

# ATTACHMENT D

Initial Study

**INITIAL STUDY  
ENVIRONMENTAL CHECKLIST FORM**

1. **Project title:** Vesting Tentative Map, Tract No 20544
2. **Lead agency name and address:** City of Victorville Planning Division, PO Box 5001, Victorville, California 92393-5001.
3. **Contact person and phone number:** Casandra Erskine, Assistant Planner, (760) 955-5135
4. **Project location:** Southeast corner of Bear Valley Road and Verbena Road, Victorville, CA 92395
5. **Project sponsor's name and address:**  
Jack Herron  
Bear Valley 60, LLC  
2472 Chambers Road, Suite 150  
Tustin, CA 92780
6. **General Plan designation:** Low Density Residential (LDR)
7. **Zoning:** Single-Family Residential (R-1)
8. **Description of project:** Bear Valley 60, LLC (Project Applicant) is requesting approval of a Tentative Parcel Map (TTM No. 20544) to subdivide a 20-acre parcel, described as Assessor's Parcel Number (APN) 3071-111-01 into 61 single-family residential lots and three lettered lots (see Figure 1 – Site Plan). The property is within a primarily scattered residential area of the High Desert in the City of Victorville south of Bear Valley Road, north of Sierra Road, east of Verbena Road, and west of Bellflower Street (see Figure 2 – Project Vicinity and Figure 3 – Regional Location). Desert vegetation, including Joshua trees and creosote bush scrub are found on-site. The Project Site is currently vacant and zoned single-family residential (R-1) within the Land Use Category of Low Density Residential (LDR). The Proposed Project is an allowable use within the zoning of single-family residential and is therefore consistent with the City of Victorville General Plan Land Use and Zoning Districts. The lots would range from approximately 3,781 to 15,614 square-feet (refer to Figure 1-Site Plan). Access to the site would be from Sierra Road and from Bear Valley Road onto internal "A" street. Internal streets "B", "C", and "D" are accessible from "A" Street only.
9. **Surrounding land uses and setting:** The Project Site is within the City of Victorville. Figure LU-1 Land Use Map of the City of Victorville General Plan shows that the Project Site is designated for Single-Family residential uses. To the north of the Project Site is Bear Valley Road and vacant land. To the south, west and east are vacant parcels and single-family residences. The following table lists the existing land uses and zoning district designations.

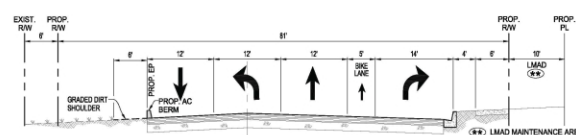
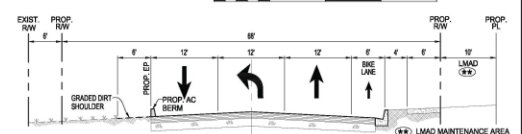
Existing Land Use and Land Use Zoning Districts		
Location	Existing Land Use	Land Use Zoning District
Project Site	Vacant Land	Low Density Residential (LDR), Single Family Residential (R-1)
North	Vacant Land	Low Density Residential (LDR), Single Family Residential (R-1)

Existing Land Use and Land Use Zoning Districts		
South	Vacant land and Single-family residence	Low Density Residential (LDR), Single Family Residential (R-1)
East	Vacant Land and Single-family residence	Low Density Residential (LDR), Single Family Residential (R-1)
West	Vacant Land	Very Low Density Residential (VLDR), Single-Family Residential

10. **Other public agency whose approval is required:** Recordation of a final map, issuance of building permits and completion of structure design to current building codes is required by the City prior to development on-site. In addition, approval is required by the Lahontan Regional Water Quality Control Board for compliance with the General Construction Permit, and National Pollutant Discharge Elimination System (NPDES), and approval of a Storm Water Pollution Prevention Plan (SWPPP); Victorville Water District for water service; and Victor Valley Wastewater Reclamation Authority for sewer connection.

## APN NO. 3071-111-01

LOT AREA			
LOT NO.	LOT SF	LOT ACRE	%
TOTAL LOT AREA (1-41)	543,032	12.48	81.00%
LOT A	15,874	0.36	1.76%
LOT B	3,781	0.09	0.44%
LOT C	31,506	0.72	3.52%
ONSITE STREET	150,112	3.45	19.86%
OFF-SITE STREET	148,440	3.36	19.42%
TOTAL SITE	891,257	20.46	100.00%



- |  |  |
|--|--|
| <b>UTILITIES:</b>  | <b>WATER</b>   |
| <b>ELECTRIC:</b><br>SOUTHERN CALIFORNIA Edison<br>13301 HESPERA ROAD<br>VICTORVILLE, CA 92592<br>PHONE: (760) 935-8219             | VICTORVILLE WATER DISTRICT<br>1401 WEST 12TH DRIVE<br>VICTORVILLE, CA 92592<br>PHONE: (760) 364-6454   |
| <b>GAS:</b><br>SOUTHWEST GAS CORPORATION<br>2000 W. CENTRAL AVENUE<br>VICTORVILLE, CA 92594<br>PHONE: (760) 457-4044               | <b>SCHOOL DISTRICT:</b><br>SUNSHINE JOINT UNIFIED SCHOOL DISTRICT (K-12)<br>P.O. BOX 24000<br>VICTORVILLE, CA 92523-0040<br>PHONE: (760) 858-8517                  |
| <b>TELEPHONE:</b><br>VERIZON<br>1050 LA PAZ DRIVE<br>VICTORVILLE, CA 92592<br>PHONE: (760) 343-4200                                | <b>CABLE:</b><br>CHARTER COMMUNICATION<br>12494 SHERBORN CENTER DR., SUITE 2<br>VICTORVILLE, CA 92592<br>PHONE: (951) 699-6262                                     |
| <b>DEVELOPER:</b><br>KIM HERRON<br>BEAR VALLEY, LLC<br>2472 OWENBERRY ROAD, SUITE 150<br>TUSTIN, CA 92780<br>PHONE: (949) 633-7193 | <b>ENGINEER:</b><br>MAGDOLE & ASSOCIATES, INC.<br>8032 PITTSBURGH AVENUE, SUITE B29<br>RANCHO CLEMENTE, CA 91769<br>CONTACT: MARI BEHREND<br>PHONE: (951) 457-4522 |

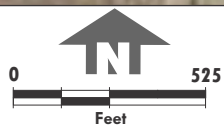
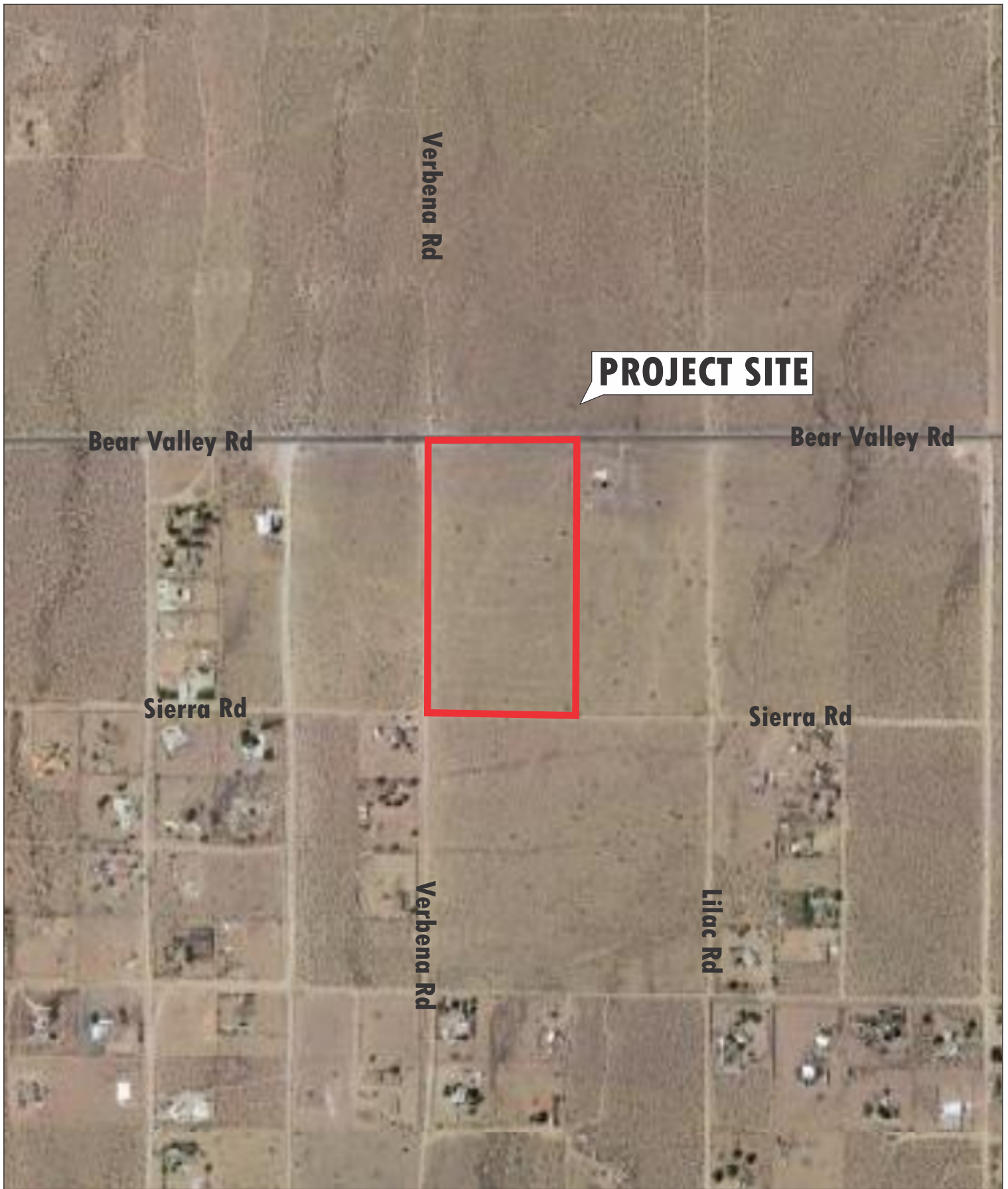
- S— SEWER  
 —SD— STORM DRAIN  
 —W— WATER

SCALE: 1" = 60'

SCALE IN FEET

0 60 120 180 240

### FIGURE 1



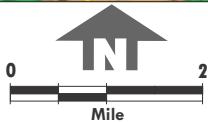
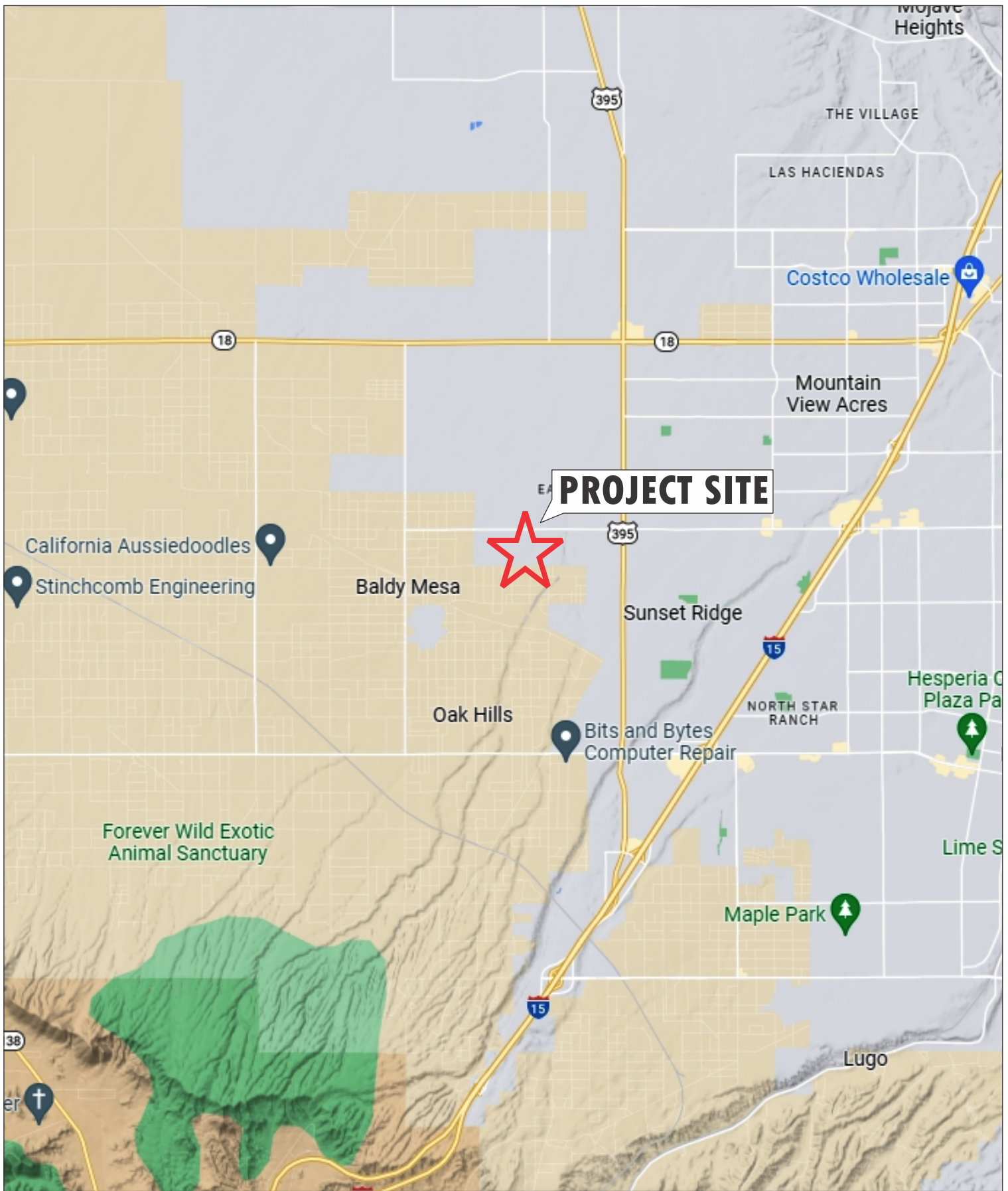
**LILBURN**  
CORPORATION

## PROJECT VICINITY

Verben Road TTM  
City of Victorville, California

**FIGURE 2**





## REGIONAL LOCATION

Verbena Road TTM  
City of Victorville, California

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FIGURE 3

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

## DETERMINATION:

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of the incorporated mitigation measures and revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a significant effect(s) 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, if the effect is a "potentially significant impact" or "potentially significant unless mitigated". An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that the proposed project WILL NOT have a significant effect on the environment, because no new potentially significant effects have been identified beyond those previously analyzed adequately in an earlier EIR, pursuant to applicable standards, and no additional mitigation measures beyond those imposed as part of that previous EIR are necessary to be imposed upon the proposed project to reduce mitigable impacts to a insignificant level. Therefore, no additional environmental documentation is necessary.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 \_\_\_\_\_ For: \_\_\_\_\_

## EVALUATION OF ENVIRONMENTAL IMPACTS:

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



## ENVIRONMENTAL IMPACTS:

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
I. <b>AESTHETICS.</b> <i>Would the proposal:</i>				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
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?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

## AESTHETICS

### Explanations:

- a) **Less Than Significant Impact.** The City of Victorville General Plan (General Plan) identifies the importance of conservation of local scenic resources such as natural and cultural resources and how they are necessary assets for the community<sup>1</sup>. The Project Site is located south of Bear Valley Road, north of Sierra Road, east of Verbena Road, and west of Bellflower Street within the City of Victorville, San Bernardino County, California. The vista from the Project Site includes vacant lands to the north, south, west and east. The proposed development of the 61 single-family residences would be comparable in height to the nearby one-story and two-story residences located to the east and southwest of the Proposed Project. The land use of the Proposed Project is Low Density Residential and is consistent with the General Plan. Additionally, the General Plan does not identify the Project Site and/or any scenic vistas in the vicinity of the Project Site. The development of future homes would be required to conform with the applicable development standards of the Victorville Municipal Code. The development of the Proposed Project will have a less than significant impact on scenic vistas. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.
- b) **No Impact.** The Project Site does not contain any significant features such as rock outcroppings, and/or historic buildings that could potentially be damaged by development of the Project Site. According to the Victorville's 2030 General Plan Environmental Impact Report (General Plan EIR), there are no existing or proposed state scenic highways in the Planning Area<sup>2</sup>. Removal of Joshua trees on-site is discussed in the Biological Resources section of this Initial Study. Therefore, no significant impacts are identified or anticipated, with the inclusion of the Joshua Tree mitigation measures outlined in the Biological Resources Discussion (see Section IV).

<sup>1</sup> Victorville General Plan 2030. Page R-1.

<sup>2</sup> 2030 General Plan Environmental Impact Report. Page 5.1.1

- c) **Less Than Significant Impact.** The Proposed Project would involve the development of 61-single-residential lots consistent with the City's General Plan. The City Development Code provides development standards for the City's urban area, such as height restrictions and other design guidelines which are intended to reduce any potential degradation to visual character and quality of public views. The Proposed Project would not substantially degrade the existing visual character or degrade any existing public views that are publicly accessible from a vantage point as it is bordered on the southwest and southeast of single-family residential. The General Plan designation for APN 3071-111-01 is currently Low Density Residential with a zoning of Single-Family Residential (R-1) in which the Proposed Project is allowable use under the current land use designations. Adjacent uses to the Project Site include vacant land to the north, single family residences to the southwest and east and vacant land to the south. Implementation of the Proposed Project would be comparable to adjacent uses and would not conflict with applicable zoning and other regulations governing scenic quality. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.
- d) **Less Than Significant Impact.** The development of the 61 single-family residential homes would not generate a significant amount of light and glare when compared to the surrounding areas which includes existing lighting from urban development including streetlighting and residential lighting. The design and placement of the light fixtures within the future new development would be reviewed by consistency with City standards under Section 16-3.08.090(b)9 of the Development Code and subject to City-approval. Standards require shielding, diffusing, and indirect lighting to avoid glare. Lighting would be selected and located to confine the area of illumination to on-site streets. In accordance with the City Development Code, a Lighting Plan would be submitted for City review and lighting would be selected and located to confine the area of illumination to on-site streets with no spill-over to adjacent residential development. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

## II. Agriculture and Forestry Resources.

*In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.*

*In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forestland, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board*

*Would the proposal:*

- 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?

Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
			X

b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d)	Result in the loss of forest land or conversion of forest land to non-forest use?				X
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

Explanations:

- a) **No Impact.** The Department of Conservation's California Important Farmland Finder shows that the Project Site occurs within Grazing Land.<sup>3</sup> However, the General Plan does not identify the Project Site or vicinity for agricultural uses. The Proposed Project would not convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance to a non-agricultural use and no impact would occur as result of construction and operation of the Proposed Project. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.
- b) **No Impact.** According to the General Plan EIR, the 148-acre Kemper-Campbell Ranch site is the only property within the City's Planning Area under a Williamson Act contract.<sup>4</sup> The Kemper-Campbell Ranch encompasses three parcels and is located approximately 12.1 miles northeast of the Project Site. The Project Site is not within or adjacent to a Williamson Act contract property. As discussed above, no land on or adjacent to the Project Site is currently under agricultural production, nor are any parcels zoned for agricultural uses. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.
- c) **No Impact.** The General Plan designation for the property is Low Density Residential in the Zoning District of R-1 (Single-Family Residential), the entire Project Site would be in conformance with the General Plan and the Proposed Project would be an allowable use. Implementation of the Proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned for Timberland Production. The Project Site is within a predominantly urbanized area and forest land, timberland, or timberland zone designations do not occur in the vicinity. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.
- d) **No Impact.** The Project Site is located in the High Desert and does not support forest land. Implementation of the Proposed Project would not convert forest land to non-forest use. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

<sup>3</sup> California Department of Conservation, California Important Farmland Finder. Accessed August 10, 2023. <https://maps.conservation.ca.gov/dlrp/ciff/>

<sup>4</sup> 2030 General Plan Environmental Impact Report. Page 5.25

- e) **No Impact.** As stated previously, the Project Site is identified as “Grazing Land” and is currently vacant as are most surrounding lands. There will be no loss of farmland use or conversion of forest land to non-forest use as a result of implementation of the Proposed Project. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**III. AIR QUALITY.** *Would the proposal:*

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
- c) Expose sensitive receptors to substantial pollutant concentrations?
- d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a)			X	
b)			X	
c)			X	
d)				X

**Explanations:**

- a) **Less Than Significant Impact.** The Project Site is in San Bernardino County within the Mojave Desert Air Basin (MDAB). The MDAB is an assemblage of mountain ranges interspersed with long broad valleys that often contain dry lakes. Many of the lower mountains throughout the vast terrain rise from 1,000 to 4,000 feet above the valley floor. Prevailing winds in the MDAB are out of the west and southwest. These prevailing winds are due to the proximity of the MDAB to coastal and central regions and the blocking nature of the Sierra Nevada Mountains to the north; air masses pushed onshore in southern California by differential heating are channeled through the MDAB. The MDAB is separated from the southern California coastal and central California valley regions by mountains (highest elevation approximately 10,000 feet), whose passes form the main channels for these air masses. The MDAB is bordered in the southwest by the San Bernardino Mountains, separated from the San Gabriel Mountains by the Cajon Pass (4,200 feet). A lesser channel lies between the San Bernardino Mountains and the Little San Bernardino Mountains (the Morongo Valley).

The U.S. Environmental Protection Agency (USEPA), under the federal Clean Air Act (CAA), establishes maximum ambient concentrations for seven criteria air pollutants (CAPs). These maximum concentrations are known as the National Ambient Air Quality Standards (NAAQSs). The seven CAPs are ozone (O<sub>3</sub>), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), respirable particulate matter (PM<sub>10</sub>), fine particulate matter (PM<sub>2.5</sub>), and lead (Pb).

For areas within the State that have not attained air quality standards, the CARB works with local air districts to develop and implement attainment plans to obtain compliance with both federal and State air quality standards. The local air district with jurisdiction over the Project Site is the Mojave Desert Air Quality Management District (MDAQMD), known as the District.

- a. The MDAQMD and the Southern California Association of Governments (SCAG) are responsible for formulating and implementing the air quality attainment plan (AQAP) for the

MDAB. Regional AQAPs were adopted in 1991, 1994, and 1997. The following the State Implementation Plan (SIP) and AQAP are the currently approved plans for the Basin region:

- 1997 SIP for O<sub>3</sub>, PM<sub>10</sub>, and NO<sub>2</sub>
- 1995 Mojave Desert Planning Area Federal PM<sub>10</sub> Attainment Plan; no formal action by The United States Environmental Protection Agency (EPA)

The District completed the 2004 Ozone Attainment Plan (State and federal) in April 2004, which was approved by the EPA. The most recent update to the Federal Ozone Plan took place in January 2023. On January 23, 2023, the 70-ppb federal 8-hour ozone standard was adopted. According to the MDAQMD, a project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable MDAQMD rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and it is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan).

The federal Clean Air Act and California Clean Air Act were established in an effort to assure that acceptable levels of air quality are maintained. These levels are based upon health-related exposure limits and are referred to as National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS). The ambient air quality standards establish maximum allowable concentrations of specific pollutants in the atmosphere and characterize the amount of exposure deemed safe for the public. Areas that meet the standards are designated attainment and if found to be in violation of primary standards are designated as nonattainment areas.

The EPA and the CARB have designated portions of the MDAQMD as nonattainment for a variety of pollutants, and some of those designations have an associated classification. Table 1 lists these designations and classifications. The MDAQMD has adopted attainment plans for a variety of nonattainment pollutants.

**Table 1**  
**State and Federal Air Quality**  
**Designations and Classifications**

<b>Ambient Air Quality Standard</b>	<b>Status</b>
Eight-hour Ozone (Federal 70 ppb (2015))	Expected Non-attainment; to be determined.
Ozone (State)	Non-attainment; classified Moderate
PM <sub>10</sub> (24-hour Federal)	Non-attainment; 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)	Non-attainment (portion of MDAQMD outside of Western Mojave Desert Ozone Non-Attainment Area is unclassified/attainment)
PM <sub>10</sub> (State)	Non-attainment

Ambient Air Quality Standard	Status
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 (Searles Valley Planning Area is non-attainment)
Visibility Reducing Particles (State)	Unclassified

Source: MDAQMD CEQA and Federal Conformity Guidelines, August 2016

The Proposed Project includes development of the approximately 20-acre Project Site with 61 single-family residential units. The project is encompassed within only one parcel, Assessor Parcel Numbers (APNs) 3071-111-01. Per the City of Victorville General Plan 2030 Land Use and Zoning Districts Map, the current land use for APN 3071-111-01 is Low Density Residential (5 du/ac) and the current zoning is R-1 Single-Family (5 du/ac). Therefore, at 2.64 dwelling units per acre, the Proposed Project would be an allowable use under the current land use designations for the one parcel.

The MDAQMD acknowledges that strict consistency with all aspects of the Attainment Plan is not required in order to make a finding of no conflict. Rather, a project is considered to be consistent with the Attainment Plan if it furthers one or more policies and does not obstruct other policies. The Proposed Project is consistent with the current General Plan Designation and Zoning. The construction of single-family residential units would incorporate contemporary energy-efficient technologies and regulatory/operational programs required per Title 24, CALGreen and City standards.

Generally, compliance with MDAQMD emissions reductions and control requirements also act to reduce project air pollutant emissions. In combination, project emissions-reducing design features and regulatory/operational programs are consistent with and support overarching Attainment Plan air pollution reduction strategies. Project support of these strategies promotes timely attainment of Attainment Plan air quality standards and would bring the project into conformance with the Attainment Plan. As shown below, the Proposed Project's emissions do not exceed any MDAQMD thresholds during either short-term construction or long-term operations. Therefore, the proposed project is not anticipated to exceed the Attainment Plan assumptions for the project site and is found to be consistent with the Attainment Plan for the second criterion. Based on the above, the Proposed Project would not conflict with implementation of the MDAQMD Attainment Plans, impacts are considered to be less than significant. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- b) **Less Than Significant Impact.** The Proposed Project's construction and operational emissions were screened using California Emissions Estimator Model (CalEEMod) version 2022 (see



Appendix A). CalEEMod was used to estimate the on-site and off-site construction emissions. The emissions incorporate Rule 402 and 403 by default as required during construction.

### Construction Emissions

Construction activities associated with the Proposed Project would have the potential to generate air emissions and toxic air contaminant emissions. The Proposed Project has been anticipated in the modeling to start construction no sooner than March 2024 and to be operational in 2025. The resulting emissions generated by construction of the Proposed Project are shown in Table 2, below.

**Table 2**  
**Construction Emissions Summary**  
**(Pounds per Day)**

<b>Equipment</b>	<b>ROG</b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>SO<sub>2</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
Summer-Daily Max	3.8	40.0	35.3	0.0	10.4	5.7
Winter-Daily Max	41.5	11.6	14.5	0.0	0.8	0.5
MDAQMD Threshold (lbs/day) <sup>5</sup>	<b>137</b>	<b>137</b>	<b>548</b>	<b>137</b>	<b>82</b>	<b>65</b>
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod 2022.

As shown in Table 2, the anticipated construction emissions are less than the MDAQMD thresholds and would be considered less than significant. The Proposed Project shall comply with MDAQMD Rules 402 and 403, as listed below.

### Compliance with MDAQMD Rules 402 and 403

Although the Proposed Project does not exceed MDAQMD thresholds, the Applicant is required to comply with applicable MDAQMD Rules 402 for nuisance and 403 for fugitive dust control. This would include, but not be limited to the following:

- (a) The Project Proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.
- (b) The Project Proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading activity on the site. Portions of the site that are actively being used shall be watered to ensure that a crust is formed on the ground surface and shall be watered at the end of each workday.
- (c) The Project Proponent shall ensure that disturbed areas are treated to prevent erosion.
- (d) The Project Proponent shall ensure that ground disturbing activities are suspended when winds exceed 25 miles per hour.

Although the Proposed Project would not exceed MDAQMD thresholds for exhaust emissions during operations, the Applicant would be required to implement the following conditions as required by MDAQMD:

- (a) All equipment must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.

<sup>5</sup> MDAQMD CEQA Guidelines. Page 9, February 2020. Accessed on September 15, 2023.

- (b) The operator shall comply with all existing and future CARB and MDAQMD Off-Road Diesel Vehicle Regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.

### Operational Emissions

Operational emissions are categorized as energy (generation and distribution of energy to the end use), area (operational use of the project), and mobile (vehicle trips). Operational emissions were estimated using the CalEEMod version 2022 and are listed in Table 3, below.

**Table 3**  
**Summer Operational Emissions Summary**  
**(Pounds per Day)**

Source	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Mobile	3.0	2.7	25.3	0.0	4.6	1.2
Area	96.4	1.9	119	0.2	16.0	15.8
Energy	0.0	0.4	0.2	0.0	0.0	0.0
<b>Total Emissions (lbs/day)</b>	<b>99.4</b>	<b>5.0</b>	<b>144.5</b>	<b>0.2</b>	<b>20.6</b>	<b>17</b>
MDAQMD Threshold	137	137	548	137	82	65
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod 2022.

**Table 4**  
**Winter Operational Emissions Summary**  
**(Pounds per Day)**

Source	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Mobile	2.6	3.0	19.6	0.0	4.6	1.2
Area	96.1	1.8	115	0.2	16.0	15.8
Energy	0.0	0.4	0.2	0.0	0.0	0.0
<b>Total Emissions (lbs/day)</b>	<b>98.7</b>	<b>5.2</b>	<b>134.8</b>	<b>0.2</b>	<b>20.6</b>	<b>17.0</b>
MDAQMD Threshold	137	137	548	137	82	65
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

As shown in Table 3 and 4, both summer and winter operational emissions are below MDAQMD thresholds. Therefore, the Proposed Project is not anticipated to violate any air quality standard or result in a cumulatively considerable net increase in an existing or projected air quality violation. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- c) **Less Than Significant Impact.** The MDAQMD CEQA and *Federal Conformity Guidelines* (August 2016) define sensitive receptors as being residences, schools, daycare centers, playgrounds and medical facilities. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated using MDAQMD significance thresholds:

- Any industrial project 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.

The Proposed Project does not meet the criteria for a project type which is subject to sensitive receptor significance threshold evaluation. The Proposed Project includes a 61-lot residential development. Furthermore, the modeling results shown previously indicate that development of the Proposed Project is not anticipated to exceed MDAQMD emissions thresholds. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- d) **No Impact.** The Proposed Project would be residential, which is a land use typically not associated with the emissions of objectionable odors. Potential odor sources associated with the Proposed Project may result from construction equipment exhaust; however, standard construction requirements would minimize odor impacts resulting from construction activity. It should be noted that any construction odor emissions generated would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction activity. The Proposed Project would also be required to comply with MDAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

**IV. BIOLOGICAL RESOURCES.** *Would the proposal result in impacts to:*

- 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 regulation, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?

Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
	X		
		X	
		X	
		X	
		X	
			X

Explanations:

- a) **Less Than Significant with Mitigation Incorporated.** A Biological Resources Assessment (BRA), Jurisdictional Delineation, and Multiple Species Habitat Conservation Plan (MSHCP) Consistency Analysis prepared for the Proposed Project by Jennings Environmental, LLC updated January 2024 is summarized herein (see Appendix B). As part of the BRA, Jennings Environmental, LLC (Jennings) conducted a background data search for information on plant and wildlife species known occurrences within the vicinity of the Project Site. The biological resource assessment was designed to address the potential effects of the Proposed Project on designated critical habitats and/or any species currently listed or formally proposed for listing as endangered or threatened under the federal Endangered Species Act (ESA) and the California Endangered Species Act (CESA) or species designated as sensitivity by the California Department of Fish and Wildlife (CDFW) or the California Native Plant Society (CNPS). Additionally, the site was surveyed for any drainage features that would meet the definition of the Waters of the US (WOUS), Waters of the State (WOS), or CDFW jurisdiction. Jennings evaluated the Project Site in relation to the areas including criteria cells, core habitat, linkages, and areas proposed for conservation. The data review included biological text on general and specific biological resources, and resources considered to be sensitive by various wildlife agencies, local government agencies and interest groups.

According to the CNDDDB, CNIPSEI, and other relevant literature and databases, 37 sensitive species including 10 listed species, and 3 sensitive habitats, have been documented in the *Baldy Mesa, Hesperia, Victorville, and Adelanto quads*. This list of sensitive species and habitats includes any State and/or federally listed threatened or endangered species, the CDFW designated Species of Special Concern (SSC), and otherwise Special Animals. "Special Animals" is a general term that refers to all of the taxa the CNDDDB is interested in tracking, regardless of their legal or protection status. This list is also referred to as the list of "species at risk" or "special status species." The CDFW considers the taxa on this list to be those of greatest conservation need.

An analysis of the likelihood of the occurrence of all CNDDDB-sensitive species documented in the *Baldy Mesa, Hesperia, Victorville, and Adelanto quads* is provided in the study. This analysis takes into account species range as well as documentation within the vicinity of the project area and includes the habitat requirements for each species and the potential for their occurrence on the site, based on required habitat elements and range relative to the current site conditions. According to the databases, no USFWS-designated critical habitat occurs within or adjacent to the Project Site.

Designated Critical Habitat

The Project Site is not located within or adjacent to any USFWS-designated Critical Habitat. The Project Site is located within a Countywide Plan mapped area of the "Biological Resource Overlay" and identified the site boundary for burrowing owl on the San Bernardino County Biotic Resources Overlay.

Special Status Species Background

The only sensitive species observed on site during surveys was the Western Joshua tree, a candidate species for listing under the state's Endangered Species Act.

### *Desert Tortoise*

The habitat on site is minimally suitable for desert tortoise. However, no sign of desert tortoise (i.e., burrows, tracks, or pellets) was observed during the survey. Additionally, no desert tortoise individuals were observed.

**Findings:** Because the site is minimally suitable, it is recommended that pre-construction surveys be completed for this species. These surveys should be conducted by a qualified biologist and at an appropriate time of day/year to observe signs of desert tortoise.

### *Burrowing Owl*

Based on the October 2023 field survey, the site does contain minimally suitable habitat for this species. No burrowing owls were observed during the site visit. No burrows of any kind were located within the Project site. No portion of the Project site showed any evidence of past or present BUOW activity. No feathers, whitewash, or castings were found, and no suitable burrow surrogate species are present on-site.

**Findings:** Because the site is minimally suitable, it is recommended that pre-construction surveys be completed for this species. These surveys should be conducted by a qualified biologist and at an appropriate time of day/year using the appropriate survey protocols.

A general reconnaissance survey was conducted on October 29, 2023, to identify the potential for the occurrence of special status species, vegetation communities, or habitats that could support special status wildlife species. Below are the findings.

### Field Survey Findings

Jennings Environmental conducted a field survey on October 29, 2023. The habitat on-site consists of sparse Creosote bush - white bursage scrub (*Larrea tridentata* - *Ambrosia dumosa* Shrubland Alliance). Surrounding land uses include undeveloped parcels and rural residential developments. Based on the literature review and personal observations made in the immediate vicinity, no State and/or federally listed threatened or endangered species are documented/or expected to occur within the Project site. Additionally, no plant species with the California Rare Plant Rank (CRPR) of 1 or 2 were observed on-site or documented to occur on-site in the relevant databases. No other sensitive species were observed within the project area or buffer area.

Animal species observed or otherwise detected on or in the vicinity of the Project Site during the surveys included: white-crowned sparrow (*Zonotrichia leucophrys*), cactus wren (*Campylorhynchus brunneicapillus*), and house finch (*Haemorrhous mexicanus*).

The Project Site is located within a developed portion of the City of Victorville. As mentioned above, the Project Site is currently surrounded by undeveloped parcels and rural residential developments. As such the site offers no habit for any listed species.

At the time of the survey, the conditions on-site were not suitable for BUOW. California ground squirrels, a burrow owl surrogate species, were not observed on-site. No evidence of BUOW was found in the survey area. No burrows of appropriate size, aspect, or shape were located and no BUOW pellets, feathers, or whitewash were found. No burrowing owl individuals were observed.

The Project Site contains a total of 31 Joshua trees that would be removed prior to construction. Therefore, to reduce the impacts of removing Western Joshua Trees from the Project Site to less than significant, implementation of Mitigation Measure BIO-2 is required. Mitigation Measure BIO-2 requires that the Applicant obtain a permit from the CDFW to remove the trees and approval

from the City to do so in accordance with the procedures set forth in the City of Victorville Municipal Code 13.33. The code is intended to adhere to the State Department of Food and Agriculture in its efforts to implement and enforce the Desert Native Plant Act.

**Mitigation Measure BIO-1:**

Pre-construction surveys for burrowing owls, desert tortoise, and nesting birds protected under the Migratory Bird Treaty Act and Section 3503 of the California Fish and Wildlife Code shall be conducted prior to the commencement of Project-related ground disturbance.

- a. Appropriate survey methods and timeframes shall be established in accordance with CDFW protocol and Guidelines to ensure that chances of detecting the target species are maximized. In the event that listed species, such as the desert tortoise, are encountered, authorization from the United States Fish and Wildlife Service (USFWS) and CDFW must be obtained. If nesting birds are detected, avoidance measures shall be implemented to ensure that nests are not disturbed until after young have fledged.
- b. Pre-construction surveys shall encompass all areas within the potential footprint of disturbance for the project, as well as a reasonable buffer around these areas.

**Mitigation Measure BIO-2:**

In accordance with the Western Joshua Tree Conservation Act via SB 122, and the City of Victorville's Development Advisory dated July 19, 2023, the Project will be required to obtain an Incidental Take Permit (ITP) from the California Department of Fish and Wildlife, prior to any ground disturbance. The ITP will provide for the acceptance of the mitigation fees to offset the impacts to the Western Joshua trees found on-site. Additional surveys or mitigation required will be determined during the ITP process.

**Mitigation Measure BIO-3:**

A focused plant survey is recommended for all special status plant species that have the potential to occur on the site to be performed during the blooming season (April - June) to determine the potential environmental effects of the proposed projects on special status plants and sensitive natural communities following recommended protocols by CDFW. If any sensitive species are observed on the property during future activities, CDFW and USFWS (as applicable) should be contacted to discuss specific mitigation measures which may be required for the individual species. CDFW and USFWS are the only agencies which can grant authorization for the "take" of any sensitive species and can approve the implementation of any applicable mitigation measures.

With implementation of Mitigation Measures BIO-1 through BIO-3, impacts to "any species identified as a candidate, sensitive or special status species would be reduced to less than significant levels with mitigation incorporated.

- b) **Less than Significant Impact.** According to the BRA, no riparian vegetation (e.g., cottonwoods, willows, etc.) exist on the site or in the adjacent habitats. Jennings Environmental determined that no further surveys for 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 are required. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.



- c) **Less than Significant Impact.** The United States Army Corps of Engineers (USACE) has the authority to permit the discharge of dredged or fill material in Waters of the U.S. (WOUS) under Section 404 CWA. While the Regional Water Quality Board has authority over the discharge of dredged or fill material in Waters of the State under Section 401 CWA as well as the Porter-Cologne Water Quality Control Act. The Project Site was surveyed with 100 percent visual coverage and no drainage features were present on site that met the definition for WOUS. As such, the property does not contain any wetlands, Waters of the U.S., or Waters of the State.

No sensitive habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) have been documented in the immediate area according to the CNDDB and none were observed on the site during the field investigations. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- d) **Less than Significant Impact.** Wildlife movement and the fragmentation of wildlife habitat are recognized as critical issues that must be considered in assessing impacts to wildlife. Habitat fragmentation is the division or breaking up of larger habitat areas into smaller areas that may or may not be capable of independently sustaining wildlife and plant populations. Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors are similar to linkages but provide specific opportunities for animals to disperse or migrate between areas. Project Site is currently surrounded by undeveloped parcels and rural residential developments. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- e) **Less than Significant Impact.** The Proposed Project would be required to adhere to the City of Victorville Development Advisory update dated July 19, 2023, references the State of California Western Joshua Tree Conservation Act (WJTCA) via SB 122 (2023). A WJTCA Incidental Take Permit will need to be prepared and processed through CDFW prior to any impacts occurring to Western Joshua. There are currently 31 Western Joshua trees (WJT) present on-site and two present within the 50-foot buffer around the site. The Proposed Project is to develop the parcel within the native vegetation. The Proposed Project is to sub-divide the 20-acre into 61 single-family lots. Each single-family lot is proposed for the development and the Western Joshua trees will need to be removed. As such, any impacts to Western Joshua trees will require an Incidental Take Permit (ITP) from the California Department of Fish and Wildlife (CDFW). Impacts will be less than significant with the implementation of Mitigation Measure BIO-2 as described above.

- f) **No Impact.** The City of Victorville General Plan does not identify the Project Site, nor the vicinity to be within a Habitat Conservation Plan. The Proposed Project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state Habitat Conservation Plan since there is no adopted Habitat Conservation Plan or Natural Community Conservation Plan in the Project area or local region. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

V. **CULTURAL RESOURCES.** *Would the proposal:*

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
		X	
	X		

- c) Disturb any human remains, including those interred outside of formal cemeteries?

	X		
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Explanations:

- a) **Less Than Significant Impact.** A Phase I Cultural Resources Investigation dated August 3, 2023, was prepared for the Proposed Project by Brian F. Smith and Associates, Inc. (BFSA). (See Appendix C). The purpose of the assessment was to identify and document any cultural resources that may potentially occur within the Project Site. The investigation was completed for compliance with the California Environmental Quality Act (CEQA), as amended, the San Bernardino County policies and guidelines, and the City of Victorville policies and guidelines. Historic land use data was compiled by BFSA Environmental Services through institutional records search, archival research, an intensive cultural resource survey of the entire approximately 20-acre study area, and the preparation of a technical report.

Research confirms no federally listed historical resources are identified in the immediate vicinity. A review of historical USGS data and the aerial photographs found that no structures have ever been located within the subject property. Based on aerial imagery, the property was leveled and then cleared of all vegetation, except for sporadic Joshua Trees, around 2009. On July 21, 2023, an archaeological survey of the site was conducted. The survey confirmed the property had been previously cleared and leveled with the exception of Western Joshua Trees on-site. The survey did not result in the identification of any historic or prehistoric cultural resources within the Project Site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- b) **Less than Significant Impact with Mitigation Incorporated.** An archaeological records search was completed for this investigation at the California State University, Fullerton South Central Coast Information Center (November 16, 2022). The research confirmed 9 resources investigations within a one-mile radius of the Project Site. The records search results also indicate that 14 cultural resource studies have been conducted within one mile of the project, none of which included the subject property. The complete records search results can be found in the Phase I Cultural Resources Investigation.

On July 21, 2023, staff from BFSA conducted an archaeological survey. Principal Investigator Tracy A. Stropes, M.A., RPA, and Senior Project Archaeologist Jennifer R.K. Stropes, M.S., RPA conducted the archaeological survey for the proposed residential subdivision within the approximately 20-acre Project Site. The archaeological survey was an intensive reconnaissance consisting of a series of survey transects across the project. The survey included a careful inspection of all exposed ground surfaces, including any rodent burrows and disturbed areas. The archaeological survey of the project site was an intensive reconnaissance consisting of a series of parallel survey transects spaced at approximately 15-meter intervals. The entire property was accessible with visibility characterized as excellent. Vegetation primarily consisted of creosote bushes, rubber rabbitbrush, and Joshua Trees. The survey confirmed that the project site had been previously cleared and leveled as noted in the aerial photograph review. The survey did not result in the identification of any historic or prehistoric cultural resources within the Project Site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Based upon the findings presented within the report, no further archaeological studies are necessary as part of the CEQA review process. Further, mitigation monitoring is not recommended as part of project approval since there is little to no potential to encounter any cultural sites during the development of this property. However, in the event that any historic or prehistoric cultural resources are inadvertently discovered, all construction work in the immediate vicinity of the discovery shall stop and a qualified archaeologist shall be consulted to determine if further mitigation

measures are warranted. Based on the potential to encounter buried or masked cultural deposits, it is recommended that Mitigation Measure CR-1 and CR-2 be implemented.

**Mitigation Measure CR-1:**

In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

**Mitigation Measure CR-2:**

If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

- c) **Less Than Significant with Mitigation Incorporated.** There is no evidence that human remains will be identified within the project area, but the presence cannot be completely ruled out. Construction activities, particularly grading, could potentially disturb human remains interred outside of a formal cemetery. Thus, the potential exists that human remains may be unearthed during grading and excavation activities associated with project construction. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level of less than significant:

**Mitigation Measure CR-3:**

Should human remains be discovered, treatment of those remains shall follow California Public Resources Code (PRC) 5097.9. Any human remains that are determined to be Native American shall be reported to the San Bernardino County Medical Examiner and Coroner and subsequently to the NAHC. A copy of this report will be filed with the SCCIC at CSU Fullerton.

**VI. ENERGY.** *Would the project:*

- a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a)			X	
b)				X

Explanations:

**Building Energy Conservation Standards**

The California Energy Conservation and Development Commission (California Energy Commission) adopted Title 24, Part 6, of the California Code of Regulations; energy Conservation Standards for new residential and nonresidential buildings in June 1977 and standards are updated every three years. Title 24 ensures building designs conserve energy. The requirements allow for the opportunities to incorporate updates of new energy efficiency technologies and methods into new developments. On December 23, 2022, the California Energy Commission (CEC) updated the 2022 Building Energy Efficiency Standards. Under the 2022 Standards, residential buildings are approximately 28 percent more energy efficient than the previous 2019 Energy Efficiency Standards. The 2022 Standards improved upon the previous 2019 Standards for new construction of and additions and alterations to residential and nonresidential buildings. The 2022 Title 24 standards state that residential buildings are anticipated to be approximately 7 percent more energy efficient. When the required rooftop solar is factored in for low-rise residential construction, residential buildings that meet the 2019 Title 24 standards would use approximately 53 percent less energy than residential units built to meet the 2016 standards. Additionally, the 2022 Building Energy Efficiency Standards will improve upon the 2019 Energy Standards for new construction of, and additions and alterations to residential buildings.

**Senate Bill 350**

Senate Bill (SB) 350 (de Leon) was signed into law in October 2015. SB 350 establishes new clean energy, clean air and greenhouse gas reduction goals for 2030. SB 350 also establishes tiered increases to the Renewable Portfolio Standard: 40 percent by 2024, 45 percent by 2027, and 50 percent by 2030.

**Senate Bill 100**

Senate Bill 100 (SB 100) was signed into law in September 2018 and increased the required Renewable Portfolio Standards. SB 100 requires the total kilowatt-hours of energy sold by electricity retailers to their end-use customers must consist of at least 50 percent renewable resources by 2026, 60 percent renewable resources by 2030, and 100 percent renewable resources by 2045. SB 100 also includes a State policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all State agencies by December 31, 2045. Under the bill, the State cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

a) **Less than Significant Impact.**

**Electricity**

Southern California Edison (SCE) provides electricity to the Project Site. Currently, the existing Project Site is vacant and does not use electricity. Therefore, development of the Proposed Project would cause a permanent increase in demand for electricity when compared to existing conditions. The increased demand is expected to be sufficiently served by the existing SCE electrical facilities. According to the California Energy Commission: Electricity Consumption by Planning Area, SCE residential use consumed 5800.102302 Millions of kWh (GWh) in the year

2023. The CalEEMod model projected that the proposed apartment complex would consume 0.464187 GWh annually. The increase in electricity demand from the project would represent 0.0011781 percent of the overall SCE residential consumption. Therefore, projected electrical demand would not significantly impact on SCE's level of service.

The Proposed Project has been designed to comply with the 2022 Building Energy Efficiency Standards. The City would review and verify that the Proposed Project plans would be in compliance with the most current version of the Building and Energy Efficiency Standards. The Proposed Project would also be required to adhere to CALGreen, which establishes planning and design standards for sustainable developments, and energy efficiency. Adherence to these requirements would result in the Proposed Project being efficient in terms of energy consumption. The development of the Proposed Project is not anticipated to affect achievement of the 60 percent Renewable Portfolio Standard established in the current SB 100. SCE and other electricity retailer's SB 100 goals include that end-user electricity use such as residential and commercial developments use would decrease from current emission estimates. The Proposed Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation and no mitigation measures are recommended.

### **Natural Gas**

The Proposed Project and the surrounding area are serviced by Southwest Gas Company. The Project Site is currently vacant and has no demand on natural gas. Therefore, the development of the Proposed Project will create a permanent increase in the demand for natural gas. According to the California Energy Commission: Gas Consumption by County, San Bernardino County (which includes Southwest Gas and other providers in the County), residential use consumed 256.505201 Millions of Therms in the year 2022 within San Bernardino County. The CalEEMod model projected that the proposed development would consume 19,086.73 Therms annually. The increase in natural gas demand from the project would represent 0.00008389 percent of the San Bernardino County residential consumption. Therefore, the natural gas demand from the Proposed Project would represent an insignificant percentage of the overall demand in Southwest Gas Company service area. Title 24 is a collection of energy standards that address the energy efficiency of new (and altered) homes; the 2022 Building Energy Efficiency Standards will improve upon the 2019 Energy Standards for new construction of, and additions and alterations to, residential and nonresidential buildings. The Proposed Project would be built in accordance with the 2022 energy standards of Title 24; therefore, no significant impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation are anticipated and no mitigation measures are recommended. The Proposed Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. No significant adverse impacts are identified or anticipated, and no mitigation is recommended.

- b) **No Impact.** The Proposed Project is designed to adhere to Victorville's Climate Action Plan and Resource Element: Energy Conservation of the City General Plan to support decrease energy consumption and GHG emissions to become a more sustainable community and to meet the goals of AB 32. The Proposed Project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce GHG emissions, AB 32, and SB 32; therefore, the Project is consistent with AB 32, which aims to decrease emissions statewide to 1990 levels by 2020. The Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**VII. GEOLOGY AND SOILS.** *Would the project:*

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:
- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)
  - ii) Strong seismic ground shaking?
  - iii) Seismic-related ground failure, including liquefaction?
  - iv) Landslides?
- b) Result in substantial soil erosion or the loss of topsoil?
- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- d) Be located on expansive soil, as defined on Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?
- f) Directly or indirectly destroy a unique paleontological resources or site unique geological feature?

Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
		X	
		X	
			X
			X
			X
		X	
			X
		X	
			X
	X		

Explanations:

- a)
- i. **Less Than Significant Impact.** The Project Site is located in seismically active southern California with numerous fault systems in the region. Leighton and Associates, Inc. completed a Geotechnical Investigation for the Proposed Project dated June 24, 2022 (see Appendix D). According to the Geotechnical Investigation, there are no active or potentially active faults that have been previously mapped across the Project Site and is not located with a current Alquist Earthquake Fault Zone. Additionally, the General Plan states that there are no known or suspected fault traces located within the Victorville Planning Area. According to Figure S-1: Regional Seismic Hazards Map of the General Plan, the nearest fault is the North Frontal fault zone of the San Bernardino Mountains which is located approximately 13.5 miles southeast of the Planning Area along the base of the Ord Mountains.<sup>6</sup> No significant impacts are identified or anticipated, and no mitigation measures are required.

<sup>6</sup> Victorville General Plan 2030; Figure S-1 "Regional Seismic Hazards", 2008. Page 4.



- ii. **No Impact.** As stated, the Project Site is located in seismically active southern California with numerous fault systems in the region. According to the Geotechnical investigation, the Project Site is not located within the current Alquist Earthquake Fault Zone. However, to ensure impacts are less than significant, the Proposed Project shall be in compliance with the Victorville Municipal Building Development Codes and the latest adopted version of the California Building Code. The Proposed Project would be adequately reinforced for potential earthquakes. A Final Geotechnical Report is required to be provided for review and approval by the City. Less than significant impacts are identified or anticipated, and no mitigation measures are required.
  - iii. **No Impact.** According to the General Plan, the Project Site is not located within an area susceptible to liquefaction as the potential for liquefaction hazards in the Planning Area are limited to the Mojave River floodplain and its tributary stream crossings where groundwater is shallow and loose sandy soils occur.<sup>7</sup> The Project Site is not located near the Mojave River. The Mojave River is located approximately 9.8 miles east of the Project Site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.
  - iv. **No Impact.** The General Plan identifies natural hazards, which include seismically induced surface rupture, ground shaking, ground failure, and liquefaction, along with slope instability leading to mudslides and landslides, subsidence, flooding, and wildland fires<sup>8</sup>. According to Figure S-3: Slope Hazards, the Project Site is not within a slope hazard area<sup>9</sup>. With adherence to the latest adopted version of the California Building Code, no impacts are identified or anticipated, and no mitigation measures are required.
- b) **Less Than Significant Impact.** According to the Geotechnical Investigation, the Project Site is located in an area mapped as underlain by alluvial deposits. Construction of the Proposed Project would disturb more than one acre of soil and therefore, the Proposed Project is subject to the requirements of the State Water Resources Control Board General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ). The Construction General Permits requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must list Best Management Practices (BMPs) to avoid and minimize soil erosion. Adherence to BMPs would ensure that the Proposed Project does not result in substantial soil erosion or the loss of topsoil. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.
- c) **No Impact.** According to the Geotechnical Investigation, the Project Site is located in an area with Holocene age (recent) Alluvial Fan Deposits that eroded from the surrounding mountains.

Seismically induced landslides and other slope failures are common occurrences during or soon after earthquakes. As stated, Figure S-3: Slope Hazards of the General Plan shows that the Project Site is not within a slope hazard. According to the Site Plan, no structures are proposed to be built on sloped areas. With adherence to the latest adopted version of the California Building Code and Victorville Municipal Code: 16-3.18 "slope protection combining district", less than significant impacts are identified or anticipated, and no mitigation measures are required.

The Project Site is relatively flat with no prominent geologic features occurring on or within the vicinity of the Project Site. The Project Site is not within an area susceptible to liquefaction or landslides.<sup>10</sup> As stated in the Geotechnical report, the proposed structures are expected to withstand predicted vertical and lateral ground spreading/displacements to an acceptable level or

<sup>7</sup> Victorville General Plan 2030, 2008. Page S-3.

<sup>8</sup> Victorville General Plan 2030, Page S-1.

<sup>9</sup> Victorville General Plan 2030; Figure S-3 "Slope Hazard", 2008. Page S-8.

<sup>10</sup> Victorville General Plan 2030; Figure S-1. "Regional Seismic Hazards", 2008. Page S-4.

risk. Seismically induced lateral spreading involves lateral movement of soils due to ground shaking. Because the Project Site is relatively level, Leighton and Associates Infiltration test results conclude that the Project Site's groundwater did not encounter in any of their borings to a maximum explored depth of 51½ feet below ground surface. The potential for seismically induced lateral ground spreading should be considered low. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

According to the General Plan EIR, subsidence from groundwater withdrawal in the Planning Area is considered unlikely. Pumping of area water wells is not expected to affect the aquifer sufficiently to cause subsidence in the area. The Victor Valley Wastewater Reclamation Authority's (VWVRA) three treatment plants and the City of Adelanto both recharge water into the local aquifer. Based on the information provided by RWQCB staff, subsidence due to groundwater withdrawal in the Planning Area is considered unlikely. Compliance with the CBC and review of grading plans for individual projects by the City Staff would ensure no significant impacts would occur.

Given the characteristics of the geologic unit which the Project Site is located on, compliance with the 2019 California Building Code, and review/approval of the proposed grading plan by the Victorville City Engineer shall ensure that significant impacts related to landslide, lateral spreading, subsidence, and liquefaction do not occur. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required. Any project within the area of Southern California shall meet the latest 2019 California Building Code standards to minimize the potential impact caused by an earthquake. Therefore, the potential for instability occurring at this Project Site is less than significant with proper construction methods and development standards as defined in the City's Municipal Code and the 2019 California Building Code regulations. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- d) **Less Than Significant Impact.** Expansive (or shrink-swell) soil behavior is attributable to the water-holding capacity of clay minerals and can adversely affect the structural integrity of facilities including underground pipelines. According to the Geotechnical Investigation, a sample of the subsurface soil was tested for expansive potential and test results identified an expansion index of 0, which indicates very low expansion potential. The Geotechnical Investigation and recommendations are subject to approval by the City Engineer. The Proposed Project shall also adhere to the 2019 California Building Code. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.
- e) **Less Than Significant Impact.** The Proposed Project would utilize septic tanks. Subsurface wastewater disposal would be subject to approval of the County's Environmental Health Services Division. No unique conditions are known to exist that would adversely affect the proper use of an on-site septic system. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.
- f) **Less Than Significant with Mitigation Incorporated.** A Paleontological Assessment report, dated August 3, 2023, was prepared for the subject parcel by BFS Environmental Services (see Appendix E). In the paleontological records search for the project, the Holocene alluvial deposits are as little as three feet thick in the area and are underlain by Pleistocene-aged alluvial deposits that may contain fossils (Kottkamp 2022). Research has confirmed the existence of potentially fossiliferous Pleistocene-aged alluvial fan deposits that are likely present in the shallow subsurface of the project. These alluvial fan deposits and the known occurrence of significant terrestrial vertebrate fossils at shallow depths from the Pleistocene deposits in the vicinity of the project support that paleontological monitoring be implemented during mass grading and excavation activities in undisturbed alluvial deposits in order to mitigate any adverse impacts (loss or destruction) to potential

nonrenewable paleontological resources. Full-time monitoring of undisturbed alluvial deposits at the project is warranted starting at the surface.

Therefore, possible significant adverse impacts may occur and therefore, the following mitigation measure is required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measure is:

**Mitigation Measure GEO-1:**

In consultation with the Applicant and the City, a qualified paleontologist shall develop a plan of mitigation which may include full-time monitoring, salvage excavation, scientific removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation of the find in a local qualified repository, and preparation of a report summarizing the find.

Implementation of Mitigation Measure GEO-1 would reduce potential impacts to paleontological resources to a less than significant level.

**VIII. Greenhouse Gas Emissions. Would the proposal:**

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant effect on the environment?
- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
		X	
		X	

**Explanations:**

- a) **Less Than Significant Impact.** Consistent with the City of Victorville requirements, the applicant completed the “Greenhouse Gas Emissions Screening Table Review” form (see Appendix F). The project received a score of 100.

Greenhouse gas emissions were screened using CalEEMod version 2022. The emissions incorporate certain design reduction strategies. Design reduction strategies could include methods for improving the Projects Site's walkability by providing sidewalks. The CalEEMod outputs used to estimate construction and operational greenhouse gas emissions are referred to in Tables 4 and 5 below.

Construction activity for the Proposed Project was modeled to occur at the start of 2024 and be operational in 2025. Based on the project's CalEEMod (version 2022) results, construction activity for the project would generate an estimated 579 metric tons of CO<sub>2e</sub> per year. Therefore, the Proposed Project's construction emissions would not exceed the 3,000 MT CO<sub>2e</sub> annual screening threshold defined by MDAQMD.

**Table 4**  
**Greenhouse Gas Construction Emissions**  
**(Metric Tons Per Year)**

Source/Phase	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	R <sub>1</sub>
2024	287	0.0	0.0	0.0
2025	292	0.0	0.0	0.0
MDAQMD MTCO <sub>2</sub> e Thresholds <sup>11</sup>	100,000			
<b>Total MTCO<sub>2</sub>e</b>	<b>579</b>			
Amortized over 30 years	19.3			
Significant	No			

Source: CalEEMod 2022

The operational mobile emissions were calculated using a Transportation Study Screening Assessment prepared by Trames Solutions, Inc. on June 20, 2023, approved by the City on March 25, 2024. The Screening determined that the Proposed Project would generate approximately 575 total daily trips per day.

**Table 5**  
**Greenhouse Gas Operational Emissions**  
**(Metric Tons Per Year)**

Source/Phase	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	R <sub>1</sub>
Mobile	856	0.0	0.0	1.4
Area	90.0	0.0	0.0	--
Energy	216	0.0	0.0	--
Water	4.0	0.0	0.0	--
Waste	5.2	0.5	0.0	--
Refrigeration	--	--	--	0.1
MDAQMD MTCO <sub>2</sub> e Thresholds	100,000			
<b>Total MTCO<sub>2</sub>e</b>	<b>1171.2</b>			
Significant	No			

Source: CalEEMod 2022

As shown in Table 5, the Proposed Project's operational emissions would not exceed MDAQMD's screening threshold. The Proposed Projects greenhouse gas emissions for both construction and operation would not exceed the SCAQMD's threshold of 100,000 MTCO<sub>2</sub>e annually. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- d) **Less Than Significant Impact.** With the passage of California Assembly Bill AB32, within the Global Warming Solutions Act of 2006, jurisdictions are now required to reduce greenhouse gas (GHG) emissions. To comply with this legislation, in 2008 the City of Victorville collaborated with the San Bernardino Associated Governments (SANBAG) to conduct a Countywide GHG inventory and GHG Reduction Plan. During this process, the City of Victorville adopted a Climate Action Plan (CAP) in 2016. The CAP presents the greenhouse gas (GHG) inventories, identifies the effectiveness of California initiatives to reduce the GHG emissions, and identifies local measures that were selected by the City to reduce GHG emissions under the City's jurisdictional control to achieve the City's identified GHG reduction target in compliance with AB32. The CAP does not incorporate additional regulations outside of the current CEQA regulations, which include Section 15064.4 for determining the significance of impacts from GHG Emissions. Other additional legislation that the Proposed Project must comply with would be GHG statutes and executive orders (EO) including SB32, SB 1368, EO S-03-05, EO S-20-06 and EO S-01-07.

<sup>11</sup> MDAQMD CEQA Guidelines. Table 6: Significant Emissions Thresholds. Page 9

The Proposed Project's emissions meet the threshold for compliance with Executive Order S-3-05, and the Project's emissions also comply with the goals of AB 32. Additionally, as the Project meets the current interim emissions targets/thresholds established by MDAQMD (as described above), the Project would also be on track to meet the reduction target of 40 percent below 1990 levels by 2030 mandated by SB-32. Furthermore, all of the post-2020 reductions in GHG emissions are addressed via regulatory requirements at the State level, and the Project will be required to comply with these regulations as they come into effect.

Therefore, the Project will not conflict with any applicable plan, policy or regulation of an agency adopted to reduce the emissions of greenhouse gases. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**IX. HAZARDS AND HAZARDOUS MATERIALS.** *Would the proposal:*

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	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?				X
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?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials site compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
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 of excessive noise for people residing or working in the project area.				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

**Explanations:**

- a-b) **No Impact.** During construction of the Proposed Project, the use of hazardous substances would be limited in nature and subject to standard handling and storage of equipment. Although highly unlikely, the release of hazardous materials could occur during construction on any project. Any such release would most likely be minor spillages of motor vehicle fuels and oils. The Proposed Project would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) (see

Hydrology and Water Quality Section), which would include Best Management Practices (BMPs) to be implemented during construction to avoid spills, immediately respond to any spills, and minimize the effects of such spills. The use and handling of chemicals during construction activities would occur in accordance with applicable federal, State, and local laws including California Occupational Health and Safety Administration (CalOSHA) requirements. During construction, it is highly unlikely that the release of hazardous materials at a level that would present a hazard to the environment or to human or animal life would occur. The Proposed Project would not use or store hazardous materials. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- c) **No Impact.** No existing or known proposed schools are within one-quarter mile of the Project Site. The nearest school is Hollyvale Innovation Academy located approximately 2.25 miles southeast of the Project Site. No schools exist within a quarter mile of the Project Site. Therefore, the Proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or known proposed school. No impacts are identified or anticipated, and no mitigation measures are required.
- d) **No Impact.** According to the California Department of Toxic Substances Control EnviroStor (accessed 8/25/2023), the Project Site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.<sup>12</sup> Therefore, no impacts are identified or anticipated, and no mitigation measures are required.
- e) **No Impact.** The closest airport to the Project Site is Hesperia Airport located approximately 8.8 miles southeast. The General Plan does not identify the Project Site within an airport hazard area. Therefore, implementation of the Proposed Project would not result in a safety hazard related to airport land uses for people residing or working in the area. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.
- f) **No Impact.** The Proposed Project would not impair or interfere with any future emergency response plan or emergency evacuation plan. The Proposed Project would include an emergency entrance/exit on the east side of the property for use in emergency situations. The circulation associated with the Proposed Project's emergency entrance/exit would not affect surrounding land uses. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
- g) **No Impact.** The City of Victorville's General Plan states that prior to approval of a development project or issuance of a building permit, the City of Victorville Water District verifies that the peak load water supply requirement is not negatively affected. "Peak load water supply" refers to the sum total of the City's water supply required for fire flow, operational daily consumption, and emergency storage.<sup>13</sup> The City of Victorville has adopted a Fire Hazard Abatement Ordinance (Chapter 8.09, Victorville Municipal Code) which requires the abatement of weeds in excess of three inches above the grade in the area of growth on such portion of the lot or premises within one hundred feet of any structure. Russian Thistle (tumbleweeds) is not permitted to grow in excess of three inches within City limits on any property, regardless of surrounding improvements. Adherence to this ordinance reduces the likelihood of fires on undeveloped lands and on vacant lots in the developed portions of the City of Victorville.

There are measures in the California Building Code (CBC) which reduce fire hazards in structures. Some of these measures include use of materials, fire separation walls, building separation, and

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<sup>12</sup> <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=victorville> Accessed August 25, 2023.

<sup>13</sup> City of Victorville General Plan. Page S-12.



fire sprinklers. Fire sprinklers are currently required in all structures two (2) stories or more in height, 5,000 square feet or greater in size, and in facilities that are hazardous occupancies as defined in the California Fire and Building Codes. Developmental regulations include requirements for minimum road widths which provide adequate access for firefighting equipment, evacuation of residents, and clearance around structures to prevent the rapid spread of fire.

The City does not have a designated fire hazard map. The CALFIRE Fire Hazard Severity Zone Viewer shows that the Project Site is not within a fire hazard severity zone. The Proposed Project would comply with the City's Fire Hazard Abatement Ordinance and the CBC to reduce impacts on people or structures related to wildland fire hazard exposure. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

		Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>X.</b>	<b>HYDROLOGY AND WATER QUALITY. <i>Would the proposal:</i></b>				
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
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:			X	
	i) result in substantial erosion or siltation on- or off-site;			X	
	ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or offsite;			X	
	iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or;			X	
	iv) impede or redirect flood flows?			X	
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

Explanations:

- a) **Less Than Significant Impact.** A Preliminary Drainage Study, dated September 8<sup>th</sup>, 2022, (see Appendix G), and a Preliminary Water Quality Management Plan dated September 9<sup>th</sup>, 2022, (see Appendix H), were prepared by Madole & Associates, Inc. Both reports are available for review at the City of Victorville Planning Development Department and results are summarized herein. The Proposed Project would disturb an approximately 20-acre site and would therefore be subject to the National Pollutant Discharge Elimination System (NPDES). The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction permit include the removal of vegetation, grading, excavating, or any other activity that causes the disturbance of one acre or more.

The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement a SWPPP. The SWPPP is based on the principles of Best Management Practices (BMPs) to control and abate pollutants. Examples of BMPs include sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, sweep roadway from track out, and rumble strips. BMPs applicable to the Proposed Project will be subject to City approval and provided in contract bid documents. The SWPPP must include BMPs to prevent project-related pollutants from impacting surface waters. The purpose of a SWPPP is to:

- 1) identify pollutant sources that may affect the quality of discharges of storm water associated with construction activities; and
- 2) identify, construct and implement storm water pollution control measures to reduce pollutants in storm water discharges from the construction site during and after construction.

The NPDES also requires a Water Quality Management Plan (WQMP), which is subject to review and approval by the City. A WQMP for the Proposed Project, dated September 9<sup>th</sup>, 2022, and prepared by Madole & Associates, Inc. has been submitted for review and approval by the City of Victorville. The WQMP was prepared to meet NPDES Area Wide Stormwater Program requirements. The WQMP includes mandatory compliance of BMPs as well as compliance with NPDES Permit requirements. Review and approval of the WQMP by the City would ensure that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Site. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- b) **Less than Significant Impact.** The City of Victorville is located within the Alto (or "Upper Mojave") sub-basin of the Mojave River Ground Water Basin, which is the City's primary water supply. The depth to groundwater ranges from fifty feet near the Mojave River to approximately five hundred and fifty feet in the western portion of the City.

The Project Site is located within the service area of Victorville Water District (VWD). As stated in the 2020 Victorville Water District Urban Water Management Plan (UWMP), the VWD is located in the southwest region of San Bernardino County, California approximately 90 miles northeast of Los Angeles, and in 2020, VWD had a total of 36,673 connections and produced 21,865 acre-feet per year (AFY) of potable water and 722 AFY of recycled water. The VWD service area is expected to increase in population from 134,273 in 2020 to 200,486 in 2040. VWD's potable water system supply is solely from groundwater, pumped from the Mojave River Basin (Basin).<sup>14</sup>

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<sup>14</sup> Victorville Water District, 2020 Urban Water Management Plan. Page 1-4

According to the UWMP, during a multiple dry-year period, VWD's total water supply is projected to be 32,699 acre-feet (AF) by 2045, while the total water demand is projected to be 32,699 AF in the same year, resulting in neither surplus or deficit.<sup>15</sup> The Proposed Project is consistent with City's land use designation for the Project Site and therefore projected water use has been anticipated by VWD. VWD's water supplies are projected to be sufficient to meet demand within the district's service area. The Proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede substantial groundwater management of the basin. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Implementation of BMPs, onsite drainage basins, and an adjacent water drainage easement would mitigate additional water runoff and drainage on site. Therefore, the Proposed Project is not anticipated to have a substantial impact on groundwater supplies or interfere substantially with groundwater recharge. No significant impacts are identified or anticipated, and no mitigation measures are required.

c)

- (i) **Less than Significant Impact.** Erosion is a phenomenon characterized by the wearing away of a geologic surface as a result of forces such as wind or water. Siltation is another geologic process that causes fine mineral particles such as silt or clay to be suspended in a body of water depending on water velocity. Both of these geologic processes have the potential to degrade an environment through excess soil erosion or deposition if not properly addressed.

The Project Site development would not involve the alteration of a stream or river and would not substantially alter on-site drainage patterns. The Drainage Study found that the Project Site has existing natural drainage paths running from south southwest to north northeast, at an average gradient of 2% that will be disturbed during the development of the Project Site. The Drainage Study found that the topography over the Project Site indicated that the general area sheet flows in a northeasterly direction towards the Baldy Mesa Master Plan drainage path (MPD) Line A-03. Two natural drainage courses run from the west to east directing offsite flows to MPD Line A-03. There are existing drainage paths to the east of the project boundary. The Proposed Site will intercept onsite storm water runoff with various curb opening catch basins and underground storm drain. Additionally, confluence flows from the site development will be routed via underground 36-inch reinforced concrete pipe (RCP) storm drain into the basin. The low flows will remain in the basin to be infiltrated, and the reduced peak flows will be discharged via a 12-inch pipe and parkway drain to Bear Valley Road. Flows will then cross over Bear Valley Road to the north as they would under existing conditions and travel to MPD Line A-03. Upon development of Bear Valley Road and Verbena Road, flows will be contained in the street and will cross Bear Valley Road and travel to Line A-03 as they would under existing conditions. Upon development of Sierra Road at the southern tract boundary, flows coming from the undeveloped areas to the south will be directed via AC berm to the west and Verbena Road or the eastern project boundary where they will continue flowing north. Once runoff volumes are conveyed off-site and into the urban stormwater drainage system, the potential for erosion is minimal. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- (ii) **Less than Significant Impact.** In-tract stormwater runoff will be intercepted by various curb opening catch basins and routed into the proposed underground storm drain. The storm drain will outlet into a proposed detention and infiltration basin in the northeast corner of the Project Site. The basin will have an outlet pipe set above the site design capture volume water surface elevation to retain the flows. Stormwater runoff and nuisance flows from the Project Site will sheet flow and

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<sup>15</sup> 2020 Urban Water Management Plan, Victorville Water District. Page 7-3

gutter flow to various curb opening catch basins throughout the Project Site. The on-site detention/infiltration basin will retain and infiltrate the entire water quality design capture volume while metering out peak stormflows to the north side of Bear Valley Road. Most of the site runoff is detained within the basin. Therefore, flows exiting the basin through the 12-inch pipe will be routed into a parkway drain and into Bear Valley Road to the north.

Additionally, the Project Site is not within a 100-Year Federal Emergency Management Agency (FEMA) flood zone, or a 500-year FEMA flood zone.<sup>16</sup> The impervious surface area associated with the proposed residential units would not substantially increase the rate or amount of surface runoff to the extent that the project increases flood risk on-site or off-site. The Proposed Project would require approval of a City-approved hydrology study and WQMP and implementation of a City-approved drainage plan designed with sufficient capacity to retain stormwater on-site such that post-project peak stormwater runoff matches pre-project conditions. The Proposed Project would also include any required improvements in accordance with the City's Municipal Code. Therefore, with the Project's adherence to the Municipal Code and a City-approved WQMP, the Project would have a less than significant impact on the rate or amount of surface runoff in a manner which would result in flooding on- or off-site and no mitigation measures are required.

- (iii) **Less than Significant Impact.** The Proposed Project would have detention and infiltration basins that would be fully sized to retain water quality flows and reduce the peak flow from the developed site to the allowable pre-developed outflow. Proposed Project would not create or contribute runoff water or provide substantial additional sources of runoff. There would be no connection to an existing or planned stormwater drainage system. Therefore, no significant impacts would occur, and no mitigation measures are required.
- (iv) **Less than Significant Impact.** As mentioned in ii) above, the Project Site is not within a 100-Year Federal Emergency Management Agency (FEMA) flood zone, or a 500-year FEMA flood zone. Under existing conditions, stormwater runoff and nuisance flows from the Project Site will sheet flow and gutter flow to various curb opening catch basins throughout the Project Site. Underground storm drain will direct all flows to a proposed detention/infiltration basin in the northeast corner of the Project Site. The detention/infiltration basin will retain and infiltrate the entire water quality design capture volume while metering out peak stormflows to the north side of Bear Valley Road. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.
- d) **Less than Significant Impact.** As shown on Figure S-2: Flood Hazards Map of the of the General Plan, the Proposed Project is within Zone X. Areas within Zone X are subject to flooding in the event of a 500-year flood, are areas subject to a 100-year flood with average floodwater depths anticipated to be less than one foot or with drainage areas less than one square mile, and are areas protected by levees from the 100-year flood. Therefore, the Proposed Project is not anticipated to expose people or structures to a significant risk of loss, injury or death involving flooding as no flood hazards traverse the project area, nor is the Project Site subject to inundation by seiche or mudflow hazards. Due to the Project Site's location in the High Desert, there are no impacts related to tsunamis. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.
- e) **Less than Significant Impact.** Requirements of a NPDES permit to be issued for the Proposed Project would include development and implementation of a SWPPP and is subject to RWQCB review and approval. The Proposed Project would be obligated to comply with the requirements under the NPDES Permit program, the City-approved WQMP, and the implementation of associated BMPs and other requirements of SWPPP as well as a City-approved drainage plan which will

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<sup>16</sup> City of Victorville General Plan. 2021-2029 Safety Element: Figure 4. Flood Hazards. Accessed on September 8, 2023.

ensure stormwater discharges associated with construction and use of the project comply with regulatory requirements in the City. The Proposed Project would not otherwise substantially degrade water quality as appropriate measures relating to water quality protection would be implemented. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**XI. LAND USE AND PLANNING.** *Would the proposal:*

- a) Physically divide an established community?
- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
			X
			X

**Explanations:**

- a) **No Impact.** The physical division of an established community is typically associated with construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility in an existing community or between a community and an outlying area. The Proposed Project does not include the construction of a linear feature, and the Project Site is within an outlying area of the City with scattered residential uses. Therefore, the Proposed Project would neither physically divide an established community nor cause a significant environmental impact due to conflict with any land use plans or policies. No impacts would occur, and no mitigation measures are required.
- b) **No Impact.** The Proposed Project includes 61 lots for future single-family residential use. The General Plan designation for the property is Low Density Residential in the Zoning District of Single Family Residential (R-1). The Proposed Project would be consistent with the City's General Plan land use designation and would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**XII. MINERAL RESOURCES.** *Would the proposal:*

- a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?
- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
		X	
		X	

Explanations:

- a) **Less than Significant Impact.** According to the General Plan, the Project Site is within Mineral Resources Zone 3a (MRZ-3a). An MRZ-3 designation is an area containing known mineral occurrences of undetermined mineral resource significance. Further exploration work within these areas could result in the reclassification of specific localities into MRZ-2A or MRZ-2b categories which could contain additional mineral resources. Where the available geologic information indicates that mineral deposits are likely to exist, however, the significance of the deposit is undetermined. Neither the County nor the City has designated the Project Site for mineral recovery. The Project Site occurs in a vacant area adjacent to a residential development to the east. The surrounding uses make the site unsuitable for mineral resources extraction. Mineral resources, such as aggregate products, are available in the region for construction of the Proposed Project. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.
- b) **Less than Significant Impact.** The Project Site is not delineated for mineral recovery on a local general plan, or other land use plan and therefore would have no impact on the availability of important mineral resources. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**XIII. NOISE.** *Would the proposal result in:*

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	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?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
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?				X

Explanations:

**Noise Descriptors**

Noise can be measured in the form of a decibel (dB), which is a unit for describing the amplitude of sound. The predominant rating scales for noise in the State of California are the Equivalent-Continuous Sound Level ( $L_{eq}$ ), and the Community Noise Equivalent Level (CNEL), which are both based on the A-weighted decibel (dBA).  $L_{eq}$  is defined as the total sound energy of time-varying noise over a sample period. CNEL is defined as the time-varying noise over a 24-hour period, with a weighting factor of 5 dBA applied to the hourly  $L_{eq}$  for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and 10 dBA applied to events occurring between 10:00 p.m. and 7:00 a.m. defined as sleeping hours). The State of California’s Office of Noise Control has established standards and guidelines for acceptable community

noise levels based on the CNEL and L<sub>dn</sub> rating scales.

Noise Standards

The City of Victorville General Plan Noise Element aims to limit exposure of the community to excessive noise levels and provides a systematic approach to ensure that noise does not affect the health and serenity of Victorville residents and minimize excessive, objectionable or harmful noise impacting existing and future residents and land uses. The City has established noise sensitivity standards for new development with the goal of reducing undesirable noise impacts. The applicable type of land use category that applies to the Proposed Project is Residential land use. Under this classification, a maximum outdoor noise level up to 60 dB Ldn is considered normally acceptable and a maximum outdoor noise level up to 70 dB Ldn is considered conditionally acceptable.<sup>17</sup> The Proposed Project is a residential development not associated with any activities that would generate a substantial temporary or permanent increase in ambient noise levels in the vicinity. The Project Site is primarily surrounded by vacant land. Therefore, less than significant impacts are anticipated, and no mitigation measures are required.

- a/b) **Less than Significant Impact.** The Noise Element of Victorville General Plan identifies hospitals, convalescent homes, schools, churches and sensitive wildlife habitats as being sensitive to noise. However, there are no hospitals, convalescent homes, schools, churches or sensitive wildlife habitats adjacent to or within the Project Site. According to Table N-3: Victorville Land Use Compatibility Standard of the City of the Victorville General Plan, noise levels of up to 60 decibels (dB) is considered “Normally Acceptable” for residential. Temporary or periodic increase in ambient noise levels in the project vicinity will increase when events such as construction activities occur. While these events will increase ambient noise levels, they are typically short-term increases that would be assumed under existing development standards. Additionally, the Victorville Municipal Code anticipates such occurrences and accordingly regulates such activities through base ambient noise level time frames that will mitigate potential adverse impacts. According to Chapter 13: Noise Control of Victorville’s Municipal Code, construction activities would be limited to the hours between 7:00 AM and 10:00 PM for residential zones with noise levels up to 65 dB at any time. With adherence to the Noise Element of the Victorville the General Plan and Municipal Code, less than significant impacts are identified or anticipated and no mitigation measures are required.
- c) **No Impact.** The Project Site is located outside of an airport zone. The nearest airport is the Southern California Logistics Airport (SCLA) Planning Area which is located approximately 8.4 miles to the northeast of the Project Site. The Project Site is not located within an airport runway protection zone, airport safety area, or a low altitude/high speed military airspace<sup>18</sup>. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

XIII. POPULATION AND HOUSING. Would the proposal:

- a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?

Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
		X	

<sup>17</sup> City of Victorville General Plan. Noise Element: Victorville Land Use Compatibility Standards. Accessed September 21, 2023.  
<sup>18</sup> San Bernardino Countywide Plan. HZ-9 “Airport Safety & Planning Areas”. Accessed September 25, 2023.

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- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

		X	
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Explanations:

- a-b) **Less than Significant Impact.** State law requires jurisdiction to provide for their share of regional housing needs. As part of the Regional Housing Needs Assessment (RHNA), the Southern California Association of Governments (SCAG) determines the housing growth needs by income category for cities within its jurisdiction, which includes the City of Victorville. Every eight years, the State of California provides the number of housing units that should be accommodated in each region within the State. To comply with State law, the City's Housing Element must be updated to ensure the City's policies and programs can accommodate its share of the estimated housing growth identified by the State. For the current Housing Element update, the City's share of the RHNA is 8,165 for 2021 to 2029, split among different income levels (based on Area Median Income, or AMI) as shown in Table 6, below.

**Table 6**  
**Units Required by Income**

Income Category	Number of Units	% of Total Units
Extremely Low (30% AMI or less)	868	10.6%
Very Low Income (31-50% of AMI)	867	10.6%
Low Income (51-80% of AMI)	1,136	13.9%
Moderate Income (81-120% of AMI)	1,504	18.4%
Above Moderate Income (More than 120% of AMI)	3,790	46.4%
<b>Total Units</b>	<b>8,165</b>	<b>100%</b>

Through the RHNA process, the City must show that it has the regulatory and land use policies to accommodate housing needs. The Proposed Project is anticipated to generate approximately 212 people based on the average family household size provided by the City's General Plan of 3.48 persons per household.<sup>19</sup> Implementation of the Proposed Project would provide 61 residential units to the City of Victorville, thus assisting the City in satisfying the housing needs for the anticipated population growth of the City. The Proposed Project is consistent with the General Plan and does not provide for a zone change that would result in a decrease in future available housing. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**XV. PUBLIC SERVICES.** *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government 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:*

- a) Fire protection?

Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
		X	

<sup>19</sup> US Census Bureau. <https://www.census.gov/quickfacts/fact/table/victorvillecitycalifornia/PST045222>.



- b) Police protection?
- c) Schools?
- d) Parks?
- e) Other public facilities?

		X	
		X	
		X	
		X	

Explanations:

- a) Fire protection?

**Less Than Significant Impact.** Fire Protection within the City of Victorville is provided by the City of Victorville Fire Department. The Victorville Fire Department actively operates out of four Fire Stations. The nearest fire station to the Project Site is located at 17008 Silica Drive, approximately 7.5 miles northeast of the Project Site. The Proposed Project is within the City limits and occurs within the existing fire service area. The Proposed Project would accommodate approximately 212 residents based on the average family household size provided by the City's General Plan of 3.48 persons per household. This increase of population in the project area has been anticipated by the General Plan and therefore, the Proposed Project would be expected to receive adequate fire protection services and would not result in the need for new or physically altered fire protection facilities. Developer Impact fees that assist with the provision of fire services are collected at the time of building permit issuance. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- b) Police protection?

**Less Than Significant Impact.** Police service in the City of Victorville is provided by the San Bernardino County Sheriff's Department under contract to the City. The Victorville Police Department is located at 14200 Amargosa Road, approximately 6.1 miles northeast of the Project Site. The Victorville Police Department is responsible for providing public safety services to a geographical area of over 74 square miles and to a population of approximately 125,000 residents. There are currently over 120 positions filled at the Department. The average response time in 2021 is 49.41 minutes.<sup>20</sup> Police services are funded through the City's General Fund. Police Department requests for more officers are based on service needs; officers have been added annually for the last decade based on professional judgment to meet demands. Developer Impact fees are collected at the time of building permit issuance to assist in the provision of services. Therefore, no significant adverse impacts to law enforcement are identified or anticipated, no mitigation measures are required.

- c) Schools?

**Less than Significant Impact.** The nearest school is Vista Verde Elementary, located approximately 2.3 miles north of the Project Site. The Project Site is located within the boundary of the Snowline Joint Unified School District<sup>21</sup>. The Snowline Joint Unified School District's School Facilities Needs Analysis identified the student-per-home ratio to be 0.5084. Therefore, the Proposed Project would be anticipated to generate approximately 31 students. The Proposed Project would result in a 0.35 percent increase in students enrolled in the school district.<sup>22</sup> The

<sup>20</sup> City of Victorville General Plan. Section 3.3 Police Services. Accessed on September 5, 2023.

<sup>21</sup> chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.victorvilleca.gov/home/showpublisheddocument/7359/637721304170770000.

<sup>22</sup> Education Data Partnership. Accessed on September 6, 2023. Link <http://www.ed-data.org/district/San-Bernardino/Snowline-Joint-Unified>

Proposed Project is anticipated to pay \$5.67 per square foot for residential unit development impact fees.<sup>23</sup> Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

d) Parks?

**Less than Significant Impact.** The City of Victorville currently maintains 198.4 acres of parkland throughout the Planning Area, which would provide approximately 1.4 acres per 1,000 people.<sup>24</sup> Based on the City’s 2045 population growth projection, the City should consider adding 82.8 acres over time to meet the current parkland ratio.<sup>25</sup> The Project Site is within the Single Family Residential (R-1) zoning district. The Proposed Project would be consistent with the City’s General Plan and thus the increased parkland ratio would be accounted for in the City’s anticipated population growth. Developer Impact Fees are collected at the time of building permit issuance and would reduce impacts to parks to a less than significant level. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

e) Other public facilities?

**Less Than Significant Impact.** The Proposed Project’s anticipated number of residents (212 people based on the average family household size provided by the City’s General Plan of 3.48 persons per household) would increase demand for other public facilities/services, such as libraries, community recreation centers, and/or animal shelters. The Project Proponent would be required to pay the applicable development impact fees, property taxes, and utility user taxes to assist in the provision of these services. As such, implementation of the Proposed Project would not adversely affect other public facilities or require the construction of new or modified facilities. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

**XV. RECREATION.** *Would the proposal:*

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a)			X	
b)			X	

Explanations:

- a,b) **Less than Significant Impact.** According to the General Plan EIR, outdoor recreation resources in the City are identified as public parks, public golf courses, public access lakes, bicycle paths, pedestrian trails and linkages between recreation areas and urbanized places. The City of Victorville currently maintains 198.4 acres of parkland throughout the Planning Area, which would provide approximately 1.4 acres per 1,000 people.<sup>26</sup> The City strives to comply with the 1975

<sup>23</sup> Snowline Joint Unified School District. School Facilities Needs Analysis 2023. <https://4.files.edl.io/3d47/05/24/23/160656-28825b35-45ba-409d-98a0-59ea19eaa640.pdf>

<sup>24</sup> US Census. Accessed on September 5, 2023. Link: <https://www.census.gov/quickfacts/fact/table/victorvillecitycalifornia/PST045222>

<sup>25</sup> City of Victorville General Plan. 2021-2029 Housing Element. Accessed on September 5, 2023.

<sup>26</sup> US Census. Accessed on September 5, 2023. Link: <https://www.census.gov/quickfacts/fact/table/victorvillecitycalifornia/PST045222>

Quimby Act for parks requiring that developers set aside land, donate conservation easements, or pay fees for park improvements. The City aims to maintain a ratio of three acres of park land per 1,000 population. The Proposed Project is anticipated to house approximately 185 people based on the average family household size provided by the City’s General Plan of 3.48 persons per household which could increase the use of existing neighborhood and regional parks or other recreational facilities. The Proposed Project would therefore result in the need for approximately 0.27 acres of additional parkland, which would be accommodated by the City’s General Plan. Additional Developer Impact Fees would be collected at the time of building permit issuance. Therefore, with the collection of development impact fees and adherence to the City’s General Plan, impacts to parks would be less than significant and no mitigation measures are required.

**XVI. TRANSPORTATION.** *Would the proposal result in:*

- a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian facilities?
- b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3 Subdivision (b)(1)?
- c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- d) Result in inadequate emergency access?

Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
		X	
		X	
		X	
		X	

**Explanations:**

A Vehicle Miles Traveled Evaluation, dated June 20, 2023, was completed by Trames Solutions, Inc. (Appendix I) to assess potential transportation impacts resulting from development of the Proposed Project both in the context of CEQA and City of Victorville discretionary authority. The project has been screened for both level of service (LOS) analysis and vehicle miles traveled (VMT) analysis using the established criteria as specified in the County of San Bernardino Transportation Impact Study Guidelines, July 2019 [“County TS Guidelines”] and City of Victorville Resolution 20-031: Guidelines for Vehicle Miles Traveled (VMT) Thresholds of Significance for Purposes of Analyzing Transportation Impacts Under the California Environmental Quality Act (CEQA). (June 2020) [“City VMT Guidelines”].

- a) **Less than Significant Impact.** Regional access to the Project Site is provided by the U.S. Highway 395 located approximately 1.1 miles east of the Project Site. Key roadways providing local circulation include Bear Valley Road, Verbena Road, and Sierra Road. As shown on Figure CIRC-6 *Non-Motorized Transportation Plan* on the City’s General Plan, there are currently no existing bike routes near the Project Site. <sup>27</sup> Pedestrian facilities (i.e., sidewalks) will be provided along the frontages of the Proposed Project and along internal streets (see Figure 1-Site Plan). Project construction and operation would not conflict with any program, plan, or policy addressing the circulation system in the City. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.
- b) **Less Than Significant Impact.** The Proposed Project is forecast to generate approximately 575 daily trips, including 43 trips during the AM peak hour and 57 trips during the PM peak hours.

<sup>27</sup> City of Victorville General Plan 2030. Figure CIRC-6/Page C-24.

As determined by the Vehicle Miles Traveled evaluation, the Proposed Project satisfies the daily vehicle trip threshold screening criteria established by the City of Victorville and may be presumed to result in a less than significant VMT impact. Thus, a detailed VMT analysis using a travel demand model or tool to quantify the VMT associated with the project is not required. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- c) **Less Than Significant Impact.** The Proposed Project would not involve any new hazardous design or features nor introduce any new uses that would be incompatible with the existing transportation system. The Proposed Project would not include sharp curves or dangerous intersections. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.
- d) **Less Than Significant Impact.** Vehicle access to the Proposed Project would be provided via proposed “A” Street with access from Sierra Road and Bear Valley Road. Regional access to the Proposed Project would be provided by Highway 395 (US-395) which is approximately 1.4 miles east of the Project Site. Highway 395 is classified as a Super Arterial and is expected to transport large volumes of intercity, intra-city, and regional traffic. Furthermore, the Proposed Project would have acceptable accessways to and from the Project Site. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**XVIII. TRIBAL CULTURAL RESOURCES.**

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in public resources code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American Tribe, and that is:
  - i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined by Public Resources Code section 5020.1(k), or
  - ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision(c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe?

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
		X		
		X		

**Explanations:**

- a) i-ii) **Less Than Significant Impact with Mitigation.** The City of Victorville commenced the AB 52 process by sending out consultation invitation letters to tribes previously requesting notification pursuant to Public Resources Code section 21080.3.1. The San Manuel Band of Mission Indians (SMBMI) responded to the notification and requested the Historical/Archaeological Resources Survey Report prepared for the project and other project plans. After review of the Proposed Project, the SMBMI did not have concerns with the project’s implementation. The SMBMI did

recommend Mitigation Measures for Tribal Cultural Resources that have been included as Mitigation Measures in this section.

As previously noted, no prehistoric resources were identified from the archaeological investigation. As such, no historical resources that would require further consideration as defined under CEQA were identified within the project vicinity.

The Project Site is not listed in state or local registers as a historical resource. Mitigation measures are proposed to address historical and archaeological resources (possibly human remains) potentially discovered during construction. Implementation of Mitigation Measures CR-1 through CR-3 under environmental issue Cultural Resources and Mitigation Measures TCR-1 and TCR-2 below would reduce potentially significant impacts on Tribal Cultural Resources to less than significant.

**Mitigation Measure CR-1:**

In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

**Mitigation Measure CR-2:**

If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

**Mitigation Measure CR-3:**

If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

**Mitigation Measure TCR-1:**

The SMBMI Cultural Resources Department shall be contacted, as detailed in Mitigation Measure CUL-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the finding be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.

### Mitigation Measure TCR-2:

Any and all archaeological/cultural documents created as part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and City of Victorville for dissemination to SMBMI. The City of Victorville and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

### XVIX. UTILITIES AND SERVICE SYSTEMS. *Would the project:*

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
		X	
			X
			X
		X	
		X	

Explanations:

- a) **Less Than Significant Impact.**

#### Water

The Proposed Project would be served by the Victorville Water District's (VWD). VWD utilizes approximately 33,348 water connections for single-family residential use. Single-family residential developments have an estimated water use of 12,208-acre feet per year (AFY) with a 2045 projected water demand of 30,480 AFY. The nearest existing water system is a 12' waterline on Bear Valley Road. The proposed water lines would be installed on the Proposed Projects interior and exterior roadways. The Project Proponent shall pay all connection and meter fees to VWD and adhere to VWD's requirements for ensuring that the appropriate connections are made to the existing main. The VWD's existing water system facilities are anticipated to be capable of meeting the Proposed Project's water demand of approximately 11.7 acre-feet/year (275 gallons per day per household) with no facility expansion required<sup>28</sup>.

<sup>28</sup> Water Feasibility Study (WFS), February 3, 2020, Water Systems Consulting, Inc.

### Wastewater Treatment

The Proposed Project is within the Victor Valley Wastewater Reclamation Authority (VWVRA) service area. According to the 2019 Victorville Sewer System Management Plan, the City owns approximately 437 miles of gravity sewers and 1.1 miles of force mains. There are two treatment plants that the City discharges its wastewater to; the VWVRA regional wastewater treatment plant and the City of Victorville's Industrial Wastewater Treatment Plant (IWWTP). Approximately 80% of sewer flows are conveyed to the VWVRA regional wastewater treatment plant. The remaining 20% of the collected sewer flows are discharged to the City-owned IWWTP. The Proposed Project would connect to the proposed sewer system lines along each street of the Project Site and includes a sewer easement along the northern Project Site boundary.

### Stormwater Drainage

Stormwater runoff volumes would be directed into the proposed detention and infiltration basin in the northeast corner of the Project Site via underground storm drain. The Proposed Project is not anticipated to substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion, siltation, or flooding on- or off-site.

### Electric Power

Southern California Edison (SCE) provides electrical service to the project area. The Proposed Project would receive electrical power through connection to Southern California Edison's existing power lines along Bear Valley Road, on the eastern boundary of the Project Site.

### Natural Gas

Southwest Gas provides natural gas service to the vicinity and the Proposed Project Site. Therefore, the Proposed Project will receive natural gas from Southwest Gas through connection to the existing line along the western frontage and adjacent to Bear Valley Road. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

### Telephone and Cable

Verizon and Charter provide telecommunication services to the vicinity of the area. The Proposed Project is not anticipated to require the expansion or construction of new communications systems facilities.

The residential development of the Proposed Site has been included in the utility providers' plans and therefore all utilities necessary to serve the Proposed Project are of sufficient capacity and no expansion would be required. The Proposed Project is not anticipated to require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electrical power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- b) **No Impact.** The Project Site is located within the service area of Victorville Water District (VWD). As stated in the 2020 Victorville Water District Urban Water Management Plan (UWMP), VWD provides water services to approximately 36,700 customer connections, serving a population of approximately 127,700 within its 85 square mile service area, which is located in the High Desert area of western San Bernardino County, California. VWD's water enterprise includes approximately

694 miles of distribution and transmission mains, 34 active wells, 4 booster pumping stations, 26 water storage reservoirs, 1 recycled water storage tank, and 25 pressure-regulating stations.<sup>29</sup>

According to the UWMP, during a multiple dry-year period, VWD's total water supply is projected to be 32,699 acre-feet (AF) by 2045, while the total water demand is projected to be 32,699 AF in the same year, resulting in neither surplus or deficit.<sup>30</sup> Additionally, the City's Municipal Code contains provisions for water conservation and recycling in Chapter 13.60 of the City Municipal Code, Water Conservation. Such code provisions include chapters 13.60.030 Drought tolerant plants, 13.60.040 Prohibited water uses and water waste, 13.60.050 Limitation on water intensive landscape and turf areas within new nonresidential facilities, 13.60.060 Limitations on model home and new residential development landscaping, and 13.60.080 Drought management plan implementation. The Proposed Project is consistent with the current land use designation and anticipated water use has been anticipated by VWD. Therefore, VWD's supplies are sufficient to meet demand within the district's service area. The exact number and location of domestic and fire service laterals shall be coordinated and confirmed with the City during design. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- c) **No Impact.** The Proposed Project is within the Victor Valley Wastewater Reclamation Authority (VWWRA) service area. There are two treatment plants that the City discharges its wastewater; the VWWRA regional wastewater treatment plant, and the City of Victorville's Industrial Wastewater Treatment Plant (IWWTP). The existing remaining treatment capacity at the VWWRA plant is 10.7 Million Gallons per Day (MGD) and the remaining treatment capacity at the City plant is approximately 15 MGD. The Proposed Project is consistent with existing land use designation and therefore wastewater has already been anticipated by VWWRA. No significant adverse impacts to wastewater service capacity have been identified or anticipated, and no mitigation measures are required.
- d,e) **Less Than Significant Impact.** According to the General Plan, the City of Victorville disposes sanitary waste at the Victorville Sanitary Landfill (VSL), which is operated by the Solid Waste Management Division of the San Bernardino County Public Works Department in accordance with a Waste Disposal Agreement between the City and the County<sup>31</sup>. The Victorville Sanitary Landfill has a capacity of 3,000 tons per day<sup>32</sup>. According to the California Integrated Waste Management Board's estimated solid waste generation rates, a total of approximately 10 pounds per dwelling unit per day is estimated for single-family residential development<sup>33</sup>. The Proposed Project would therefore generate an estimated 380 pounds daily. The Proposed Project's demand would represent less than one percent of the total permitted tons per day of throughput at the VSL. Construction debris would also be recycled and/or transported to the VSL. The temporary generation of construction debris would not permanently affect the long-term landfill capacity. Additionally, the Proposed Project would comply with all federal, state, and local statutes and regulations related to solid waste, including the Solid Waste Reuse and Recycling Access Act of 1991. The Act requires that adequate areas be provided for collecting and loading recyclable materials such as paper products, glass, and other recyclables. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

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<sup>29</sup> 2020 Urban Water Management Plan, Victorville Water District. Page 3-1

<sup>30</sup> 2020 Urban Water Management Plan, Victorville Water District. Page 7-3

<sup>31</sup> City of Victorville General Plan. Page LU-16.

<sup>32</sup> <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1870?siteID=2652>. Accessed 8/10/2023.

<sup>33</sup> <https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>. Single-Family Generation Rates. Accessed 8/10/2023.



**XX. WILDFIRE.** *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:*

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or other uncontrolled spread of a wildfire?
- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
		X	
		X	
		X	
		X	

- a) **Less than Significant Impact.** According to the San Bernardino Countywide Plan, the Project Site is located within a moderate Fire Hazard Severity Zone<sup>34</sup>. The Project Site does not contain any emergency facilities, nor is located adjacent to an emergency evacuation route. The nearest evacuation route to the Project Site is Highway 395, which is located east of the Proposed Project. Emergency access to the Project Site would be located on proposed "A" Street from either Sierra Road or Bear Valley Road. During construction and long-term operation, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the City of Victorville fire and police. The Proposed Project would not impair an adopted emergency response plan or emergency evacuation plan. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.
- b-d) **Less than Significant Impact.** The Project Site is relatively flat and is not located in an area known to have slope hazards, according to Figure S-3 *Slope Hazards* of the City's General Plan<sup>35</sup> located in an area with moderate threat to fire hazards<sup>36</sup>. It is not located within a High or Very High Fire Hazard Severity Zone. The Project Site is also not located in an area known to contain flood hazards as shown on Figure S-2 *Flood Hazards Map* of the City's General Plan<sup>37</sup>. Access to the site would be via an internal road from either Bear Valley Road or Verbena Road, which are existing roads. The Project Site is approximately 1.4 miles east of Highway 395, which is a County-assigned emergency evacuation route. Implementation of the Proposed Project would not include any risks including downslope or downstream flooding or landslides as a result of runoff post-fire slope instability, or drainage changes. The Proposed Project is anticipated to be sufficiently served by existing infrastructure and utilities and would not require the installation or maintenance of additional infrastructure.

Although the Project Site is not associated with high wildfire risks, the Proposed Project would be developed in compliance with the Fire Hazard Abatement Ordinance (Chapter 8.09, Victorville

<sup>34</sup> San Bernardino Countywide Plan. HZ-5: Fire Hazard Severity Zones. October 2020. Accessed on September 6, 2023.

<sup>35</sup> City of Victorville General Plan. Figure S-3/Page S-8.

<sup>36</sup> CALFIRE, Fire Hazard Severity Zone Viewer, Accessed August 30, 2023.

<sup>37</sup> City of Victorville General Plan. Figure S-2/Page S-6.

Municipal Code) and measures in the California Building Code (CBC) which reduce fire hazards in structures<sup>38</sup>. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**XIX. MANDATORY FINDINGS OF SIGNIFICANCE.**

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	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?		X		
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.			X	
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Explanations:

- a) **Less Than Significant Impact with Mitigation Incorporated.** A General Biological Assessment (BRA), Jurisdictional Delineation, and Multiple Species Habitat Conservation Plan (MSHCP) Consistency Analysis prepared for the Proposed Project by Jennings Environmental, LLC updated January 2024 is summarized herein. A literature review and records search were conducted to determine which special-status biological resources have the potential to occur on or within the general vicinity of the Project Site. Based on the literature review and field survey, and existing site conditions discussed in this report, implementation of the project will have no significant impacts on federally or State listed species known to occur in the general vicinity of the Project Site. However, to ensure potential impacts to this species are reduced to a less than significant level, Proposed Project shall adhere to Mitigation Measure BIO-1 through BIO-3.

**Mitigation Measure BIO-1:**

Pre-construction surveys for burrowing owls, desert tortoise, and nesting birds protected under the Migratory Bird Treaty Act and Section 3503 of the California Fish and Wildlife Code shall be conducted prior to the commencement of Project-related ground disturbance.

- a. Appropriate survey methods and timeframes shall be established in accordance with CDFW protocol and Guidelines to ensure that chances of detecting the target species

<sup>38</sup> City of Victorville Municipal Code. Chapter 8.09 Fire Hazard Abatement Ordinance.

are maximized. In the event that listed species, such as the desert tortoise, are encountered, authorization from the United States Fish and Wildlife Service (USFWS) and CDFW must be obtained. If nesting birds are detected, avoidance measures shall be implemented to ensure that nests are not disturbed until after young have fledged.

- b. Pre-construction surveys shall encompass all areas within the potential footprint of disturbance for the project, as well as a reasonable buffer around these areas.

**Mitigation Measure BIO-2:**

In accordance with the Western Joshua Tree Conservation Act via SB 122, and the City of Victorville's Development Advisory dated July 19, 2023, the Project will be required to obtain an Incidental Take Permit (ITP) from the California Department of Fish and Wildlife, prior to any ground disturbance. The ITP will provide for the acceptance of the mitigation fees to off-set the impacts to the Western Joshua trees found on-site. Additional surveys or mitigation required will be determined during the ITP process.

**Mitigation Measure BIO-3:**

A focused plant survey is recommended for all special status plant species that have the potential to occur on the site to be performed during the blooming season (April - June) to determine the potential environmental effects of the proposed projects on special status plants and sensitive natural communities following recommended protocols by CDFW. If any sensitive species are observed on the property during future activities, CDFW and USFWS (as applicable) should be contacted to discuss specific mitigation measures which may be required for the individual species. CDFW and USFWS are the only agencies which can grant authorization for the "take" of any sensitive species and can approve the implementation of any applicable mitigation measures.

With implementation of Mitigation Measures BIO-1 through BIO-3, impacts to "any species identified as a candidate, sensitive or special status species would be reduced to less than significant levels with mitigation incorporated.

Brian F. Smith and Associates, Inc (BFSA) prepared a Cultural Resources Assessment for the Proposed Project dated August 3, 2023. An archaeological field survey of the Project Site was conducted on November 16, 2022. During the field survey, BFSA archaeologists did not identify any cultural resources within the Project Site boundaries. Excavations and grading for previous (abandoned) construction projects that have disturbed the entire project. Based on negative findings during the field survey combined with the high level of disturbance, development of the proposed project is not anticipated to result in significant impacts to archaeological or historical resources, and no further investigations or monitoring are recommended. There is no evidence that human remains will be identified within the project area, but the presence cannot be completely ruled out. Although BRC Consulting did not indicate the Project Site as sensitive for cultural resources, significant impacts could occur during site earthmoving activities, and as well as input from the SMBMI, Mitigation Measures CR-1 and CR-2 are recommended to reduce impacts to a less than significant level.

**Mitigation Measure CR-1:**

In the event that cultural resources are discovered during project activities, all work in the

immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

**Mitigation Measure CR-2:**

If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

**Mitigation Measure CR-3:**

Should human remains be discovered, treatment of those remains shall follow California Public Resources Code (PRC) 5097.9. Any human remains that are determined to be Native American shall be reported to the San Bernardino County Medical Examiner and Coroner and subsequently to the NAHC. A copy of this report will be filed with the SCCIC at CSU Fullerton.

Implementation of Mitigation Measures of BIO-1 through BIO-3, and CR-1 to CR-3, as provided in this Initial Study, would ensure impacts to biological and cultural resources are less than significant. Therefore, no significant adverse impacts are identified or anticipated and no additional mitigation measures are required.

- b) **Less Than Significant Impact.** Cumulative impacts are defined as two or more individual affects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. The CEQA Guidelines, Section 15130 (a) and (b), states:

(a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.

(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

As shown herein, both summer and winter season operational air quality emissions are below MDAQMD thresholds. Therefore, the Proposed Project is not anticipated to violate any air quality standard or result in a cumulatively considerable net increase in an existing or projected air quality violation. However, to ensure potential impacts related to construction emissions are reduced to a less than significant level, mitigation measures AQ-1 through AQ-4 shall be implemented. Additionally, development of the Proposed Project will be conditioned to comply with current SCAQMD rules and regulations to minimize impacts to air quality.

The modeled greenhouse gas emissions anticipated from the Proposed Project during both construction and operational phases, were compared to the MDAQMD threshold and shown herein in Table 4 and 5. Compliance with the San Bernardino County Regional Greenhouse Gas Reduction Plan as required by mitigation measures GHG-1 & GHG-2 ensures that development of new residential and commercial buildings include high energy-efficiency standards such as use of renewable energy source and management of facilities to reduce emissions due to the use of electricity and natural gas. Therefore, cumulative impacts are not anticipated.

Impacts associated with the Proposed Project would not be considered individually or cumulatively adverse or considerable. Impacts identified in this Initial Study can be reduced to a level of less than significant impact. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- c) **Less Than Significant Impact.** The incorporation of design measures, City of Victorville policies, standards, and guidelines and proposed mitigation measures would ensure that the Proposed Project would have no substantial adverse effects on human beings, either directly or indirectly on an individual or cumulative basis. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**GENERAL REFERENCES:**

California Department of Conservation, California Important Farmland Finder. Accessed August 10<sup>th</sup>, 2023.

<https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>

California Department of Toxic Substances Control, EnviroStor; accessed, August 25<sup>th</sup>, 2023.

California Department of Resources Recycling and Recovery, Solid Waste Information System (SWIS) Victorville Landfill (36-AA-0045). Accessed August 10, 2023.

City of Victorville, 2030 General Plan. 2008.

City of Victorville, 2030 General Plan Environmental Impact Report.

City of Victorville, Municipal Code.

City of Victorville: 2019 Sewer System Management Plan.

Mojave Desert Air Quality Management District. California Environmental Quality Act (CEQA) and Federal Conformity Guidelines. August 2021.

San Bernardino County Regional Greenhouse Gas Reduction Plan, August 10<sup>th</sup>, 2023.

Victorville Water District: Victorville Water District Urban Water Management Plan 2020.

**PROJECT SPECIFIC REFERENCES:**

Lilburn Corporation. CalEEMod 2022. Air Quality and Greenhouse Gas Emissions. October 4<sup>th</sup>, 2023.

Jennings Environmental, LLC. Biological Resources Assessment. Updated January 2024.

BFSA Environmental Services, Paleontological Assessment. August 3, 2023.

BFSA Environmental Services, A Phase I Cultural Resources Study. August 3, 2023.

Leighton and Associates, Inc. Report of Geotechnical Exploration. June 24, 2022.

Madole & Associates, Inc. Preliminary Drainage Study, September 8<sup>th</sup>, 2022.

Madole & Associates, Inc. Mojave River Watershed, Preliminary Water Quality Management Plan, September 9<sup>th</sup>, 2022.

Trames Solutions, Inc. Vehicle Miles Traveled Evaluation. June 20, 2023.