

PLANNING COMMISSION ATTACHMENT I

Agency Comments Received

Mojave Desert Air Quality Management District

Brad Poiriez, *Executive Director*
14306 Park Avenue, Victorville, CA 92392-2310
760.245.1661 • Fax 760.245.2022
www.MDAQMD.ca.gov • @MDAQMD



April 5, 2024

City of Victorville
Planning Division
14343 Civic Drive
Victorville, CA 92392

Project: PLAN22-00039

Dear Planning Division:

The Mojave Desert Air Quality Management District (District) has received a request for comments on PLAN22-00039, a Site Plan with an Initial Study and proposed Mitigated Negative Declaration to allow for the development of a multi-tenant shopping center, a Conditional Use Permit to allow for the development of a carwash, a Conditional Use Permit for a drive-thru restaurant, a Conditional Use Permit for the development of a fueling station, and a Conditional Use Permit for off-site alcohol sales on an undeveloped 3.5 acre parcel zoned COM (Commercial) within the Vista Verde Specific Plan located at the south west corner of Luna Road and HWY 395.

We have reviewed the project as proposed and based on the information available to us at this time, the District requires that fugitive dust best management practices (including but not limited to applicable provisions of District Rule 403) are implemented on all non-paved transport roads, access points, and parking areas. Additionally, the District also requires that the proponent obtain District permits for any miscellaneous process equipment that may not be exempt under District Rule 219 including, but not limited to internal combustion engines with a manufacture's maximum continuous rating greater than or equal to 50 brake horsepower and fuel storage/dispensing equipment.

Thank you for the opportunity to review this planning document. If you have any questions regarding this letter, please contact me at (760) 245-1661, extension 1846, or Bertrand Gaschot at extension 4020.

Sincerely,

Chris Anderson
Planning and Air Monitoring Supervisor

Robyn Hernandez

From: SCAES <SCAES@swgas.com>
Sent: Wednesday, March 27, 2024 9:01 AM
To: Robyn Hernandez; Planning Division
Cc: SCAES
Subject: Re: EXTERNAL: PLAN22-00039 Request for Comments

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Adding the Planning Division email address.

For rebates and energy saving tips, refer to our website at [Save Money & Energy](#).

Natural gas is a clean, affordable, reliable energy option and part of your project's net-zero energy equation. For more information, visit our website at [Why Natural Gas?](#)

Energy Solutions | Southern California Division

PO Box 1498 | Victorville, CA 92393-1498

direct 760.951.4060 | fax 760.951.4043

scaes@swgas.com | www.swgas.com



From: SCAES <SCAES@swgas.com>
Sent: Wednesday, March 27, 2024 8:50 AM
To: Robyn Hernandez <rhernandez@victorvilleca.gov>
Cc: SCAES <SCAES@swgas.com>
Subject: Re: EXTERNAL: PLAN22-00039 Request for Comments

Good morning Robyn,

Thank you for forwarding this information to us. Here is our response with gas availability comments:

There is an existing gas main distribution line along the property on Luna Rd. and also US HWY 395. If gas is needed for any new structure(s), it would likely be a service line request since main line is already existing.

Application for gas line installation can be obtained by emailing request to scaes@swgas.com.

Should there be any questions regarding installing new gas lines, please email questions/requests to the Southwest Gas Energy Solutions department at scaes@swgas.com. For other questions related to existing gas service, please reach out to our Contact Center at 877-860-6020.

Thank you,
David

For rebates and energy saving tips, refer to our website at [Save Money & Energy](#).

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scaes@swgas.com | www.swgas.com



From: Robyn Hernandez <rhernandez@victorvilleca.gov>

Sent: Monday, March 25, 2024 10:37 AM

To: dkintzer@burrtec.com <dkintzer@burrtec.com>; gkoontz@burrtec.com <gkoontz@burrtec.com>; tangelino@burrtec.com <tangelino@burrtec.com>; jennifer.cusack@sce.com <jennifer.cusack@sce.com>; thirdpartyenvreview@sce.com <thirdpartyenvreview@sce.com>; Juan.m.lopez@sce.com <Juan.m.lopez@sce.com>; tyler.a.hudson@sce.com <tyler.a.hudson@sce.com>; Antoine.Williams@sce.com <Antoine.Williams@sce.com>; jason.d.mockler@ftr.com <jason.d.mockler@ftr.com>; Jonathan.Mejia@FTR.com <Jonathan.Mejia@FTR.com>; Kurt.Edwards@swgas.com <Kurt.Edwards@swgas.com>; SCDEngineering@swgas.com <SCDEngineering@swgas.com>; SCAES@swgas.com <SCAES@swgas.com>; kcasteel@vwwraca.gov <kcasteel@vwwraca.gov>; Darron.Poulsen@vwwraca.gov <Darron.Poulsen@vwwraca.gov>; denriquez@vwwraca.gov <denriquez@vwwraca.gov>; llaari@vwwraca.gov <llaari@vwwraca.gov>; rosa.f.clark@dot.ca.gov <rosa.f.clark@dot.ca.gov>; james.camarillo@dot.ca.gov <james.camarillo@dot.ca.gov>; Lahontan@waterboards.ca.gov <Lahontan@waterboards.ca.gov>; adesalvio@mdaqmd.ca.gov <adesalvio@mdaqmd.ca.gov>; projectview@mdaqmd.ca.gov <projectview@mdaqmd.ca.gov>

Subject: EXTERNAL: PLAN22-00039 Request for Comments

[WARNING] This message originated outside of Southwest Gas. **DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe.

CASE NO.: PLAN22-00039

DESCRIPTION: A Site Plan with an Initial Study and proposed Mitigated Negative Declaration to allow for the development of a multi-tenant shopping center, a Conditional Use Permit to allow for the development of a carwash, a Conditional Use Permit for a drive-thru restaurant, a Conditional Use Permit for the development of a fueling station, and a Conditional Use Permit for off-site

alcohol sales on an undeveloped 3.5 acre parcel zoned COM (Commercial) within the Vista Verde Specific Plan located at the south west corner of Luna Road and HWY 395

APN: 3096-361-09

request for comments

Attached is a PDF with information regarding case PLAN22-00039. Please contact us if you are unable to access the file.

We are requesting that you provide us with any information, including environmental concerns, as to the effect they will have on your agency. This information will assist staff in analyzing the project and providing the Planning Commission with proper information to serve as a basis for its decision. If you need additional information to be able to provide comments on the projects, please contact the Planning Division and arrangements will be made to make that information available to you.

Please **email** any comments on the above mentioned case(s) to planning@victorvilleca.gov on your Agency's official letterhead.

Your response to this request should be returned to this department on or before **April 8th, 2024**, to ensure your proposed conditions or comments are reviewed by staff.

Should you have any questions or need further clarification concerning the case(s), please do not hesitate to contact this department at (760) 955-5135. Your cooperation and timely response will be greatly appreciated.

This is for your information. No reply is necessary unless you have comments, or existing right of way or easements across the property proposed for development.

Thank you,

PLANNING DIVISION

The information in this electronic mail communication (e-mail) contains confidential information which is the property of the sender and may be protected by the attorney-client privilege and/or attorney work product doctrine. It is intended solely for the addressee. Access to this e-mail by anyone else is unauthorized by the sender. If you are not the intended recipient, you are hereby notified that any disclosure, copying, or distribution of the contents of this e-mail transmission or the taking or omission of any action in reliance thereon or pursuant thereto, is prohibited, and may be unlawful. If you received this e-mail in error, please notify us immediately of your receipt of this message by e-mail and destroy this communication, any attachments, and all copies thereof. Southwest Gas Corporation does not guarantee the privacy or security of information transmitted by facsimile (fax) or other unsecure electronic means (including email). By choosing to send or receive information, including confidential or personal identifying information, via fax or unencrypted e-mail, you consent to accept any associated risk.

Thank you for your cooperation.



Date: March 25, 2024

Project: PLAN 23-039

Reviewer: Gary Koontz
Email: gkoontz@burrtec.com
Phone: (909) 429-4200

Project Description: Construct a multi-tenant retail center.

Comments: The Site Plan identifies two proposed trash enclosures. The first enclosure serves the gas station complex and is located immediately southwest of the convenience store. The enclosure serving the two retail buildings is located on the east side of their parking lot between the two buildings. Dimensions for the enclosures is not provided, but both are depicted as holding four bins of an unknown size. They are accessed by a looped driveway of an unknown width.

Based upon the information provided, Burrtec offers the following comments:

- *All trash enclosures shall be designed to accommodate at least two standard 4-cubic yard commercial bins for trash and mixed recyclables.*
- *All restaurants, markets and convenience stores shall participate in a food waste recycling program per AB1826 and SB1383. This will require separate bins for food waste. Food waste bins may be either multiple 65-gallon carts or 2-cubic yard bins.*
- *In the event that the landscape maintenance contractor does not remove landscaping green waste from the site, one of the enclosures shall be designed to accommodate a separate 3-cubic yard green waste bin. If the landscaper removes the green waste from the site, evidence must be provided to Burrtec and the City that it was properly recycled.*
- *Please provide widths of all driveways and curb return radii on the Site Plan or grading plan.*

Any changes to the overall project design, enclosure specifications or location, or access may adversely impact Burrtec's ability to service the project. Any design modifications that could impact Burrtec's service will be subject to review and approval by Burrtec.

Prior to issuance of grading permits, the developer or their contractor shall contact Burrtec to coordinate the preparation and implementation of a Construction Waste Management Plan.

Burrtec's review of this project is limited to determining whether it meets Burrtec's minimum standards for waste and recycling collection services. Any comments or approvals by Burrtec are limited to these minimum standards as they relate to our equipment and personnel and do not pertain to the project's compliance with applicable federal, state and local land use and environmental laws, building codes or other applicable government regulations. Any approvals by Burrtec do not warrant or represent that Burrtec accepts any liability relative to the performance of waste and recycling collection services within this project.

Gary Koontz, Facility Project Manager

From: [Ryan Nordness](#)
To: [Planning Division](#)
Subject: CASE PLAN22-00039-Luna Rd and HWY 395
Date: Wednesday, April 26, 2023 4:33:04 PM

[EXTERNAL EMAIL]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Daisy,

Thank you for contacting the Yuhaaviatam of San Manuel Nation (formerly known as the San Manuel Band of Mission Indians) regarding the above referenced project. YSMN appreciates the opportunity to review the project documentation, which was received by our Cultural Resources Management Department on March 27th 2023, pursuant to CEQA (as amended, 2015) and CA PRC 21080.3.1. The proposed project area exists within Serrano ancestral territory and, therefore, is of interest to the Tribe. However, due to the nature and location of the proposed project, and given the CRM Department's present state of knowledge, YSMN does not have any concerns with the project's implementation, as planned, at this time. As a result, YSMN requests that the following language be made a part of the project/permit/plan conditions:

CUL MMs

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 and/or historic-era 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.
2. If significant pre-contact and/or historic-era 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.
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.

TCR MMs

1. The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CR-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 find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.

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

Note: Yuhaaviatam of San Manuel Nation realizes that there may be additional tribes claiming cultural affiliation to the area; however, Yuhaaviatam of San Manuel Nation can only speak for itself. The Tribe has no objection if the agency, developer, and/or archaeologist wishes to consult with other tribes in addition to YSMN and if the Lead Agency wishes to revise the conditions to recognize additional tribes.

Please provide the final copy of the project/permit/plan conditions so that YSMN may review the included language. This communication concludes YSMN's input on this project, at this time, and no additional consultation pursuant to CEQA is required unless there is an unanticipated discovery of cultural resources during project implementation. If you should have any further questions with regard to this matter, please do not hesitate to contact me at your convenience, as I will be your Point of Contact (POC) for YSMN with respect to this project.

Respectfully,
Ryan Nordness

Ryan Nordness

Cultural Res Analyst

Ryan.Nordness@sanmanuel-nsn.gov

O:(909) 864-8933 Ext 50-2022

M:(909) 838-4053

26569 Community Center Dr Highland, California 92346

