the NAAQS and CAAQS. In response, MDAQMD adopted the Mojave Desert Planning Area (MDPA) PM<sub>10</sub> Attainment Plan (1995) and MDAQMD Ozone Attainment Plan (2004). To further manage criteria air pollutants at non-attainment, as well as maintain those in attainment, MDAQMD has implemented total emission thresholds for construction and operation within the air basin on a daily and annual basis. Air pollutant emission related to the Project's construction and operation are compared to the MDAQMD thresholds as outlined in Table 3.

Construction and operation of the proposed Project would emit criteria air pollutants. The following section is a quantitative analysis of the Project's emissions calculated using CalEEMod Version 2022.1 for the following land uses: fast food restaurant with drive through, parking lot, and other asphalt surfaces. The Project would include the demolition of the existing structures and pavement area, totaling to 50,678 square feet. Emission calculations were based on the development of two fast-food restaurants totaling 4,984 square feet, landscape area of 13,210 square feet, 55 parking stalls, and the improvement of 2,628± square feet of Seventh Avenue, located adjacent to the property's eastern boundary.

#### Construction Emissions

The Project's construction will consist of the following construction phases: demolition, site preparation, grading, building construction, paving, and architectural coating. These construction phases are expected to

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<sup>6</sup> 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy: Demographics and Growth Forecast Technical Report, Southern California Association of Governments, April 2024.



occur over a 7-month construction period starting in September 2025 and ending in April 2026. Emissions during this time would consist of construction vehicle trips moving across the site, delivery trucks transporting construction material to and from the site, hauling trucks exporting 700 cubic yards (CY) of material off-site, and workers commuting to and from the site. Table 4 summarizes maximum daily construction emissions and determines whether MDAQMD construction emission thresholds would be exceeded. As shown, the Project would not exceed MDAQMD criteria air pollutant thresholds at any point during the 7-month construction period.

<b>Table 4</b>						
<b>Maximum Daily Construction-Related Emission Summary</b>						
<b>Construction Emissions</b>	<b>CO</b>	<b>NO<sub>x</sub></b>	<b>ROG</b>	<b>SO<sub>2</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
Daily Maximum* (pounds/day)	18.4	15.6	4.14	0.03	8.06	4.11
MDAQMD Thresholds (pounds/day)	548	137	137	137	82	65
<b>Exceeds?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
(*) Note the highest emission values occur during the winter and thus are represented here, to analyze the worst-case scenario. Source: CalEEMod (Version 2022.1)						

Operation Emissions

Operational emissions refer to ongoing emissions over the Project’s lifespan. These emissions come from area source emissions (dust, asphalt surface), energy demand (electricity, natural gas), and mobile sources (vehicle emissions from workers and visitors). Mobile source emissions have been adjusted to account for 1,459 net daily trips calculated by the Project-specific traffic report (See Appendix G). Table 5 summarizes maximum daily operation emission and determines whether related emission thresholds would be exceeded at any point during operation. As shown, no conflicts to MDAQMD’s emission thresholds for long-term operation would occur in relation to the Project’s implementation.

<b>Table 5</b>						
<b>Maximum Daily Operation-Related Emission Summary</b>						
<b>Construction Emissions</b>	<b>CO</b>	<b>NO<sub>x</sub></b>	<b>ROG</b>	<b>SO<sub>2</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
Daily Maximum* (pounds/day)	43.6	4.96	6.85	0.09	7.89	2.06
MDAQMD Thresholds (pounds/day)	548	137	137	137	82	65
<b>Exceeds?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
(*) Note the highest emission values occur during the summer and thus are represented here, to analyze the worst-case scenario. Source: CalEEMod (Version 2022.1)						

Cumulative Impact

As previously discussed, cumulative impact occurs if the project exceeds federal or state AAQS or contributes to the MDAB non-attainment classification for PM<sub>10</sub> and ozone. Since the MDAQMD does not provide thresholds of significance for cumulative emissions generated by multiple projects, a single project’s potential for cumulative impact may be analyzed instead. Using MDAQMD emission thresholds imposed on all projects, it may be assumed that less than significant cumulative impact is determined by the project’s emission of criteria air pollutants at or below the indicated emission thresholds for construction and operation.

As shown in Table 4 and Table 5, the Project would operate below the daily emission threshold for PM<sub>10</sub>, ozone, and other air criteria pollutants. Additionally, the Project would adopt best management standards as required by MDAQMD rules to mitigate emission such as fugitive dust control pursuant to Rule 403.

#### Summary

The Project would emit air pollutants during construction and operation. However, the Project's emissions would fall below significance thresholds set by MDAQMD. Despite the incremental increase, these emissions would not result in a considerable cumulative net increase of non-attainment pollutants. As such, impacts are limited to less than significant.

- c) **Less Than Significant Impact.** MDAQMD defines sensitive receptors as groups of people commonly found within residences, schools, daycare centers, playgrounds, and medical facilities. The protection of these areas from land uses that exhibit high emission is critical, considering the increased vulnerability for health issues by sensitive receptors to extended exposure to air pollutants. For this reason, MDAQMD sets significance thresholds for a project near a sensitive receptor as outlined below.

MDAQMD's project types subject to evaluation if located in proximity to sensitive receptors:

- Any industrial projects within 1000 feet
- A distribution center (40 or more trucks per day) within 1000 feet
- A major transportation project (50,000 or more vehicles per day) within 1000 feet
- A dry cleaner using perchloroethylene within 500 feet
- A gasoline dispensing facility within 300 feet<sup>7</sup>

The Project is proposed on the southwest corner of Main Street and Seventh Avenue, where development surrounding the subject site includes a clinic/office building to the north, a gas station/convenience store to the east, a retail shop and vacant parcel to the south, and a commercial plaza immediately to the east. Beyond the Project area there are two residential neighborhoods bordering the commercial zone to the north beyond Yucca Street and south beyond Walnut Street. The nearest sensitive receptor is a single-family residential unit located 140± feet to the southeast from the site.

In consideration of the above listed thresholds, the Project is determined to be neither an industrial warehouse, distribution center, dry cleaner, or gas station. Implementation of the Project would include restriping the portion of Seventh Avenue located adjacent to the site's eastern boundary, as well as construction of sidewalk along Seventh Avenue and Walnut Street. These roadway improvements would not qualify as a major transportation project as defined by MDAQMD who sets a conditional standard of at least 50,000 vehicles. Implementation of the proposed roadway improvements is not expected to increase the existing use of Seventh Avenue, rather it is designed to manage traffic heading west on Main Street and west on Walnut Street from Seventh Avenue and provide access to alternative transportation through the construction of sidewalks and painting of bicycle lanes. As such, the Project would not pose a significant risk to nearby sensitive receptors by its long-term operation. Additionally, as shown in Table 4 and Table 5, the Project would not exceed air criteria thresholds as set by MDAQMD. The Project's emissions for both phases are well below MDAQMD thresholds and therefore, impacts to sensitive receptors are considered less than significant.

- d) **No Impact.** Odor detection is subjective and dependent on the individual's sensitivity to smells. 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, and

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<sup>7</sup> MDAQMD California Environmental Quality Act and Federal Conformity Guidelines, February 2020.

fiberglass molding facilities. The Project does not propose the operation of any of these land uses. Therefore, the potential for the Project to create objective odors affecting the surrounding area is low to very low. No impacts are anticipated.

**Mitigation:** None required.

**Monitoring:** None required.

4. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Sources:** City of Hesperia General Plan, 2010; City of Hesperia Main Street and Freeway Corridor Specific Plan, amended July 2021; Countywide General Plan EIR, San Bernardino County, June 2019; Hesperia Municipal Code, updated October 2024; Project Material; Google Earth Pro.

### Background

The City of Hesperia is located in the San Bernardino County Desert Region, north of County incorporated cities including Victorville and Apple Valley, south of the Mt. San Gorgonio foothills, west of the Interstate-15 Freeway, and east of the Mojave River. The City is characterized by expansive desert terrain, wash channels, desert vegetation including an abundance of Joshua and Juniper Tree woodlands. Characterized by the Mojave Desert Province, the area’s arid desert environment experiences an average rainfall between six (6) to seven (7) inches per year, and daytime temperatures range from 56 degrees in the winter to 99 degrees in the summer. The natural landscape sits at an elevation of 3,186 feet.

The City and its Sphere of Influence encompass an approximately 118 square mile area of which the majority is developed for residential, commercial, institutional and industrial use. Undeveloped parcels covered by loose sedimentary soil and natural desert vegetation are scattered throughout the planning area. Although Hesperia is a largely urbanized city, there are approximately 2,125 acres of land preserved and designated for open space within the City and its Sphere of Influence.<sup>8</sup> Open space land uses include numerous washes and other natural water courses that traverse the region.

<sup>8</sup> Open Space Element Exhibit OS-4, City of Hesperia General Plan, 2010.

Based on the Countywide General Plan EIR (2019), the US Fish and Wildlife Service (USFWS) has designated critical habitat within the Desert region for a number of plant and wildlife species including, but not limited to, the desert tortoise, arroyo toad, Mojave ground squirrel, Gila woodpecker, southwestern willow flycatcher, and the Nelson's bighorn sheep. The County has also identified and designated critical habitats for federal, state, and local special status species within the Desert Region, including the City of Hesperia.

Critical habitats according to the USFWS and San Bernardino County identified in Hesperia are summarized in the following section.

- *Desert Tortoise Habitat:* The desert tortoise is typically found on level or sloped ground where the surface sediment is firm enough to support burrows and the area is densely covered by creosote shrub. Tortoise burrows are often seen at the base of shrubs, in the sides of washes and hillsides. Based on the San Bernardino County General Plan Desert Tortoise Habitat Map, the City's northern region is a Class 3 habitat for desert tortoises, indicating the presence of suitable habitat, but certain geographical constraints including development, fragmentation, disturbance, absence of foraging and/or burrowing habitat, or other related factors reduce the probability for occurrence to low. The habitat classification changes to Class 2 along the City's northwest boundary where the probability is medium.
- *Arroyo Toad Habitat:* The arroyo toad inhabits semi-arid regions near washes or intermittent streams, including valley-foothill, willows, sandy banks, and gravelly areas of streams in drier parts. According to the USFWS Southern Arroyo Toad Final Critical Habitat delineation represented in Exhibit OS-2 of the City General Plan, an extended portion of the City's southern area which borders the Mojave River region to the east and crosses along the foothills of Mt. San Gorgonio to the south is classified as critical habitat for arroyo toads. Protection measures are implemented within the classified area so as to avoid or minimize direct and indirect impacts related to urbanization and other human activities to the federally listed species.
- *Mojave Ground Squirrel Habitat:* The Mojave ground squirrel occurs strictly in the Mojave Desert with a preference for sandy to gravelly soils within open desert scrub, alkali scrubs, and Joshua Tree woodland. Under the San Bernardino County General Plan habitat delineation for the Mojave Ground Squirrel, the City's northeastern boundary and the area south of Victorville are identified as livable habitat areas, as shown in the City General Plan Exhibit OS-1.

Within the County's Desert region, a total of 234 special status species (plant and animal) have been documented, of which 17 species are federally listed as endangered or threatened, 19 are listed as state endangered or rare, 1 is a state threatened candidate, 8 are state fully protected, and 203 are non-listed special status species.<sup>9</sup> The desert tortoise, for example, is a state and federally listed threatened species. The arroyo toad is a federally listed endangered species. And the Mojave ground squirrel is a state listed threatened species. Additionally, the Western Joshua Tree is a state threatened species, which is notable considering its prominent occurrence throughout the Mojave Desert Province, including the City of Hesperia.

The Project site is located in the City's northeastern region, part of the City of Hesperia MSFCSP planning area. Designated as Neighborhood Commercial, the subject 1.58± acre parcel is entirely developed. Three structures, totaling to 1,978 square feet of building space, are located on the parcel's northern half. The parcel's southern half is fully disturbed from previous land uses where the southeast quadrant was paved and used for outdoor parking and the southwest quadrant was graded and previously consisted of a structure, as evident by the building foundation located near the site's southwestern corner. Although the site is severely disturbed, there is a single mature Joshua

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<sup>9</sup> San Bernardino Countywide Plan Draft PEIR: Biological Resources, County of San Bernardino, June 2019.

Tree on the southwest quadrant. Adjacent to the site, Main Street borders the property to the north, Walnut Street to the south, Seventh Avenue to the east, and a built-up single-story commercial structure abuts the property to the west. The site is located within a highly urbanized and commercial-focused area of the Specific Plan.

### Discussion of Impacts

- a) **Less Than Significant with Mitigation Incorporated.** The proposed site is located within the City's MSFCSP commercial and residential corridor where extensive development has previously occurred on and near the Project area. Majority of the site is graded, paved, and/or used for building construction. Development on-site began in 1957 and has evolved as new construction plans occurred in 1967 and 1980. Currently, the site consists of three single-story structures, of which two are buildings and one is an overhead canopy, remanence of the gas station that once operated. The parcel's southern half consists of both paved and graded areas. There are no structures in this area nor is the parcel used for commercial purposes. The two distinct land uses are physically divided by a metal wire fence that run along the perimeter of the southern parcel. Within this restricted area, a single mature Joshua Tree is observed.

There is no suitable habitat on-site for the occurrence of special status species within the Project boundary. The parcel has been extensively disturbed from previous construction and commercial operations to the extent of it no longer sustaining a natural environment. Plus, the surrounding areas contribute to on-site disturbance including traffic along Main Street, Walnut Street, and Seventh Avenue and operation activities from surrounding land uses. As such, implementation of the Project would not result in the modification of a natural habitat that could otherwise serve as a critical habitat for federally, state, and local protected special status species.

Buildout would result in the removal of the mature Joshua Tree located on the southern half of the Project site. Any disturbance including removal, would be considerably significant given the listing of the species as a "state threatened" species under the Western Joshua Tree Conservation Act of 2023, and requires mitigation. As part of the Project proposal, a take permit would be submitted to remove the Joshua Tree according to as the requirements stated in the California Department of Fish and Wildlife (CDFW) protocol for the species. The law allows for the destruction of trees, as long as a mitigation fee is paid to allow for the purchase of habitat for the species as a whole. An in-lieu fee would be collected at the time of permit approval to off-set the loss of the tree, and will offset the cost of acquiring, conserving, and managing conservation lands for Joshua Trees. The Project also meets the requirements of the City's native plant protection standards, outlined in Section 16.24.050(B) of the City Municipal Code for the removal of a native tree in Hesperia:

- *HMC Section 16.24.050(B)(5)*: The condition or location of the native plant or tree is adjacent to and in such close proximity to existing or proposed structure that the native plant or tree has or will sustain significant damage.

Compliance with State and local standards, as well as implementation of Mitigation Measure BIO-1 will ensure future development activities involving the removal of the Joshua Tree from the Project site do not cause significant impact nor cumulative impact to biological resources in the surrounding area. As such, impacts would be less than significant with mitigation.

- b) **No Impact.** There is no wetland or riparian habitat located within the Project site. The site is disturbed and zoned for commercial use. The surrounding area is highly urbanized and designed for commercial retail and service needs. No off-site wetlands or migratory bird nesting areas will be affected by the proposed development considering all construction and operation activities will be confined within the Project boundary. For these reasons, no impacts to riparian habitat and any other sensitive natural community would occur as a result of the Project.

- c) **No Impact.** No wetland areas or riparian habitats (i.e., wetlands, vernal pools, critical habitats for sensitive species, etc.) are found on the site. There would be no impacts to these natural habitats.
- d) **No Impact.** The City Main Street and Freeway Corridor Specific Plan makes no reference to natural corridors occurring within the specific planning area nor within proximity to the Project site. The Countywide General Plan EIR identifies four habitat linkage and wildlife corridors within the County Desert region, all of which occur outside the City boundary as describe in the EIR and outlined in the following section.
- *San Gabriel-San Bernardino Connection:* Connects two expansive areas of the Angeles and San Bernardino National Forest, including three roughly parallel swaths through the Cajon Wash and Pass. It partially overlaps the Mountain Region.
  - *San Bernardino-Little San Bernardino Connection:* Connects San Bernardino National Forest with Joshua Tree National Park and partially overlaps the Mountain Region.
  - *San Bernardino-San Jacinto Connection:* Connects the San Bernardino and San Jacinto Mountains, partially in the Mountain Region and does not intersect any major transportation corridors.
  - *Joshua Tree-Twenty-nine Palms Connection:* Connects the Joshua Tree National park and Marine Corps Air Ground Combat Center Twenty-nine Palms through the Morongo Basin.

Given the Project site's surrounding urban environment, adjacent transit corridors, and on-site disturbance, its utility as a habitat and migration corridor is negligible. As a result, no impacts are anticipated.

- e) **Less Than Significant Impact with Mitigation Incorporated.** The entire 1.58± acre parcel is developed. There is no existing natural habitat on-site which would feasibly support the occupation of a biological resource, except for the Joshua Tree located on the southwest quadrant of the property. To avoid substantial impact, the Project requires a take permit issued by the CDFW, pursuant to the Western Joshua Tree Conservation Act, as provided in Mitigation Measure BIO-1. In accordance with state standards and implementation of Mitigation Measure BIO-1, the Project's development would not cause substantial adverse effects to biological resources in relation to a violation with state and/or local preservation policy and ordinance. In doing so, impacts are limited to less than significant levels.
- f) **No Impact.** Implementation of the proposed Project would not conflict with the provisions adopted by regional and local Habitat Conservation plan, Natural Community Conservation plan, or other habitat conservation plan. No impact is expected.

**Mitigation:**

**BIO-1** Prior to any ground disturbing activity on the Project site, the applicant shall secure an Incidental Take Permit (ITP) for the removal of the Joshua tree, and provide a copy of the ITP to the City. The applicant shall also secure native plant permits from the City, as required by the Municipal Code.

**Monitoring:** The Applicant and the City Planning Department would share monitoring responsibilities.

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

**Source:** City of Hesperia General Plan, 2010; Project Material; Google Earth Pro.

### Background

In December 2010, a cultural assessment was prepared by Michael Brandman Associates for the City General Plan Update. The survey analyzed the City planning area’s historical significance and identified sensitive areas where artifacts may occur, based on historical data, location, disturbance, and other contributing factors.

In the report, four (4) historical periods were identified as having cultural significance and prevalence in the area. Those time periods include the Desert Cultural Period (12,000 to 10,000 BC), Western Hunting Culture or Lake Mojave Period (9,000 to 5,000 BC), Pinto Period (5,000 to 2,500 BC), and Protohistoric Period (2,500 BC to 1796 AD). Each period is defined by the type of artifact used. The Desert Cultural Period yields prehistorical tool kits, including small projectile points, choppers, flat scrapers, drills, and digging sticks. The Lake Mojave Period produced numerous flaked lithic sites surrounding the extinct Lake Mojave. The Pinto Period and the Protohistoric Period are identified by the use of Elko and Gypsum in tools.

Approximately 330 cultural sites and finds were identified in the City planning area with an additional 19 resources pending review. Eight of these sites are listed in the following historical archives: the National Register of Historical Places list, California Historic Landmarks list, or the California Points of Historic Interest list. Areas under consideration for their potential to yield cultural and paleontological resources occur in portions of the Oro Grande wash, Summit Valley, and the Mojave River, as well as an un-named wash adjacent to the Interstate-15 Freeway.<sup>10</sup>

Other cultural resources in the City of Hesperia are comprised of transportation routes, roads, and railways such as the Mojave Trail/Road, the Mormon Trail, the National Old Trails highway, and the Spanish Trail.<sup>11</sup> To preserve their cultural and historical value, these artifacts have been designated as open space to maintain their status and restrict impacts related to urbanization.

The proposed development site occurs within the MSFCSP area. The Specific Plan does not discuss the area’s cultural or historical sensitivity. However, based on the Project’s location, land use, degree of urbanization, and disturbance, the probability for cultural or historical resources to be uncovered within or near the property are low to very low. The 1.58± site is developed and used as an automobile sale and repair/service shop. Development on-site began in 1957 and since the site has been repeatedly disturbed by construction and operational activities. There is no evidence to suggest the discovery of culturally or historically valuable artifacts within the property at any point in its development phase. Additionally, the site is located within a highly urbanized and disturbed area of Hesperia.

<sup>10</sup> Conservation Element, City of Hesperia General Plan, 2010.

<sup>11</sup> Appendix D, City of Hesperia General Plan EIR, March 2010.



The nearest culturally sensitive area to the subject site is the Mojave River, located 4.28± miles east. Other sensitive areas are located at a greater distance to the Project site.

### Discussion of Impacts

- a) **No Impact.** The Project site is developed and zoned for Neighborhood Commercial use. Three (3) structures are located on-site, two of which function as an automobile sale and service/repair facility and the remaining structure is a single-story vacant building. These structures were constructed at some point between 1957 when on-site development began to 1980, when the last development period was recorded. At some point in the property's development cycle, the site operated as a gas fuel station, evident by the most notable single-story overhead canopy near the southwest corner of Main Street and Seventh Avenue. None of these structures hold a historical or cultural value to the City of Hesperia. As such, the demolition and redevelopment of the site for the construction of two fast-food drive-through restaurants would not cause a substantial adverse change in the site's historical status.

For these reasons, the site is not considered as a historically sensitive area. No historical resource is expected to occur within the Project site. As such, the implementation of the Project would not significantly change the City's access to or the value of historical resources. No impact would occur.

- b) **Less Than Significant Impact.** Previous development has disturbed the site in its entirety. Construction on-site has included excavation, site preparation, paving, and building construction. At no point during ground disturbance were archeological resources uncovered within the site's boundary. The Project's development would not result in the excavation of the site at a greater depth than that already disturbed by previous development. As such, the Project would not disturb soil where archeological resources may occur. The probability for archeological resources to be unearthed during earth moving activities is low to very low. Impacts to archeological resources would be less than significant.
- c) **Less Than Significant Impact.** There is no evidence to suggest the use of the site as an unmarked cemetery. No human remains are known to have occurred at the site. It is unlikely for any human remains to be found during the construction process, especially considering the site's extended disturbance from previous construction activities. However, in the case that human remains are found, State law requires that all activities will cease immediately, and the County's Coroner will be notified. The Coroner will make the final determination of the remains' significance and whether Native American tribes should be contacted. Therefore, under state standards, potential impacts to human remains would be reduced to less than significant levels.

**Mitigation:** None required.

**Monitoring:** None required.

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

**Source:** The Carl Moyer Program Guidelines, the California Environmental Protection Agency Air Resources Board, approved April 2017; Average Fuel Economy by Major Vehicle Category, Alternative Fuels Data Center, U.S. Department of Energy, last updated January 2024; Project-specific CalEEMod report (Appendix A), prepared December 2024; Project material.

### Background

Southern California Edison (SCE) and Southwest Gas Corporation (SGC) are the two (2) energy utility providers serving the City of Hesperia and the Project.

SCE is one of the largest electric utilities in the state, providing electric services to approximately 15 million people within a 50,000 square mile service area encompassing central, coastal, and southern California.<sup>12</sup> At the time of Hesperia’s 2010 City General Plan, about 16 percent of the total energy serviced by SCE came from renewable sources including solar, wind, small hydroelectric, geothermal, and biomass/waste<sup>13</sup>. The remaining energy was sourced through nonrenewable options including natural gas, fossil fuel, and nuclear energy. The percentage of renewable energy currently produced by SCE is projected to be much higher given the adoption of Senate Bill 100 (SB 100) that mandates electricity utility providers to transition to clean energy (carbon-free) retail services by 2045. In accordance with law, SCE drafted a Clean Power and Electrification Pathway report in November 2017, outlining the company’s approach in introducing carbon-free energy to the energy grid and a specified timeline by when objectives should be implemented.

SGC purchases its natural gas from a variety of sources and distributes and sells in areas throughout California, Arizona, and Nevada. In California, SCG the service area encompasses parts of the north and south, with its southern region including high desert cities such as Barstow, Victorville, and Hesperia. Southwest Gas transmission pipelines are primarily located within the Victorville planning area<sup>14</sup>, indicating that the City planning area is serviced by local distribution lines.

### Discussion of Impacts

- a) **Less Than Significant Impact.** The Project proposes the redevelopment of an existing site to operate a 3,684± square foot McDonald’s building with two drive-through lanes and a 1,300± square foot Starbucks building with a single drive-through lane. Construction and operation of the Project would consume energy in the form of electricity, natural gas, and/or gasoline. The following section analyses the energy consumption at each phase of development and determines whether energy use would result in environmental impact due to wasteful, inefficient, or unnecessary consumption.

<sup>12</sup> Southern California Edison Service Area, <https://www.sce.com/about-us>, accessed November 2024.

<sup>13</sup> Customer Connection, Southern California Edison, October 2009.

<sup>14</sup> Southwest Gas Transmission Pipeline map, Southwest Gas Corporation, accessed December 2024.

Construction Usage

The Project’s construction phase will include demolition, site preparation, grading, building construction, paving, and architectural coating. These construction phases are estimated to occur over a 7-month construction period. During this time, energy use would be attributed primarily to the use of heavy construction equipment and construction worker vehicles commuting to and from work.

Table 6 provides a thorough overview of the type of construction equipment that may be found at the site during the specific construction phase and calculates the equipment’s fuel consumption based on the construction duration, construction equipment schedule, equipment power rating, and load factors programmed in CalEEMod (Appendix A). The aggregate fuel consumption rate for all equipment is estimated at 18.5 horsepower hours per gallon, per the California Air Resources Board’s (CARB’s) Carl Moyer Program Guidelines (2017), Table D-21 Fuel Consumption Rate Factor.<sup>15</sup> CalEEMod assumes all construction equipment is diesel powered. The Project construction activities would consume an estimated 13,800 gallons of diesel fuel.

<b>Table 6 Construction Equipment Fuel Consumption Estimates</b>								
<b>Construction Phase</b>	<b>Duration (days)</b>	<b>Equipment Type</b>	<b>HP Rating</b>	<b>Qty</b>	<b>Usage Hours</b>	<b>Load factor</b>	<b>HP-hrs/day</b>	<b>Fuel Consumption</b>
Demolition	30	Concrete/ Industrial Saws	33	1	8	0.73	193	313
		Tractors/Loaders/ Backhoes	84	3	8	0.37	746	1,210
		Rubber Tired Dozers	367	1	8	0.40	1174	1,904
Site Preparation	15	Graders	148	1	8	0.41	485	394
		Rubber Tired Dozers	367	1	7	0.40	1028	833
		Tractors/Loaders/ Backhoes	84	1	8	0.37	249	202
Grading	20	Graders	148	1	8	0.41	485	525
		Rubber Tired Dozers	367	1	8	0.40	1174	1,270
		Tractor/Loaders/ Backhoes	84	2	7	0.37	435	470
Building Construction	70	Cranes	367	1	6	0.29	639	2,416
		Forklifts	82	1	6	0.20	98	372
		Generator Sets	14	1	8	0.74	83	314
		Tractor/Loaders/ Backhoes	84	1	6	0.37	186	706
		Welders	46	3	8	0.45	496.8	1,180
Paving	20	Cement and Mortar Mixers	10	1	6	0.56	33.6	36
		Pavers	81	1	6	0.42	204.12	221
		Paving Equipment	89	1	8	0.36	256.32	277
		Rollers	36	1	7	0.38	95.76	104
		Tractors/Loaders/ Backhoes	84	1	8	0.37	248.64	269
Architectural Coating	15	Air Compressors	37	1	6	0.48	107	86
<b>Total Construction Equipment Fuel Demand (Gallons Diesel Fuel)</b>								<b>13,800</b>
Source: CalEEMod Version 2022.1								

<sup>15</sup> The Carl Moyer Program Guidelines, California Environmental Protection Agency Air Resources Board, [https://ww2.arb.ca.gov/sites/default/files/2020-06/2017\\_cmpgl.pdf](https://ww2.arb.ca.gov/sites/default/files/2020-06/2017_cmpgl.pdf), approved April 2017.

Table 7 provides an overview of fuel consumption as it relates to construction workers' commute to and from the site. Estimates are based on trip type (worker, hauling, and vendor), construction duration, rate of daily worker trips, and trip length as modeled by CalEEMod. For purposes of this analysis, it may be assumed that worker trips are by car, hauling trips are by Class 8 truck, and vendor trips are by delivery trucks. The average vehicle fuel economy estimate for each trip type was derived from the U.S. Department of Energy Alternative Fuels Data Center.<sup>16</sup> As shown below, the total worker vehicle fuel consumption for the Project's buildout over a 7-month period is estimated to be 3,783 gallons of fuel.

<b>Table 7 Construction Worker Fuel Consumption Estimates</b>							
<b>Construction Phase</b>	<b>Duration (days)</b>	<b>Trip Type</b>	<b>Worker Trips/Day</b>	<b>Trip Length (miles)</b>	<b>VMT</b>	<b>Avg. Fuel Economy (mpg)</b>	<b>Fuel Consumption</b>
Demolition	30	Worker	15	18.5	8,325	24.4	341
		Hauling	19.4	20	11,640	5.7	2,042
Site Preparation	15	Worker	10	18.5	2,775	24.4	114
Grading	20	Worker	10	18.5	3,700	24.4	152
		Hauling	10	20	4,000	5.7	702
Building Construction	70	Vendor	0.8	10.2	571.2	6.8	84
		Worker	2.04	18.5	2,641.8	24.4	108
Paving	20	Vendor	1.55	10.2	316.2	6.8	47
		Worker	12.5	18.5	4,625	24.4	190
Architectural Coating	15	Worker	0.41	18.5	113.8	24.4	5
<b>Total Construction Worker Fuel Demand (Gallons of Fuel)</b>							<b>3,783</b>
Source: CalEEMod Version 2022.1							

In total, the construction phase would generate a fuel demand of 17,583 gallons of fuel. This fuel consumption will occur once and cease after the 7-month construction period has ended. Nonetheless, the Project would be required to adhere to the state Low Carbon Fuel Standards which are regulatory standards designed to improve transportation fuel efficiency and achieve environmental benefits such as lowering carbon fuel emissions and improving air quality. Compliance with these standards would ensure the Project's fuel consumption during construction does not adversely effects to the surrounding environment. Any potential impacts will be limited and cease after the construction period has been completed.

Operational Usage

At buildout, the Project site would consume electricity to power kitchen appliances (refrigerators, freezers, ovens, etc.), on-line order system, HVAC, and indoor/outdoor lighting. CalEEMod generates default electricity and natural gas consumption based on land use inputs. For the Project, the following land uses were included: fast food restaurant with drive through, parking lot, and other asphalt surfaces, where the fast food designation represents the two commercial buildings, parking lot is the buildings respective parking area, and other asphalt surfaces is the Project's improvements of Seventh Avenue. Table 8 summarizes each land use estimated energy demand.

<sup>16</sup> Average Fuel Economy by Major Vehicle Category, Alternative Fuels Data Center, U.S. Department of Energy, <https://afdc.energy.gov/data/10310>, updated January 2024.

<b>Table 8</b>		
<b>Operational Energy Demand</b>		
<b>Land Use</b>	<b>Electricity (kWh/yr)</b>	<b>Natural Gas (kBTU/yr)</b>
Fast Food Restaurant with Drive-Through	170,599	555,928
Parking Lot	36,594	0
Other Asphalt Surfaces	0	0
<b>Total Operational Energy Demand</b>	<b>207,193</b>	<b>555,928</b>
Source: CalEEMod Version 2022.1		

As shown in Table 8, the Project is expected to consume 207,193 kWh per year of electricity and 555,928 kBTU per year of natural gas. In an effort to manage energy use, the Project would be required to comply with applicable energy efficiency standards as outlined in the California Energy Code (Title 24) section of the state Building Standard Code. Since 2023, these mandates have included the installation of solar panels systems on non-residential land uses. The PV system must be designed to meet approximately 60% of the building’s energy demand if allowed by the specific climate zone, conditioned floor area, and type of building. The purpose of the PV system is to offset a significant portion of the Project’s annual electricity consumption and subsequently lessen the pressure on the local and regional energy grid. Additionally, the transition to renewable energy for energy production also reduces the emission of air pollutants associated with the use of nonrenewable sources for energy production such as coal, natural gas, and nuclear energy. As such, compliance with local and state building and operational energy efficiency standards as outlined in California’s Energy Code and Hesperia Municipal Code would ensure the Project’s operation phase does not result in wasteful, inefficient, or unnecessary energy consumption. Impacts will be reduced to less than a significant levels.

Summary

The Project would have a minimal temporary impact on energy use during construction and a minimal impact in accordance with state and local energy efficient standards during operation. The energy use for this Project would not be wasteful or inefficient. Therefore, less than significant impacts are expected.

- b) **Less Than Significant Impact.** The Project would be subject to California Title 24 and the City’s Climate Action Plan (CAP). As discussed above, California Energy Code (Title 24) sets energy efficiency mandates for new building construction to target wasteful energy consumption and promote sustainable building practices. The City’s Climate Action Plan, adopted in July 2010, sets guidelines and cost-effective strategies to reduce greenhouse gas (GHG) emissions through various methods including energy conservation and energy efficiency.

As stated in the CAP and Hesperia Municipal Code Section 15.04.010 (California Code Adopted), the City enforces all building regulations concerning the State’s Energy Code. To ensure compliance, the City reviews all building plans and the City building inspector evaluates building construction. As such, the Project is not expected to conflict with or obstruct the implementation or efficiency of state and local energy plans. The Project would have less than significant impacts.

**Mitigation:** None required.

**Monitoring:** None required.

7. <b>GEOLOGY AND SOILS</b> -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Sources:** City of Hesperia General Plan, 2010; City of Hesperia General Plan EIR, 2010; Proposed Starbucks Geotechnical Engineering Investigation, Moore Twining Associates, Inc., November 2024 (Appendix B); Alquist-Priolo Site Investigation Reports Map, California Department of Conservation, accessed November 2024; North Frontal Zone of the San Bernardino Mountains, Southern California Earthquake Data Center, accessed November 2024; Project material; Google Earth Pro.

## Background

### Geological Setting

The City of Hesperia lies across the boundary between the Transverse Ranges Province and the Mojave Desert Province. The southern edge of the City borders the Transverse Range including the San Gabriel and San Bernardino Mountains. The greater part of Hesperia, north of the mountain range, lies within the Mojave Desert Province and consists of natural features such as alluvial fans, desert plains, dry lakebeds, and scattered mountain ranges. The central and northern portions of the City are located on a moderate to low sloping alluvial fan with an elevation ranging from 2,900 to 4,200 feet above sea level.

In the Mojave Desert Province, there are a number of faults with the potential to cause moderate to large earthquakes in the region. In proximity to the City area, the most notable fault zones are the North Frontal fault and the San Andreas fault. Hesperia is closer to the North Frontal than the San Andreas Fault or any other regional fault zones including the Helendale fault to the north, the Cleghorn fault to the south, the Ord Mountains fault to the east, and the Mirage Valley fault to the far northwest. These active earthquake sources have the potential to cause damage. However, the North Frontal fault is located outside the City boundary at an approximate distance of 2 miles to the east, and is considered to have the greatest potential for impact with a maximum earthquake magnitude of 7.2.<sup>17</sup>

Under seismic conditions, loose sedimentary deposits underlain by shallow groundwater at a depth no greater than 50 feet may result in seismically induced liquefaction. In Hesperia, loose, unconsolidated sediments occur throughout the planning area, but shallow groundwater occurs only within the Mojave River floodplain which geographically defines the City's eastern boundary. There are no areas in the City identified as having a potential for liquefaction. Additionally, seismic shaking can cause loose, young deposits to become tightly compact, resulting in a reduction of the soil column. There are areas in the Hesperia with the potential for damage related to seismically induced settlement. However, these areas are confined within the City's southern region as shown in Plate 2-2 (Geologic Map) of the City General Plan EIR (2010).

Lastly, the potential for landslides as a result from seismically induced slope instability is possible near the foothills of the San Bernardino Mountains and slopes surrounding the City's southern region as depicted by General Plan Exhibit SF-1 (Seismic Hazards). Seiches due to seismic shaking are limited to the Silverwood Lake, Hesperia Lake, and recharge basin in the City at the time of the earthquake. Seiches are not a significant geologic hazard concern for the City.

#### Paleontological Resources

The geographical region occupied by the City of Hesperia is considered to have the potential for containing extinct animals such as mammoth, large camel, extinct llama, and extinct horses. Areas underlain by older alluvial deposits have the potential to contain these paleontological resources. However, no known paleontological resources have been identified within the City planning area and the sediments that could potentially support fossil preservations are lacking.

A Project-specific geotechnical report was prepared to analyze and determine the site's susceptibility for geological hazards (Appendix B). The report, prepared by Moore Twining Associates, Inc. on November 15, 2024, focusses on the eastern half of the development site where the Starbucks building is proposed. Although the report's evaluation was for part of the site, the conclusion can be applied to the entire parcel given the site's location and uniform character.

#### **Discussion of Impacts**

**a.i) No Impact.** According to Figure 1-2 (Local Active and Potentially Active Faults) of the City 2010 Updated General Plan EIR, Appendix F, there are no classified active or potentially active fault zones crossing the City planning area or the property boundary. Additionally, there are no classified Alquist-Priolo Earthquake Faults Zones as shown by the California Department of Conservation, Alquist-Priolo Site Investigation Reports map<sup>18</sup> and as concluded by the geotechnical report. The probability for surface rupture as a result of a seismic event at the site is very low and therefore, no impacts are anticipated.

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<sup>17</sup> Table 1-2 in Appendix F, City of Hesperia General Plan EIR, May 2010.

<sup>18</sup> Alquist-Priolo Site Investigation Reports Map, California Department of Conservation, accessed November 2024.

**a.ii) Less Than Significant Impact.** The closest active fault to the property is the Ord Mountain fault zone, part of the North Frontal Thrust System located  $6.50\pm$  miles southeast of the site. The Ord Mountain Fault is a thrust fault which occurs when there is a crack in the Earth's crust, causing a vertical shift in the sedimentary rocks and leading the older rock to shift upwards and over the younger rock. In the event of a fault rupture, the Ord Mountain fault is considered to have a maximum earthquake potential of magnitude 7.1.<sup>19</sup> A 0.550g (gravity) Maximum Considered Earthquake peak ground acceleration was calculated by the geotechnical report. At this scale, strong ground shaking from the Ord Mountain Fault would cause minimal damage associated with a Level V Modified Mercalli Intensity (MMI) scale.<sup>20</sup>

To ensure structural integrity during strong ground shaking, the Project design plan is required to conform with the most recent California Seismic Code and applicable development standards as established in the MSFCSP and the City of Hesperia Municipal Code. In accordance with these state and local mandates, the Project's design and construction will incorporate collapse-resistant measures so as to reduce the potential for structural damage or collapse in the event of seismically induced ground shaking. Considering the Project's moderate risk to strong ground shaking and adherence to state and local building standards, there is a low probability for the Project will expose occupants to substantial impact related to property damage from strong ground shaking. Less than significant impacts may be assumed.

**a.iii) No Impact.** Liquefaction occurs when loose, young sediment deposits are in proximity to groundwater at a depth no greater than 50 feet from the surface. Based on the geotechnical report, groundwater was not encountered at the maximum depth explored of 60 feet below the site surface. Data published by the Department of Water Resources identifies a well located about 1.50 miles northwest of the property at an elevation range of 2,808 feet in 1981 to 2,767 feet in 2005. The most recent measurement places groundwater at an elevation of  $2,778\pm$  feet. With the subject site being at an elevation of about 3,259 feet above mean sea level, groundwater at the site is considered to be greater than 450 feet below site surface. The probability for liquefaction to occur within or in proximity to the Project site is negligible. No impacts would occur.

**a.iv) No Impact.** The property is located in Hesperia's northwest region. Based on observations from aerial photographs of the Project area, there are no slopes, hills, or mountain sides within proximity to the property which would pose a significant risk for seismically induced landslides. The nearest landslide susceptible zone is approximately 4.55 miles southeast, near the Mojave River's eastern boundary as delineated by the City General Plan EIR Plate 1-3 (Seismic Hazard Zones). At such a great distance, the potential for landslides within the area would not result in property damage or physical harm to people within the property boundary. Therefore, the potential for landslides is negligible and no impacts are anticipated.

**b) Less Than Significant Impact.** Soil erosion is the gradual wearing away of landmasses through natural water drainage, and wind, as well as human activities such as agriculture and land development. Development often increases the potential for erosion by removing vegetation, altering natural drainage patterns, and constructing cut and fill slopes that may be more susceptible to erosion than the site's natural condition. To reduce the potential for soil erosion during the site's redevelopment, the Project would be required to adhere the City's erosion control measures as stated in Section 15.16.100 (Slope Planting and Erosion Control) and Section 15.06.110 (National Pollutant Discharge Elimination System Compliance) of the Hesperia Municipal Code. In addition, the Project will be subject to MDAQMD's Rule 403, requiring dust control during construction. These standards are designed to reduce the potential for erosion from water and wind during the development's construction and operation phase. With conformance with these standards and requirements,

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<sup>19</sup> North Frontal Zone of the San Bernardino Mountains, Southern California Earthquake Data Center, <https://scecdc.caltech.edu/earthquake/northfrontal.html>, accessed November 2024.

<sup>20</sup> Modified Mercalli Intensity Scale, U.S. Geological Survey, <https://www.usgs.gov/programs/earthquake-hazards/modified-mercalli-intensity-scale>, accessed November 2024.



the possibility for the proposed commercial development to cause soil erosion is reduced to less than significant levels.

- c) **No Impact.** The following section analyses the potential for different types of ground failure to occur at the subject site.

Landslide: The probability for landslides is analyzed in Question a.iv of this Section. No impacts are anticipated.

Lateral Spreading: Lateral spreading occurs when saturated soil or bedrock loses its strength and collectively moves in a liquid-like motion. Lateral spreading is the result of liquefaction in a substrate layer and typically occurs on gentle slopes that range between 0.3 degrees and 3 degrees.<sup>21</sup> The Project site is relatively flat. There are no hillsides or slopes within or near the Project site. In addition, the field survey did not encounter groundwater at the greatest depth explored of 60 feet. Based on estimates, groundwater on-site is considered to be at a depth greater than 450 feet below site grade. Given the lack of slopes near the Project site and groundwater at a depth greater than 50 feet, the probability for lateral spreading to occur in the vicinity of the Project is negligible. No impacts would occur.

Subsidence: Land subsidence is the gradual settlement of the ground surface, typically as a result of excessive groundwater withdrawal. The Hesperia Water District (HWD) pumps groundwater from the Upper Mojave River Valley subbasin that underlies the entirety of the City's planning area and extends north to the greater area of the Mojave Desert Province.<sup>22</sup> In the past, overdraft of the subbasin has occurred, meaning water was withdrawn at a faster rate than replenishment. To relieve some stress from the water subbasin, the HWD has become a retail customer of the Mojave Water Agency which supplies imported groundwater. Management of groundwater levels by the HWD, in accordance with the state Sustainable Groundwater Management Act (SGMA), will reduce the potential for land subsidence associated with excessive pumping of the Mojave River Valley subbasin. As such, subsidence on-site is unlikely to occur. No impacts are expected.

Liquefaction: The probability for liquefaction is analyzed in Question a.iii of this Section. No impacts are anticipated.

Lateral Collapse: Seismic settlement analysis was conducted by evaluating the soil properties from sample B-2 which was gathered by drilling test borings at a depth of 60 feet below site grade. The sample is described as loose to dense compact poorly graded sands, poorly graded sands with silt, and well graded sands with silt. The standard penetration resistance or "N-value" of the soil ranges from 10 to 49 blows per foot. For analysis purposes, the report states that N-values of 30 or greater are not considered to be subject to significant dry seismic settlement. Therefore, seismic settlement on-site is estimated to be negligible. No impact would occur.

- d) **Less Than Significant Impact with Mitigation Incorporated.** Based on observations and laboratory results, the subject site surface consists of 2 to 3 inches of asphalt concrete (mainly on the northern half of the property), as well as a variety of soil samples including silty sands, silty and clayey sands, clayey sands, and poorly graded sands. Due to the presence of clay in the soil content, the Project site is susceptible to soil expansion. In response to the site's susceptibility, the geotechnical report recommends the implementation of Mitigation Measure GEO-1 to ensure adequate support for both proposed buildings. This measure requires the implementation of specific grading techniques to assure that stable foundations are created during construction. With implementation of this measure, impacts associated with expansive soil would be less than significant with mitigation.

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<sup>21</sup> Appendix F: Safety Element Background Report, City of Hesperia General Plan EIR, February 2020.

<sup>22</sup> 2020 Urban Water Management Plan, Hesperia Water District, June 2021.

- e) **No Impact.** The Project build out does not include a septic system to provide wastewater collection and treatment services to the site. There are existing wastewater utility lines within the Project area which will function as access points to connect the Project with the HWD's underground wastewater collection system. The Project is not expected to exceed the soil load bearing capacity by installing an on-site septic system. No impacts would occur.
  
- f) **No Impact.** The Project site is currently developed. There is no evidence to suggest that paleontological resources were uncovered during the initial or repeated construction and redevelopment of the property. Buildout of the Project would require the demolishing and excavation of the site surface at a greater depth than previously disturbed. However, the site lacks older alluvial sediment that generally contain paleontological resources. There is a low probability for paleontological resources to be uncovered during the Project's construction. No impacts to paleontological resources are expected.

**Mitigation:**

**GEO-1** The Project shall refine its final site plan and grading plan in compliance with the list of standard requirements and recommendations as stated in the geological technical report. Some of these standards pertain to the on-site drainage system, site preparation, foundational support, disposal of exported material, use of construction materials, over-excavated areas, and measures to contain moisture migration. Standard requirements to which the Project is mandated to comply include, but are not limited to construction standards pursuant with current American Concrete Institute (ACI) standards, State of California Standard Specifications, State of California Department of Transportation (Caltrans) Standard Specification, and California Occupational Safety and Health Administration (CAL OSHA) requirements. The final Project plan and specification documents shall be reviewed by a qualified geologist to determine whether they are consistent with the stated recommendations. Construction monitoring will be provided by a qualified geologist in order to verify the substrate conditions and make alternative recommendations if the conditions differ from those anticipated.

**Monitoring:** The Project Applicant, project geologist and the City Building Department share monitoring responsibilities.

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

**Sources:** City of Hesperia General Plan, 2010; City of Hesperia Climate Action Plan, 2010; MDAQMD CEQA and Federal Conformity Guidelines, February 2020; Project-Specific CalEEMod Report (Appendix A).

### Background

Greenhouse gas emissions (GHGs) are emitted by natural processes and man-made activities which when released into the atmosphere, trap solar radiation in the form of heat, creating the greenhouse gas effect. The introduction of human activities at the turn of the 19<sup>th</sup> century, with industrialization and other technological advancements, have increased the release of GHGs into the atmosphere, and subsequently increased annual global temperatures. The exacerbation of these effects since then has continued and is represented through drastic climate shifts occurring at a global scale, which are collectively referred to as “climate change” or “global warming”.

In response to the environmental impact associated with the release of GHG, the California Global Warming Solution Act (Assembly Bill 32) was adopted in 2006. The Act required California to reduce statewide GHG emissions to 1990 levels by the year 2020. The objective was met in 2014 and later updated to a GHG reduction target of 40% below 1990 levels by year 2030. The California Air Resources Board (CARB) updates the statewide scoping plan in which it builds on previous emission reduction strategies, recommendations, and emission reduction goals to meet the new AB 32 objective.

Hesperia adopted its own Climate Action Plan (CAP) in July 2010. The plan outlines the City’s emission inventory and sets strategies on reducing community related and City operation related GHG emissions so as to not conflict or delay implementation of AB 32. Buildout of the City General Plan, including the MSFCSP would be subject to the CAP’s reduction strategies, as well as the most current state Green Building Codes.

Construction and operation of the Project would be subject to state and local building codes regarding the reduction of GHG emissions sources and GHG emission thresholds as required by the MDAQMD, California Environmental Quality Act and federal Conformity Guidelines. MDAQMD measures GHG emission on a scale of CO<sub>2</sub> equivalency (CO<sub>2</sub>e) because it is a standardized practice to compare the warming potential of different greenhouse gases. As such, the MDAQMD limits emission to be less than or equal to 548,000 pounds of CO<sub>2</sub>e per day or 100,000 short tons of CO<sub>2</sub>e per year during construction and operation.

The Project’s GHG emissions for both construction and operation were projected using CalEEMod Version 2022.1 (Appendix A). The following analysis is based on the results from the air quality analysis.

### Discussion of Impacts

- a) **Less Than Significant Impact.** The proposed Project is located within the Mojave Desert Air Basin (MDAB) and thus subject to the MDAQMD regulatory mandates concerning GHGs. In accordance with the U.S. Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB), the MDAQMD monitors and regulates the emission of air pollutants including GHG from stationary and mobile

sources. MDAQMD has not adopted a management program for GHG emissions, however construction and operation emission thresholds for new development within the MDAB have been established to regulate the amount of GHG emitted by a single project.

Construction Emissions

Construction of the Project is expected to last 7-months and would result in temporary GHG emissions due to the operation of construction equipment, production of construction material, energy use, and vehicle trips from hauling materials and worker commutes. CalEEMod estimates a project’s GHG emissions based on the designated land use and associated electricity, natural gas, and water consumption, solid waste disposal, and use of air conditioners and/or refrigeration equipment. In terms of construction, emissions sources are going to be limited primarily to mobile sources from heavy equipment and worker commutes, and thus, the Project would emit the least amount of GHGs during the construction phase. As shown in Table 9, the Project’s daily maximum GHG emissions occurring in the summer would not exceed MDAQMD’s daily GHG emission thresholds of 548,000 pounds of CO<sub>2</sub>e.

<b>Table 9</b>	
<b>Maximum Daily Construction-Related GHG Emissions</b>	
<b>Construction</b>	<b>CO<sub>2</sub>e pounds/day</b>
Construction GHG Emission*	4,079
MDAQMD Daily GHG Thresholds	548,000
<b>Exceed?</b>	<b>No</b>
(*) Note the highest emission value occurs during the summer and thus is represented here, to analyze the worst-case scenario. Source: CalEEMod Version 2022.1	

Operational Emissions

Six (6) categories of emissions could contribute to the Project’s annual GHG emissions over the operational lifetime: area emissions (building footprint), energy (electricity and natural gas), mobile (vehicle and truck trips), water, solid waste, and refrigerant emissions. Table 10 lists the Project’s estimated annual emission by category and determines whether the Project would exceed MDAQMD’s annual CO<sub>2</sub>e threshold. The total annual emissions from the Project falls well below the significance threshold. For this reason, the Project would have less than a significant impact on the environment in relation to release of GHGs.

<b>Table 10</b>	
<b>Maximum Annual Operational-Related GHG Emissions</b>	
<b>Operation</b>	<b>CO<sub>2</sub>e MT/year</b>
Area Emissions	0.07
Energy Emissions	
Electricity	32.7
Natural Gas	29.6
Mobile Emissions	812
Water Emissions	3.55
Solid Waste Emissions	17.5
Refrigerant Emissions	1.26
Total Annual Operation GHG Emission	897
MDAQMD Annual Threshold	100,000
<b>Exceed?</b>	<b>No</b>
(*) Note the highest emission value occurs during the summer and thus is represented here, to analyze the worst-case scenario. Source: CalEEMod Version 2022.1	

- b) **Less Than Significant Impact.** Hesperia’s Climate Action Plan, City Municipal Code, and the State Building Code Title 24, provide standards and guidelines for reducing GHG emissions through various methods and technological improvements regarding the construction and operation of new buildings. Some of these standards include diverting at least 50% of construction and demolition waste from landfills, incorporating energy efficient features and fixtures into the building’s final design plan, and mandating inspections of energy systems. Additionally, the redevelopment of underutilized parcels in urbanized areas is highly encouraged by the CAP to increase mixed-use development and thus build community oriented facilities in proximity to residential areas as a way to increase efficiency in public infrastructure and lessen the dependency on single-occupancy vehicles. The CAP was designed to implement requirements of State law, including AB 32, and CARB’s implementation plans.

The Project would result in the redevelopment of an existing commercially used parcel to operate two (2) drive-through restaurants, located within the City’s MSFCSP commercial corridor. Under these conditions, as well as in compliance with CAP measures and California’s Building Code standards, the Project would not have adverse effects on the implementation or efficiency of state or local GHG emission reduction plans or policies. As such, less than significant impacts would occur.

**Mitigation:** None required.

**Monitoring:** None required.

<b>9. HAZARDS AND HAZARDOUS MATERIALS --</b> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Sources:** City of Hesperia General Plan, 2010; City of Hesperia General Plan EIR, Appendix G, May 2010; Phase I Environmental Site Assessment Report Former Gas Station and Office Building 15887-15901 Main Street and 1588 Walnut Street, Hesperia, prepared by LandAmerica Assessment Corporation, October 2007 (Appendix C); Phase II Limited Subsurface Investigation Report Former Gas Station 15901 Main Street, Hesperia, prepared by LandAmerica Assessment Corporation, December 2007 (Appendix D); Categories of Hazardous Waste Generators, US Environmental Protection Agency, October 2024; National Priorities List and Superfund Alternative Approach Sites, U.S. Environmental Protection Agency, updated September 2024; Fire Hazard Severity Zone Map, California Department of Forestry and Fire Protection, updated April 2024.

## Background

The use of chemicals has become increasingly common in modern times. Hydrocarbon fuel, for example, is a highly flammable chemical used to power cars. Chlorine is a toxic chemical used to purify water. Regulation of these and other chemicals has become increasingly stringent as concerns regarding the physiological and environmental impacts related to exposure has become greater. In response, federal, state, and local policies provide a set protocol in which the transport, use, storage, and disposal of these hazardous material must be managed in order to minimize the risk to exposure. Federal and state agencies are responsible for managing and regulating hazardous material and waste.

The U.S. Environmental Protection Agency (EPA) under the Resource Conservation Act (RCRA) of 1976, is given the authority to control hazardous waste. As stated in the City General Plan 2010 EIR, the EPA defines hazardous material as “substances that may cause or significantly contribute to an increase in mortality or an increase in serious

irreversible, or incapacitating reversible illness; that pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed; and whose characteristics can be measured by a standardized test of reasonably detected by generators of solid waste through their knowledge of their waste.” Hazardous materials can also be ignitable, corrosive, or reactive.

The California Department of Toxic Substance Control (DTSC) defines hazardous material as “substances that are toxic, ignitable, or flammable, reactive, and/or corrosive;” and extremely hazardous material as “substances that show high acute or chronic toxicity, carcinogenicity, bio-accumulative properties, persist in the environment, or in water reactive.”

In the City of Hesperia, there are different types of businesses that may be producers of hazardous waste. Small commercial businesses such as dry cleaners, auto repair shops, medical facilities, photo processing centers, and metal plating shops are usually generators of hazardous waste. The EPA defines a small quantity generator as a facility that produces between 200 and 2,200 pounds (or 27 to 275 gallons) of hazardous waste per month. Large commercial and industrial businesses including chemical manufacturers, large electroplating facilities, and petroleum refineries generate the largest quantities of hazardous waste. The EPA defines large quantity generators as a facility that produces over 2,200 pounds (or about 275 gallons) of hazardous waste per month. According to the City General Plan EIR, the EPA’s RCRA database identified approximately 46 small quantity generators and 2 large quantity generators in 2007. The number of small- and large quantity generators is expected to have increased as the City has developed parcels for commercial, public institution, and industrial use.

Based on the EPA’s database, there is no Superfund site in the City, nor has there ever been.<sup>23</sup> According to the State’s DTSC database, there is no hazardous site within the City planning area, except for the Southern California Logistic Airport classified as a “Hazardous Waste Facility”. The facility is designated “Closed” and thus, no further management or mitigation action is required.<sup>24</sup>

A site-specific Phase I Environmental Site Assessment Report has been prepared by the LandAmerica Assessment Corporation (LAC) to evaluate the environmental conditions on-site due to its previous use as a gas station and office space (Appendix C). The report consists of database research and field survey conducted by a LAC representative on 8<sup>th</sup> October 2007. A follow up assessment was prepared by LAC in which the Phase II Limited Subsurface Investigation Report (Appendix D) to implement a requirement of the Phase I ESA and evaluate the soil to determine whether the site environmental conditions are consistent from those anticipated by the initial report.

The following analysis is based on the research and findings conducted by the two (2) aforementioned reports.

## Discussion of Impacts

- a) **Less Than Significant Impact with Mitigation Incorporated.** As described above, a Phase I Environmental Site Assessment Report was prepared by LAC in October 2007. LAC’s investigation included a review of aerial photographs, a reconnaissance of adjacent properties, background research, and a review of available local, state, and federal regulatory records pertaining to environmental concerns and the presence of hazardous material at the Project site.

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<sup>23</sup> National Priorities List and Superfund Alternative Approach Sites, U.S. Environmental Protection Agency, <https://www.epa.gov/superfund/search-superfund-sites-where-you-live>, updated September 2024.

<sup>24</sup> EviroStor database, California Department of Toxic Substances Control, <https://www.envirostor.dtsc.ca.gov/public/>, accessed November 2024.

Database Research

Federal and state environmental records were reviewed to determine the site’s environmental condition, as well as the surrounding area within a half mile radius from the property. Table 11 lists each database source and summarizes the potential for environmental impacts related to the presence of hazardous material on and near the Project’s vicinity.

<b>Table 11 Environmental Condition Determination for the Project Site and Vicinity</b>			
<b>Source</b>	<b>Listing</b>	<b>No Listing</b>	<b>Probability for Environmental Impact</b>
Federal National Priority List (NPL)		X	
Federal Delisted NPL Sites		X	
Federal Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) List		X	
Federal CERCLIS No Further Remedial Action Plan List		X	
Federal RCRA CORRACTS Facilities List		X	
Federal RCRA Non-CORRACTS TSD Facility List		X	
Federal RCRA Generator List	X		There is one (1) RCRA Generator facility within the Project’s vicinity. The facility is A2A Auto Body and Glass, located about a quarter mile from the property. Based on its current status, there is a low potential for the Project to have been environmentally impacted.
Federal Institutional Control/Engineering Control Registries		X	
Federal Emergency Response Notification System		X	
State and Tribal Property List		X	
State and Tribal CERCLIS-Equivalent List	X		There is one (1) State CERCLIS-equivalent facility beyond the site’s immediate vicinity. The facility is the Crosswalk Charter School, located 0.53 miles from the property. Based on the site’s “No Further Action” status and distance, there is no potential for adverse effects to have occurred on-site.
State and Tribal Solid Waste/Landfill Facilities (SWLF)		X	



<b>Table 11 Environmental Condition Determination for the Project Site and Vicinity</b>			
<b>Source</b>	<b>Listing</b>	<b>No Listing</b>	<b>Probability for Environmental Impact</b>
State and Tribal Leaking Underground Storage Tank List (LUST)	X		There are two (2) LUST sites within half a mile of the property. These facilities include the Circle K Store at 15852 Main Street, and Hayward Lumber at 931 Main Street. Based on the location of both facilities, there is low potential for the site to have been environmentally impacted.
State and Tribal Underground Storage Tank (UST) List	X		There are three (3) UST sites within a quarter mile from the site, including one on the property. A gas station occupied the site until 1998 during which time three UST were located on site. The USTs were removed in 1998, and studies concluded with the property being a low risk site and recommended for closure. The other UST sites include the Fairstrip Food Store 8 at 16117 Main Street and Hesperia Main Street Motors at 15954 Main Street. Based on their current status, there is a low potential for either of these facilities to cause an environmental impact on-site.
State and Tribal Institutional Control/Engineering Control Registries		X	
State and Tribal Voluntary Cleanup Sites		X	
State and Tribal Brownfield Sites		X	
CA SLIC		X	
San Bernardino County Permits	X		There are ten (10) San Bernardino County permitted facilities within a quarter mile from the property. Of these, only four (4) may have a potential impact based on their location within a 1/8 <sup>th</sup> mile radius from the property. These facilities include the subject site, Dave Automotive Repair at 15940 Walnut Street, Sunset Paint and Body at 15950 Walnut Street, and Hesperia Chevron at 15933 Walnut Street. Given that no hazardous violations have occurred within any of these sites, there is a low potential for environmental impact.
Source: Phase I Environmental Site Assessment Report, Former Gas Station and Office Building 15887-15901 Main Street and 15888 Walnut Street, Hesperia, prepared by LandAmerica Assessment Corporation, October 2007.			

Based on the table above, the Project site and its surrounding areas are not subject or potentially subject to federal, state, or county regulation on the basis of a hazardous material violation or exposure to hazardous material. Although the site was utilized as a gas station from 1959 to 1998, during which two 5,000-gallon and one 8,000-gallon USTs were located within the site boundary, the USTs were removed from the Property. Soil samples beneath the USTs were analyzed and the results yield low levels of petroleum hydrocarbons. Based on the findings, the property was considered a low risk site and recommended for closure. The San Bernardino County Fire Department issued a “No Further Action” letter for the property on June 21, 2007. As such, no environmental impacts from hazardous material and waste were detected on-site or in proximity to the property.

Field Survey

An on-site inspection was conducted of the site and its three (3) on-site structures were visually and/or physically observed and viewed from all adjacent roadways. No road or path was identified on the property as being previously used as an avenue for the disposal of hazardous substances or petroleum products. Additionally, no hazardous material disposal site was observed on-site, nor a well or cistern, industrial wastewater disposal/treatment facility, on-site landfill, or any other evidence to indicate the release of hazardous material or petroleum products on-site. Based on the exterior observation, no hazardous area or substance was detected.

The field survey also analyzed the potential for asbestos-containing material (ACM) at the property. The assessment does not ensure the identification of all sources of suspect asbestos at the site, but rather determined the potential for ACM to be present. As shown in Table 12, the following presumed asbestos containing material (PACM) were encountered on-site. Given the good physical conditions of the structures, any PACM may be managed safely under an Operation and Maintenance (O&M) program as mandated by the EPA. However, prior to any Project-related construction, a comprehensive ACM survey is recommended and required pursuant to Mitigation Measure HAZ-1.

<b>Table 12</b>			
<b>Suspect of ACM at the Project Site</b>			
<b>Suspect ACM</b>	<b>Friable Yes/No</b>	<b>PACM?</b>	<b>Physical Condition</b>
Dry wall and wall joint compound	No	Yes	Good
Floor tiles/mastic	No	Yes	Good
Roofing Materials	No	Yes	Good
Exterior Plaster	No	Yes	Good
Source: Phase I Environmental Site Assessment Report, Former Gas Station and Office Building 15887-15901 Main Street and 15888 Walnut Street, Hesperia, prepared by LandAmerica Assessment Corporation, October 2007.			

Other hazardous substances were analyzed for their potential occurrence within the property. According to the EPA, the property is in a Radon Zone 2, where average estimated radon levels are between 2.0 and 4.0 pCi/L. The potential exposure to radon on-site is not considered significant given the site’s non-residential use. Additionally, lead-based paint may be present on-site given the period when the structures were constructed (1957, 1967, and 1980). Painted surfaces appear in good condition and potential for significant impact is considered low due to the site’s non-residential use. During the field assessment, no signs or indicators of mold were observed nor any sign of significant water damage.

Following completion of the Phase I ESA, a Phase II Limited Substrate Investigation report was prepared to address the need for further subsurface investigation of two abandoned hydrolic lifts.

### Removal and Soil Sampling

The lift removal and Phase II limited substrate investigation was conducted on December 5<sup>th</sup>, 2007. The two hydraulic lifts were removed by a general contractor using a backhoe. The removal did not exhibit evidence of leaking fluid. Inspection of the soil did not produce any visual or odor contamination, except for a small amount near the surface in the garage hydraulic lift. The impacted soil was excavated and disposed by a licensed provider. The volume of oil stained soil was 1± cubic yards. The remaining soil was used to backfill the excavations.

### Laboratory Results

A soil sample from the oil stained area was extracted and analyzed for polychlorinated biphenyls (PCBs) and for poly-nuclear aromatic hydrocarbons (PAH). The laboratory report concluded that there are no contaminants identified in the sample. Also, there were no indicators of impact in soil adjacent to the lift located near the portable office trailer and no contaminants were detected in the soil sample that was collected near the bottom of the lift.

### Conclusion

The assessments conclude that the site contains 4 abandoned 55-gallon drums and that the potential use of ACM in the structure's dry wall, wall joint compound, floor tiles/mastic, roofing material, and exterior plaster require mitigation.

The presence of these hazardous materials poses a risk to the Project's construction and operation. In response, the report requires the Project to implement Mitigation Measure HAZ-1 and HAZ-2 so as to reduce the potential for hazardous materials impacts associated with the past use of the property to less than significant levels.

### Proposed Project Impacts

The following sections analyze the potential for hazardous materials impacts specific to the Project construction and long-term operation and assume that Mitigation Measure HAZ-1 and HAZ-2 are implemented prior to any construction activity.

### Project Construction

Construction activities will occur over a 7-month period and consist of excavation, site preparation, grading, building construction, paving, and architectural coating. The use of heavy construction equipment fueled by diesel would occur on-site during these construction phases. Additionally, truck and worker related vehicles could also be powered by diesel. The refueling of construction equipment would occur at a designated station where leakage would be contained so as to prevent the contamination of the surrounding soil, consistent with OSHA and County standards. All diesel fuel would be properly sealed in tanks and would be transported to the site in accordance with state and local standards for the transportation of hazardous substances, as described above.

Other hazardous material that would be used on-site during construction includes solvents, paints, oil, and equipment lubricants. All these materials will be stored and handled in compliance with the City Municipal Code, State and County regulations, and the manufacturer's requirements. As such, the potential for public or environmental harm related to the accidental release of these hazardous materials is expected to be less than significant regarding the transport, use, storage, and disposal of hazardous material typically used in construction sites.

### Project Operation

Sources of hazardous material during the Project's operation would predominantly consist of commercial grade cleaners. These cleaners will not be used or stored in a significant quantity so as to pose a risk.

Nonetheless, the use, storage, and disposal of these hazardous materials will be consistent with the local safety standards as outlined in Section 8.08.010 (Hazardous Waste Management Siting Requirements) of the City Municipal Code which refers all provisions and requirements to the San Bernardino County Hazardous Waste Management Plan, as approved by the California Department of Health Services. With compliance with City standards and the County management plan, impacts from the use of hazardous materials on-site would be limited to a less than significant level.

Summary

The Project development, consistent with the findings outlined in the Phase I Environmental Site Assessment Report, would implement Mitigation Measure HAZ-1, and -2 prior to the Project's construction. Pursuant to these mitigations, the site's existing environmental conditions would not result in a significant impact during the Project's construction or operation. The use of hazardous materials during the Project's construction and operation is not expected to be in a significant quantity so as to pose a hazardous risk. The transport, use, storage, and disposal of all hazardous materials will be governed by state, county and/or local standards and the Hesperia Municipal Code. As such, impacts related to their use are expected to be less than significant with mitigation.

- b) **Less Than Significant Impact with Mitigation Incorporated.** Due to the site's previous use, there are associated material that pose a hazardous risk to the site's redevelopment including four abandoned 55-gallon waste oil drums, and the potential use of asbestos-containing construction material. Implementation of Mitigation Measure HAZ-1 and HAZ-2, prior to the Project's construction would reduce hazardous impacts. As such, the site's existing hazardous environmental conditions would have no effect on the Project's construction and operation.

The Project's construction would require the use of diesel fuel construction equipment and vehicles. The diesel fuel would be stored in sealed containers and a designated fueling station will be located on-site as to minimize the potential for spills onto the adjacent property. Other hazardous materials on-site during construction include, but are not limited to, solvents, oil, and equipment lubricants. None of these materials will be on-site in a significant quantity so as to pose a hazardous risk. On-site management of construction related hazardous material will be in accordance with the state and local control provisions. As such, impacts related to the use of hazardous material during the Project's construction are expected to be limited.

The sources of hazardous material and waste during the Project operation would primarily consist of commercial grade cleaning chemicals. These chemicals are no expected to be on-site at a high quantity so as to pose a public health or environmental risk. All use of hazardous material on-site will be subject to the County's regulation as outlined in the San Bernardino County Hazardous Waste Management Plan. Consistent with state and local provisions, construction and operation of the proposed drive-through restaurants would not create a significant hazard to the public or the environment through reasonably foreseeable upset or accidental condition involving the release of hazardous material into the environment. For this reason, less than significant impacts with mitigation are anticipated.

- c) **Less Than Significant Impact.** The site is located within the City's MSFCSP/Neighborhood Commercial district. There are no schools located within a quarter mile from the property. The nearest is Mesa Grande Elementary School, located at 9172 3<sup>rd</sup> Avenue and approximately 0.44 miles southeast of the Project site. Given the Project's limited use of hazardous material during construction and operation and distance to the nearest established school, the probability for the Project to emit hazardous emissions or handle hazardous or acutely hazardous material substances within proximity to a school is very low. As such, the Project is not expected to cause adverse impacts to existing or proposed schools. Less than significant impacts would occur.

- d) **No Impact.** Government Code Section 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List. The Cortese List is a management system used by the State and other local agencies to comply with CEQA requirement in providing information of hazardous materials release sites. According to the California Department of Toxic Substance Control Cortese List database, there are no hazardous sites in Hesperia or at the site. The Project's development would not interfere or contribute cumulatively to an existing listed hazardous site. No impacts are expected.
- e) **No Impact.** There are two airports in the City of Hesperia including the Hesperia Airport located near the foothill of Mt. San Gorgonio and the Southern California Logistic Airport located near the City's northern boundary. Both airports are located at a distance greater than 2 miles from the Project site. The Hesperia Airport is the nearest to the site, located approximately 2.95± miles to the south. The Project is not within the airports land use or operations planning areas. The Project would not occur within proximity to an airport where safety hazards or excessive noise would expose visitors and workers to adverse impacts. For this reason, no impacts are anticipated.
- f) **No Impact.** At no point in the Project's construction or operation would it obstruct or completely block access to site adjacent streets. The City's adopted emergency response plan and/or emergency evacuation plans would be implemented in conjunction with traffic management planning for the Project. As such, no impacts would occur.
- g) **No Impact.** According to the California Department of Forestry and Fire Protection (CalFire) map, the Project is not located within an area designated as a Very High Fire Severity Hazard Zone (VHFSHZ).<sup>25</sup> Similarly, the City General Plan Exhibit SF-2 (Very High Fire Hazard Areas, Flood Zones, and Significant Hazardous Material Sites), identifies the site outside a VHFSHZ. The nearest identified VHFSHZ are located along the local mountain range, including the foothills of Mt. San Gorgonio and Mt. San Antonio.

Considering the site's distance from areas designated as VHFSHZ, the potential for the Project to expose occupants directly or indirectly to loss, injury, or death involving wildland fires is low to very low. To further reduce any potential impacts, the Project would comply with the State's current Fire Code and the City's Fire and Building Codes. No impacts are anticipated.

#### **Mitigation:**

**HAZ-1** An Operations and Maintenance (O&M) Program shall be implemented to safely manage the identified presumed asbestos-containing materials located in the subject building on the property. Prior to any planned demolition, a comprehensive survey for asbestos-containing materials shall be conducted. Removal of identified ACMs, including the preparation of specifications, shall be conducted by a licensed asbestos abatement contractor and/or Certified Asbestos Consultant, according to applicable regulations.

**HAZ-2** Prior to any construction activities, the four 55-gallon waste oil drums shall be properly disposed of in accordance with state and local regulations.

**Monitoring:** The Project Applicant and the City Building Department share monitoring responsibilities.

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<sup>25</sup> Fire Hazard Severity Zone Map, California Department of Forestry and Fire Protection, <https://experience.arcgis.com/experience/03beab8511814e79a0e4cabf0d3e7247/>, updated April 2024.

10. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Source:** City of Hesperia General Plan, Conservation Element (2010), Drainage Study, C3 Civil Engineering, LLC, December 2024 (Appendix E); Mojave River Watershed Water Quality Management Plan for McDonalds and Starbucks, C3 Civil Engineering, LLC, December 2024 (Appendix F).

## Background

### Domestic Water Supply

The Hesperia Water District (HWD) provides water services to the City’s residential, commercial, institutional, and industrial users. HWD pumps water from the Alto Subarea of the Mojave River Groundwater Basin (MRGB) and regional aquifers through its system of 15 active wells, underground distribution pipeline network, and 14 storage reservoirs with a total capacity of nearly 2000 acre feet (AF) or 64 million gallons. The Alto Subarea of the MRGB has a groundwater capacity of 960,000 AF and an available storage capacity of 1,126,000 AF<sup>26</sup> from which HWD withdraws 14,000 AF annually to service a population size greater than 97,000.<sup>27</sup>

Pursuant to the California Urban Water Management Planning Act, the HWA periodically updates a regional Urban Water Management Plan (UWMP). The latest report was updated in July 2021. The UWMP outlines the HWD water supply portfolio and evaluates the water supply reliability under normal, single dry and consecutive dry years over an extended period. Water control and water efficiency plans are included so as to regulate and prevent excessive and wasteful water use.

<sup>26</sup> Appendix J: Water Supply Evaluation, City of Hesperia General Plan EIR, 2010.

<sup>27</sup> Urban Water Management Plan, Hesperia Water District, 2021.

### Wastewater Treatment

The City of Hesperia provides wastewater collection services to a portion of the City's residential, commercial, and industrial users. The remaining non-serviced areas are either undeveloped or serviced by an on-site septic tank. The collected wastewater is routed through a gravity sewer pipeline system which connects to the Victor Valley Wastewater Reclamation Authority's (VVWRA) 3-mile interceptor that runs along the northeast boundary of the City and ultimately flows to the regional wastewater treatment plant (RWWTP) that is owned and operated by VVWRA. The VVWRA's RWWTP has a wastewater treatment capacity of 18 million gallons per day (mgd) to which the City discharges a sanitary flow of approximately 2.1 mgd.

To lessen the pressure on the RWWTP, the City has plans to implement sub-regional wastewater reclamation treatment plants (WRPs) to treat all the City's future wastewater flows and create a supply source for its planned recycled water system. Currently, none of the recycled water treated at the RWWTP is distributed within the HWD service area. All of the flows are treated and disposed at the VVWRA's RWWTP.

### Flood Control

The San Bernardino County Department of Public Works Flood Control District implements regional flood control measures and related services throughout the County including the incorporated areas such as the City of Hesperia. Based on the County's Flood Control Facilities map, most flood control measures are primarily located outside the City boundaries including a storm drain along the Oro Grande Wash and the Mojave River. Flood control facilities within the City of Hesperia include a storm drain along Antelope Creek Wash, drainage channel on the western portion of the Antelope Creek Wash and a segment of the Hesperia East Channel.<sup>28</sup>

For purpose of analysis, a Project-specific Drainage Study was prepared by C3 Civil Engineering, LLC on December 10, 2024 (Appendix E) to evaluate the Project's proposed underground drainage system efficiency and capacity. A Water Quality Management Plan was also prepared by C3 Civil Engineering, LLC on December 6, 2024 (Appendix F) to outline best management practices the Project would implement at buildout. The following discussion is based on the evaluation and conclusion from each report.

### **Discussion of Impacts**

- a) **Less Than Significant Impact.** The site is currently paved and developed with three (3) structures including two (2) building structures located on the site's northwest corner and near the site's frontage with Main Street to the northeast. An overhead canopy structure is located on the southwest corner of Main Street and Seventh Avenue. The southern parcel is paved but largely unoccupied.

The Project proposes the redevelopment of the site to operate a 3,684± square foot McDonald's drive-through restaurant and a 1,300± square foot Starbucks coffee shop with complementary improvements including paved parking lots, sidewalks, and landscaping. Pursuant to Chapter 8.30 (Surface and Groundwater Protection) of the Hesperia Municipal Code, the Project is required to comply with standards regarding stormwater drainage so as to avoid the discharge of polluted runoff that may find its way into the regional groundwater supply.

Based on the Project-specific drainage study, the property currently consists of a drainage system including curbs and gutters that drive water flow to regional catch basins along Main Street and Seventh Avenue. At buildout, the Project proposes a drainage system that would prevent runoff from flowing into adjacent

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<sup>28</sup> Flood Control Facilities Map, San Bernardino County Department of Public Works Flood Control District, <https://www.arcgis.com/apps/mapviewer/index.html?webmap=6ed1bcba6d7c4e14b76cf07593c9875c>, accessed December 2024.

properties as it currently occurs on the southern lot. The report concludes there would be no run-off as a result of the Project’s development. Additionally, the Project-specific Water Quality Management Plan lists non-structural and structural source control best management practices (BMPs) the Project would implement once operational. Some of these BMPs include routine catch basin inspections, periodic vacuum sweeping of the site’s driveway and parking lots, adoption of a litter/debris control program, and compliance with all applicable ordinance codes regarding water use and stormwater drainage. As such, conformance with applicable standards as mandated by the City Municipal Code and implementation of BMPs would ensure the Project does not result in a decline in the local and regional water quality. Less than significant impacts are anticipated.

- b) Less Than Significant Impact.** The Project site is located within the Hesperia Water District distribution area. As mentioned previously, the site is currently developed and used as an automobile sales and service/repair shop and generates water demand. Buildout of the Project is likely to increase the water demand so as to properly service a McDonald’s drive-through restaurant and Starbucks coffee shop on the 1.58± acre lot. Based on the proposed land use (Restaurant) and building square footage, the following water demand was calculated as shown in Table 13.

<b>Table 13</b>			
<b>In-Door Water Consumption Demand</b>			
<b>Land Use</b>	<b>Water Demand Factor<sup>1</sup> (gal/sf/year)</b>	<b>Water Demand (gpd)</b>	<b>Water Demand (AFY)</b>
Restaurant	331	4,411.18	4.29
% of HDW’s 2045 Water Supply and Demand (normal and single dry year)			0.00023
<sup>1</sup> AWWA Commercial and Institutional End Uses of Water, 2000.			

As shown in Table 13, the Project is estimated to have an annual water demand of 4.29 AFY. In comparison with the Hesperia Water District UWMP projected water demand at 18,420 AFY by 2045, the Project would account for less than one percent of total demand. Outdoor water use is not accounted in the Project’s annual water usage, yet it is not expected to significantly change or increase the water demand considering the Project is required to plant drought tolerate vegetation to minimize the need for irrigation. In all, the increased water demand by the Project would not exceed HWD water supply or impede the District from supplying its local service area with domestic water now or in the foreseeable future.

In regard to recycled water, the Project is not anticipated to cause any substantial impact considering the City does not currently have a recycled water system nor does the HWD or VVWRA supply the City with recycled water. Based on the Urban Water Management Plan, recycled water as well as natural storm water flow, imported from the Mojave Water Agency (MWA), and irrigation return flow are used to recharge the Mojave River Groundwater Basin. The Project is not anticipated to interrupt or prevent the replenishment of water to the groundwater basin because it will not affect any recharge facility. Therefore, impacts related to the sustainability of groundwater are expected to be minimal.

Overall, the Project would not become an excessive source of water consumption to the extent of preventing HWD from supplying domestic water to its service area nor prevent HWD from implementing groundwater recharge practices. In all, less than significant impacts are anticipated.

- c.i) Less Than Significant Impact.** The following sections summaries the Project’s existing and proposed drainage system pursuant to the analysis prepared by the site-specific Drainage Study Report.



### Existing Conditions

The site is developed and consists of three structures on the site's northern half. The southern half is graded and paved, including a concrete slab where a building used to be near the lot's southwestern corner.

There are three (3) existing drainage areas on-site which divide the site into a west, north, and south side. The west side gradually slopes from south to north, allowing the water flow to travel off-site and east on Main Street into an existing catch basin connected to the storm drain main on Main Street. The north side gradually slopes from the southwest corner to the northeast corner of the drainage area and routes water flow to a catch basin southwest of the driveway entrance on Main Street. On the south side, the vacant paved portion of the site gradually slopes from the southwest corner to the northeast corner of the drainage area. By curb and gutter, stormwater travels north onto the adjacent property and eventually reach an existing catch basin on Seventh Avenue that is connected to the storm drain main.

### Proposed Drainage Pattern

The new stormwater drainage system would manage stormwater for each proposed building. Runoff from the McDonald's building will discharge at grade and sheet flow on the parking lot and street paving. Curb and gutter will convey runoff north to the nearest on-site catch basin. There are three proposed catch basins, located throughout the McDonald's site. Dry wells as well as a detention chamber system will be included to help stormwater infiltrate into the ground within 48-hours of capture. Under a high volume of runoff, stormwater flow will gradually move out of the grated inlets and flow out of a parkway culvert or storm drainpipe and travel east to be collected by the catch basin connected by pipe to the storm drain main on Main Street.

Runoff from the Starbucks site will be managed in a similar manner. The site will convey water flow via curb and gutter to the four proposed catch basins within the area. The underground drainage system will include a detention chamber system, dry wells, and a manhole on the back of the existing catch basin on the northeast corner of Main Street and Seventh Avenue. See Appendix D of this report for the Proposed Drainage Map.

### Potential for Erosion or Siltation

The likelihood for soil water erosion during construction is typically moderate to high because earth moving activities destabilize the soil on-site, which may be easily carried by water flow in a storm event. However, prior to construction, the Project will be required to submit an Erosion and Sediment Control Plan (ESC) as mandated by City Municipal Code Section 8.30.210. The ESC plan outlines pollution and erosion prevention measures and BMPs aimed at preventing water erosion during the Project's construction. With compliance to this standard requirement, erosion during construction is expected to be less than significant.

At buildout, the site will consist of ground stabilizing features including asphalt parking lots, paved sidewalks, building foundation, and landscaping along the site's perimeter and through the drive-through and parking area. The potential for erosion during the Project's operation is very low, due to these stabilizing improvements. Less than significant impacts are anticipated.

- c.ii) Less Than Significant Impact.** The proposed drainage system was evaluated to assure that it could control a 100-year storm as required by Section 16.40.050 (Drainage and Runoff Control) of the Hesperia Municipal Code. This metric analyzes the performance and efficiency level of the drainage system under intense rain and flood conditions. After calculating the existing and proposed runoff for the Project under 100-year storm event, the Drainage Study Report concluded that the Project would generate a lower water flow for the proposed drainage system than the existing drainage. Nonetheless, the proposed drainage system is designed to adequately handle intense water flow by a 100-year storm. With conformance to the City's requirements, the potential for runoff to result in substantial flood on-site or off-site is low to very low. Impacts would be less than significant.

- c.iii) Less Than Significant Impact.** As discussed in Question c.ii, the Project drainage system is designed to withstand a 100-year flood, meaning run-off on-site would be adequately managed to prevent run-off from flooding the site and adjacent properties. The proposed drainage system will contain the mandated storm flow. For this reason, less than significant impacts would occur.
- c.iv) No Impact.** There are no streams, rivers, or bodies of water in proximity to the Project site. The nearest is the Mojave River, located approximately 4.66 miles east of the property. At such a distance, water flow along the Mojave River is not expected to interfere or require management to allow for the Project's construction or operation. Potential impacts associated with flooding are negligible. No impacts are anticipated.
- d) No Impact.** The site is not located near the ocean or a body of water where tsunamis or seiche zones are a concern. According to Exhibit SF-2 of the City General Plan, the City's northern portion encompassing the proposed Project site is located within a FEMA Zone X. The flood zone designation corresponds to areas protected from a 100-year flood and are generally regarded as having a low flood risk. As such, flood hazards due to a tsunami, seiches, or storm events have a no probability of occurrence at or near the site. No impacts would occur.
- e) Less Than Significant Impact.** The regional Urban Water Management Plan summarizes the HWD's water supply, regional water demand, and outlines water control methods to ensure future water demands are met under all environmental conditions. As analyzed in Question (a) of this Section, implementation of the Project would not substantially interfere or prevent the HWD from meeting the City's water demand now or in the foreseeable future. Nor would the Project prevent the HWD from implementing a recycling system or groundwater basin recharge system. The Project construction and operation would control polluted stormwater runoff. As such, conflicts with the City's water quality control plan and sustainable groundwater management plan are not anticipated as a result of the Project's development. For these reasons, less than significant impact are expected.

**Mitigation:** None required.

**Monitoring:** None required.

11. LAND USE AND PLANNING - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Sources:** City of Hesperia General Plan, 2010; City of Hesperia Main Street and Freeway Corridor Specific Plan, amended July 2021; Project material.

**Background**

The City of Hesperia Main Street and Freeway Corridor Specific Plan was initially adopted by the City in October 2008 and amended most recently in July 2021. The Specific Plan governs approximately 16 square miles of land adjacent to Interstate-15 and Main Street. Various land uses including residential, commercial, public institution, open space, and industrial, are allowed within the eight (8) development districts outlined in the Specific Plan.

The Project site is zoned Neighborhood Commercial. The land use allows for a variety of community oriented retail and service facilities, including restaurants with dine-in and take-out services and drive-through lanes as complementary to the Plan’s goals.

**Discussion of Impacts**

- a) **No Impact.** There are no residential structures or established communities within the Project site. The site has been previously developed and used for commercial use. Pursuant to the parcel’s Neighborhood Commercial land use designation, the Project proposes the development of two (2) drive-through restaurants within the property’s 1.58± acre parcel. No residential development is proposed in connection to the Project’s implementation. Nor would the Project’s construction and operation physically divide an established community. As such, no impacts would occur.
  
- b) **No Impact.** The Project is subject to the City’s Main Street and Freeway Corridor Specific Plan and the City Municipal Codes as established by the Specific Plan. The Specific Plan establishes development guidelines where development standards are land use specific, including Neighborhood Commercial. The Project is consistent to the Specific Plan development standards and applicable land use policies. Any standard not covered by the Specific Plan is stated in the City Municipal Code. Prior to Project approval, the City will conduct an application review where the Project will be evaluated for consistency and compliance with the City Specific Plan and Municipal Code. As such, the Project’s implementation is not expected to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. No impacts are anticipated.

**Mitigation:** None required.

**Monitoring:** None required.

12. MINERAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Sources:** City of Hesperia General Plan, 2010; City of Hesperia Main Street and Freeway Corridor Specific Plan, amended July 2021; Guidelines for Classification and Designations of Mineral Lands, California Department of Conservation Division of Mines and Geology, January 2000; Project material; Google Earth Pro.

**Background**

In the City of Hesperia, mineral resources consist of sand, gravel, and crushed stone. According to the City’s General Plan, the Department of Conservation Division of Mines and Geology has identified the potential for concrete aggregate resources in areas within the City but mainly in the Barstow and Victorville areas. Aggregate is typically used in the production of construction material including concrete, asphalt, plaster, stucco, road base, and fill. Although a useful mineral resource, aggregate is not considered a significant mineral deposit due to its abundance in the region.

Under the Surface Mining and Reclamation Act of 1975 (SMARA), the State Geologist is required to provide mineral land classifications to identify and protect mineral resources in urban and non-urban areas of the state. The classification determines the probability for mineral resources to be uncovered and its respective significance. The following four mineral land use classifications are used in the identification of state’s land:

- *Mineral Resource Zone 1 (MRZ-1):* Areas where adequate geologic information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- *Mineral Resource Zone 2 (MRZ-2):* Areas underlain by mineral deposits where geologic data show that significant measured or indicates resources are present.
- *Mineral Resource Zone 3 (MRZ-3):* Area containing know mineral deposits that may qualify as mineral resources and where future exploration would result in the reclassification of specific area into a MRZ-2 (upgrade) or MRZ-1 (downgrade) category.
- *Mineral Resource Zone 4 (MRZ-4):* Areas where geologic information does not rule out either the presence or absence of mineral resources.

The City planning area has not received a MRZ classification and as such, the City is not subject to provisions outlined in the SMARA or standards imposed by the State Mining and Geology Board (SMGB). The proposed Project located within the City’s northeastern region would not be subject to the SMARA or the SMGB regarding the protection and conservation of potentially occurring mineral sites. The City planning area, including the Project site, are unlikely to produce mineral resources of any significant value.

### Discussion of Impacts

- a) **No Impact.** The proposed Project involves the construction and operation of two drive-through restaurants on a 1.58± acre parcel, zoned for Neighborhood Commercial and located within the MSFCSP. The site is developed and has operated as a commercial business for many years. There are no mining activities occurring on-site nor is the site located in an area where mining activities are permitted. Additionally, there are no mining activities occurring in adjacent property. As a result, no impacts to mineral resources will occur from Project buildout.
- b) **No Impact.** As discussed above, there are no mineral resource activities occurring in or near the Project site. Moreover, the proposed Project will not require the rezoning of mineral land use to non-mineral extraction purposes. At no point in the Project's construction or operation would it interfere with the accessibility of mineral resources. For these reasons, no impacts would occur.

**Mitigation:** None required.

**Monitoring:** None required.

13. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source:** City of Hesperia General Plan, 2010; Hesperia Municipal Code, updated October 2024; On the Job, Worker’s Safety and Compensation Commission, accessed November 2024; Federal Transit Administration Transit Noise and Vibration Impact Assessment Manual, U.S. Department of Transportation, September 2018; Hesperia Airport Comprehensive Land Use Plan, San Bernardino County Airport Land Use Commission, January 1991.

**Background**

Noise is defined as any undesired sound in the environment and can impair the quality of life by impeding rest, sleep, work, and communication. Although vehicle transportation noise is the most prominent source in the City, other sources also contribute to urban noise such as aircraft, railroad, construction equipment, motorized landscaping tools, and air conditioning/heating equipment. Sensitive receptors such as residences, schools, libraries, nursing homes, hospitals, and parks are particularly susceptible to noise.

The proposed Project site is subject to the development standards and provisions outlined in the MSFCSP. The MSFCSP development standards and regulatory guidelines do not establish noise standards or related noise provisions. As such, the City Municipal Code takes precedence in the management of the noise environment within the Specific Plan area. The Project would be required to comply with applicable standards and control measures in regard to ambient noise levels and groundborne vibrations.

**Discussion of Impacts**

- a) **Less Than Significant Impact.** Pursuant to Section 16.20.125 of the Municipal Code, any commercial activities related to the Project’s operation of two (2) drive-through restaurants must not exceed a noise threshold of 65 dBA at any time of the day. However, construction related noise is exempt from this provision.

The following section analyzes sources of noise during the Project's construction and operation and evaluates whether disturbance would significantly disturb ambient noise levels within sensitive land uses or exceed the City's noise standards.

#### Project Construction

Project construction would generate noise primarily through the use of heavy construction equipment including excavators, bulldozers, jackhammers, haul trucks, cement mixers, electric saws, and other power tools. Their use will be confined within the Project site. The nearest sensitive receptors are located south and southeast of the site, on the south side of Walnut Street approximately 140 feet from the nearest point where construction is proposed. Construction noise can reach levels of 80 to 90 dBA for large equipment such as graders and pavers. At a distance of 140 feet, these noise levels would be somewhat attenuated by distance, and the heaviest equipment will travel over the site and not be stationary during the demolition and grading phases of construction. Following grading, heavy equipment use will decrease, and noise levels will also decrease. Additionally, the Project would be required to comply with the Municipal Code which strictly limits construction activities to the less sensitive daytime hours (7 am to 7 pm) and prohibits any activities to occur on Sundays and federal holidays. Consistent with the City's mandates, the Project's construction would not adversely affect sensitive receptors due to excessive noise or violate any applicable noise standard.

#### Project Operation

The site's existing noise environment consist of traffic related noise along site-adjacent roadways including Main Street, Walnut Street, and Seventh Avenue. In addition, surrounding commercial and retail facilities produce noise which contributes to the local noise environment. Currently, the site operates as an automobile sales and retail/service shop. Typical sources of noise in automotive shops include engine noise, tools, and air compressors. Generally, an automotive shop consists of an estimated noise level above 85 dBA.<sup>29</sup>

The Project proposes the operation of two drive-through restaurants. Sources of noise during operation would primarily consist of vehicles/traffic, menu service call boxes, and on-site activities. None of these sources are expected to exceed noise levels associated with the operation of the current automobile service shop. The menu service boards will be located along the building sides, and the building structures will attenuate the noise they generate. Additionally, the Project will be required to maintain the 65 dBA threshold per the City's Municipal Code for commercial land use. As such, the Project's operation is not expected to exceed existing ambient noise levels or conflict with the local noise standard. Potential noise impacts would be less than significant.

#### Summary

The Project would generate noise during construction and operation. Construction-related noise would be limited to the Project site where most sensitive receptors are located 140± feet to the southeast. Nonetheless, construction related activities would comply with the City's Municipal Code Section 16.20.125(e) in which construction is limited to less sensitive daytime hours, and no activities are allowed on Sundays and federal holidays. Operation related noise is anticipated to be less invasive and intrusive and will be required to meet the City's noise limits for commercial uses. As such, the Project would not conflict with the City's noise standard for commercial development. For these reasons, less than significant impacts are anticipated.

- b) Less Than Significant Impact.** Under the City Municipal Code Section 16.20.130, the following applicable vibration standards, measures, and exceptions govern sources of groundborne vibration within the proposed Project site:

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<sup>29</sup> On the Job, Worker's Safety and Compensation Commission, <https://wscc.nt.ca/sites/default/files/documents/How%20Loud%20is%20it%2C%20English.pdf>, accessed November 2024.

- No ground vibration shall be allowed which can be felt without the aid of instruments at or beyond the lot line; nor will any vibration be permitted which produced a particle velocity greater than or equal to 0.2 inches per second measures at or beyond the lot line.
- Sources of vibration are not regulated by this code include motor vehicles not under the control of industrial use, and temporary construction, maintenance, or demolition activities between seven a.m. and seven p.m. except Sundays and federal holidays.

Project Construction

The Project would generate groundborne vibration predominantly during its construction phase. Typically, during construction, the use of heavy construction equipment such as excavators, haul trucks, jackhammers, vibratory rollers, and other power tools are generators of groundborne vibration. Table 14 lists commonly used construction equipment and their respective groundborne vibration, measured in peak particles velocity (PPV) or inches per second.

<b>Table 14</b>	
<b>Vibration Source Levels for Construction Equipment</b>	
<b>Equipment</b>	<b>PPV at 25 feet (in/sec)</b>
Vibratory Roller	0.210
Small Bulldozer	0.003
Jackhammer	0.035
Loaded Trucks	0.076
Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, prepared by the U.S. Department of Transportation, September 2018.	

Groundborne vibrations are perceivable to humans at 0.2 PPV. The use of construction equipment on-site would produce groundborne vibration at or below a 0.2 PPV threshold at the sensitive receptors to the south and southeast, because they will be attenuated by distance. The nearest receptor is located 140± feet to the southeast from the site. At this distance and considering that heavy equipment will move throughout the site and thus would not concentrate impacts at one location, impacts are expected to be minimal. Pursuant to the Municipal Code standard for vibration, construction activities would be confined within nonsensitive daytime hours (7 am to 7 pm) and no activities would occur on Sundays or federal holidays. All potential impacts would cease immediately once construction has ended. Therefore, vibration related impacts are expected to be less than significant.

Project Operation

At buildout, the site would consist of two drive-through restaurants with respective dine-in and/or in-store pickup systems. The site’s proposed commercial use and operation would not include a significant stationary source of groundborne vibration. Sources of groundborne vibration would occur outside the property boundary and consist of vehicular travel on adjacent corridors. However, vehicles rarely generate vibration perceptible to humans, unless the road is poorly maintained. In all, the Project would not generate a source of groundborne vibration which exceeds the City’s threshold of 0.2 PPV.

Summary

Consistent with Hesperia Municipal Code regarding groundborne vibration, the Project construction and operation would not generate a source of vibration which would adversely affect adjacent properties or sensitive receptors. Less than significant impact would occur.



- c) **No Impact.** The proposed Project site is not in proximity to an airport land use. The nearest is the Hesperia Airport, located approximately 2.95± miles south of the Project area. The Project is not located within the airport's noise contour as illustrated in Figure II-3 of the Hesperia Airport Comprehensive Land Use Plan.<sup>30</sup> The Project would not expose visitors or workers to excessive noise related to airport use. No impacts would occur.

**Mitigation:** None required.

**Monitoring:** None required.

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<sup>30</sup> Hesperia Airport Comprehensive Land Use Plan, San Bernardino County Airport Land Use Commission, January 1991.

14. POPULATION AND HOUSING – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Sources:** City of Hesperia General Plan, 2010; Hesperia City, California, U.S. Census Bureau, accessed November 2024; Hesperia City, California Profile, U.S. Census Bureau American Community Survey, accessed November 2024; Demographics and Growth Forecast technical Report, Southern California Association of Governments, September 2020.

### Background

The City of Hesperia is an urbanized environment with complementary land uses including commercial, institutional, open space, and industrial. Based on the 2020 Decennial Census, the City’s population consisted of 99,818 residents.<sup>31</sup> At buildout of the General Plan, population growth is expected to exceed 243,000 residents.<sup>32</sup> Most of the local labor force is employed in transportation, construction or maintenance.<sup>33</sup> The median household income was \$43,018 in 2010.<sup>34</sup> Since then, City’s median household income has increased to \$67,348 based on estimates by the U.S. Census Bureau’s American Community Survey for 2023.<sup>35</sup>

The Southern California Association of Governments projects a population size of 168,000 residents and labor force of 46,100 in the City by the year 2045.<sup>36</sup>

### Discussion of Impacts

- a) **No Impact.** The subject site is zoned for Neighborhood Commercial under the MSFCSP. Consistent with the zoning and permitted land use, the proposed redevelopment would result in the construction and operation of two (2) drive-through restaurants within the parcel’s 1.58± acres.

Buildout of the Project would provide new employment opportunities related to customer service, food/drink preparation, and management. In total, the development is expected to employ nearly 40 workers, 26 at McDonald’s and 18 at Starbucks.

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<sup>31</sup> Hesperia City, California, U.S. Census Bureau, <https://www.census.gov/quickfacts/fact/table/hesperiacitycalifornia/SBO001212#qf-flag-X>, accessed November 2024.  
<sup>32</sup> City of Hesperia General Plan Executive Summary, City of Hesperia Planning Department, 2010.  
<sup>33</sup> City of Hesperia 2008-2014 Housing Element, City of Hesperia Planning Department, January 2010.  
<sup>34</sup> City of Hesperia 2008-2014 Housing Element, City of Hesperia Planning Department, January 2010.  
<sup>35</sup> Hesperia City, California Profile, U.S. Census Bureau American Community Survey, [https://data.census.gov/profile/Hesperia\\_city,\\_California?g=160XX00US0633434](https://data.census.gov/profile/Hesperia_city,_California?g=160XX00US0633434), accessed November 2024.  
<sup>36</sup> Demographics and Growth Forecast Technical Report, Southern California Association of Governments, September 2020.

Growth inducing sources are generally associated with the development of undeveloped and/or rural areas. The following section outlines growth inducing sources and analyzes the Project's probable contribution.

- *New development in previously undeveloped areas where economic factors may contribute to future development.* The site is developed. Surrounding land uses are largely built out and utilized for commercial purposes. Redevelopment of the site would not induce greater development.
- *Extension of roadways and other transportation facilities.* Site adjacent roadways are paved and currently carry local traffic. Off-site roadway improvements are proposed to facilitate traffic along the segment of Seventh Avenue immediately adjacent to the property as well as provide non-motorized transportation infrastructure include a pedestrian sidewalk and a Class II bike lane. These improvements do not inherently increase traffic volume in the area.
- *Extension of infrastructure and other improvements.* The installation of new utility lines on-site will not induce greater development in the surrounding area considering the area is mostly built out along the commercial corridor.
- *Additional population growth leading to increased demand for goods and services.* The Project is expected to employ approximately 40 workers which could be accommodated by the local labor market.
- *Short-term growth-inducing impacts related to the Project's construction.* The Project's construction would result in temporary employment during the construction phase, but the construction workforce would likely be composed of local residents.

Construction and operation of the Project would not induce an unplanned population growth in the area. No impacts are anticipated.

- b) No Impact.** There are no residential structures or parcels zoned for residential use within the site boundary. As discussed in Section 11 (Land Use and Planning) of this report, buildout of the Project is consistent with the MSFCSP Neighborhood Commercial zoning and development regulations. No housing units are permitted on-site and there are no existing housing units on or near the subject site at risk of displacement by the Project's construction. No impacts will occur.

**Mitigation:** None required.

**Monitoring:** None required.

15. PUBLIC SERVICES –	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source:** City of Hesperia General Plan, 2010; Fire Department Annual Report (FY 21-22), San Bernardino County Fire Protection District, 2022; About HUSD, Hesperia Unified School District, accessed November 2024; Project material; Google Earth Pro.

## Background

### Fire Department

The City of Hesperia contracts with the San Bernardino County Fire Protection District (SBCFPD) for fire protection services. The County Fire Department encompasses approximately 20,160 square miles from the Los Angeles County lines on the west, to the Colorado River on the east, to the Nevada State line and Kern and Inyo counties on the north. The SBCFPD services more than 60 communities and cities, totaling a population size greater than 2 million.<sup>37</sup>

The Country Fire Protection District operates 48 fire stations throughout its service area, and has a staff of approximately 1,064 consisting of, but not limited to, Captains, Fire Fighters, Ambulance Operators, and Duty Fire Marshals.<sup>38</sup> In Hesperia, there are three (3) fire stations: Station 302, 304, and Station 305.<sup>39</sup> The nearest to the site is Fire Station No. 302 located at 9430 11<sup>th</sup> Street, approximately 1.78 miles to the southeast.

### Police Protection

Under contract, the San Bernardino County Sheriff’s Department provides police services including traffic enforcement, vandalism investigation, and marked-unit patrol to the City of Hesperia. The City Police Department is comprised of 58 sworn law enforcement personnel including one (1) Captain, one (1) Lieutenant, seven (7) Sergeants, five (5) Detectives, and forty-four (44) Deputy Sheriffs.<sup>40</sup> The Department is located at 15840 Smoke Tree Street, approximately 0.32 miles north of the Project site.

<sup>37</sup> San Bernardino County Fire Protection District, <https://sbcfire.org/about/>.

<sup>38</sup> San Bernardino County Fire Protection District, Annual Report (FY21-22), 2022.

<sup>39</sup> San Bernardino County Fire Protection District, Fire Station and Divisions Areas, <https://sbcfire.org/firestations/>, accessed November 2024.

<sup>40</sup> City of Hesperia Police Department, <https://www.cityofhesperia.us/306/Police>.

### Schools

The Hesperia Unified School District (HUSD) provides kindergarten through 12-grade educational services and facilities to the City of Hesperia and other cities in the San Bernardino County Desert Region. Currently HUSD operates 35 schools including twelve (12) elementary schools, three (3) middle schools, five (5) high schools, three (3) comprehensive high schools, two (2) continuation high schools, two (2) alternative schools, five (5) charter schools, and three (3) choice schools.<sup>41</sup> Mesa Grande Elementary School, located at 9172 3<sup>rd</sup> Avenue is the nearest school facility to the Project site, at an approximate distance of 0.43 miles to the southeast.

### Parks

The Hesperia Recreation and Park District (HRPD) owns and operates a total of 14 parks and recreation facilities throughout the City. Each park contains different recreational amenities and thus, are typically subdivided into classes including regional parks, community parks, and neighborhood parks. Regional parks consist of camping, equestrian camping, picnic sites, and fishing facilities. Community parks are identified by the HRPD 2006 Master Plan as parks with 10 to 20 acres. Neighborhood parks are also identified by the HRPD Master Plan as parks with 2 to 5 acres. In addition to parks developed by HRPD, the City has also added approximately 7 acres of park land to the City planning area. In relation to the Project site, the nearest park is the Hesperia Civic Plaza Park located at 15833 Smoke Tree Street and approximately 760 feet north of the property.

## **Discussion of Impacts**

### **a) Less Than Significant Impact and No Impact.**

**Fire Protection:** The Project would receive fire protection and suppression services from the San Bernardino County Fire Department Fire Station No. 302 located at 9430 11<sup>th</sup> Street, at an approximate distance of 1.78 miles southeast of the site. The station is staffed with seven personnel present 24/7/365, as well as equipped with one (1) paramedic engine, two (2) paramedic ambulances, and one (1) brush engine.<sup>42</sup>

Due to the increase population in the City, the Fire Department has experienced an increase of 3 to 5% each year in emergency calls. The average response time by the Department is approximate 7 minutes and 16 seconds. The Insurance Service Office (ISO) ranks fire stations in terms of a community's fire protection needs and services. The rankings range from Class 1 (best) to Class 10 (worst). The Hesperia Fire Department is currently classified as a Class 5 ISO in the developed portion and a Class 9 in the outlying area.

Currently, the site operates as an automobile sales and repair/service shop. Build out of the proposed 3,684± square foot McDonald's building and 1,300± square foot Starbucks building would increase the number of visitors to the property and consequently, increase the demand for fire protection services. However, the site is zoned for commercial use, meaning property use would vary in frequency and volume throughout the day and thus not generate a continuous and high demand for fire protection services. Additionally, the Project would be required to comply with the most current state and local fire and building codes. Compliance with these standards will be verified by the City and Fire Department prior to the issuing a building permit. As such, the Project is not expected to pose a significantly high fire hazard or increase the demand for fire protection beyond the Fire Department's capacity. To avoid potential impacts, the Project, consistent with Municipal Code Section 16.12.076, would pay a development impact fee to cover the financial cost related to the management and future development of local fire stations. With the implementation of City and State standards and regulations, the Project is expected to cause less than a significant impact.

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<sup>41</sup> About HUSD, Hesperia Unified School District, <https://www.hesperiausd.org/page/our-district>, accessed November 2024.

<sup>42</sup> City of Hesperia Fire Stations, <https://www.cityofhesperia.us/183/Fire-Stations>, accessed November 2024.

**Police Protection:** The San Bernardino County Sheriff's Department will service the Project site with police protection. Considering the Project's intended commercial land use, the number of visitors is expected to increase the demand of police protection on-site. The increase in demand is unlikely to surpass the service capacity. Therefore, the new construction or expansion of an existing facility is not required. The Project will be obligated to pay a development fee in accordance with Hesperia Municipal Code Section 16.12.076. Potential impacts are therefore expected to be less than significant.

**Schools:** The Project site is zoned for Neighborhood Commercial per the MSFCSP. Consistent with the land use, the Project proposes the development of two (2) drive-through restaurants. There are no residential structures proposed in connection to the development. The Project is expected to create a total of 40 new work opportunities which will be supplied by the local labor market. Therefore, the construction and operation of the Project is not expected to induce new workers with families into the City. There would be no increase in student enrollment because of the Project's implementation. In addition, the Project will be required to pay the State mandated school fees, which are designed to offset the impacts of commercial development on local schools. No impacts would occur.

**Parks/ Other Facilities:** As discussed in Section 16 (Recreation) of this report, the Project is unlikely to significantly degrade the quality or accessibility of parks. The opportunity for new employment offered by the Project is expected to be fulfilled by the local community which already make use of open spaces, parks, and other public facilities. For this reason, no impacts are anticipated.

**Mitigation:** None required.

**Monitoring:** None required.

16. RECREATION –	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source:** City of Hesperia General Plan (2010); Project material; Google Earth.

### Background

The City of Hesperia and the HRPD share responsibilities in providing open space recreation and activities to the residents of the City. The HRPD encompasses 100± square miles in the City and portions of unincorporated areas of Oak Hill, Summit Valley, and Phelan. To ensure adequate and continuous access to parks and other outdoor recreational facilities, the HRPD’s 2006 Master Plan required a parkland dedication of three (3) acres per 1,000 residents. Consistent with the HRPD, the City General Plan incorporates the parkland standard and adds two (2) acres of open space per 1,000 residents to set a higher standard of five (5) acres of park and open space per 1,000 residents. Based on this provision, access to recreational spaces is secured for present and future use.

The nearest recreational space to the Project site is the Hesperia Civic Center Plaza Park, located at 15833 Smoke Tree Street and approximately 760 feet north of the property.

### Discussion of Impacts

- a) **No Impact.** The redevelopment of the proposed 1.58± acre parcel would result in the operation of two (2) drive-through restaurants. The buildings’ long-term operation is expected to create new job opportunities that would be fulfilled by the local community. As such, neither the Project’s construction nor operation would induce a population growth by workers moving into the area with their families. It is expected that all workers will be existing residents that currently visit nearby neighborhood and/or regional parks. For this reason, buildout of the Project would not increase the use of parks or other recreational facilities or cause the accelerated physical deterioration of these facilities. No impacts are anticipated.
- b) **No Impact.** The Project site plan includes a 3,684± square foot McDonalds restaurant and a 1,300± square foot Starbuck coffee shop. No outdoor recreational space is proposed as illustrated by the Project’s proposed site plan (See Exhibit 4).

Zoned for non-residential use, the Project would not require the construction of recreational facilities on-site to mitigate the physical deterioration related to the increased use of local recreational facilities. The Project is expected to hire 40 employees, supplied by the local labor force. As such, buildout of the Project would not result in adverse impacts to existing recreational facilities or cause environmental impacts in connection to the construction or expansion of recreational facilities. For this reason, no impacts would occur.

**Mitigation:** None required.  
**Monitoring:** None required.

17. TRANSPORTATION – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Sources:** City of Hesperia General Plan, 2010; Focused Traffic Impact Analysis for the Proposed Starbucks and McDonald’s Project, Hesperia, Linscott, Law & Greenspan, Engineers, August 2024 (Appendix G); Project material.

**Background**

A Project-specific traffic report was conducted and prepared by Linscott, Law & Greenspan, Engineers (LLG) in August 2024 (Appendix G). The report evaluates the site’s existing and future traffic volume with the development of the proposed Project. Traffic metrics outlined in the City of Hesperia Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment (LOS) were used to determine if and to what extent the Project would pose a significant impact to the City’s circulation system. The following analysis is based on the study.

**Discussion of Impacts**

a) **No Impact.** The Project proposes the development of a 3,684± square foot McDonalds building with drive-through system and dine-in area, as well as a 1,300± square foot Starbucks building with a drive-through and in-store pick up service on a 1.58± acre parcel. The site is currently developed and used as an automobile sales and repair/service facility. The existing total building area is 1,978± square feet. Considering that the proposed land use would increase the number of on-site visitors, access to the Project site will be provided by one (1) existing right-in/right-out driveway on the south side of Main Street and one (1) new unsignalized driveway on the north side of Walnut Street. Circulation on-site would occur primarily through the main driveway which connects the two access points. Site-adjacent roadway improvements are proposed and outlined in the following section. The Project improvements are projected to be fully buildout by 2026.

Proposed improvements part of Project buildout includes the following:

- Restripe Seventh Avenue to extend the northbound left-turn pocket at the intersection with Main Street to provide a storage of 200 feet.
- Restripe to extend the southbound left-turn pocket at the intersection with Walnut Street to provide a storage of 50 feet.
- Restripe to provide a Class II Bike Lane along the property’s frontage on the west side of Seventh Avenue.
- Reconstruct and complete the pedestrian sidewalk along the site’s frontage on the west side of Seventh Avenue and north side of Walnut Street.



Existing Traffic Conditions

Connectivity to the Project site is provided by three (3) site adjacent street corridors including Main Street to the north, Walnut Street to the south, and Seventh Avenue to the east. Additionally, the Victor Valley Transit Authority operates Bus Route 68 in the vicinity with an existing bus stop at the Project’s eastern frontage with Seventh Avenue. Bus Route 68 operates on weekdays and weekends through commercialized areas. Pedestrian connection is provided by existing sidewalks on the site’s northern frontage with Main Street and partially on the eastern frontage with Seventh Avenue.

Study Area

Table 15 lists the three (3) studied intersections evaluated by the report in relation to Project buildout. Their respective travel lanes and LOS are included.

<b>Table 15</b>		
<b>Traffic Impact Report Study Area</b>		
<b>Intersection</b>	<b>No. of Lanes/Median Type</b>	<b>LOS D or Better</b>
Seventh Avenue at Main Street	2/undivided	Yes
Seventh Avenue at Walnut Street	2/undivided	Yes
Seventh Avenue at Orange Street	2/undivided	Yes
Source: Hesperia General Plan Update Transportation Technical Report, Hogle-Ireland, Inc., September 2009.		

Project Traffic Volume

In conformance with the City of Hesperia requirements, AM and PM peak hour operating conditions for the unsignalized intersections were evaluated using the Highway Capacity Manual 7<sup>th</sup> Edition methodology. AM and PM peak hours traffic counts at the intersection of Seventh Avenue-Main Street and Seventh Avenue-Walnut Street were collected by Counts Unlimited Inc. in November 2023 and the traffic count at the intersection of Seventh Avenue-Orange Street was collected in January 2024. Assuming a “Fast-Food Restaurant with Drive-Through Window” and a “Coffee/Donut Shop with Drive-Through Window” land use, the Project is expected to generate 1,459 daily trips with 125 trips produced in the AM peak hour and 85 trips produced in the PM peak hour. The Project trip generation has been adjusted to account for passerby trips that stop at the site on their way to their final destination. Table 16 summarizes the Project’s trip generation in relation to land use and passerby reduction factor.

<b>Table 16</b>							
<b>Project Trip Generation Rates and Forecast</b>							
<b>Land Use</b>	<b>Daily 2-Way</b>	<b>AM Peak Hour</b>			<b>PM Peak Hour</b>		
		<b>Enter</b>	<b>Exit</b>	<b>Total</b>	<b>Enter</b>	<b>Exit</b>	<b>Total</b>
<i>Generation Factors</i>							
Fast-Food Restaurant with Drive-Through Window	467.48	51%	49%	44.61	52%	48%	33.03
Coffee/Donut Shop with Drive-Through Window	533.57	51%	49%	85.88	50%	50%	38.99
<i>Proposed Project Generation Forecast</i>							
McDonald’s							
Gross Rates	1722	84	80	164	63	59	122
Pass-by Rates	-431	-34	-32	-66	-25	-24	-49
<b>Net Trip Generation</b>	<b>1291</b>	<b>50</b>	<b>48</b>	<b>98</b>	<b>38</b>	<b>35</b>	<b>73</b>

<b>Table 16</b>							
<b>Project Trip Generation Rates and Forecast</b>							
<b>Land Use</b>	<b>Daily 2-Way</b>	<b>AM Peak Hour</b>			<b>PM Peak Hour</b>		
		<b>Enter</b>	<b>Exit</b>	<b>Total</b>	<b>Enter</b>	<b>Exit</b>	<b>Total</b>
Starbucks							
Gross Rates	674	55	53	108	25	24	49
Pass-by Rates	-506	-41	-40	-81	-19	-18	-37
<b>Net Trip Generation</b>	<b>168</b>	<b>14</b>	<b>13</b>	<b>27</b>	<b>6</b>	<b>6</b>	<b>12</b>
<b>TOTAL Trip Generation</b>	<b>1,459</b>	<b>64</b>	<b>61</b>	<b>125</b>	<b>44</b>	<b>41</b>	<b>85</b>
Source: Focused Traffic Impact Analysis for the Proposed Starbucks and McDonald's Project, prepared by Linscott, Law & Greenspan, Engineers, August 2024.							

Project Year 2025 Traffic Volume

Consistent with the land use categories and existing conditions, the studied intersections would perform at the City's LOS standard of D or better, consistent with the City's Level of Service policy. Table 17 provides an overview the findings as stated in the report.

<b>Table 17</b>										
<b>Project Traffic Generation Forecast for the Year 2025</b>										
<b>Study Area</b>	<b>Time Period</b>	<b>Minimum Allowed LOS</b>	<b>Existing Traffic Conditions</b>		<b>Year 2025 without Project</b>		<b>Year 2025 with Project</b>		<b>Operational Efficiency</b>	
			<b>Delay (s/v)</b>	<b>LOS</b>	<b>Delay (s/v)</b>	<b>LOS</b>	<b>Delay (s/v)</b>	<b>LOS</b>	<b>Increase (s/v)</b>	<b>Yes/No</b>
Seventh Avenue at Main Street	AM	D	23.3	C	26.6	C	26.2	C	2.6	No
	PM		25.5	C	27.2	C	29.5	C	2.3	No
Seventh Avenue at Walnut Street	AM	D	12.1	B	12.3	B	13.1	B	0.8	No
	PM		14.1	B	14.0	B	16.7	C	2.7	No
Seventh Avenue at Orange Street	AM	D	11.9	B	11.4	B	11.7	B	0.3	No
	PM		12.1	B	12.0	B	12.1	B	0.1	No
Source: Focused Traffic Impact Analysis for the Proposed Starbucks and McDonald's Project, prepared by Linscott, Law & Greenspan, Engineers, August 2024.										

As shown in Table 17, the Project's buildout would not result in an extended delay or operational deficiency for the studied intersections. The Project would comply with the City's LOS standard by resulting in LOS C or better conditions at all studied intersections. Additionally, the Project's construction of a Class II bicycle lane along the property's frontage on the west side of Seventh Avenue would be consistent with the City of Hesperia Non-Motorized Transportation Plan.

Per the report's conclusions, the Project would provide adequate on-site access, adequate storage at the protected left turns on Main Street and Walnut Street and all studied intersections would operate at a LOS C, which exceeds the City's standard. As such, the Project would conform with the City's transportation plans in relation to vehicle transportation, transit corridors and bicycle and pedestrian facilities. No conflict or violation to the City's circulation plan would occur by the Project's operation.

Summary

The traffic report analyzed the potential adverse impacts related to the operation of two (2) drive-through restaurants on the southwest corner of Main Street and Seventh Avenue, as well as the Project's consistency

with local circulation plans. The report concluded that the Project buildout would be consistent with the City's LOS standard, Non-Motorized Transportation Plan, and development code. As such, the Project would not result in the violation or conflict of any applicable plan, policy, or ordinance governing the local circulation system, pedestrian and bicycle facilities. No impact would occur.

- b) **No Impact.** Under CEQA Guidelines Section 15064.3(b), the determination of transportation impact is to be evaluated based on the Project's effect on vehicle miles traveled (VMT). In accordance with CEQA, the Project-specific traffic report also screened the Project to assess if a detailed VMT analysis report would be required. The screening methods were performed as outlined in the City's Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment (LOS). Determination is dependent on whether the proposed project satisfied at least one of the VMT screening criteria. The following section outlines the VMT screening criteria and their applicability to the Project.

#### Transit Priority Area (TPA) Screening

The VMT guidelines state a project may be presumed as having less than a significant if it is located within a TPA area and evidence shows the absence of the following components:

- Has a Floor Area Ratio (FAR) of less than 0.75
- Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking)
- Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Planning Organization); or
- Replaced affordable residential units with a small number of moderate- to high-income residential units

The Project would not qualify for exemption under this criteria given that the property is not located within a TPA per the San Bernardino County Transportation Authority (SBCTA) VMT screening tool.

#### Low VMT Area Screening

The VMT guidelines state a project may be presumed as having less than a significant impact if it is located within a low VMT generating area or if the project would generate VMT per resident, per worker, or per service population that is similar to the existing land use in the low VMT area.

The screening concluded with the Project not being located within a low VMT area per the SBCTA VMT screening tool and thus, the Project would not qualify for an exemption under this criteria threshold.

#### Project Type Screening

The VMT guidelines state a project would have less than a significant impact if the development is a local serving retail project with a building area less than 50,000 square feet because local-serving retail projects generally improve the convenience of shopping close to home and have the effect of reducing vehicle travel.

Under this criterion, the Project would qualify because construction would result in a 3,684± square foot McDonald's building and a 1,300± square foot Starbucks building. In total, the proposed on-site building square footage is approximately 4,984 square feet of restaurant services that will serve the local community. As such, the report states that the Project is exempt from the preparation of any further VMT analysis and may be presumed to have less than a significant impact on transportation. No further analysis regarding VMT is required.

- c) **No Impact.** As discussed in Question (a) of this section, the proposes on- and off-site improvements would comply with all applicable transportation plans, policies, and ordinance codes under the City Circulation Element and Hesperia Municipal Code. Buildout of the Project would not substantially increase hazards due to geometric design features such as sharp curves or dangerous intersections, because Project driveways are limited, and provide direct and perpendicular access to existing City streets. Additionally, no adverse impacts would occur by incompatible land use considering the subject site is zoned for commercial use, and is surrounded by similar uses. The Project’s construction of two (2) drive-through restaurants would be consistent with the MSFCSP zoning and development guidelines, as required by law. No impacts are anticipated.
- d) **No Impact.** Per the traffic report’s evaluation for on-site access, the Project’s driveways are forecasted to operate at a LOS C or better during the AM and PM peak hours at build out. Table 18 summarizes the report’s findings.

<b>Table 18</b>				
<b>Project Driveway Performance at AM and PM Peak Hours</b>				
<b>Key Intersection</b>	<b>Time Period</b>	<b>Minimum Acceptable LOS</b>	<b>Year 2025 with Project Traffic Conditions</b>	
Project Driveway No. 1 at Main Street	AM	D	17.2	C
	PM		18.2	C
Project Driveway No. 2 at Walnut Street	AM	D	9.6	A
	PM		9.7	A
Source: Focused Traffic Impact Analysis for the Proposed Starbucks and McDonald’s Project, prepared by Linscott, Law & Greenspan, Engineers, August 2024.				

As shown on Table 18, the Project would not obstruct access on-site nor would it affect emergency access to any adjacent parcels by its off-site improvements as discussed in Question (a). At no time during construction or operation would the Project obstruct or block access to Main Street, Seventh Avenue, or Walnut Street. All construction staging would occur on-site. As such, no impacts would occur.

**Mitigation:** None required.

**Monitoring:** None required.

<b>18. TRIBAL CULTURAL RESOURCES –</b> 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:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Source:** Technical Background Report in Support of the Cultural Resource Element: City of Hesperia General Plan Update, Michael Brandman Associates, March 2010; Project material.

### Background

The City of Hesperia area lies on the northern edge of a region that may have been utilized by the Serrano tribes, with the southern edge by the Vanyume tribes. The Vanyume inhabited areas along the Mojave River in the Victorville region and spoke a similar dialect to the Serrano. The Serrano spoke the language of the Cupan group of the Takic subfamily of the Uto-Aztecan language family. Prior to first contact with the Spanish, the Serrano population size was approximately 2,000 people. And their region is generally considered to have been in and north of Yucaipa, south of Victorville, west of Twentynine Palms, and east of Cajon Pass. The range of the group was restricted by reliable water sources. Over many years, the Spanish decimated the indigenous groups. Some Serrano survived by the terrain’s ruggedness and tendency to disperse as a population in the far eastern portion of the San Bernardino Mountains. Currently, the Serrano descendants are found mostly on the Morongo and San Manuel reservations.<sup>43</sup>

Under Assembly Bill 52 (AB 52), lead agencies are required to analyze the probability for tribal cultural resources to occur within a project area and protect these nonrenewable resources. The State Public Resource Code Section 21074 defines tribal resources as:

- Sites, features, places, cultural landscapes, sacred places, and objects which cultural value to a California Native American tribe that are either of the following: included or determined to be eligible for inclusion in the California Register of Historical Resources, or included in a local register of historical resources as defined in subdivision (k) of Section 5020.1

<sup>43</sup> Technical Background Report in Support of the Cultural Resource Element: City of Hesperia General Plan Update, Michael Brandman Associates, March 2010.

- 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.
- A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
- A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

### Discussion of Impacts

- i) **No Impact.** The site is developed. Repeated construction related disturbances have occurred by the site’s development and redevelopment in 1957, 1967, and 1980. These development phases included excavation, earthwork, installation of underground tanks, paving, building construction, and other construction activities. Ground disturbance has not yielded tribal cultural resources considering the site is not listed or eligible for listing in the California Register of Historic Resource, or in a local register. As such, no impacts are anticipated.
- ii) **No Impact.** As discussed above, the proposed Project site has been disturbed extensively by previous land uses. Ground disturbance related to the Project’s construction is not expected to disturb soil at a greater depth than that previously impacted. For this reason, the likelihood for the Project to adversely affect the potential presence of tribal cultural resources is low to very low. Adherence to the set standards as analyzed in Section 5 (Cultural Resources) would furthermore limit the potential effects.

The City has undertaken Tribal Consultation, and as of the time of this analysis, no response has been received. Further action regarding the protection of potentially occurring tribal resources is therefore not required as part of the Project buildout. No impacts are anticipated.

**Mitigation:** None required.

**Monitoring:** None required.

<b>19. UTILITIES AND SERVICE SYSTEMS –</b> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source:** City of Hesperia General Plan 2010; Hesperia Water District 2020 Urban Water Management Plan, 2021; City of Hesperia Water Master Plan Final Report, July 2008; City of Hesperia Wastewater Master Plan Final Report, July 2008; Victor Valley Water Reclamation Authority, accessed December 2024; City of Hesperia Construction Waste Management Plan Procedures, accessed December 2024.

## Background

### Domestic Water

Hesperia Water District (HWD) is the local water provider for the City of Hesperia. HWD serves over 27,000 connections and a population exceeding 97,000 people. Based on current land use, population size, and groundwater management, the total City domestic water demand is 14,000± acres foot per year (AFY). The majority is drawn from the Alto Subarea of the Mojave River Groundwater Basin (MRGB) and to a lesser extent, local aquifers located underneath the City. HWD owns and operates an above- and belowground infrastructure utility system consisting of the following components:

- Fifteen (15) active wells within an area that sits on the MRGB
- Water distribution system with pipe size ranging between four (4) to twenty-four (24) inches in diameter
- Fourteen (14) storage reservoirs with a total capacity of nearly 200 AF (or 64 million gallons)

HWD updated its Urban Water Management Plan (UWMP) in 2020. The UWMP analyzes the HWD’s water portfolio as well as providing strategies for water control and water reduction methods to ensure stable and reliable water service to meet its current and future 2045 water demand. Consistent with the City General Plan, the UWMP calculates a water use for a population estimated to reach over 130,000 by 2045. A demand of 4,000 acres feet over the 2045 planning period is expected to ensure a reliable supply of groundwater in normal, single dry year, and five consecutive dry year conditions through 2045.

### Wastewater Facilities

Hesperia Water District provides wastewater collection services to part of its domestic water service area that flow to a regional wastewater treatment plant owned and operated by the Victor Valley Wastewater Reclamation Authority (VWVRA) and the remaining area is serviced by on-property septic tanks. The underground sewer system includes 60 miles of sewer pipes, 882 manholes, 51 cleanouts, 1 operational lift station, and 1 force main. The flow is routed to the City's connection to VWVRA's 3-mile interceptor that runs along the City's northeast boundary. VWVRA's facility has a wastewater treatment capacity of 18 million gallons per day (mgd).<sup>44</sup> Near the Project site there is an eight (8) inch gravity pipeline under Main Street as shown in Figure ES-2 (Existing System) of the Hesperia Wastewater Master Plan.

Wastewater treated at the VWVRA is not used in the City for recycling purposes. The majority of the treated water is discharged into the Mojave River Basin and a small amount is currently used to irrigate landscaping at the treatment plant. Currently, there is no access to recycled water as an alternative for groundwater use.

### Stormwater Drainage System

The Hesperia Development Services Department oversees the City's storm drain and flood control systems while the San Bernardino County Department of Public Works Flood Control District is responsible for providing flood control and related services throughout the County including incorporated areas such as the City of Hesperia. The County Flood Control District has implemented a system of dams, conservation basins, channels, and storm drain in proximity to the City with the purpose of rerouting the flood flow away from developed areas.

Nearby stormwater channels include the Mojave River that bounds the City's eastern limit, the Antelope Creek Wash that branches off the Mojave River and intercepts the City's southeastern portion, and the Oro Grande Wash that extends along the City's western boundary. These major storm channels convey flood flow to non-urban regions within the County area. Interim channels are also located in the City's southeastern portion near the Mojave River and cover the western portion of the Antelope Creek Wash and part of the Hesperia East Channel.<sup>45</sup> These regional flood control measures, in addition to local property-specific drainage systems, as mandated by Hesperia Municipal Code Section 15.06.010(G), protect the City's developed area from flood related hazards.

### Electricity

Southern California Edison supplies electricity to Hesperia. The local office address is 12353 Hesperia Road in Victorville, California.

### Natural Gas

The Southwest Gas Corporation services natural gas to Hesperia. The local office is located at 13471 Mariposa Road in Victorville, California.

### Solid Waste

Advance Disposal Co. (ADC) is contracted by the City for solid water collection. Its local station is located at 17105 Mesa Street in Hesperia. Additionally, Advance Disposal operates a materials recovery facility with a daily capacity of 600 tons. Advance Disposal intends to expand the facility capacity to meet the needs of the City and its service area.

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<sup>44</sup> Victor Valley Wastewater Reclamation Authority, <https://www.vvwraca.gov/governance/commissioners>, accessed December 2024.

<sup>45</sup> Flood Control Facilities Map, San Bernardino County Department of Public Works Flood Control District, <https://www.arcgis.com/apps/mapviewer/index.html?webmap=6ed1bcba6d7c4e14b76cf07593c9875c>, accessed December 2024.



### Telecommunications

Charter Communications is the cable service provider for the City. Its local office address is 10490 Business Center Drive in Victorville, California.

### **Discussion of Impacts**

- a) **Less Than Significant Impact.** The Project site is located within a largely buildout portion of the MSFCSP area. Currently the property is developed and operated as an automobile sales and service/repair shop. Surrounding land uses include a two-story office/clinic building to the north, commercial retail facilities to the south, a commercial plaza to the west, and a convenience store/gas station to the east.

According to utility maps published by the Hesperia GIS Department, there is a sewer gravity line<sup>46</sup> and a water line<sup>47</sup> underneath Main Street and in proximity to the Project site. These lines provide the site and its surrounding areas with connections to these services. Additionally, based on visual observations of photographs taken of the Project site, there are two (2) power polls located along the site boundary to the east. Given that an existing business operates on the site, the Project site is currently being served by electricity and thus included in the Southern California Edison service area.

The Project proposes the implementation of a McDonalds restaurant and a Starbucks coffee shop within the site's 1.58± acres parcel. Implementation of the proposed development would increase the demand for most utility services in contrast with its existing land use given that restaurants and coffee shops typically have a higher demand for water, wastewater collection, solid waste disposal, electricity, and natural gas than the existing auto-related use. However, the demand factor is not expected to exceed the supply capacity of any utility provider nor require the expansion of any facilities to properly service the area including the Project.

The following section outlines each utility source and analyzes the Project's potential impacts related to its demand factor.

### Domestic Water

As stated above, the HWD 2020 Urban Water Management Plan analyzes the District's water portfolio and evaluates whether the District may adequately supply water to its service area through 2045. The analysis takes into consideration the City General Plan and MSFCSP land use designations to account for water demands based on current and future development areas. As such, the site's Neighborhood Commercial land use has been included in the UWMP calculations. The UWMP concludes that the District would be able to meet the City's water demand under normal, single dry, and five consecutive dry years scenarios. Implementation of the Project would therefore not disrupt the access to water now or in the foreseeable future. The Hesperia Water District would reliably provide water to all service areas including the Project site. See also Section 10, Hydrology. Therefore, impacts related to water access and consumption would be less than significant.

### Wastewater Collection

The Hesperia Wastewater Master Plan evaluates the exiting sanitary flows from residential, commercial, and industrial sources, as well as future wastewater flows from development consistent with the City's Land Use. The evaluation concludes with a list of improvements the City would need to implement to meet current and future wastewater production. The recommendations include the following improvements:

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<sup>46</sup> Hesperia Sewer Map, City of Hesperia Geographic Information System Department, <https://www.cityofhesperia.us/DocumentCenter/View/4118/Hesperia-Sewer?bidId=>, January 2015.

<sup>47</sup> Hesperia Water Map, City of Hesperia Geographic Information System Department, <https://www.cityofhesperia.us/DocumentCenter/View/4125/Hesperia-Water-6-16-15compressed?bidId=>, June 2015.

- 32 pipelines improvements are recommended with a combined length of approximately 30.7 miles, including a new 3-mile force main to WRP-1 and 27.3 miles of gravity mains
- 2 new lift stations (LS-3 and LS-4)
- 3 new wastewater reclamation treatment plants (WRP-1 to WRP-3)
- 1 new solids lift station
- 0.76 miles of solids pipelines

Consistent with the recommended sewer improvements and implementation phases as outlined in the City Wastewater Master Plan, the HWD expands its sanitary flow capacity as needed to efficiently and adequately provide wastewater collection to its current and future service areas. The Project would not result in a sewer line expansion or relocation that has not been previously planned by the City and HWD. The Project's wastewater flow would eventually be routed to WRP-2 located near the intersection of Osbrink Drive and Santa Fe Avenue East, approximately 3.32 miles northeast of the subject site. At buildout, WRP-2 would have a capacity of 8.5 mgd. The local treatment plant would offset wastewater flow to VVWRA. HWD's collection system and local WRPs are designed and built with the intention to meet the City's current and future wastewater service needs. For this reason, the Project is not expected to exceed the HWD's capacity nor VVWRA treatment capacity. Less than significant impact would occur.

#### Stormwater Drainage System

The Project site grading plan would address stormwater runoff by complying with drainage standards as stated in Hesperia Municipal Code Section 15.06.090 (Drainage and Terracing). Additionally, the Project would be required to draft a Stormwater Pollution Prevention Plan (SWPPP) where BMPs for stormwater control measures would be implemented during the Project's construction and operation to reduce the potential for stormwater pollution, runoff, and flooding. These requirements ensure on-site stormwater flow is properly managed and controlled to lessen the pressure on the regional flood control system. In compliance with applicable standards in the City Municipal Code, the Project would result in less than significant impacts. For further information on the Project's flood control measures refer to Section 10 (Hydrology and Water Quality) of this report.

#### Electricity

SCE operates miles of high voltage transmission lines and substations throughout Hesperia to service all developed areas including residential, commercial, and industrial land uses. The power supplied may be sourced from coal, natural gas, nuclear power plants, and/or eligible renewable energy from solar, wind, hydroelectric, and geothermal.<sup>48</sup> SCE is working on expanding and transitioning to clean energy to reach carbon neutrality on electrical retail sales by 2045<sup>49</sup> as mandated by Senate Bill 100 (SB 100). Nonetheless, SCE's operation and reliability to supply energy to the City and Project site are expected to continue. The demand for energy related to the operation of two drive-through restaurants is not expected to exceed SCE capacity. The Project will be required to comply with the California Building Code and Hesperia Municipal Code regarding energy efficiency and conservation to limit the use of electricity. As such, the Project would not become a source of excessive energy use and would not impact SCE capacity in supplying electricity. Therefore, less than significant impacts would occur. Further analysis on the Project's energy demand is discussed in Section 6 (Energy) of this report.

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<sup>48</sup> Customer Connection, Southern California Edison, October 2009.

<sup>49</sup> Integrating Distributed Energy Resources, Southern California Edison, <https://www.edison.com/innovation/distributed-energy-resources>, accessed December 2024.

Natural Gas

Southwest Gas Corporation would supply natural gas to the Project site. Transmission lines are primarily focused within the Victorville area<sup>50</sup>, indicating distribution lines underlie the Hesperia planning area to provide services. The demand for natural gas on-site is not expected to be substantial or to require SGC to expand its existing utility infrastructure. Environmental impacts related to natural gas are expected to be less than significant. Also see Section 6 (Energy) for further analysis on the Project’s estimated energy demand.

Telecommunication

Cable services provider by Charter Communications has facilities in the Project area, and will serve the Project site. Less than significant impact would occur.

- b) **Less Than Significant Impact.** During construction, the Project may use water to control dust. Water use will be temporally and limited during the construction phase. During operation, the Project will require water for indoor use and landscaping. The total water demand from the McDonalds and Starbucks building is estimated to account for less than one percent of HWD’s projected 2045 water demand of 18,420 AFY, as shown in Table 19.

<b>Table 19</b>			
<b>In-Door Water Consumption Demand</b>			
<b>Land Use</b>	<b>Water Demand Factor<sup>1</sup> (gal/sf/year)</b>	<b>Water Demand (gpd)</b>	<b>Water Demand (AFY)</b>
Restaurant	331	4,411.18	4.29
% of HDW’s 2045 Water Supply and Demand (normal and single dry year)			0.00023
<sup>1</sup> AWWA Commercial and Institutional End Uses of Water, 2000.			

Outdoor water use for landscape irrigation is expected to be minimal considering the Project is required to plant drought tolerant vegetation. Therefore, water use related to the Project’s in-door activities and outdoor irrigation purposes is not expected to substantially increase the local water demand or exceed HWD’s water supply capacity. HWD would be able to supply water to the Project and the rest of its service area in normal, single dry, and five consecutive dry years as stated in the City’s UWMP. For these reasons, impacts related to water supply as a result of the Project’s build out are anticipated to be less than significant.

- c) **Less Than Significant Impact.** Currently, the City owns, operates, and maintains a wastewater collection system which connects to VVWRA’s 3-mile interceptor that directs flow to the regional wastewater treatment plant (RWWTP) operated by VVWRA. The Project is located within HWD wastewater collection service area and thus, wastewater generated at the site will be routed to VVWRA’s RWWTP. According to the City’s 2015 Wastewater Management Plan, VVWRA’s wastewater treatment has an ultimate capacity of 18 mgd. Based on the Project’s land use and total square footage, the site is estimated to generate 389.20 gallons of wastewater per day, which translates to less than one percent of the facility’s total capacity. Given the Project is not anticipated to contribute excessively to the wastewater volume treated at the VVWRA’s RWWTP, related impacts are expected to be less than significant.

<sup>50</sup> Southwest Gas Transmission Pipeline Map, <https://www.swgas.com/7200000200383/Transmission-Map-2015.pdf>, accessed December 2024.

<b>Table 20</b>		
<b>Project Wastewater Generation</b>		
<b>Land Use</b>	<b>Generation Rate<sup>1</sup></b> <b>(gal/sf/day)</b>	<b>Wastewater Generation</b> <b>(gpd)</b>
Fast-Food Restaurant	0.08	389.20
% of VVWRA's RWWTP Treatment Capacity		0.000022
<sup>1</sup> Factor from Primaco Shopping Center ISMND for the City of Hesperia, April 2024.		

- d) **Less Than Significant Impact.** Solid waste will be generated on-site during the Project's construction and operation.

Advance Disposal Co. would service the subject site with solid waste collection and disposal needs. ADC operates a municipal solid waste material recovery facility with a capacity to sort through 50 tons of solid water per hour.<sup>51</sup> The processed waste is then transferred to a permanent landfill outside the City. The waste is transferred to the Victorville Sanitary Landfill located at 18600 Stoddard Wells Road in Victorville which is permitted to process 3,000 tons of solid waste per day and has a remaining capacity of 79,400,000 cubic yards.

Construction Waste

Construction of the Project will require demolition of the property's existing structures. The solid waste produced during demolition will not be salvaged or reused given the likelihood for asbestos containing material as discussed in Section 9 (Hazards and Hazardous Materials) of this report. Other construction waste will be required to fulfill standards as established in the California Green Building Code, Hesperia Municipal Code, and the City's Construction Waste Management Plan. Pursuant to these standards, the Project would be required to draft a Waste Management Plan (WMP) prior to construction and demolition activities and divert at least 50% of all waste generated during the Project's 7-month construction period. Adherence to state and local provisions will reduce impacts related to construction generated waste to less than significant levels.

Operations Waste

Operation of the McDonalds and Starbucks building will result in multiple sources of solid waste generation that include, but are not limited to food packaging, perishable goods, and cleaning products. Based on the Project's land use and projected total labor force of 15 staff members per shift at maximum, the site is estimated to generate 255 pounds of solid waste per day. The Project would account for less than one percent of Victorville Sanitary Landfill daily capacity of 3,000 tons of solid waste per day. As a result, potential impacts would be less than significant.

<b>Table 21</b>		
<b>Project Solid Waste Generation</b>		
<b>Land Use</b>	<b>Generation Rate<sup>1</sup></b> <b>(lbs/employee/day)</b>	<b>Solid Waste Generation</b> <b>(lbs/day)</b>
Fast-Food Restaurant	17	255
% of Victorville Sanitary Landfill Daily Capacity		0.000043
<sup>1</sup> Waste Disposal and Diversion Findings for Selected Industry Groups, California Department of Resources Recycling and Recovery, 2006.		

<sup>51</sup> Advance Disposal Reopens MSW MRF in California, Recycling Today, <https://www.recyclingtoday.com/news/cp-group-advance-disposal-california-mrf-redesign/>, August 2014.

- e) **No Impacts.** As required by the California Building Code and Hesperia Municipal Code, the Project would adhere to all applicable waste reduction and recycling standards. As such, no conflicts are anticipated and thus, no impacts would occur.

**Mitigation:** None required.

**Monitoring:** None required.

20. 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 with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Sources:** City of Hesperia General Plan, 2010; City of Hesperia General Plan EIR (Appendix G), May 2010; Fire and Resources Assessment Program (FRAP) Fire Hazard Severity Zone Viewer, California Department of Forestry and Fire Protection, September 2023; FEMA National Flood Hazard Map.

**Background**

Wildfire is a serious issue in southern California due to the region’s arid conditions, vegetation (fuel), topography, weather, and wildfire history. The probability for wildfire hazards is particularly dangerous in urban-wildland interface (UWI) areas where wildlands approach urban development, posing a severe threat to safety and the potential loss of property and life.

The City of Hesperia, is located in the High Desert, and is characterized by isolated, steep-sided mountain ranges separated by broad alluvial basins. Vegetation typically found in the City planning area includes desert scrub such as alkali sink vegetation, creosote bush scrub, succulent scrub, and Joshua Tree and Juniper woodlands. The limited amount of vegetation and low surface fuel loads limits and reduces the potential for wildfires to spread across the planning area.

Based on the California Department of Forestry and Fire Protection (CalFire) updated Fire Hazard Severity Zone Map, the City of Hesperia is not located within a classified Very High Fire Hazard Severity Zone (FHSZ). The nearest classified area borders the City’s southern limit and extends along the foothills of the regional mountains. The City General Plan EIR Exhibit 4-2 (High Fire Hazard Areas) identified the City’s western and eastern corners as Very High FHSZ, the southern region as High FHSZ, and the northern region as a mix of Moderate FHSZ and no fire hazard designation. In the event of a fire related emergency, it would be the responsibility of the San Bernardino County Fire Department to provide fire suppression and protection services.

## Discussion of Impacts

- a) **No Impact.** The design and development of the Project's proposed commercial use would be consistent with the California Fire Code and applicable development and regulatory provisions outlined in the MSFCSP and Hesperia Municipal Code. At no point during construction or operation would the Project obstruct or completely block access to adjacent streets or an existing evacuation route. All construction staging would be confined within the site's boundary. For these reasons, the Project would not substantially impair the efficiency or effectiveness of the City's Local Hazard Mitigation Plan. No impacts would occur.
- b) **No Impact.** As shown in the State's Fire Hazard Severity Zone Map, the Project is not located in or near an area designated as a Very High FHSZ. Similarly, the property is not within a fire hazard zone as illustrated by the City General Plan EIR Exhibit 4-2 (High Fire Hazard Areas). The property is relatively flat and there are no slopes within proximity that could otherwise signal a wildfire risk. The potential impacts related to fire hazards occurring near or on the Project site is low to very low.

Although the potential for wildfire hazards is limited, the Project would comply with California Fire Codes and the City development standards and regulations regarding fire safety and fire prevention. Compliance with these standards will be reviewed by the Fire Department prior to issuing building permits. As such, the Project's development would not expose occupants to uncontrolled wildfires. No impacts would occur.

- c) **No Impact.** Neither the Project site nor its surrounding area are classified a fire hazard zones within a Local Responsibility Area (LRA). Build out of the two drive-through restaurants would not require the installation of specialized infrastructure such as fire roads, fuel breaks, or emergency water sources, power lines, or other utilities. Environmental impacts related to the build out of utility infrastructures would not occur in connection to the Project build out. No impacts are anticipated.
- d) **No Impact.** Under FEMA's National Flood Hazard Map and the City's General Plan EIR Exhibit 3-1 (FEMA Flood Map), the property is located within a FEMA Zone X. The flood zone designation corresponds to areas located outside a 100-year flood area which indicates a low flood hazard risk. Additionally, there are no hills or slopes within proximity to the Project area. For these reasons, the likelihood for the property and on-site occupants to be exposure to fire-induced downward flooding and/or landslide is considered negligible. No impacts would occur.

**Mitigation:** None required.

**Monitoring:** None required.

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

**a) Less Than Significant Impact with Mitigation Incorporated.** As discussed in Section 4 (Biological Resources), build out of the proposed Project would not result in the reduction of suitable ecological habitat for common or special status species considering that the property is currently developed, occupied by commercial land use, and highly disturbed. There is no potential for the Project to substantially affect the accessibility to viable habitat nor cause a decline in a species population in regard to its construction or operation. The Project would not adversely affect any biological resources, except for the one Joshua Tree located at the site’s southern parcel. Given the Joshua Tree is a classified “state threatened” species under the Western Joshua Tree Conservation Act, the Project would be required to submit a take permit to the California Department of Fish and Wildlife and pay an in-lieu fee to cover its share in the cost of preserving and managing conservation areas for Joshua Trees. To reduce the potential for adverse effects, the Project would be required to implement Mitigation Measure BIO-1. As such, any impacts to biological resources would be reduced to less than significant levels with mitigation.

Section 5 (Cultural Resources) discusses the probability for historical and archeological resources to be uncovered at the proposed Project site. As determined, the three (3) existing structures within the northern half of the property do not hold any historical or cultural value to the City. Therefore, the demolition and redevelopment of the site would not affect the City’s inventory of historical artifacts and sites. The site has not been specifically studied for the potential occurrence of archaeological resources; however, the site has been repeatedly developed and none of the prior development efforts have yielded artifacts. As such, the likelihood for the site’s redevelopment to produce or affect unearthened artifacts is low to very low. Less than significant impacts are expected.

**b) Less Than Significant Impact with Mitigation Incorporated.** Significant impacts to air quality, hazardous material, and transportation generally result in cumulative effects.



As discussed in Section 3 (Air Quality), cumulative impacts occur when a project exceeds federal and state non-attainment air quality standards. The Project located in the Mojave Desert Air Basin (MDAB), is in an area designated as non-attainment for PM<sub>10</sub> and ozone. CalEEMod was used to estimate the Project's emission of criteria pollutants including CO, NO<sub>x</sub>, VOC, SO<sub>x</sub>, PM<sub>10</sub>, PM<sub>2.5</sub> during the 7-month construction period and long-term operation period. Emissions were compared to the Mojave Desert Air Quality Management District (MDAQMD) significant emission thresholds for criteria pollutants. The results indicate that the Project's maximum emissions for construction and operation would fall far below the MDAQMD emission threshold. So, although the Project would result in an incremental increase of air pollutants, it would not result in a considerable cumulative impact. Any potential impacts would be minimized by the Project's compliance with applicable regulatory standards as outlined in the MDAQMD Rule Book, PM<sub>10</sub> Attainment Plan, Ozone Attainment Plan, and MDAQMD CEQA and Federal Conformity Guidelines. In accordance with local and regional air quality plans, no cumulative impacts would occur.

Management of hazardous material could also result in cumulative impacts if the project were to contribute to the property's hazardous designation. Section 9 (Hazards and Hazardous Materials) summarizes the property's environmental conditions as evaluated and determined by the site-specific Phase I Environmental Site Assessment Report and Phase II Limited Subsurface Investigation Report. Based on the reports, the Project would not result in a cumulative impact in relation to the site's previous use as a gas station, if Mitigation Measure HAZ-1 and HAZ-2 are implemented prior to construction. Additionally, the Project would be required to demonstrate compliance with state and local regulatory standards regarding the transport, use, storage, and disposal of hazardous materials use or produced during construction and operation. Compliance with standards and mitigations would ensure the proposed Project does not contribute to a cumulative effect to the site's environmental conditions. Less than significant impacts would occur with mitigation.

Cumulative impacts from transportation occurs when project-generated traffic as well as current or future development projects collectively account for the growth in traffic volume. As discussed in Section 17 (Transportation), the Project-specific traffic reports there are no development within a 2 mile distance from the Project site with a cumulative effect. Development of the Project would involve off-site road improvements along the property's eastern frontage on Seventh Avenue. These improvements would involve restriping Seventh Avenue to provide a 200 foot northbound left-turn pocket at the intersection with Main Street and a 50 foot southbound left-turn pocket at the intersection with Walnut Street. A Class II Bike Lane would also be implemented along the Project frontage on the west side of Seventh Avenue, as well as reconstruct or complete the sidewalks along the site's frontage on Seventh Avenue and Walnut Street. Implementation of these features would introduce traffic efficiency along the corridor, as well as provide a source of non-motorized transportation to improve public transit infrastructure within the City's commercial core. These improvements as well as the Project's implementation of a commercial project in service of the community minimize the potential for cumulative impacts in regard to an increase in traffic because the Project provides alternative sources of single vehicle uses and placed development in proximity to residential development to reduce the miles traveled to accesses these frequented facilities. As such, the Project's cumulatively considerable impact would be less than significant.

- c) **Less Than Significant Impact with Mitigation Incorporated.** As discussed in Section 7 (Geology and Soils) the Project site is not located in an active fault zone, high risk for strong ground shaking area, or within an area susceptible to geological hazards including liquefaction, landslides, later collapse, subsidence, or lateral collapse. Nonetheless, consistent with the Project-specific geological technical report, the Project would be required to implement Mitigation Measure GEO-1 to ensure any adverse effects related to geological hazards affecting the site are minimized. Although the proposed Project site is not at risk for significant geological hazards, construction and operation of the Project would need to comply with the

most current state and local building code, including seismic, fire, and safety codes. As such, the Project would not expose people to loss, injury or death.

Also, Section 20 (Wildfire) analyses the property's fire hazard risk and determined a low to very low probability given the site's distance from Very High Fire Hazard Severity Zone as illustrated in the State's Fire Hazard Severity Zone Map and City General Plan EIR Exhibit 4-2. The site's risk to flood is also determined as low as indicated by the property's FEMA Zone X designation which is associated with areas with a low flood hazard risk.

Section 13 (Noise) evaluates the Project's potential to cause excessive noise and disrupt the existing ambient environment. Considering the Project construction will be temporary, and any noise related to construction activities will cease after the 7-month construction period, and operational noise will be less invasive and intrusive in comparison to the operation of an automobile sale and repair/service shop, the Project would have a less than significant impact to nearby sensitive receptors. The Project would be required to comply with the City's noise standards for commercial land use, further reducing the potential for adverse effects.

<b>Mitigation Monitoring and Reporting Program</b>			
<b>Mitigation Measure</b>	<b>Responsible Agency</b>	<b>Timing</b>	<b>Verification (Date and Initials)</b>
<b>BIOLOGICAL RESOURCES</b>			
<b>BIO-1</b> Prior to any ground disturbing activity on the Project site, the applicant shall secure an Incidental Take Permit (ITP) for the removal of the Joshua tree, and provide a copy of the ITP to the City. The applicant shall also secure native plant permits from the City, as required by the Municipal Code.	Project Applicant, the City Planning Division	Prior to ground disturbance	
<b>GEOLOGY AND SOILS</b>			
<b>GEO-1</b> The Project shall refine its final site plan and grading plan in compliance with the list of standard requirements and recommendations as stated in the geological technical report. Some of these standards pertain to on-site drainage system, site preparation, foundational support, disposal of exported material, use of construction materials, over excavated areas, and measures to contain moisture migration. Standard requirements by which the Project is mandated to comply include construction standards pursuant with current American Concrete Institute (ACI) standards, State of California Standard Specifications, State of California Department of Transportation (Caltrans) Standard Specification, and California Occupational Safety and Health Administration (CAL OSHA) requirements, to name a few. The final Project plan and specification documents shall be reviewed by a Moore Twining staff to determine whether they are consistent with the stated recommendations. And construction monitoring will be provided by a qualified Moore Twining staff member in order to verify the substrate conditions and make alternative recommendations if the conditions differ from those anticipated.	Project Applicant, project geologist, City Building Department	Prior to construction	
<b>HAZARDS AND HAZARDOUS MATERIALS</b>			
<b>HAZ-1</b> An Operations and Maintenance (O&M) Program shall be implemented to safely manage the identified presumed asbestos-containing materials located in the subject building on the property. Prior to any planned remodeling or demolition, a comprehensive survey for asbestos-containing materials should be conducted. Removal or identified ACMs, including the preparation of specifications, should be conducted by a licensed asbestos abatement contractor and/or Certified Asbestos Consultant, according to applicable regulations.	Project Applicant, City Building Department	Prior to construction	
<b>HAZ-2</b> Prior to any construction activities, the four 55-gallon waste oil drums shall be properly disposed of in accordance with state and local regulations.			

**Appendix A**  
**Air Quality**

(Available at the City for review)

Appendix B  
Geological Technical Report  
(Available at the City for review)

Appendix C  
Phase I Environmental Site Assessment  
(Available at the City for review)

Appendix D  
Phase II Limited Subsurface Investigation Report  
(Available at the City for review)

Appendix E  
Drainage Study  
(Available at the City for review)



Appendix F  
Water Quality Management Plan  
(Available at the City for review)

Appendix G  
Traffic Report  
(Available at the City for review)