

PLANNING COMMISSION

ATTACHMENT D

Draft Environmental Impact Report

Attachments to this report found at the following link:

<https://www.victorvilleca.gov/government/citydepartments/development/planning/environmental-review-notice>



City Review Draft
Mojave 68 Project
Draft Environmental Impact Report

Site Plan No. PLAN22-00023
Tentative Parcel Map Amendment No. PLAN22-00023



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- A-3: Mojave 68 Greenhouse Gas Impact Analysis, KPC EHS Consultants, February 2023
- A-4: EmFac2021 v1.0.2 Emissions Inventory Data
- B-1: Biological Resources Assessment for an Approximate 68-Acre Project Site Located within Assessor Parcel Numbers 3128-621-02, -03, -04, -05, and -06 in the City of Victorville, San Bernardino County, California, ELMT Consulting, January 9, 2023

- B-2 Joshua Tree Survey of a 68.8-acre lot on the NE C/O Mesa Linda Ave., and Mojave Dr., CalPacific Sciences, November 11, 2022
- B-3 Focused Desert Tortoise Protocol Presence/Absence Survey for Proposed Commercial/Industrial Warehouse 68 Acres; APN #s 3128-612-02,-03,-04,-05, and -06 in the City of Victorville, prepared by Nexus Environmental LLC, May 24, 2023
- B-4 Focused Burrowing Owl Protocol Survey, Nexus Environmental LLC, June 23, 2023
- B-5 California Department of Fish and Game Mohave Ground Squirrel Guideline Survey Report, Randel Wildlife Consulting, Inc., June 2023
- B-6 Aquatic Resources Delineation Report Mojave 68 Project San Bernardino County, California, Huffman-Broadway Group, Inc., June 2023
- C Historical/Archaeological Resources Survey Report Mojave 68 Warehouse Project, CRM Tech, January 19, 2023
- D Preliminary Geotechnical Evaluation, Proposed Industrial Development, Northwest of the Intersection of Mojave Drive & Onyx Road, Victorville, California, LGC Geotechnical, October 19, 2022
- E Phase 1 Environmental Site Assessment, Wood Environment & Infrastructure Solutions, Inc., September 14, 2022
- F-1 Preliminary Hydrology Study for Mojave 68 Warehouse, Mojave Road and Mesa Linda Avenue, Kier + Wright, January 2023
- F-2 Mojave River Watershed Preliminary Water Quality Management Plan, for Mojave 68, Kier + Wright, January 2023
- G Mojave Drive Warehouse Noise and Vibration Analysis, prepared by Urban Crossroads, February 15, 2023
- H-1 Scoping Agreement for Focused Traffic Impact Analysis and Vehicle Miles Traveled Screening for Proposed Industrial Warehouse Site Located at Northeast Corner of Mojave Drive and Mesa Linda Avenue in Victorville, David Evans and Associates, January 12, 2023
- H-2 Vehicle Miles Traveled (VMT) Analysis – Mojave 68 Warehouse, Victorville, CA, General Technologies and Solutions, December 5, 2022
- I Water Supply Assessment for EWTR22-00598, Water Systems Consulting, Inc, December 2022
- J NOP and NOP Comments

Acronyms and Abbreviations

<u>Acronym</u>	<u>Definition</u>
AB 32	Assembly Bill 32
AB 52	Assembly Bill 52
ADA	Americans with Disabilities Act
AFY	Acre Feet Per Year
AQMP	Air Quality Management Plan
APE	Area of Potential Effect
APN	Assessor Parcel Number
APZ	Accident Potential Zone
BMPs	Best Management Practices
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
City	City of Victorville
CMP	Congestion Management Program
CNPS	California Native Plant Society
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
CRHR	California Register of Historic Places
dBA	A-Weighted Decibels
DIF	Development Impact Fees
DPM	Diesel Particulate Matter
EPA	Environmental Protection Agency
ERRP	Enhanced Recharge and Recovery Program
ESA	Endangered Species Act
FAR	Floor Area Ratio
FEMA	Federal Emergency Management Agency
FMMP	Farmland Mapping Management Program
GHG	Greenhouse Gas
GSP	Groundwater Sustainability Plan
gpd/acre	Gallons per Day per Acre
HAER	Historic American Engineering Record
HCP	Habitat Conservation Plan
ITE	Institute of Transportation Engineers
LID	Low Impact Design
LOS	Level of Service
LST	Localized Significance Threshold
MDAQMD	Mojave Desert Air Quality Management District
mgd	Millions of Gallons per Day
MLD	Most Likely Descendent
MMRP	Mitigation Monitoring and Reporting Program
MRZ	Mineral Resources Zone
MS4	Municipal Separate Storm Water Sewer System
MTCO ₂ e	Metric Tons Carbon Dioxide Equivalent
NAHC	Native American Heritage Commission

NCCP	Natural Communities Conservation Plan
ND	Negative Declaration
NO ₂	Nitrogen Dioxide
NO _x	Nitrogen Oxides
NPDES	National Pollutant Discharge Elimination System
PCE	Passenger Car-Equivalent
PM-2.5	Particulate Matter Less Than 2.5 Microns in Diameter
PM-10	Particulate Matter Less Than 10 Microns in Diameter
PRIMMP	Paleontological Resource Impact Mitigation Monitoring Program
RWQCB	Regional Water Quality Control Board
SGMA	the Sustainability Groundwater Management Act
SF	Square Feet
SCAG	Southern California Association of Governments
SLF	Sacred Lands File
SRA	State Responsibility Area
SSC	Species of Special Concern
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TIA	Traffic Impact Analysis
TRU	Truck Refrigeration Units
TUMF	Transportation Uniform Mitigation Fee
VMT	Vehicle Miles Traveled
VWD	Victorville Water District

Executive Summary

Introduction

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

As required by CEQA, Guidelines §15121(a), the purpose of this Draft Environmental Impact Report (EIR) is to: (1) disclose information on a proposed 1,097,300 square-foot industrial building (Project) in the City of Victorville by informing public agency decision makers and the public generally of the significant environmental effects associated with all phases of the Project, (2) identify possible ways to minimize or avoid those significant effects, and (3) to describe a reasonable range of alternatives to the Project that would feasibly attain most of the basic Project objectives but would avoid or substantially lessen its significant environmental effects.

Lead Agency

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

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

Project Overview

Proposed Project Summary

The Mojave 68 Project (Project) would develop an approximately 66.4-acre vacant site with a 1,097,300-square-foot industrial building with 1,057,300 square feet allocated to warehousing use, and 40,000 square feet allocated to office use (includes four potential offices of 10,000 square feet each) and related site improvements, including landscaping, parking, and infrastructure facilities. Although the future tenant of the building is not known, the building would include an 877,800-square-foot high-cube transload warehouse and a 219,500-square-foot high-cube cold storage warehouse with loading docks lining the east side and west side of the building. A more detailed description of the Project is provided in Section 3 – Project Description.

Governmental approvals requested from the City of Victorville by the Project Applicant to implement the Project include a Site Plan (PLAN22-00023). All other related discretionary and administrative actions that are required of the City of Victorville and other public agencies and entities to construct and operate the Project described in this EIR also are considered part of the Project evaluated herein. Approvals and permits required of other agencies that are currently known to be needed to implement the Project are listed in this DEIR, Section 3 - Project Description.

Access to the Project site will be provided by Mojave Drive, Mesa Linda Avenue, Cactus Road, and Onyx Road via one 30-foot driveway along Mojave Drive, two 40-foot driveways along Mesa Linda Avenue, one 40-foot driveway along Cactus Road, and two 40-foot driveways along Onyx Road. Site access from Mojave Drive and Cactus Road are primarily designed for passenger vehicles, and the Onyx Road and Mesa Linda access is designed for truck access. No truck access is allowed to the site via Mojave Drive. A metal gate with a Knox box per City Fire Department Standards is provided at each entrance to the dock areas along the east and west sides of the building. A 30-foot-wide fire lane is provided along the perimeter of the building between the building and the parking spaces. Refer to [Figure 3-1, Mojave Drive Improvements – Westbound Transition to Mesa Linda Avenue](#), [Figure 3-2, Mojave Drive Improvements – Westbound from Onyx Road](#), [Figure 3-3, Cactus Road Improvements](#), [Figure 3-4, Onyx Road Improvements](#), and [Figure 3-5, Mesa Linda Avenue Improvements](#) for details.

Fire Access: A twenty-six (26) foot wide paved fire access road is proposed within the existing seventy six (76) foot right-of-way of Cactus Road. The transition occurs at the westerly end of the northernmost property boundary and ending at a point adjacent to the High Desert Truck Stop located at 15655 US-395 in Victorville.

Parking: The site contains a total of 458 auto parking spaces, which include 9 spaces that are handicapped accessible. A dedicated auto-only lot exists separate from the building and is located along Cactus Road. Pursuant to Section 5.106.5.2 of the 2019 California Green Building Standards Code (CCR, Title 24, Part 11 – CalGreen), nine parking spaces would be dedicated for low-emitting, fuel efficient and/or carpool/vanpool vehicles. Pursuant to Section 5.106.5.3.2 of the CalGreen Code, raceways would be provided in 46 of the existing planned standard parking spaces and in the existing/planned handicapped/van accessible for future charging of electric vehicles. Electrical vehicle charging would be provided after occupancy. Additionally, 726 trailer stalls would be provided.

Site Lighting: Site lighting will be low-level light emitting diode (LED) that will be pointed downward at the parking lot and/or along the edges of the building. Lighting would be subject to compliance with the City's outdoor lighting requirements, which both require that "[a]ll lighting -fixtures, including spotlights, electrical reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading, and similar areas, shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property."

Stormwater Management: The Project applicant has prepared a Preliminary Hydrology Study (Technical Appendix F-1) and a Water Quality Management Plan (Technical Appendix F-2) that identifies stormwater management for the building operations/post construction. Catch basins and storm drains will collect runoff from the roof and the impervious areas throughout and will convey stormwater to the infiltration basin at the northeast corner of the site. A reinforced concrete storm drain is proposed to convey stormwater from the existing two 48" culverts to and will outlet to an existing channel east of Onyx Road. This storm drain will outlet through a headwall and will remain within the right-of-way of Onyx Road.

Construction of the proposed Project will also require the contractor to prepare a Stormwater Pollution Prevention Plan (SWPPP) as the Project site is more than 1 acre.

Utilities and Services:

Water: Water service in the City of Victorville is provided by the Victorville Water District (VWD). The Project proposes to connect to the City operated 12-inch water lines in Mesa Linda Avenue, Onyx Road, and Cactus Road.

Sewer: Sewer service to the Project site is also provided by VWD through a gravity sewer system which conveys wastewater to the Industrial Wastewater Treatment Plant (IWTP) that is owned and operated by VWD. The Project will construct a 10-inch sewer line in Cactus Road along the project frontage and extend it off site starting at the northeast corner of the Project site easterly approximately 2,600 feet to connect to the existing 10-inch sewer line in Tawny Ridge Lane. Refer to [Figure 3-10, Utility Plan](#) for details.

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

Waste: Solid waste disposal and recycling services for the proposed Project site would be provided by the Burrtec Waste Industries

The Project is anticipated to generate approximately 520 employees.¹

Project Location

The Project site is located in the City of Victorville, located in southwestern San Bernardino County, California, in the Desert Region. The City of Victorville is situated north of the City of Hesperia, east of the City of Adelanto, south of the City of Barstow, and west of the City of Apple Valley. The Project site is located approximately 0.5 mile east of State Route (SR) 395, approximately 4 miles west of Interstate 15 (I-15) and approximately 1.5 miles north of State Route 18 (SR-18).

At the local scale, the Project site is bordered by Mojave Drive on the south, Cactus Road on the north, Onyx Road on the east, and Mesa Linda Avenue on the west (refer to [Figure 2-1, Regional Location Map](#) and [Figure 2-2, Vicinity Map/Aerial Photo](#)) located at the end of EIR Section 2, Environmental Setting. The 66.4-acre Project site is comprised of five parcels, Assessor Parcel Numbers (APNs) 3128-621-02, 3128-621-03, 3128-621-04, 3128-621-05, and 3128-621-06.

The Project site is within an area of the City zoned Light Industrial, which is category of land use is characterized by industrial development either located in industrial and/or business parks or in mixed industrial/business park use areas. Refer to EIR Section 2 - Environmental Setting for more information related to the regional and local setting of the Project site.

Project Objectives

The underlying purpose and goal of the Mojave 68 Project is to develop a modern industrial warehouse building in the City of Victorville along a City truck route that is also in proximity to the state highway system in order to increase employment opportunities and improve the City's economic competitiveness. This underlying purpose aligns with various aspects of the Southern California Association of Governments' (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) primarily related to accommodating goods movement industries and balancing job and housing opportunities in local areas to reduce long commutes from home to work. The SCAG identifies the Inland Empire as a housing rich

¹ Vehicle Miles Traveled (VMT) Analysis – Mojave 68 Warehouse, Victorville, CA, General Technologies and Solutions, December 5, 2022

area and coastal communities as job rich areas and is striving in their policies to achieve more equal balances locally. The Project would achieve its underlying purpose and goal through the following objectives.

1. To efficiently develop a vacant and underutilized property with industrial uses, consistent with the property's zoning and land use, to help meet the substantial and unmet regional demands for goods movement facilities consistent with the Southern California Association of Governments' 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (SCAG, 2020).
2. To establish new business to the City of Victorville and thereby provide a more equal jobs to housing balance in the City of Victorville that will reduce the need for members of the local workforce to commute outside the area for employment.
3. To develop an industrial building along a City-established truck route that is in proximity to I-15 and U.S. Highway 395 that can be used as part of the region's goods movement network.
4. To develop a use that maximizes energy conservation measures that are sustainable and consistent with Smart Growth principles.
5. To develop a vacant property that has access to available infrastructure, including roads and utilities.

Areas of Controversy and Issues to be Resolved

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

Notice of Preparation

Consistent with CEQA Guidelines §15082, a Notice of Preparation (NOP) which was circulated for a 30-day public review period from March 3, 2023 to April 12, 2023 (refer to Technical Appendix J – Notice of Preparation and Comment Letters). The NOP notifies the public, as well as responsible agencies, trustee agencies, and involved federal agencies that an EIR will be prepared for a project.

Public Scoping Meeting

An EIR Scoping Meeting was held on April 12, 2023. The scoping meeting was held during a regularly scheduled Planning Commission Hearing, at City Hall Council Chambers, 14343 Civic Drive, Victorville, California. Participation and viewing of the meeting were also available via virtual attendance, in person attendance, and providing written comment(s) prior to the meeting time. Participation during the meeting was only permitting in person.

Alternatives to the Proposed Project

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

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

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

No Project/No Development Alternative

The No Project/No Development Alternative considers no development on the Project site beyond what occurs on the site under existing conditions (as described in EIR Section 2). As such, the approximately 66.4-acre Project site would continue to remain vacant and undeveloped. Under this Alternative, no improvements would be made to the Project site and none of the Project's roadway, drainage, utility, and other infrastructure improvements would occur. This alternative was selected by the City to compare the environmental effects of the Project with an alternative that would leave the Project site undeveloped in its existing condition.

Reduced Intensity Alternative

The Reduced Intensity Alternative would consider the development of the Project site with a 20% reduction in building square footage, to reduce vehicle and truck trips and impacts associated with greenhouse gas emissions (GHG) and vehicle miles traveled (VMT). Under this alternative, a total of 877,840 square feet of industrial uses would be constructed, resulting in a reduction of 219,460 square feet from the proposed building. By reducing the size of the proposed building – thus reducing the building setbacks from adjacent roadways – the development impact area would remain the same and would increase the space between the Project site and residential areas. This alternative would generate approximately 520 employees.²

Access to the site would be similar to the Project with a proportional reduction in the number of parking spaces.

Summary of Levels of Impact and Mitigation Measures

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

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

Issues to be Resolved by the Decision-Making Body

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

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

² Vehicle Miles Traveled (VMT) Analysis – Mojave 68 Warehouse, Victorville, CA, General Technologies and Solutions, December 5, 2022

Table 1 Summary of Impacts and Mitigation Measures

Environmental Topic/Threshold	Document/Section	Mitigation Measures (MM) Required to Reduce Impact	Level of Significance
Aesthetics			
		None required.	
Air Quality			
		None required.	
Biological Resources			
		<p>BIO-1 Incidental Take Permit for Joshua Tree. Prior to issuance of grading permits, for any Western Joshua Trees that would be removed, the Applicant shall either obtain an Incidental Take Permit (ITP) from California Department of Fish and Wildlife (CDFW) under CDFW under §2081 of the California Endangered Species Act (CESA) or obtain a permit as described by AB 1008, whichever is applicable at the time of grading permit issuance. Mitigation is to be determined by the CDFW through its issuance of the ITP or other permit as described in AB 1008, and could consist of purchase of credits from an approved conservation bank, third-party seed collection, Joshua Tree relocation, payment into the state’s Western Joshua Tree Mitigation Fund, and/or purchase of mitigation lands.</p>	Potentially significant prior to incorporating mitigation measures.
		<p>BIO-2 Pre-Construction Desert Tortoise Presence/Absence Surveys: A USFWS Qualified/CDFW – approved biologist shall conduct pre-construction presence/absence surveys for desert tortoise during the desert tortoise active season (April to May or September to October) 48 hours prior to initiation of Project activities and after any pause in Project activities lasting 30 days or more. Desert tortoise preconstruction surveys shall be conducted in accordance with the U.S. Fish and Wildlife Service (USFWS) 2019 desert tortoise survey methodology. Preconstruction surveys shall be completed using 100% visual coverage for desert tortoise and their sign and shall use perpendicular survey routes within the Project site and 50-foot buffer zone. Pre-construction surveys cannot be combined with other surveys conducted for other species while using the same personnel. Project Activities cannot start until 2 negative results from consecutive surveys using perpendicular survey routes for desert tortoise are documented.</p> <p>Results of the survey shall be submitted to CDFW prior to start of Project activities. If the survey confirms desert tortoise absence, the CDFW-approved biologist shall ensure desert tortoise do not enter the Project area. If desert tortoise presence is confirmed during the survey, the Project Proponent shall</p>	Potentially significant prior to incorporating mitigation measures.

Environmental Topic/Threshold	Document/Section	Mitigation Measures (MM) Required to Reduce Impact	Level of Significance
		<p>submit to CDFW for review and approval a desert tortoise specific avoidance plan detailing the protective avoidance measures to be implemented to ensure complete avoidance of take (California Fish and Game Code §86 defines “take” as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) to desert tortoise.</p> <p>If complete avoidance of desert tortoise cannot be achieved, the Project Proponent will not undertake Project activities, and Project activities be postponed until appropriate authorization (i.e., California Endangered Species Act (CESA) Incidental Take Permit (ITP) under Fish and Game Code §2081) is obtained. If complete avoidance of desert tortoise is infeasible, the Project Proponent would be required to apply for a CESA ITP and prepare a site-specific Desert Tortoise Translocation Plan (Plan) that will provide details on the proposed recipient site, desert tortoise clearance surveys and relocation, definitions for Authorized Biologists and qualified desert tortoise biologists, exclusion fencing guidelines, protocols for managing desert tortoise found during active versus inactive seasons, protocols for incidental tortoise death or injury, and will be consistent with project permits and current USFWS and CDFW guidelines.</p> <p>The Plan shall also include a requirement for communication and coordination with Randel Wildlife Consulting, Inc. Prior to construction, the Plan shall be subject to the review and approval of the CDFW and the USFWS.</p>	
		<p>BIO-3 Desert Tortoise Worker Environmental Awareness Training: A qualified biologist must present a biological resource information training for desert tortoise, as well as other species typically found in the area such as burrowing owl and Mohave ground squirrel, prior to project activities to all personnel that will be present within the Project site for longer than 30 minutes at any given time.</p>	Potentially significant prior to incorporating mitigation measures.
		<p>BIO-4 Desert Tortoise Avoidance: If during project activities a desert tortoise is discovered within the project site, all activities must stop within 50-feet and the CDFW-approved biologist must be notified. Coordination with respective state and federal resource agencies will be required prior to restarting activities.</p>	Potentially significant prior to incorporating mitigation measures.
		<p>BIO-5 Pre-Construction Burrowing Owl Survey. A Pre-construction Burrowing Owl Survey shall be conducted by a qualified biologist no later than 14 prior to any Project ground-disturbing activities, at any time of year. Surveys shall be completed following the recommendations and guidelines provided within the</p>	Potentially significant prior to incorporating mitigation measures.

Environmental Topic/Threshold	Document/Section	Mitigation Measures (MM) Required to Reduce Impact	Level of Significance
		Staff Report on Burrowing Owl Mitigation (CDFG, March 2012) or most recent version by a qualified biologist. If an active burrowing owl burrow is detected within any Project disturbance area, or within a 500-foot buffer of the disturbance area, a 300-foot radius buffer zone surrounding the burrow shall be flagged, and no impacts to soils or vegetation or noise levels above 65 dBA shall be permitted while the burrow remains active or occupied. Disturbance-free buffers may be modified based on site-specific conditions in consultation with CDFW. The qualified biologist shall monitor active burrows daily and will increase buffer sizes as needed if owls show signs of disturbance. If active burrowing owl burrows are located within any work area and impact cannot be avoided, a qualified biologist shall submit a burrowing owl exclusion plan to CDFW for review and approval. The burrowing owl exclusion plan shall include permanent compensatory mitigation consistent with the recommendations in the Staff Report on Burrowing Owl Mitigation such that the habitat acreage, number of burrows and burrowing owls impacted are replaced. If passive relocation is required, a Burrowing Owl Relocation and Protection Plan that shall document the relocation procedures, and the Plan shall be submitted to the CDFW and approved by the CDFW prior to any BUOW relocation. If burrowing owls are not detected during the pre-disturbance surveys, then no additional action is required.	
		BIO-6 Mohave Ground Squirrel Worker Environmental Awareness Training: Implement Construction Monitoring and Worker Environmental Awareness Program. To reduce the potential of take of Mohave ground squirrels, and prior to ground disturbing activity, a qualified biologist will deliver a Worker Environmental Awareness Program (WEAP) on the ecology of the Mohave ground squirrel to the construction employees.	Potentially significant prior to incorporating mitigation measures.
		BIO-7 Mohave Ground Squirrel Construction Monitoring and Worker Environmental Awareness Program. To reduce the potential of take of Mohave ground squirrels, and prior to ground disturbing activity, a qualified biologist will deliver a Worker Environmental Awareness Program (WEAP) on the ecology of the Mohave ground squirrel to the construction employees. A qualified biological monitor shall be on site during initial ground disturbing activities. The name and phone number of the biological monitor shall be provided to a CDFW regional representative at least 14 days before ground disturbing activities. If the biological monitor observes a living Mohave ground squirrel on the construction site and/or determines that a	Potentially significant prior to incorporating mitigation measures.

Environmental Topic/Threshold	Document/Section	Mitigation Measures (MM) Required to Reduce Impact	Level of Significance
		Mohave ground squirrel was killed by project related activities during construction or otherwise found dead, a written report will be sent to CDFW within 5 calendar days. The report will include the date, time of the finding or incident (if known), location of the carcass and the circumstances (if known). Mohave ground squirrel remains shall be collected and frozen as soon as possible. The California Department of Fish and Wildlife shall be contacted as to the ultimate disposition of the remains.	
		BIO-8 Regulatory Permits-Jurisdictional Waters. Prior to issuance of grading permits or other permits authorizing ground disturbance (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging), the Project applicant shall obtain all necessary authorizations from the Corps and Water Board for discharging fill material into a total of 0.12 acres of ephemeral stream habitat and authorization from the CDFW for discharging fill material into a total of 0.029 acres of ephemeral stream habitat.	Potentially significant prior to incorporating mitigation measures.
		BIO-9 Mitigation and Monitoring Plan-Jurisdictional Waters. Prior to issuance of grading permits or other permits authorizing ground disturbance (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging), The applicant shall either purchase agency authorized mitigation bank credits or prepare a detailed Mitigation and Monitoring Plan (MMP) to be submitted to the Corps, Water Board, and CDFW for review and approval as part of the process for obtaining permits from the agencies. The Wetland Mitigation Plan will address the loss of ephemeral drainage impact due to the proposed project development. The MMP once implemented at a minimum shall compensation for impacts to ephemeral drainages at a minimum 1:1 mitigation ratio or 0.12-acre for impacts to Corps and Water Board jurisdiction waters and 0.29-acre for impacts CDFW jurisdictional waters.	Potentially significant prior to incorporating mitigation measures.
		BIO-10 Migratory Bird Treaty Act Compliance Methods: To avoid violation of the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code, site-preparation activities (removal of trees and vegetation) for all projects shall be avoided, to the greatest extent possible, during the nesting season (generally February 1 to August 31) of potentially occurring native and migratory bird species. If site-preparation activities for implementing projects are proposed during the nesting/breeding season (February 1 to August 31), a pre-activity field survey shall be conducted by a qualified biologist prior to the issuance of grading	Potentially significant prior to incorporating mitigation measures.

Environmental Topic/Threshold	Document/Section	Mitigation Measures (MM) Required to Reduce Impact	Level of Significance
		permits for such project, to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone. If active nests are not located within the implementing project site and an appropriate buffer of 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected bird nests (non-listed), or 100 feet of sensitive or protected songbird nests, construction may be conducted during the nesting/breeding season. However, if active nests are located during the pre-activity field survey, no grading or heavy equipment activity shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected (under MBTA or California Fish and Game Code) bird nests (non-listed), or within 100 feet of sensitive or protected songbird nests until the nest is no longer active.	
Cultural Resources			
		CUL-1 Cultural Resources Discovery During Project Construction. 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.	Potentially significant prior to incorporating mitigation measures.
		CUL-2 Monitoring and Treatment Program for Significant Cultural Resources. 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.	Potentially significant prior to incorporating mitigation measures.
		CUL-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	Potentially significant prior to incorporating mitigation measures.

Environmental Topic/Threshold	Document/Section	Mitigation Measures (MM) Required to Reduce Impact	Level of Significance
		to California Health and Safety Code §7050.5 and that code enforced for the duration of the project.	
Energy			
		None required.	
Geology and Soils			
		GEO-1 Discovery of Paleontological Resources during Construction. If evidence of subsurface paleontological resources is found during construction, excavation and other construction activity in that area shall cease and the construction contractor shall contact the City of Victorville Planning Director. With direction from the Planning Director, a paleontologist certified by the County of San Bernardino shall evaluate the find prior to resuming ground disturbing activities in the immediate vicinity. If warranted, the paleontologist shall prepare and complete a standard Paleontological Resources Mitigation Program for the salvage and curation of identified resources.	Potentially significant prior to incorporating mitigation measures.
Greenhouse Gas Emissions			
		GHG-1 GHG Emissions Screening Table Review Measures: The project shall implement the Greenhouse Gas Emissions Screening Table Review Measures (GHG Screening Table Measures) providing for a minimum 100 points per the City's Greenhouse Gas Emissions Screening Table Review form. The City shall verify incorporation of the identified GHG Screening Table Measures or equivalent replacement measures within the Project building plans and site design prior to the issuance of building permit(s) and/or site plans as applicable.	Less than significant prior to incorporating mitigation measures.
Hazards and Hazardous Materials			
		None required.	
Hydrology and Water Quality			
		None required	
Land Use and Planning			
		None required.	
Noise			
		None required.	

Environmental Topic/Threshold	Document/Section	Mitigation Measures (MM) Required to Reduce Impact	Level of Significance
Transportation			
		None required	
Tribal Cultural Resources			
		TCR-1 Discovery of Tribal Cultural Resources During Construction. The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) 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. If the find is 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.	Potentially significant prior to incorporating mitigation measures.
		TCR-2 Provide Architectural/Cultural Documents to YSMN. 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 on realizes that there may be additional tribes claiming cultural affiliation to the area; however, Yuhaaviatam of San Manuel Na on 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.	Potentially significant prior to incorporating mitigation measures.
Utilities and Service Systems			
		MM BIO-1 – MM BIO-10 MM CUL-1 – MM CUL-3 MM GEO-1 MM TCR-1 – MM TCR-2	

1.0 Introduction and Purpose

As required by CEQA, Guidelines §15121(a), the purpose of this Draft Environmental Impact Report (EIR) is to: 1) disclose information on a proposed 1,097,300-square-foot industrial building (Project) by informing public agency decision makers and the public generally of the significant environmental effects associated with all phases of the Project, 2) identify possible ways to minimize or avoid those significant effects, and 3) to describe a reasonable range of alternatives to the Project that would feasibly attain most of the basic Project objectives but would avoid or substantially lessen its significant environmental effects.

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

1.1 Agencies and Authority

1.1.1 Lead Agency

Pursuant to CEQA §21067 and CEQA Guidelines Article 4 and §15367, the City of Victorville is the Lead Agency under whose authority this EIR has been prepared. “Lead Agency” refers to the public agency that has the principal responsibility for carrying out or approving a project. Serving as the Lead Agency and before considering action to approve the Project, the City of Victorville has the obligations to: 1) ensure that this EIR has been completed in accordance with CEQA; 2) review and consider the information contained in this EIR as part of its decision making process; 3) make a statement that this EIR reflects the City of Victorville’s independent judgment; 4) ensure that all significant effects on the environment are eliminated or substantially lessened where feasible; and, if necessary, 5) make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or project alternatives identified in this EIR are infeasible and citing the specific benefits of the proposed Project that outweigh its unavoidable adverse effects (CEQA Guidelines §§15090-15093).

1.1.2 Responsible and Trustee Agencies

The California Public Resource Code (§21104) requires that all EIRs be reviewed by responsible and trustee agencies (see also CEQA Guidelines §15082 and §15086(a)). As defined by CEQA Guidelines §15381, “the term ‘Responsible Agency’ includes all public agencies other than the Lead Agency that have discretionary approval power over the project.” A “Trustee Agency” is defined in CEQA Guidelines §15386 as “a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California.”

Table 1-1 identifies the Responsible and Trustee Agencies and various actions needed by these agencies to implement the Project.

Table 1-1 Responsible and Trustee Agencies

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

1.2 Public Review of Draft EIR

1.2.1 Notice of Preparation and EIR Scoping

Consistent with CEQA Guidelines §15082, City circulated a Notice of Preparation (NOP) of a Draft EIR (State Clearinghouse No. 2023030145) for the proposed Project for a 30-day public review period from March 3, 2023 to April 12, 2023 (refer to Technical Appendix J – Notice of Preparation and Comment Letters for a copy of the NOP and comments received during the scoping meeting and NOP comment period). An EIR Scoping Meeting was held during a regularly scheduled Planning Commission Hearing, at City Hall Council Chambers, 14343 Civic Drive, Victorville, California. Participation and viewing of the meeting were also available via virtual attendance, in person attendance, and providing written comment(s) prior to the meeting time. Participation during the meeting was only permitted in person.

The NOP served to elicit comments from governmental agencies and interested parties regarding the scope and content of issues germane to the DEIR. The baseline for the Project is established by the physical condition that exists at the time the NOP was published. The City will use this Project DEIR to inform the

public and City decision makers of the significant environmental effects of the proposed Project; identify ways to minimize significant effects; and describe a reasonable range of alternatives to the proposed Project.

Table 1-2 provides a concise overview of the significant concerns and matters raised in response to the Notice of Preparation (NOP) and during the Scoping Meeting. Its purpose is to present a condensed summary of the environmental subjects that were identified as being of primary interest by public agencies, interested parties, and the general public. It should be noted that Table 1-2 does not encompass every comment received by the City during the review period for the NOP. Irrespective of whether an environmental or CEQA-related comment is listed in Table 1-2, this Environmental Impact Report (EIR) addresses all relevant comments received in response to the NOP and the EIR Scoping Meeting.

Table 1-2 Summary of NOP and Scoping Meeting Comments

Commenter	Date	Comment	Location in EIR Where Comment is Addressed
State and Local Agencies			
San Manuel Band of Mission Indians	June 9, 2023	MM CUL-1, MM CUL-1, MM TCR-1, and MM TCR-2 be included in this EIR.	4.13 Tribal Cultural Resources
California Department of Justice's Bureau of Environmental Justice	March 9, 2023	Warehouse Projects: Best Practices and Mitigation Measure to Comply with the California Environmental Quality Act	4.7 Greenhouse Gas Emissions
State of California Native American Heritage Commission	March 9, 2023	AB 52 1. Fourteen Day Period to Provide Notice of Completed of an Application/Decision to Undertake a Project 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report 3. Mandatory topics of Consultation If Requested by a Tribe 4. Discretionary Topics of Consultation 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document 7. Conclusion of Consultation 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document 9. Required Consideration of Feasible Mitigation 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources 11. Prerequisites for Certifying an Environmental Impact report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource SB 18	4.13 Tribal Cultural Resources

Commenter	Date	Comment	Location in EIR Where Comment is Addressed
		<ol style="list-style-type: none"> 1. Tribal Consultation 2. No Statutory Time Limit on SB 18 Tribal Consultation 3. Confidentiality 4. Conclusion of SB 18 Tribal Consultation <p>NAHC Recommendations for Cultural Resources Assessments</p>	
Burrtec Waste Industries, Inc.	February 24, 2023	<ul style="list-style-type: none"> - Four trash enclosures will be constructed to City standard - The current trash locations pose significant safety issues - The enclosures cannot be safely services in the current locations - All trash enclosures must be relocated and shifted up so that they align with the main drive aisles to avoid collection truck backing movements - Any changes to the overall project design, enclosure specifications or location, or access may adversely impact ability to service this project - Any design modifications that could impact service will be subject to review and approval - 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 the project is limited to determining whether it meets minimum standards for waste and recycling collection services, any comments or approvals are limited to these minimum standards as they related to our equipment and personnel and do not pertain to the project’s compliance with applicable land use and environmental laws, building codes, or other applicable regulations 	4.14 Utilities and System Services
Southwest Gas Corporation	March 7, 2023	<ul style="list-style-type: none"> - There is an existing gas main distribution line near the property/along the property on Mojave - Once the request for gas is made by the customer, a review will be completed to determine the best approach - Requests copies of all sources and referenced materials when the Draft EIR is distributed for public review. 	4.14 Utilities and System Services
Mitchell M. Tsai/ Southwest Regional Council of Carpenters (SWRCC)	January 13, 2022	<ul style="list-style-type: none"> - Request that the City require community benefits such as requiring local hire and use of a skilled and trained workforce to build the Project in order to reduce commute distances for future site employees. - The Project should be built to standards exceeding the current 2019 California Green Building Code and 2020 County of Los Angeles Green Building Standards Code to mitigate the Project’s environmental impacts and to 	4.14 Utilities and System Services

Commenter	Date	Comment	Location in EIR Where Comment is Addressed
		<p>advance progress towards the State of California’s environmental goals.</p> <ul style="list-style-type: none"> - Requests that the EIR include an analysis of potential health effects associated with COVID-19. 	
Mojave Desert Air Quality Management District	March 20, 2023	<ul style="list-style-type: none"> - Prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project. - Signage compliant with Rule 403 Attachment B shall be erected at each project site entrance not later than the commencement of construction. - Use a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposited (and for projects that expose such soils through earth moving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits. - All perimeter fencing shall be wind fencing or the equivalent, with a minimum for four feet in height. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. The wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing. - All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel, or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related trackout onto paved surfaces, and clean any project-related trackout within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion. 	4.2 Air Quality

1.2.2 Submitting Comments on the DEIR

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

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

Written comments on the DEIR may be submitted by email, fax or mail to:

City of Victorville
Attn: Travis Clark, Senior Planner
Development Department – Planning
14343 Civic Drive
Victorville, California 92395-5001
Phone: (760) 955-5135
Fax: (760) 269-0070
E-mail: planning@victorvilleca.gov attn: Travis Clark

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

1.2.3 Making Effective Comments

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

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

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

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

1.3 EIR Content and Format

This EIR contains all of the information required to be included in an EIR as specified by CEQA (California Public Resources Code, §21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 5). CEQA requires that an EIR contain, at a minimum, certain specified content. [Table 1-3](#) provides a reference guide for locating the CEQA-required sections within this document.

Table 1-3 Location of CEQA Required Topics

CEQA Required Topic	CEQA Guidelines Reference	Location in this EIR
Table of Contents	§15122	Table of Contents
Summary	§15123	Section 5
Project Description	§15124	Section 3
Environmental Setting	§15125	Section 2
Consideration and Discussion of Environmental Impacts	§15126	Section 4
Significant Environmental Effects Which Cannot be Avoided if the Project is Implemented	§15126.2(c)	Section 4 & Subsection 5.1
Significant Irreversible Environmental Changes Which Would be Caused by the Project Should it be Implemented	§15126.2(d)	Subsection 5.2
Growth-Inducing Impact of the Project	§15126.2(e)	Subsection 5.3
Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects	§15126.4	Section 4 & Table S-1
Consideration and Discussion of Alternatives to the Project	§15126.6	Section 6
Effects Not Found to be Significant	§15128	Subsection 5.4
Organizations and Persons Consulted	§15129	Section 7 & Technical Appendices
Discussion of Cumulative Impacts	§15130	Section 4
Energy Conservation	§15126.2(b) & Appendix F	Subsection 4.5

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

- **Executive Summary.** Provides an overview of the EIR and CEQA process and provides a brief Project Description, which includes summaries of the Project's objectives, the location and regional setting of the Project site, and potential alternatives to the Project as required by CEQA. The Executive Summary also provides a summary of the Project's impacts, mitigation measures, and conclusions, in a table that forms the basis of the Project's Mitigation, Monitoring, and Reporting Program (MMRP).
- **Section 1 – Introduction.** Provides introductory information about the CEQA process and the responsibilities of the City in its role as Lead Agency, a brief Project Description, the purpose of the EIR, and an overview of the EIR's format.
- **Section 2 – Environmental Setting.** This chapter discusses the "baseline" physical environmental conditions of and in the vicinity of the project, including topography, vegetation/habitat circulation, surrounding land uses and/or ownerships, geographic features such as lakes, streams, and canyons, and the major infrastructure both serving and in the vicinity of the proposed project. The "baseline" is the environmental conditions as they existed at the time the Notice Of Preparation (NOP) is published (§15125(a)). The description of the environmental baseline conditions is based on the existing legal condition of the property, prior to any unauthorized activities (e.g., grading, clearing) or actions taken in preparation for the project, such as septic testing or geotechnical investigations. The discussion must start from the regional perspective and then provides brief site-specific details. Detailed site-specific environmental setting (existing conditions) discussions are provided in the analysis section. Emphasis is given to environmental resources that are rare or unique in the region of the proposed project and would be affected by project implementation. (§15125(c).) Adjacent properties/habitats are also included in this section.

- **Section 3 – Project Description.** This section serves as the EIR’s Project Description for purposes of CEQA and contains a level of specificity commensurate with the level of detail proposed by the Project, including the summary requirements pursuant to CEQA Guidelines §15123. This section provides a detailed description of the Project, including its location, purpose, main objectives, design features, construction characteristics, and operational characteristics expected over the Project’s lifetime. In addition, the discretionary actions required of the City of Victorville and other government agencies to authorize implementation of the Project are discussed.
- **Section 4 – Environmental Analysis.** This section contains the Environmental Checklist Form, as suggested in Section 15063(d)(3) of the CEQA Guidelines, as amended, and includes a series of questions about the project for each of the listed environmental topics. The Form evaluates whether or not there would be significant environmental effects associated with the development of the project and provides mitigation measures, when required, to reduce impacts to a less than significant level. If mitigation measures are not available or feasible to reduce an identified impact to below a level of significance, the environmental effect is identified as a significant and unavoidable adverse impact, for which a Statement of Overriding Considerations would need to be adopted by the City of Victorville pursuant to CEQA Guidelines §15093.

The environmental changes identified in Section 4.0 and throughout this EIR are referred to as “effects” or “impacts” interchangeably. CEQA Guidelines §15358 describe the terms “effects” and “impacts” as being synonymous. In each Subsection of Section 4.0, the existing conditions pertaining to the subject area being analyzed are discussed accompanied by a specific analysis of physical impacts that may be caused by implementing the Project. Impacts are evaluated on a direct, indirect, and cumulative basis. Direct impacts are those that would occur directly as a result of the Project. Indirect impacts represent secondary effects that would result from Project implementation. Cumulative effects are defined in CEQA Guidelines §15355 as “...two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.”

- **Section 5 – Other CEQA Considerations.** This section includes specific topics that are required by CEQA. These include a summary of the Project’s significant and unavoidable environmental effects, a discussion of the significant and irreversible environmental changes that would occur should the Project be implemented, as well as potential growth-inducing impacts of the Project. Section 5 also includes a discussion of the potential environmental effects that were found not to be significant during preparation of this EIR.
- **Section 6 – Project Alternatives.** This section describes and evaluates alternatives to the Project that could reduce or avoid the Project’s adverse environmental effects. CEQA does not require an EIR to consider every conceivable alternative to the Project but rather to consider a reasonable range of alternatives, including a “No Project” alternative, that will foster informed decision making and public participation.
- **Section 7 – References.** All reference sources used in preparing this EIR are cited, and this section provides a list of the agencies and persons that were consulted in preparing this EIR. Section 7 also lists the persons who authored or participated in preparing this EIR.

1.3.2 Potential Project Impacts Discussed in the EIR

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

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

Taking all known information and public comments received during the Notice of Preparation Process into consideration, as well as the technical review of the Project by City staff and experts, there are 14 primary environmental subject areas are evaluated in this EIR Section 4, Environmental Analysis. This EIR contains all of the information required to be included in an EIR as specified by CEQA (California Public Resources Code, §21000 et. seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 5) for the following environmental subject areas.

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

1.3.3 Effects Found Not to be Significant

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

- | | |
|---------------------------------------|--------------------|
| 1. Agriculture and Forestry Resources | 4. Public Services |
| 2. Mineral Resources | 5. Recreation |
| 3. Population and Housing | 6. Wildfire |

Section 5 – Other CEQA Considerations of this EIR includes a discussion as to why these environmental topics have been determined to be not significant.

1.3.4 Documents Incorporated by Reference

CEQA Guidelines §15150 allows for the incorporation “by reference, [of] all or portions of another document ... [and is] most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of a problem at hand.” Documents, analyses, and reports that are incorporated into this EIR by reference are listed below and are also found in Section 7 - *References*, of this EIR. The purpose of incorporation by reference is to assist the Lead Agency in limiting the length of an EIR. Where this EIR incorporates a document by reference, the document is identified in the body of the EIR, citing the appropriate section(s) of the incorporated document and describing the

relationship between the incorporated part of the referenced document and this EIR. All references cited in this EIR are available at the website address provided in this DEIR, Section 7, References, and/or at the City of Victorville Development Department – Planning, 14343 Civic Drive, Victorville, California 92395-5001.

The following documents are incorporated by reference and cited in this EIR as appropriate. These documents are available for viewing at the City of Victorville, City of Victorville Development Department – Planning, 14343 Civic Drive, Victorville, California 92395-5001:

- City of Victorville General Plan 2030, adopted by the City Council on September 24, 2008 (Victorville, 2008).
- Comprehensive Planning Services, August 14, 2008, Draft Program Environmental Impact Report, City of Victorville General Plan 2030, SCH No. 2008021086 (CPS, August 2008).
- City of Victorville 2045 Land Use Element, December 2022, (Victorville, 2022).
- Harris & Associates, Draft Program Environmental Impact Report, City of Victorville General Plan Update, September 2022 (H&A, 2002)
- City of Victorville Zoning Map, as accessed 6/10/23:
<https://victorville.maps.arcgis.com/apps/webappviewer/index.html?id=f7698c1fc6f742e681aeb3c3e3884443>
- City of Victorville Municipal Code (various chapters)
- City of Victorville Zoning Ordinance, codified through Ordinance No. 2432, enacted February 21, 2023 (Supp. No. 51), online content updated on April 12, 2023.
- The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments (Connect SoCal), adopted on September 3, 2020.

1.3.5 Technical Reports

As stated above, this EIR contains detailed technical studies, reports, and supporting documentation summarized herein and bound separately in Technical Appendices in accordance with CEQA Guidelines §15147. The Technical Appendices are available for review at the City of Victorville, City of Victorville Development Department – Planning, 14343 Civic Drive, Victorville, California 92395-5001. during the City's regular business hours or can be requested in electronic form by contacting the City's Planning Division or are available on the City's website at <https://www.victorvilleca.gov/government/city-departments/development/planning/environmental-review-notice> during the public review period for the EIR. The individual technical studies, reports, and supporting documentation that comprise the Technical Appendices are as follows by topic category. The full citation for the Technical Appendices is provided in this DEIR, Section 7.2, Documents Appended to This EIR:

- A-1: Air Quality Analysis, KPC EHS Consultants, LLC, December 2022.
- A-2: Mobile Source Health Risk Assessment, Urban Crossroads, January 11, 2023
- A-3: Greenhouse Gas Impact Analysis, KPC EHS Consultants, LLC, February 2023
- A-4: EmFac2021 v1.0.2 Emissions Inventory Data, KPC EHS Consultants, LLC
- B-1: Biological Resources Assessment, ELMT Consulting, January 9, 2023
- B-2: Joshua Tree Survey, ELMT Consulting, November 11, 2022
- B-3: Focused Desert Tortoise Survey Report, Nexus Environmental LLC, April 23, 2023
- B-4: Focused Burrowing Owl Protocol Survey, Nexus Environmental LLC, June 23, 2023
- B-5: California Department of Fish and Game Mohave Ground Squirrel Guideline Survey Report, Randel Wildlife Consulting, Inc., June 2023
- B-6: Aquatic Resources Delineation Report, Huffman-Broadway Group, Inc., June 2023

B-7	Phase 1 Environmental Site Assessment, Wood Environment & Infrastructure Solutions, Inc., September 14, 2022
C	Historical/Archaeological Resources Survey Report, CRM TECH, January 19, 2023
D	Preliminary Geotechnical Evaluation, LGC Geotechnical, Inc., October 19, 2022
F-1	Preliminary Hydrology Report, Kier & Wright, January 2023
F-2	Water Quality Management Plan, Kier & Wright, January 2023
G	Noise and Vibration Analysis, Urban Crossroads, February 15, 2023
H-1	Focused Traffic Analysis for General Plan Level of Service Conformance and Vehicle Miles Traveled (VMT) Analysis, David Evans and Associates Inc., January 30, 2023
H-2	Vehicle Miles Traveled (VMT) Analysis, General Technologies and Solutions, December 5, 2022
I	Water Supply Assessment, Water Systems Consulting, Inc, December 2022
J	NOP and NOP Comments

1.4 Mitigation Monitoring and Reporting Program

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

2.0 Environmental Setting

2.1 Regional Location and Setting

The Project site consists of approximately 66.4 acres of undeveloped land along Mojave Drive in the City of Victorville. The City of Victorville (City) is located in southwestern San Bernardino County, in the geographic sub-region of the southwestern Mojave Desert known as the Victor Valley and commonly referred to as the “High Desert” due to its approximate elevation of 2,900 feet above sea level. The Victor Valley is separated from other urbanized areas in Southern California by the San Bernardino and San Gabriel mountains.

The City shares boundaries with the City of Adelanto to the northwest, the Town of Apple Valley, and the unincorporated community of Spring Valley Lake to the east, the City of Hesperia to the south, and unincorporated San Bernardino County to the southwest and the north. Portions of unincorporated San Bernardino County are nested within the City of Victorville. The US Census identified the City of Victorville’s population to be 135,950.³

2.2 Project Location

The Project site location and regional context are shown on [Figure 2-1, Regional Location Map](#), and [Figure 2-2, Vicinity Map/Aerial Photo](#), located at the end of this section.

The Project site is located approximately 0.5 mile east of State Route (SR) 395, approximately 4 miles west of Interstate 15 (I-15) and approximately 1.5 miles north of State Route 18 (SR-18). It is bordered by Mojave Drive on the south, Cactus Road on the north, Onyx Road on the east, and Mesa Linda Avenue on the west. The 66.4-acre Project site includes five parcels, Assessor Parcel Numbers (APNs): 3128-621-02, 3128-621-03, 3128-621-04, 3128-621-05, and 3128-621-06. The Project site is located on the Adelanto USGS Quadrangle within Township 5 North, Range 5 West, Section 10 at approximately latitude 34°31 45.29 and longitude - 117° 23 19.56.

2.3 Surrounding Land Uses and Zoning

Existing land uses in the immediate vicinity of the Project site are illustrated on [Figure 2-3, Surrounding Land Use Designations](#) and [Figure 2-4, Surrounding Zoning Designations](#), located at the end of this section and are described below in [Table 2-1, Adjacent Land Uses and Zoning](#). It should be noted that the Land Use Designation column data identified in is derived from the Victorville Land Use Element (Adopted December 20, 2022) and the Zoning Designation column data is derived from the City of Victorville’s Public GIS Zoning and Land Use Checker. Some of the land use designations surrounding the site were changed in the City’s December 2022 Land Use Element update, however, the Public GIS Zoning and Land Use Checker system has not yet been updated to reflect the revised corresponding zoning.

3 U.S. Census, Quick Facts, City of Victorville, as accessed:
<https://www.census.gov/quickfacts/fact/table/victorvillecitycalifornia/PST045221>, 4/27/23.

Table 2-1 Adjacent Land Uses and Zoning

Location	Current Land Use	Land Use Designation	Zoning Designation
Site	Vacant land	Light Industrial	M-1T: Light Industrial
North	The Project site is bordered by Cactus Road along the north, which is an undeveloped native dirt roadway. Vacant lands exist to the north, northwest and northeast. Approximately 0.5 miles northeast of the Project site lies the Melva Davis Academy of Excellence and the Gus Franklin Jr Elementary School.	Light Industrial	M-1T: Light Industrial
South	Mojave Drive, a City-designated 4-lane truck route, borders the Project site southern boundary. On the south side of Mojave Drive, vacant land exists between Mesa Linda Road and Alveda Street; A residential housing tract exists on the south side of Mojave Drive, between Alveda Street and Onyx Road.	Commercial along Mojave Drive between Mesa Linda Ave and Alveda Street Low Density Residential between Alveda Street and Onyx Road	C-2T: General Commercial R-1: Single Family Residential
East	Onyx Road, an unpaved, undeveloped road exists on the eastern Project site boundary; vacant land exists east of Onyx Road. Regionally, a housing tract exists approximately 0.5 mile east of the Onyx Road.	General Commercial along south side of Mojave Drive; Light Industrial between Cactus Road Mojave Drive	C-2: General Commercial along the north side of Mojave Drive and M-1T: Light Industrial between Cactus Road Mojave Drive*
West	Mesa Linda Road borders the Project site's west boundary, with vacant land beyond Mesa Linda Road. Regionally, a truck stop exists approximately 0.5 miles northwest of the Project site, on the corner of Cactus Road and SR-395.	Light Industrial along north side Mojave Drive; Heavy Industrial north of Light Industrial to Cactus Road	IPD: Industrial Park* and M-2T: Heavy Industrial north and adjacent to the IPD

*Some of the land use designations surrounding the site were changed in the City's December 2022 *Land Use Element* update, however, the Public GIS Zoning and Land Use Checker system has not been updated to reflect the revised corresponding zoning. The zoning shown in this table represents the current Public GIS Zoning and Land Use Checker system designation. The Land Use Designation reflects the land use identified in the City's December 2022 Land Use Element.

2.4 Existing Physical Site Conditions

CEQA Guidelines §15125(a)(1), recommends that the physical environmental condition that existed at the time an EIR's NOP is released for public review normally be used as the comparative baseline for the EIR analysis. The NOP for this EIR was released for public review on March 3, 2023. The specific subsections of EIR Section 4.0, Environmental Analysis include a description of the Project site's physical environmental condition ("existing conditions") as of that approximate date. The "existing conditions" as identified in each of the subsections include a discussion of any "environmental resources that are rare or unique to that region" in accordance with CEQA Guidelines §15125(c).

Figure 2-1 Regional Location Map

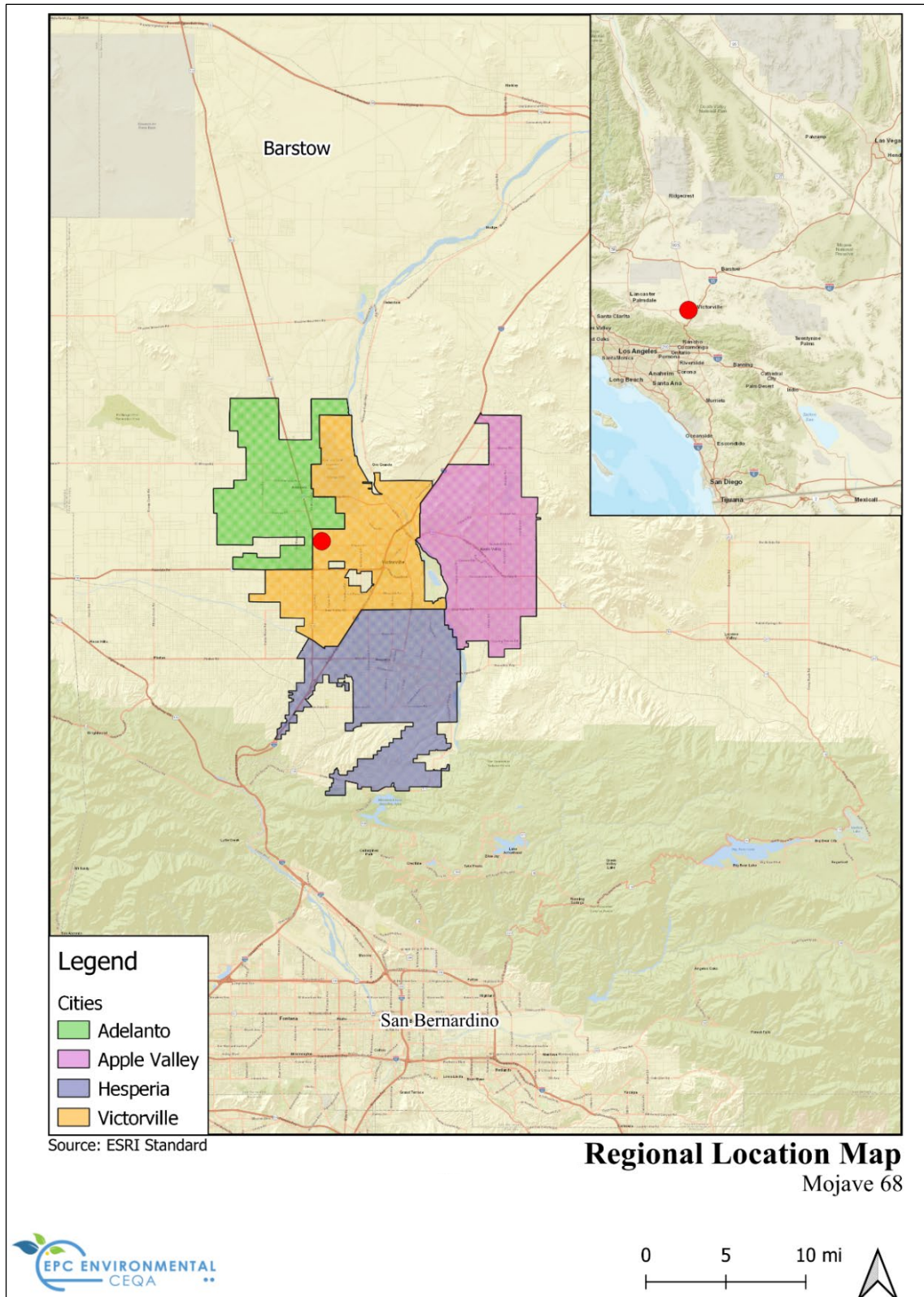


Figure 2-2 Vicinity Map/Aerial Photo

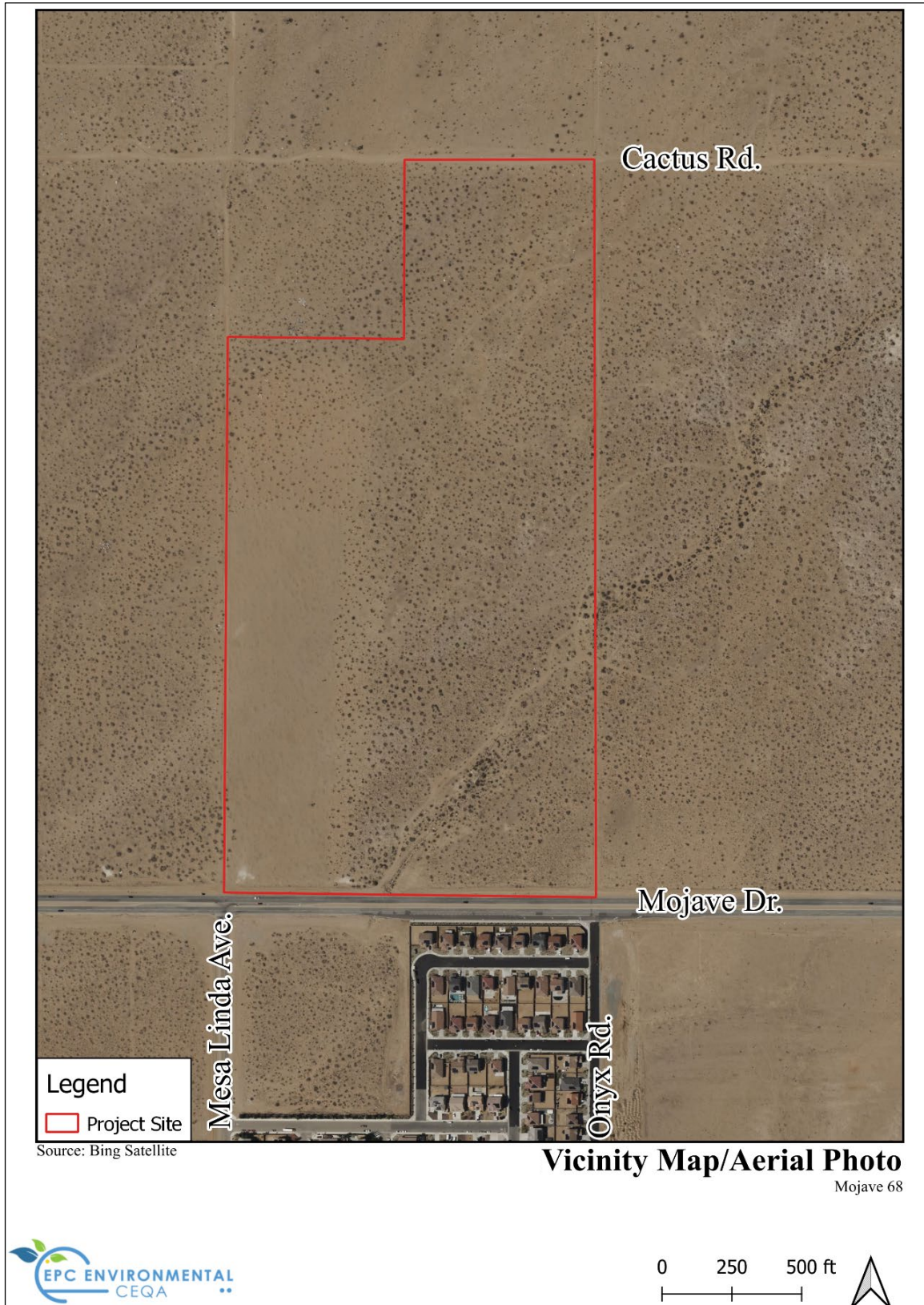
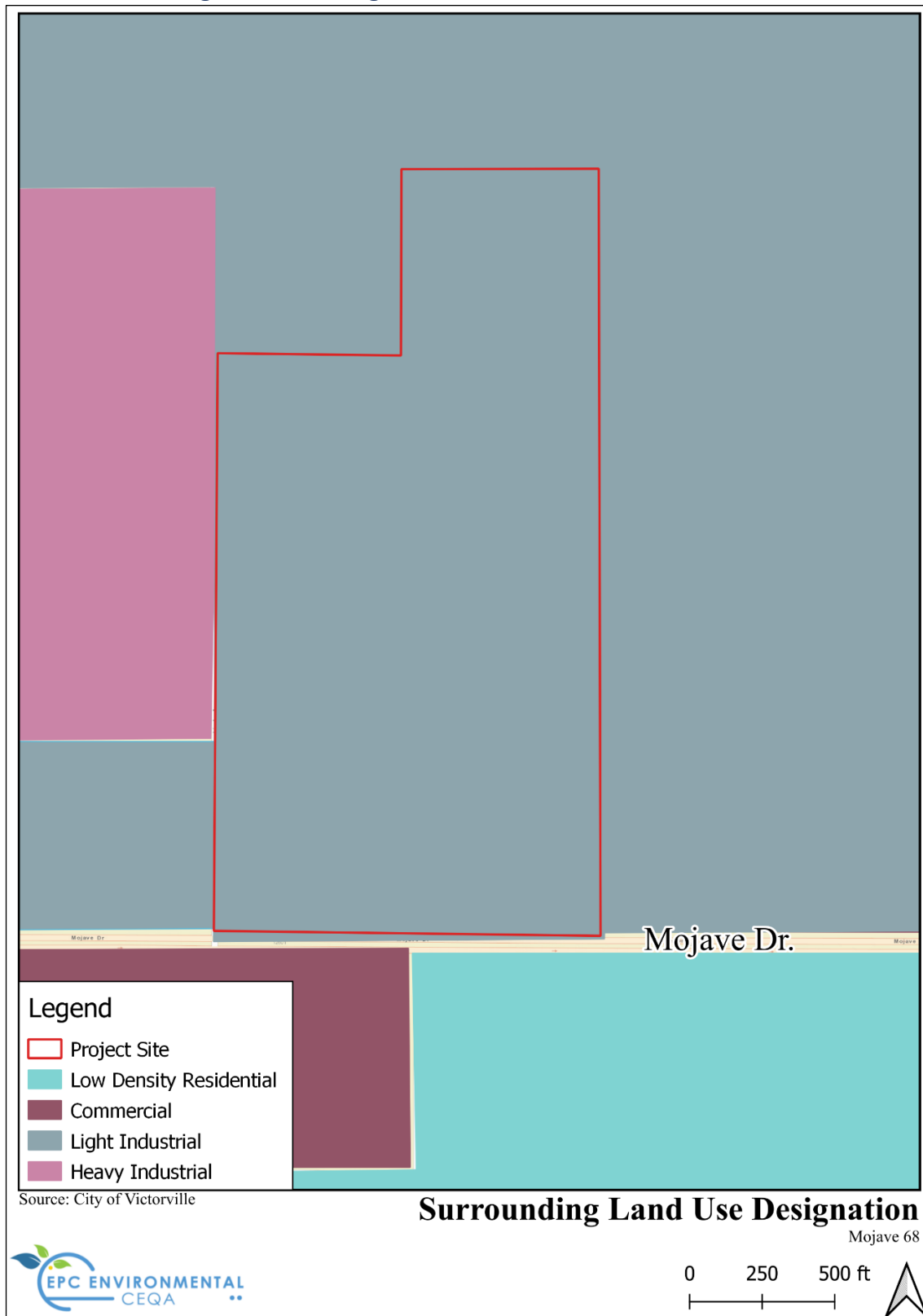
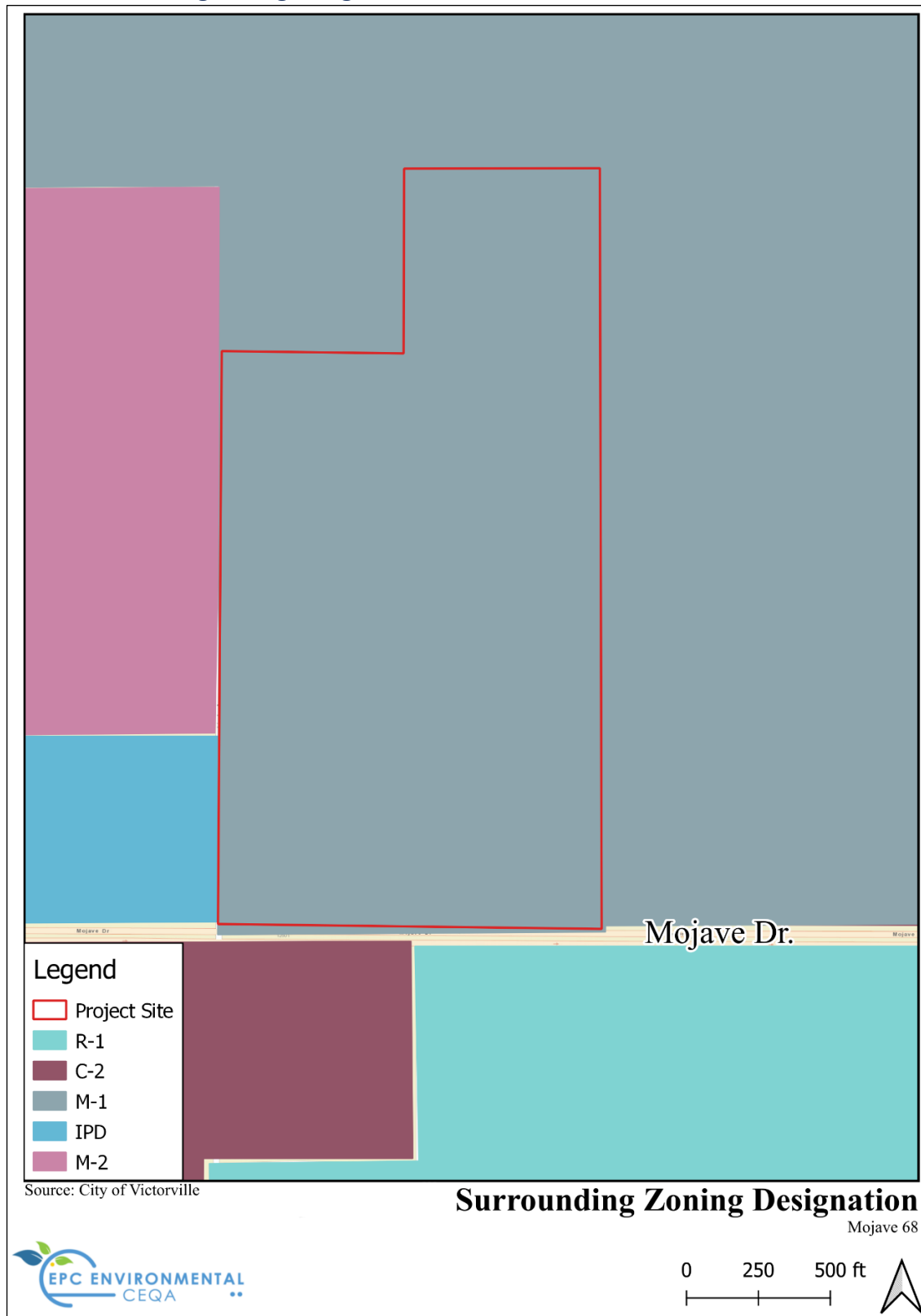


Figure 2-3 Surrounding Land Use Designations



Source: <https://victorville.maps.arcgis.com/apps/webappviewer/index.html?id=f7698c1fc6f742e681aeb3c3e3884443>

Figure 2-4 Surrounding Zoning Designations



Source: <https://victorville.maps.arcgis.com/apps/webappviewer/index.html?id=f7698c1fc6f742e681aeb3c3e3884443>

3.0 Project Description

This section provides all of the information required of an EIR Project Description pursuant to CEQA Guidelines §15124, including a description of the Project’s precise location and boundaries; a statement of the Project’s objectives; a description of the Project’s technical, economic, and environmental characteristics; and a description of the intended uses of this EIR (including a list of the government agencies that are expected to use this EIR in their decision-making processes); a list of the permits and approvals that are required to implement the Project; and a list of related environmental review and consultation requirements.

3.1 Project Location

The Project site, shown on [Figure 2-2, Vicinity Map/Aerial Photo](#) is located approximately 0.5 miles east of State Route (SR) 395, approximately 4 miles west of Interstate 15 (I-15) and approximately 1.5 miles north of State Route 18 (SR-18). It is bordered by Mojave Drive on the south, Cactus Road on the north, Onyx Road on the east, and Mesa Linda Avenue on the west. The 66.4-acre Project site comprises five parcels, Assessor Parcel Numbers (APNs): 3128-621-02, 3128-621-03, 3128-621-04, 3128-621-05, and 3128-621-06. Refer to [Figure 2-2](#) in Section 2.0, Environmental Setting.

3.2 Statement of Objectives

The underlying purpose and goal of the Mojave 68 Project is to develop a modern industrial warehouse building in the City of Victorville along a City truck route that is also in proximity to the state highway system to increase employment opportunities and improve the City’s economic competitiveness. This underlying purpose aligns with various aspects of the City of Victorville General Plan Land Use Element (Victorville, 2008) LU Objective B: Achieve and maintain an appropriate balance, variety, and distribution of industrial uses to support the City’s economy and provide employment opportunities. The Project would achieve its underlying purpose and goal through the following objectives:

1. To efficiently develop a vacant and underutilized property with industrial uses, consistent with the property’s zoning and land use, to help meet the substantial and unmet regional demands for goods movement facilities consistent with the Southern California Association of Governments’ 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (SCAG, 2020).
2. To establish new business to the City of Victorville and thereby provide a more equal jobs-to-housing balance in the City of Victorville that will reduce the need for members of the local workforce to commute outside the area for employment.
3. To develop an industrial building along a City-established truck route that is in proximity to I-15 and U.S. Highway 395 that can be used as part of the region’s goods movement network.
4. To develop a use that maximizes energy conservation measures that are sustainable and consistent with Smart Growth principles.
5. To develop a vacant property that has access to available infrastructure, including roads and utilities.

3.3 Project Components: Design

The Mojave 68 Project (Project) would develop an approximately 66.4-acre vacant site with a 1,097,300-square-foot industrial building with 1,057,300 square feet allocated to warehousing use, and 40,000 square feet allocated to office use (includes two to four potential offices totaling 40,000 square feet) and related site improvements, including landscaping, parking, and infrastructure facilities. Although the future tenant of the building is not known, the building would include 877,800 square feet of high-cube transload warehouse and 219,500 square feet of high-cube cold storage warehouse with loading docks lining the east side and west side of the building.

Site Plan/Building Configuration: The proposed Site Plan for the Project is illustrated on [Figure 3-7](#). The Project site is generally a flag-shaped lot, with a smaller “leg” fronting Cactus Road, extending to Onyx Road, but not to Mesa Linda Avenue. The remainder of the “flag” extends fully between Mesa Linda Avenue and Onyx Road. The proposed building is designed as a rectangular-shaped building with its elongated sides oriented parallel to the Project site’s eastern and western boundaries, covering 38% of the Project site, where up to 60% is allowed. The front of the building would be Mojave Drive. The offices are located along each of the corners of the building. A dedicated auto parking lot is located in the smaller portion along Cactus Road.

The proposed building would have 93 dock doors on the west side and 94 dock doors on the east side, with the 726 trailer parking stalls also located along the east and west sides of the building. The planned 458 auto parking stalls are located primarily along the front of the building that faces Mojave Drive and along the northern boundary along Cactus Road, which reduces the potential for pedestrian/truck conflicts as the docks are on the east and west sides. The truck loading areas and northern passenger parking area would be enclosed and screened from public viewing areas by landscaping and minimum 8-foot-tall wrought iron fencing with a concrete pilaster every 100 feet. Access to the Project site is provided by one driveway along Mojave Drive, two driveways along Mesa Linda Avenue, one driveway along Cactus Road, and two driveways along Onyx Road. Site access from Mojave Drive and Cactus Road are primarily designed for passenger vehicles, and the Onyx Road and Mesa Linda access is designed for truck access.

Architectural Features: The building is designed with alternating height variations from 48 feet to 53 feet to reduce massing and to screen rooftop equipment (refer to [Figure 3-8, Architectural Renderings \(Typical\)](#)). And though City Municipal Code Section 16-3.11.020 limits the height of industrial buildings to 50 feet, the code allows for an increase in height if the roof structures are “...for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, fire or parapet walls, skylights, smoke stacks, wireless masts or similar structures...” The additional roof height does not provide additional floor space, consistent with City Municipal Code Section 16-3.11.020. The industrial building would be designed in a contemporary architectural style that features painted concrete tilt-up panels of neutral shades of white, grey, and blue (refer to [Figure 3-8](#)). The windows would consist of low reflective glass. The Project plans related to building materials are designed to ensure that glare does not create a nuisance to on- and off-site viewers of the Project site.

Landscaping and Hardscape: Landscaping is provided around the perimeter of the building in varying widths, with larger landscaped areas located along the east and west corners of Mojave Drive and near the dedicated auto parking lot along Cactus Road. The truck loading areas and northern passenger parking area would be enclosed and screened from public viewing areas by landscaping and minimum 8-foot-tall wrought iron fencing with a concrete pilaster every 100 feet. Overall, approximately 490,994 square feet of landscaping is provided, representing 17.4% of the Project site (refer to [Figure 3-9, Conceptual Landscape Plan](#)).

Access to the Project site will be provided by Mojave Drive, Mesa Linda Avenue, Cactus Road, and Onyx Road via one 30-foot driveways along Mojave Drive, two 40-foot driveways along Mesa Linda Avenue, one 40-foot

driveway along Cactus Road, and two 40-foot driveways along Onyx Road. Site access from Mojave Drive and Cactus Road are primarily designed for passenger vehicles, and the Onyx Road and Mesa Linda access is designed for truck access. No truck access is allowed to the site via Mojave Drive. A metal gate with a Knox box per City Fire Department Standards is provided at each entrance to the dock areas along the east and west sides of the building. A 30-foot-wide fire lane is provided along the perimeter of the building between the building and the parking spaces. Refer to [Figure 3-1, Mojave Drive Improvements – Westbound Transition to Mesa Linda Avenue](#), [Figure 3-2, Mojave Drive Improvements – Westbound from Onyx Road](#), [Figure 3-3, Cactus Road Improvements](#), [Figure 3-4, Onyx Road Improvements](#), and [Figure 3-5, Mesa Linda Avenue Improvements](#).

Fire Access: A twenty-six (26) foot wide paved fire access road is proposed within the existing seventy six (76) foot right-of-way of Cactus Road. The transition occurs at the westerly end of the northernmost property boundary and ending at a point adjacent to the High Desert Truck Stop located at 15655 US-395 in Victorville.

Parking: The site contains a total of 458 auto parking spaces, which include 9 spaces that are handicapped accessible. A dedicated auto-only lot exists separate from the building and is located along Cactus Road. Pursuant to Section 5.106.5.2 of the 2019 California Green Building Standards Code (CCR, Title 24, Part 11 – CalGreen), nine parking spaces would be dedicated for low-emitting, fuel efficient and/or carpool/vanpool vehicles. Pursuant to Section 5.106.5.3.2 of the CalGreen Code, raceways would be provided in 46 of the existing planned standard parking spaces and in the existing/planned handicapped/van accessible for future charging of electric vehicles. Electrical vehicle charging would be provided after occupancy. Additionally, 726 trailer stalls would be provided.

Site Lighting: Site lighting will be low-level light emitting diode (LED) that will be pointed downward at the parking lot and/or along the edges of the building. Lighting would be subject to compliance with the City's outdoor lighting requirements, which both require that "[a]ll lighting fixtures, including spotlights, electrical reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading, and similar areas, shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property."

Stormwater Management: The Project applicant has prepared a Preliminary Hydrology Study (Technical Appendix F-1) and a Water Quality Management Plan (Technical Appendix F-2) that identifies stormwater management for the building operations/post construction. Catch basins and storm drains will collect runoff from the roof and the impervious areas throughout and will convey stormwater to the infiltration basin at the northeast corner of the site. A reinforced concrete storm drain is proposed to convey stormwater from the existing two 48" culverts to and will outlet to an existing channel east of Onyx Road. This storm drain will outlet through a headwall and will remain within the right-of-way of Onyx Road. Refer to **Figure 3-10: Utility Plan** for details.

Construction of the proposed Project will also require the contractor to prepare a Stormwater Pollution Prevention Plan (SWPPP) as the Project site is more than 1 acre.

Utilities and Services

Water: Water service in the City of Victorville is provided by the Victorville Water District (VWD). The Project proposes to connect to the City operated 12-inch water lines in Mesa Linda Avenue, Onyx Road, and Cactus Road.

Sewer: Sewer service to the Project site is also provided by VWD through a gravity sewer system which conveys wastewater to the Industrial Wastewater Treatment Plant (IWTP) that is owned and operated by VWD. The Project will construct a 10-inch sewer line in Cactus Road along the project frontage and

extend it off site starting at the northeast corner of the Project site easterly approximately 2,600 feet to connect to the existing 10-inch sewer line in Tawny Ridge Lane. Refer to [Figure 3-10, Utility Plan](#) for details.

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

Waste: Solid waste disposal and recycling services for the proposed Project site would be provided by Burrtec Waste Industries

The Project is anticipated to generate approximately 520 employees.⁴**Off-Site Improvements:** The off-site road improvements shown in [Figure 3-1](#) through [Figure 3-5](#) below are required to develop the Project.

⁴ Vehicle Miles Traveled (VMT) Analysis – Mojave 68 Warehouse, Victorville, CA, General Technologies and Solutions, December 5, 2022

Figure 3-1 Mojave Drive Improvements – Westbound Transition to Mesa Linda Avenue

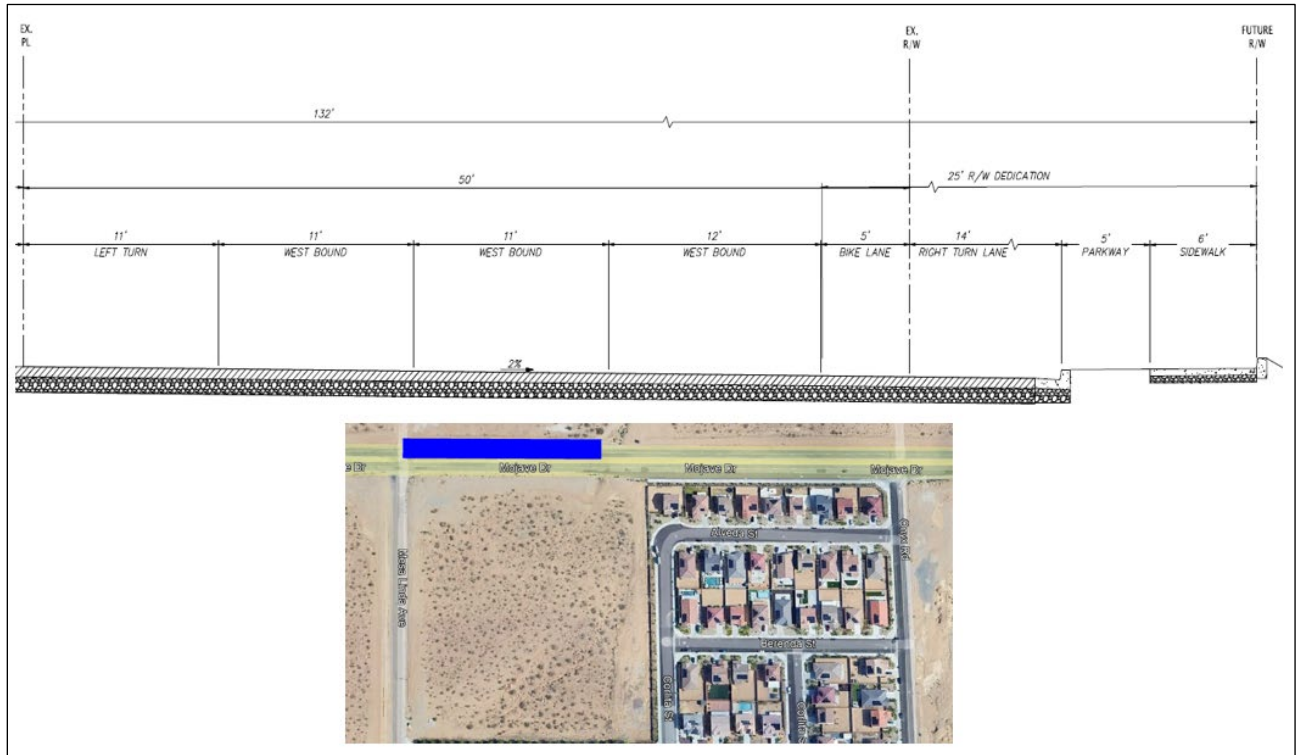


Figure 3-2 Mojave Drive Improvements – Westbound from Onyx Road

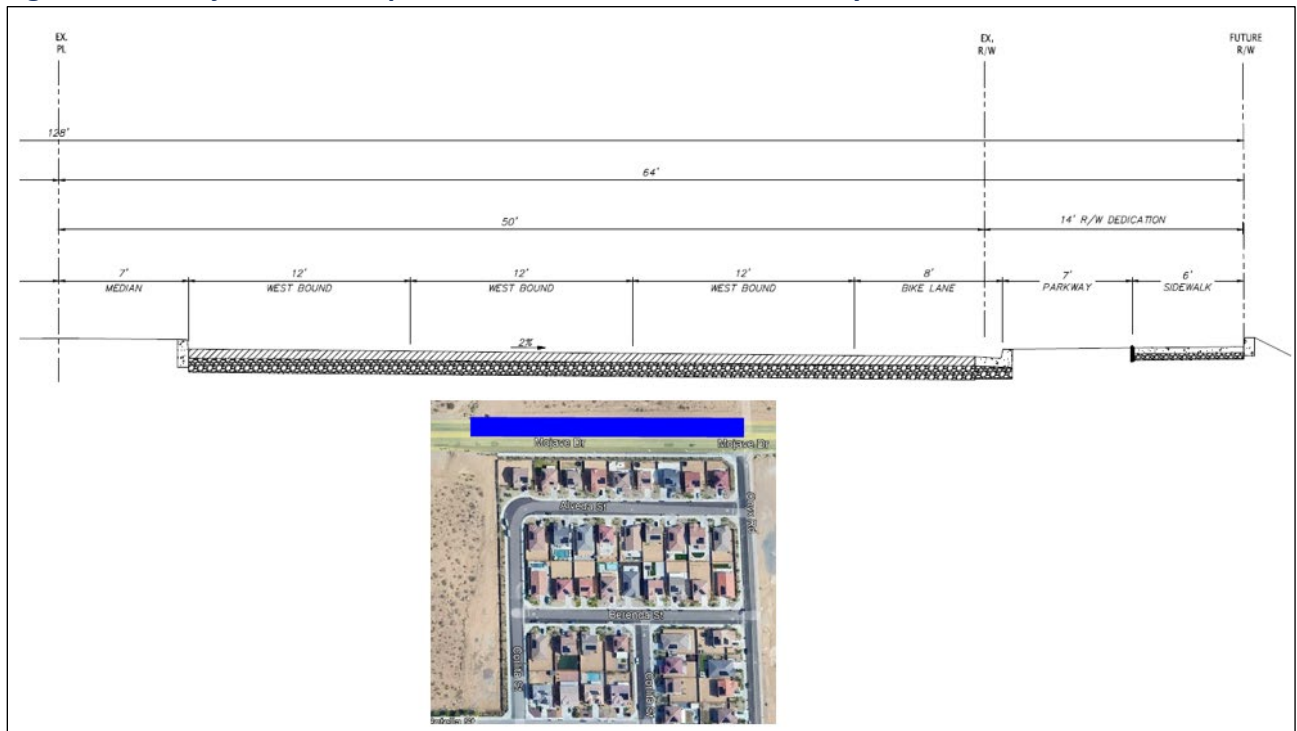


Figure 3-3 Cactus Road Improvements

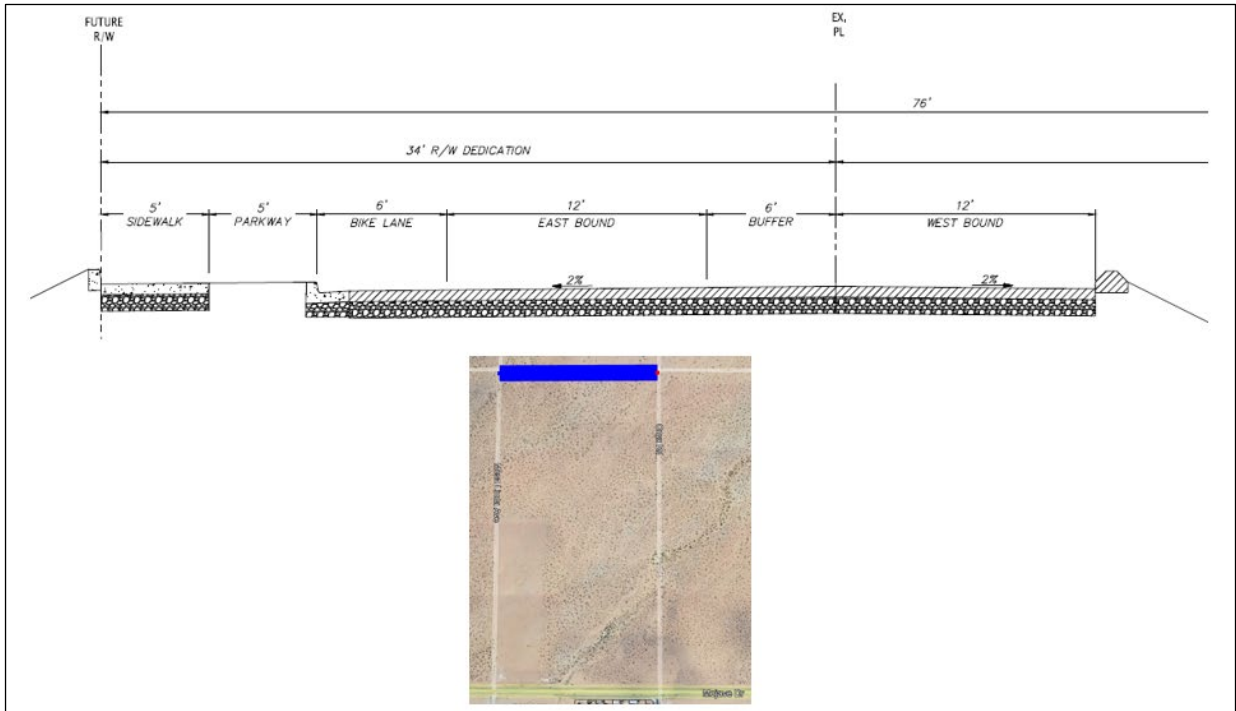


Figure 3-4 Onyx Road Improvements

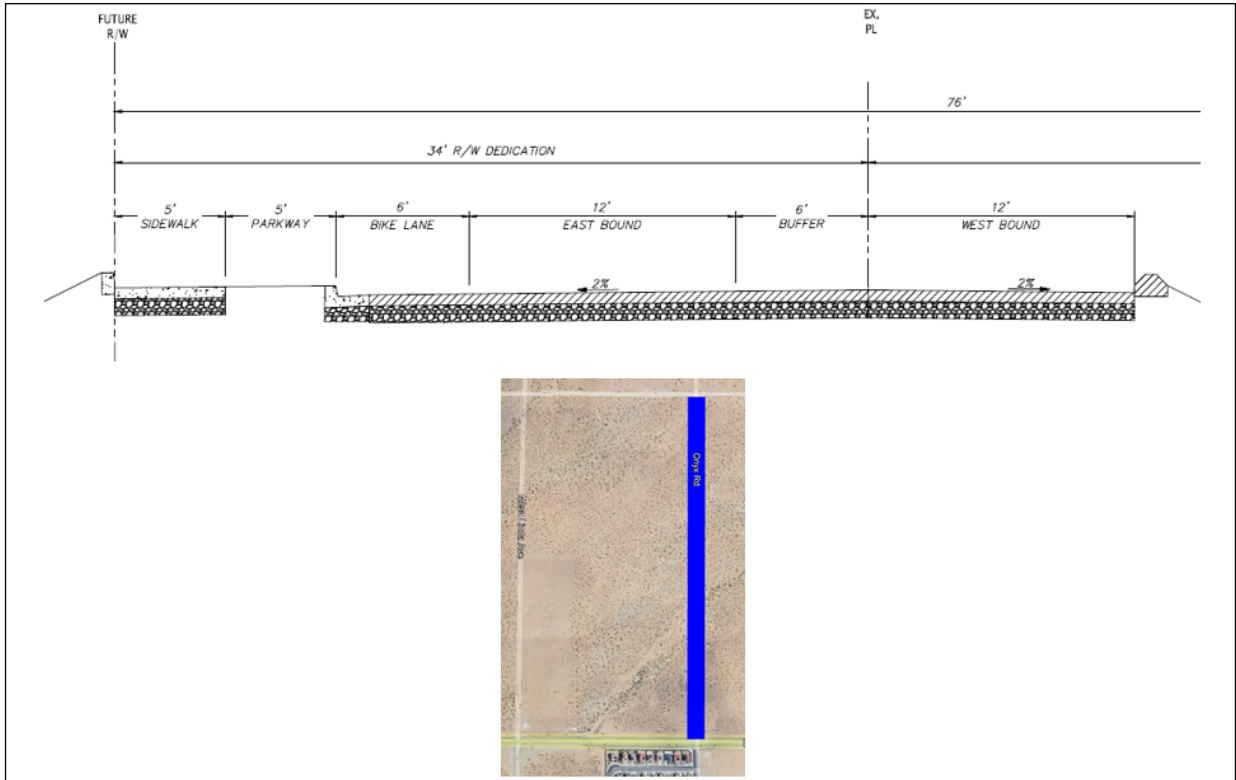
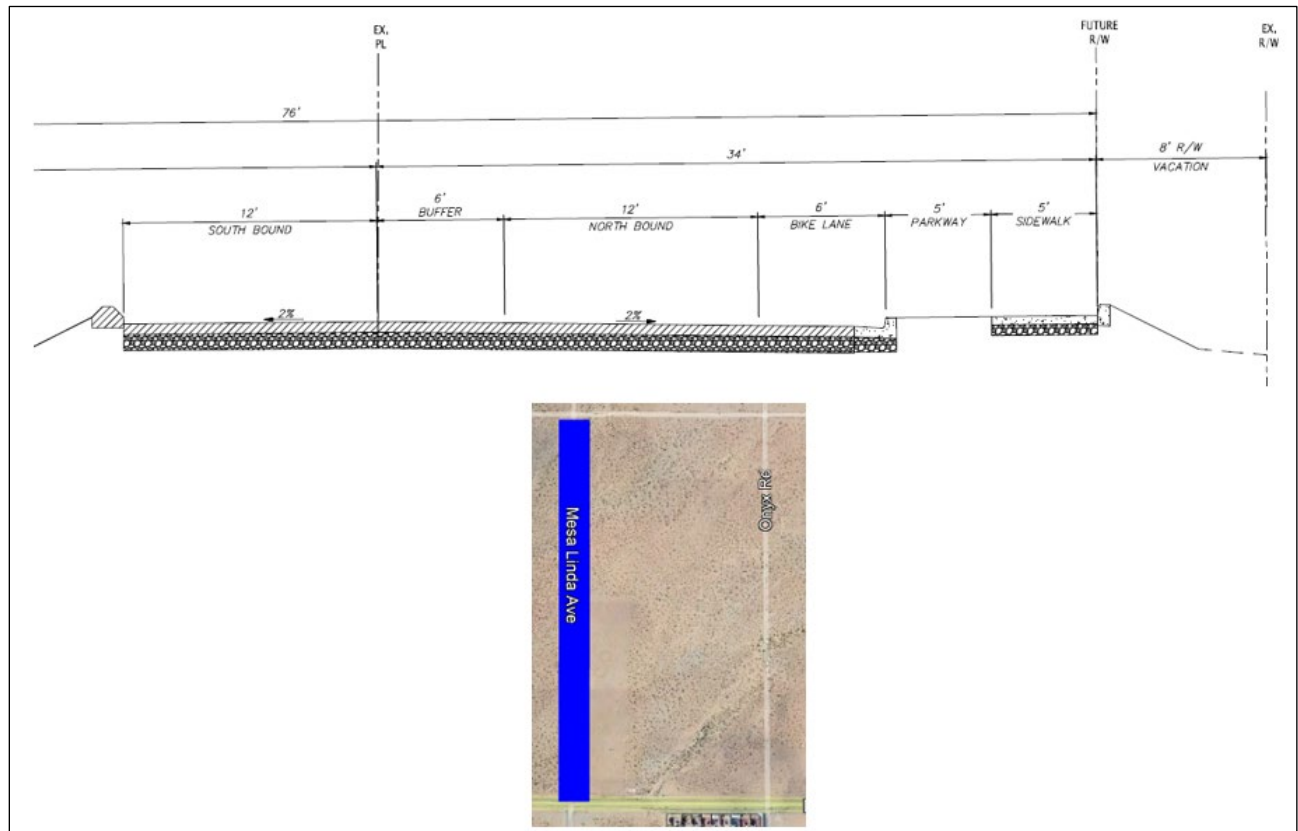


Figure 3-5 Mesa Linda Avenue Improvements



3.4 Project Components: Operations

At this time, the occupant of the proposed building is unknown. It is assumed the facility would be operational 24 hours per day, 365 days per year. Because user(s) of the Project's building are not yet known, the number of jobs that the Project would generate cannot be precisely determined; therefore, for purposes of analysis, employment estimates have been calculated using data and average employment density factors. Based on an employment generation factor of 1 employee per 1,500 square feet for Light Industrial uses, and 1 employee per 600 square feet for office use, The Project is anticipated to generate approximately 520 employees.⁵

The Traffic Impact Report (refer to Technical Appendix H-1) identifies that the Project could generate up to 46 passenger car equivalent trips in the peak hour at the Mesa Linda Avenue/Mojave Drive intersection.

Mojave Drive is classified as a super-arterial street in the City's General Plan Circulation Element and is a Truck Route from CA-395 to the west to I-15 to the east, as codified by City Ordinance 2373 (adopted October 3, 2017) and Resolution 18-023 (approved May 15, 2018) which updated the City's General Plan to include the Truck Route in the Circulation Element. Onyx Street, a local street, is restricted to right turn in/right turn out at Mojave Drive. The driveways along Mojave Drive are designed as a "right-turn-in/right-turn out." Free access is provided at the remainder of the driveways.

3.5 Project Components: Construction

It is anticipated that the Project would commence construction in Fall 2023 and be constructed in a single phase, with construction activities occurring over 12 months. Physical disturbances would occur over the entire 66.4-acre property. Initial site improvements include grading and underground infrastructure followed by building construction, paving, and landscape activities. The grading quantities are anticipated to balance on site and little to no import or export of fill material is anticipated. Project construction will require the use of heavy equipment such as dozers, scrapers, paving machines, concrete trucks, and water trucks. In general, the following is anticipated:

Site Preparation/Grading: This is expected to last approximately 3 months. Site activities include grading, placement of underground water, sewer, and other utilities underground throughout the site and grading off-site roadways to facilitate the off-site road improvements. Typical equipment includes scrapers, excavators, water trucks, and trenchers. Site excavation is anticipated to balance on site and no import or export is required.

Building Construction: Construction of the one 1,097,300-square-foot building is expected to occur over nine months. The construction method is concrete tilt-up – concrete is formed on the ground, lifted into place and braced. Typical equipment includes welders, concrete trucks, and cranes for lifting. If a crane is utilized, the Project contractor will comply with all local, state, and federal regulations. The type of equipment will be evaluated and all permits obtained as necessary prior to construction.

Paving/Landscaping: This activity is anticipated to occur over 3 months. All parking areas and off-site improvements to the roadways would occur during this phase. Landscaping would be placed per the design. All architectural and parking lot lighting would also be installed.

⁵ Vehicle Miles Traveled (VMT) Analysis – Mojave 68 Warehouse, Victorville, CA, General Technologies and Solutions, December 5, 2022

Architectural Coating: This activity is anticipated to occur over three months and consists of placing the finishes on the outside of the building. Equipment would include paint sprayers, compressors, and various service trucks.

3.6 Intended Uses of This EIR and Required Approvals

As required by CEQA Guidelines §15121(a), the purpose of this Draft Environmental Impact Report (EIR) is to: 1) disclose information on a proposed 1,097,300 square-foot industrial building (Project) in the City of Victorville by informing public agency decision makers and the public generally of the significant environmental effects associated with all phases of the Project, 2) identify possible ways to minimize or avoid those significant effects, and 3) describe a reasonable range of alternatives to the Project that would feasibly attain most of the basic Project objectives but would avoid or substantially lessen its significant environmental effects.

The Project requires approval from various local and state agencies as identified in this section, who may rely on this EIR in consideration of their decision-making.

City of Victorville

The following approvals and permits are required from the City of Victorville to implement the proposed Project.

- **Certify the Environmental Impact Report (EIR)** with the appropriate determinations and statements prepared in compliance with the requirements of CEQA.
- **Site Plan PLAN22-00023** to develop a 1,097,300-square-foot industrial building along with associated parking, landscaping, road improvements, and related infrastructure.
- **Tentative Parcel Map PLAN22-00023** to merge Assessor Parcel Numbers (APNs) 3128-621-02, 3128-621-03, 3128-621-04, 3128-621-05, and 3128-621-06 into one new parcel.
- **PLAN22-00023 – Deviation Request** – Building Height requesting a deviation from the application of the prescribed 50-foot building height of the M-1 zoning district to allow for a 55' tall Class A Industrial Warehouse/Distribution facility.

Other non-discretionary actions anticipated to be taken by the City at the staff level as part of the proposed Project include:

- Review and approval of all off-site infrastructure plans, including street and utility improvements pursuant to the conditions of approval;
- Review all on-site plans, including grading and on-site utilities, building plans; and
- Approval of a Preliminary Water Quality Management Plan (PWQMP) to mitigate post-construction runoff flows.

Other Agency Approvals

Related environmental review and consultation requirements required by other federal, state, and local agencies are identified as follows:

Federal Agencies:

- U.S. Army Corps of Engineers – Clean Water Act Section 404 Permit

State Agencies:

- Lahontan Regional Water Quality Control Board – Clean Water Act Section 401 Permit
- California Department of Fish and Wildlife – Section 1602 Streambed Alteration Agreement

Local Agencies:

- Mojave Desert Air Quality Management District – issuance of construction-related permits
- City of Victorville – approval of Site Plan and Tentative Parcel Map, grading permits, encroachment permits, water and sewer connections, and related plans.

Figure 3-6 Site Location Map

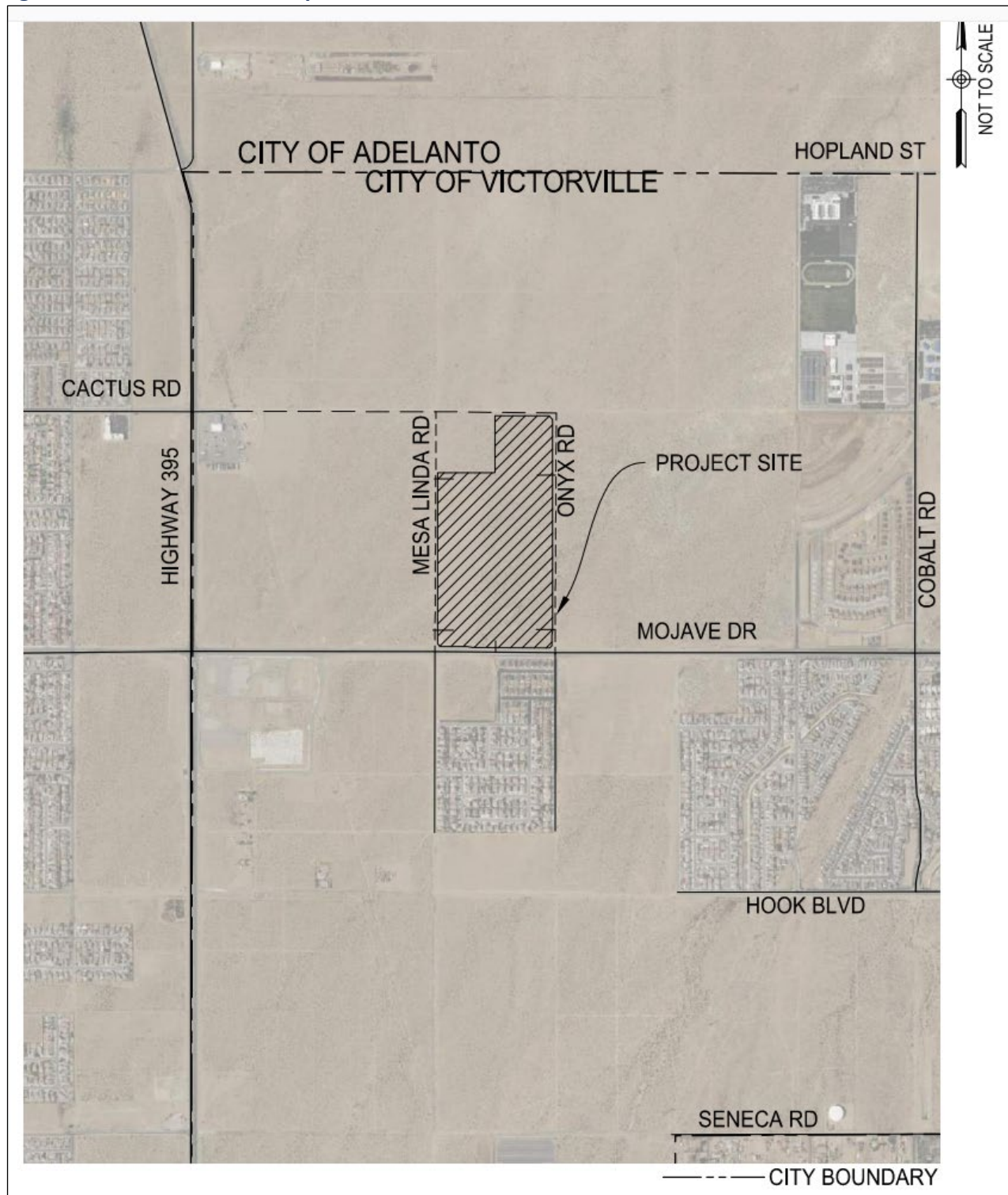


Figure 3-7 Site Plan

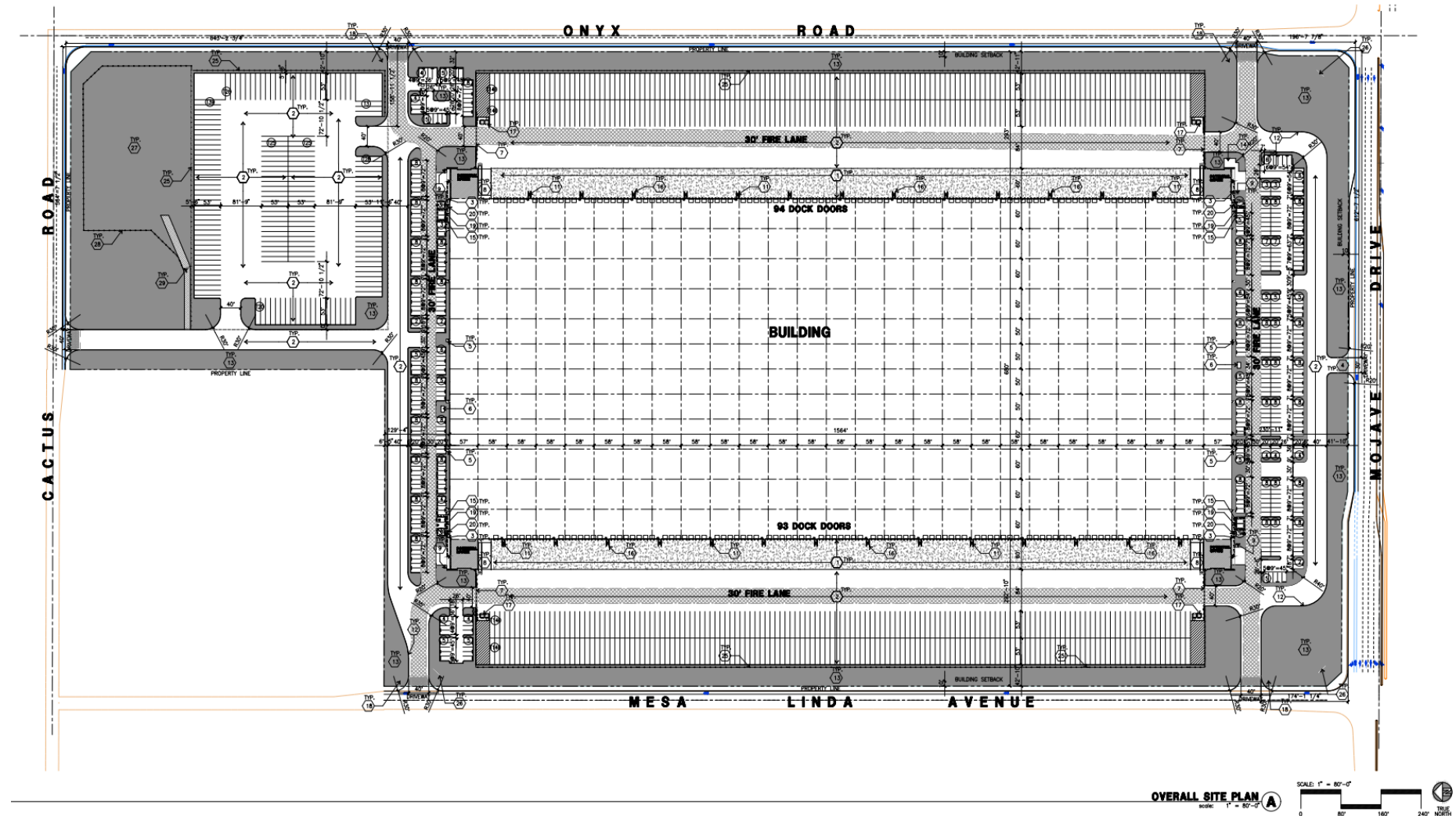


Figure 3-8 Architectural Renderings (Typical)

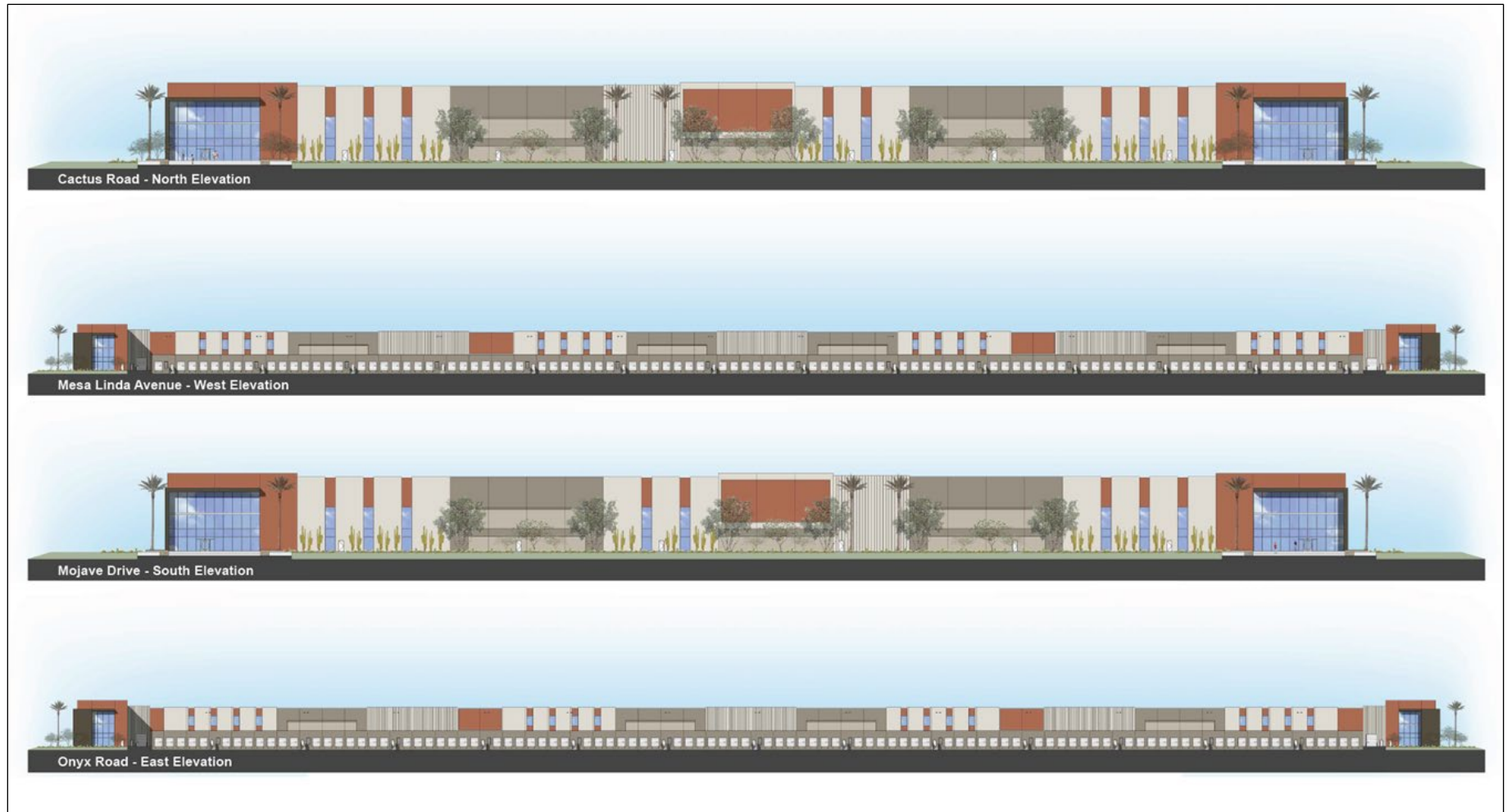


Figure 3-9 Conceptual Landscape Plan

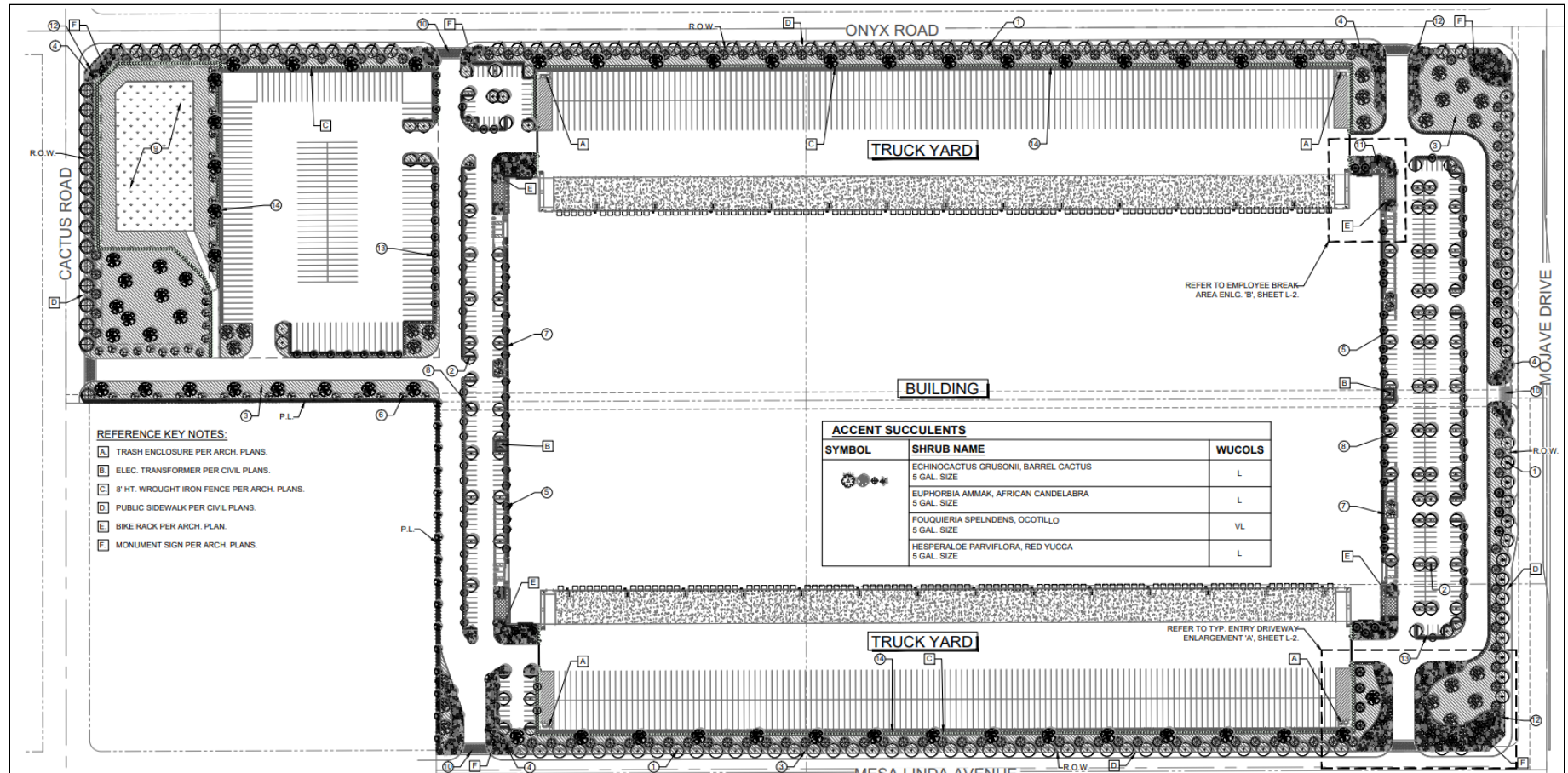


Figure 3-10 Utility Plan

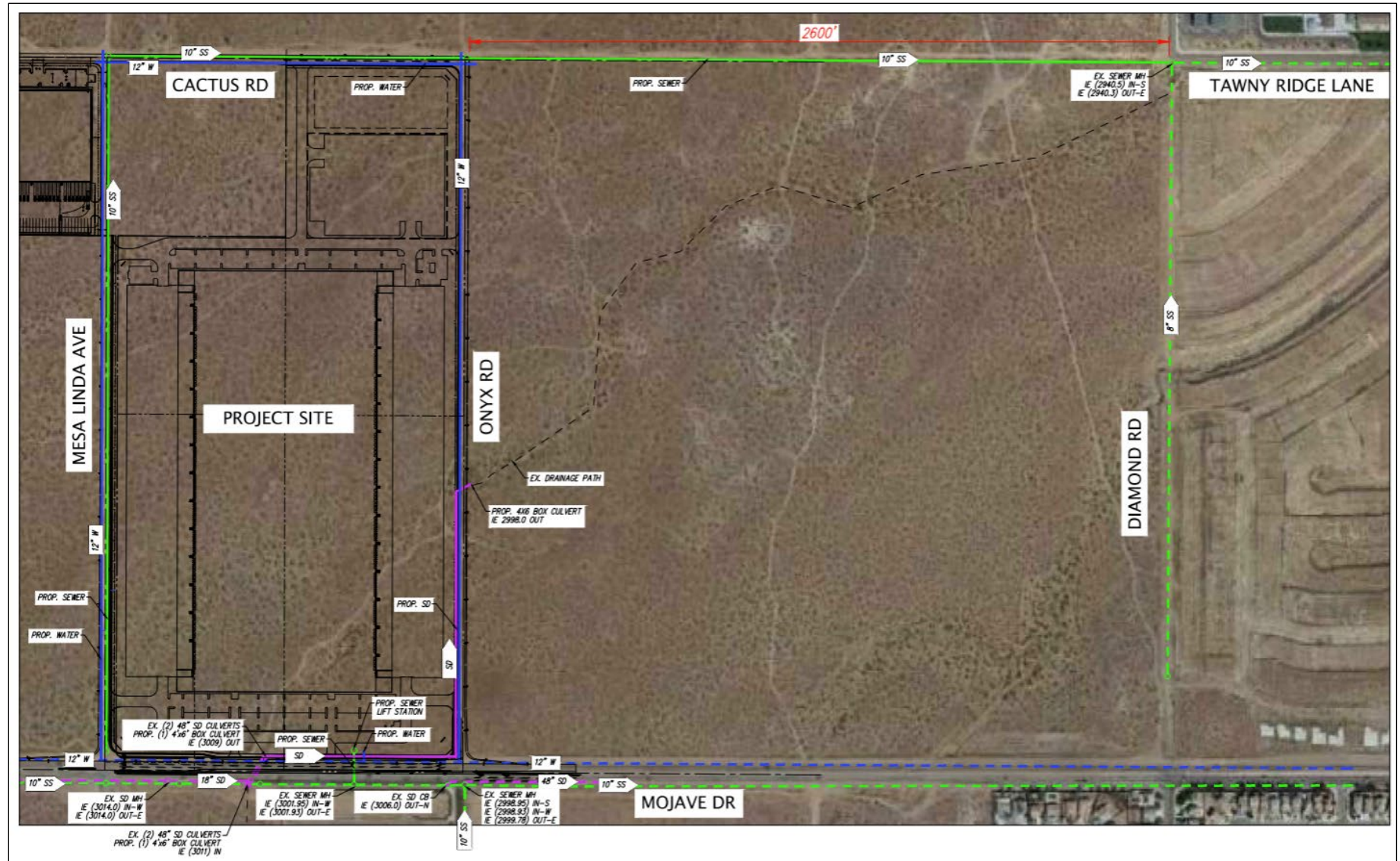
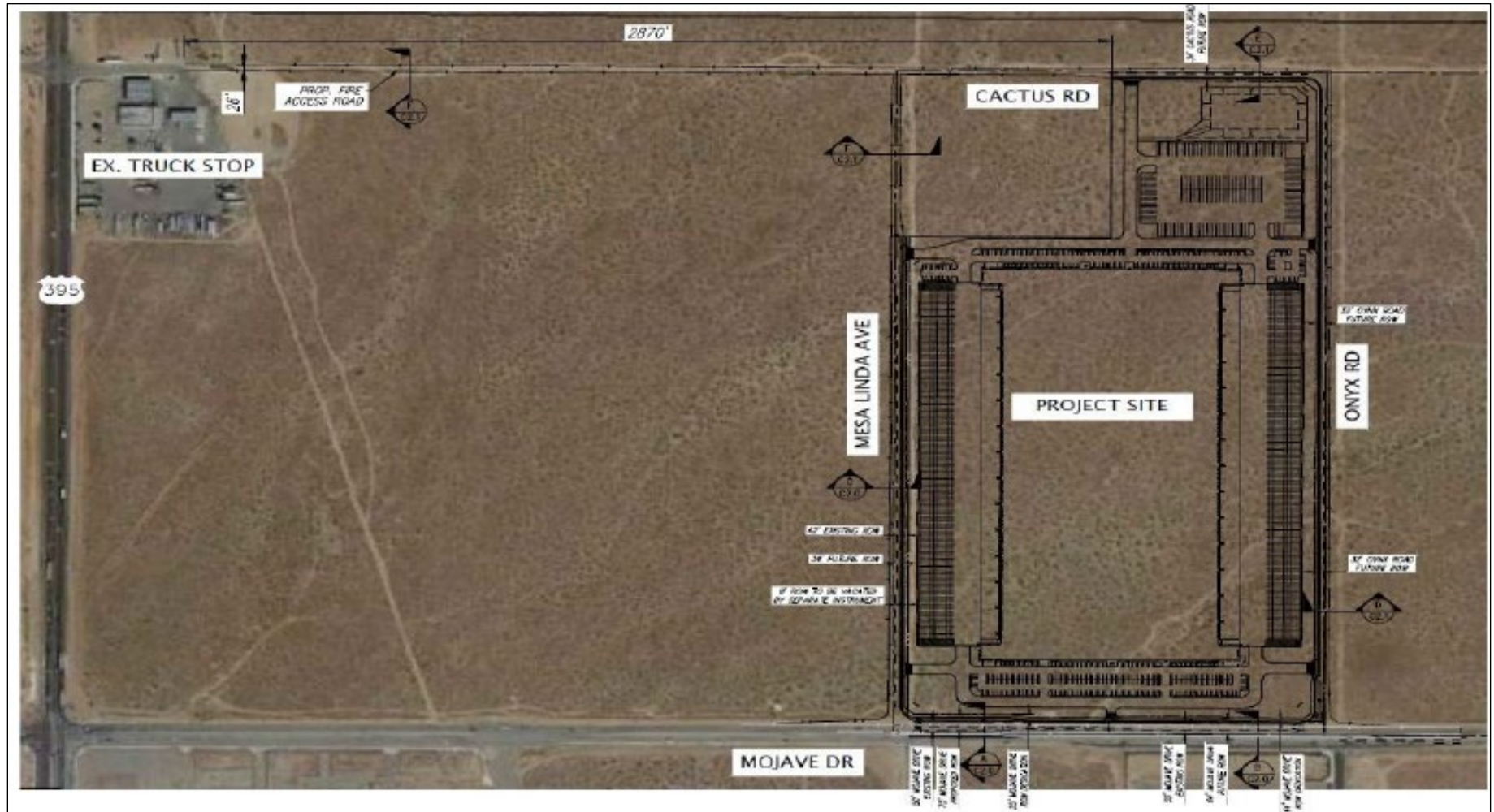


Figure 3-11 Fire Access Road



4.0 Environmental Analysis

Introduction

In accordance with CEQA Guidelines §§15126-15126.4, this EIR section includes analyses of potential direct, indirect, and cumulatively considerable impacts that could result from the planning, construction, and/or operation of the proposed Project.

Organization of Environmental Analysis

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

Subsections 4.1 through 4.14 of this EIR evaluate the following 14 environmental subjects warranting detailed analysis as determined by the City of Victorville in consideration of preliminary research findings, public comments, and technical study.

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

In compliance with CEQA Guidelines §15128, the following environmental topics have been determined to pose no potentially significant impacts, and further discussion on the following topics is included in EIR Section 5, Other CEQA Considerations.

- | | |
|---------------------------------------|--------------------|
| 1. Agriculture and Forestry Resources | 4. Public Services |
| 2. Mineral Resources | 5. Recreation |
| 3. Population and Housing | 6. Wildfire |

Terminology Used in This EIR

This EIR is based on an Environmental Checklist Form (Form), as suggested in Appendix G of the CEQA Guidelines 2023, as amended, and includes a series of level of significance thresholds about the Project for each of the listed environmental topics. The Form evaluates whether there would be significant environmental effects associated with the development of the project, provides mitigation measures, when required, to reduce impacts to a less than significant level, and identifies a potentially significant impact where no mitigation is feasible to reduce impacts to less than significant.

Although the criteria for determining significance are different for each topic area, the environmental analysis applies a uniform classification of the impacts based on definitions consistent with CEQA and the CEQA Guidelines. A brief explanation is required for all answers to the questions on the Form except “No Impact”

answers that are adequately supported by the information sources a lead agency cites in the narrative following each question.

The Level of Significance Analysis determinations are defined as follows:

No Impact. The Project would not adversely affect the environment or is not applicable to the question. The 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).

Less than Significant Impact. The Project would not cause a substantial, adverse change in the environment.

Less Than Significant with Mitigation Incorporated. A substantial or potentially substantial adverse change in the physical environment would occur that would exceed the threshold(s) of significance presented in this EIR; however, the impact can be avoided or reduced to a less than significant level through the application of feasible mitigation measure(s).

Significant and Unavoidable. A substantial or potentially substantial adverse change in the physical environment would occur that would exceed the threshold(s) of significance presented in this EIR. Feasible and enforceable mitigation measure(s) that have a proportional nexus to the Project's impact are either not available or would not be fully effective in avoiding or reducing the impact to below a level of significance.

Cumulative Analysis

CEQA requires that an EIR contain an assessment of the cumulative impacts that may be associated with a proposed project. As noted in CEQA Guidelines §15130(a), "an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable." "A cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects creating related impacts" (CEQA Guidelines §15130(a)(1)). As defined in CEQA Guidelines §15355:

'Cumulative Impacts' refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

(a) The individual effects may be changes resulting from a single project or a number of separate projects.

(b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

CEQA Guidelines §15130(b) describes two acceptable methods for identifying a study area for purposes of conducting a cumulative impact analysis. These two approaches include: "1) a list of past, present, and probable future projects producing related or cumulative impacts, including if necessary, those projects outside the control of the agency ['the list of projects approach'], or 2) a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact ['the summary of projections approach']."

The summary of projections approach is used in this EIR, except for the evaluation of cumulative vehicular-related noise impacts, for which a combination of the summary of projections and the list of projects approaches are used. The City of Victorville determined the combined approach to be appropriate because long-range planning documents contain a sufficient amount of information to enable an analysis of cumulative effects for all subject areas, except for vehicular-related noise effects, which require a greater level of detailed study. The cumulative impact analyses of vehicular-related health risk and noise impacts, which rely on data from the Project's Traffic Analysis (EIR Technical Appendix H-1), inherently utilize the combined approach. With the combined approach, the cumulative impact analyses for the vehicular-related noise issue areas overstate the Project's potential cumulatively considerable impacts relative to analyses that rely solely on the list of projects approach or solely on the summary of projections approach; therefore, the combined approach provides a conservative, "worst-case" analysis for the Project's contribution to cumulative traffic-related air quality and noise impacts.

The list of projects used to supplement the summary of projections approach for the cumulative vehicular-related air quality and noise impact analyses includes known approved and pending development projects in proximity to the Project site that would contribute traffic to the same transportation facilities as the Project. This methodology recognizes development projects that have the potential to contribute measurable traffic to the same intersections, roadway segments, and/or state highway system facilities as the proposed Project and have the potential to be fully operational in the foreseeable future. Accordingly, the cumulative impact analysis of vehicular-related noise impacts includes known past, present, and reasonably foreseeable projects described in [Table 4-1](#) and depicted on [Figure 4-1, Cumulative Projects Location Map](#) in addition to the summary of projections.

Table 4-1 Projects Identified for Cumulative Analysis

EIR Project ID Number	Project Name	Project Location	Project Type
R1	Residential Home	15484 Pearmain Street	Residential
R2	Melva Davis Academy	15831 Diamond Road	School
R3	Residential Home	15359 Diamond Road	Residential
R4	Residential Home	13008 Vista Abajo Way	Residential
R5	Residential Home	12619 Alveda Street	Residential
R6	Residential Home	15075 Mesa Linda Avenue	Residential

Six locations of sensitive receptors were analyzed for the impact of air quality and noise impacts. R1 through R6 are described in more detail below.

- **R1:** Location R1 represents the existing noise sensitive residence at 15484 Pearmain Street, approximately 4,083 feet west of the Project site and US 395. Since there are no private outdoor living areas (backyards) facing the Project site, receiver R1 is placed at the building façade. A 24-hour noise measurement was taken near this location, L1, to describe the existing ambient noise environment.
- **R2:** Location R2 represents the Melva Davis Academy of Excellence at 15831 Diamond Road, approximately 2,716 feet northeast of the Project site. Receiver R2 is placed at the southwest corner of the parking lot. A 24-hour noise measurement was taken near this location, L2, to describe the existing ambient noise environment.
- **R3:** Location R3 represents the existing noise sensitive residence at 15359 Diamond Road, approximately 2,668 feet east of the Project site. Since there are no private outdoor living areas

(backyards) facing the Project site, receiver R3 is placed at the building façade. A 24-hour noise measurement was taken near this location, L3, to describe the existing ambient noise environment.

- R4: Location R4 represents the existing noise sensitive residence at 13008 Vista Abajo Way, approximately 2,028 feet southeast of the Project site. R4 is placed in the private outdoor living areas (backyard) facing the Project site. A 24-hour noise measurement was taken near this location, L4, to describe the existing ambient noise environment.
- R5: Location R5 represents the existing noise sensitive residence at 12619 Alveda Street, approximately 151 feet south of the Project site. R5 is placed in the private outdoor living areas (backyard) facing the Project site. A 24-hour noise measurement was taken near this location, L5, to describe the existing ambient noise environment.
- R6: Location R6 represents the existing noise sensitive residence at 15075 Mesa Linda Avenue, approximately 847 feet south of the Project site. R6 is placed in the private outdoor living areas (backyard) facing the Project site. A 24-hour noise measurement was taken near this location, L6, to describe the existing ambient noise environment.

Figure 4-1 Cumulative Projects Location Map



4.1 Aesthetics

4.1.1 Introduction

The following analysis is based on information obtained from site photos taken during field reviews conducted by the Applicant and by EPC Environmental; Google Earth Pro (Google Earth, 2020); information from the City of Victorville General Plan (Victorville, 2008); information from the City's General Plan DEIR (CPS, 2008); information from the City's General Plan Update DEIR (H&A, 2002); City of Victorville Valley Municipal Code; and Project site plans. All references used in this subsection are listed in this DEIR Section 7.0, References.

4.1.2 NOP Scoping Comments

A Notice of Preparation (NOP) for the Project was released on March 3, 2023, for public review and comment through April 12, 2023. An EIR Scoping Meeting was held on April 12, 2023. No comments were received when the NOP public comment period ended on, or after the NOP period, nor were any comments made during the EIR Scoping Meeting that pertain to aesthetics.

4.1.3 Regulatory Framework

General Plan

The 2030 General Plan of the City of Victorville does not designate scenic vistas within the City of Victorville. The 2045 Land Use Element (City, 2022) identifies policies for creating aesthetically pleasing, high-quality buildings to promote community character. The 2040 Land Use Element recognizes the importance that aesthetics, design and community character have on strengthening Victorville's uniqueness in the Victor Valley (Victorville, 2022). The Goals and Policies of the Land Use Element and how the Project is consistent with those goals and policies are provided in Section 4.10, *Land Use and Planning*, specifically Table 4.10-1, *Project Consistency With City General Plan*.

Municipal Ordinance

The City of Victorville Municipal Code contains design guidelines that indirectly regulate the aesthetic quality of new development with respect to structures, signs, walls, landscaping, street widths, and street lighting. There also are zoning codes that address signs, walls, fences, hedges, structure heights, structure projections, and architectural design controls (CPS, August 2008).

The City of Victorville Development Code Section 16.3.08 (3) (ix) (9), *Lighting* states:

“Effective pathway lighting provides safety and direction for pedestrians and shall incorporate the following design standards:

- (i) Lighting should relate to the pedestrian scale of residential neighborhoods. Light standards less than fifteen (15) feet in height are encouraged throughout paseos and other usable open spaces.
- (ii) The design of the lighting fixture should contribute to the overall theme within a neighborhood.
- (iii) Pedestrian paths shall be illuminated with bollards or lighting standards.
- (iv) Spotlighting or glare from any lighting should be shielded from adjacent properties and directed at the specific object or target.

- (v) The quality of light, level of lights as measured in footcandles, and the type of bulb or source should be carefully addressed. Lighting levels should not be so intense as to draw attention to the glow or glare of the area.”⁶

Additionally, the Project is required to comply with the City of Victorville Standard Specifications for Public Improvements, Part IV, Section 9(4):

“The City of Victorville, the sub-divider, or any successor in interest of any of the parcels to be created by this subdivision shall install streetlights along the street frontages in accordance with the requirements of the master street lighting plans of the City of Victorville, the Southern California Edison Company and as required by the City Engineer.”⁷

For glare from building materials, Development Code Section 16.3.08(d)(6)(i), *Style*, requires the key exterior architectural elements consist of non-reflective materials including stucco, horizontal siding, and stone.

4.1.4 Environmental Setting

The Project site is undeveloped land comprising exposed soil, desert brush, occasional Joshua Trees, and scattered trash such as wood, concrete rubble, tires, glass, plastic, paper, clothing, and mattresses. There are no structures on the site. The unpaved roads Mesa Linda Avenue and Onyx Road border the Project site on the west and east, respectively, and the four-lane paved road Mojave Drive borders the site’s southern boundary. Cactus Road, also unpaved, borders the Project site to the north.

The Project site and immediate adjacent region is primarily vacant and flat. The main views from the public roadways of Mojave Drive, Mesa Linda Drive and Onyx Road are of the vacant Project site, and the vacant landscape to the north, west and east of the Project site. The mountainous terrain of the Quartzite Mountain range, which rises to approximately 4,025 feet above sea level and which is located approximately 5 miles to the northeast, exists in the background view along the public roadways.

Surrounding Land Use

Table 2-1, *Adjacent Land Uses and Zoning* of this DEIR identifies the surrounding land uses and their respective zoning. In summary, the surrounding land uses are:

- **West:** Mesa Linda Road borders the Project site’s west boundary, with vacant land beyond Mesa Linda Road. Regionally, a truck stop exists approximately 0.5 miles northwest of the Project site, on the corner of Cactus Road and SR-395.
- **East:** Onyx Road, an unpaved, undeveloped road exists on the eastern Project site boundary; vacant land exists east of Onyx Road. Regionally, a housing tract exists approximately 0.5 mile east of the Onyx Road.
- **South:** Mojave Drive, a City-designated four-lane truck route, borders the Project site southern boundary. On the south side of Mojave Drive, vacant land exists between Mesa Linda Road and Alveda Street; A residential housing tract exists on the south side of Mojave Drive, between Alveda Street and Onyx Road.
- **North:** The Project site is bordered by Cactus Road along the north, which is an undeveloped native dirt roadway. Vacant lands exist to the north, northwest and northeast. Approximately 0.5

⁶ City of Victorville Code of Ordinances Title 16, Chapter 3, Section 9.

⁷ City of Victorville Standard Specifications for Public Improvements Part IV, Section 9(4); Revised March 2021.

miles northeast of the Project site lies the Melva Davis Academy of Excellence and the Gus Franklin Jr. Elementary School.

Viewsheds, Scenic Vistas, and Scenic Highways

The City's 2030 General Plan (Victorville, 2008) identifies that areas of high visual sensitivity within/adjacent to the City include the Mojave River, the rocky bluffs of the Narrows, and the Mojave Narrows Regional Park. Another notable feature identified by the City's 2030 General Plan is Joshua Trees which can grow to 12 meters tall. These trees are distributed on gentle slopes and on valley floors of upper bajadas and sandy areas. The understory of this highly variable community typically includes Creosote Bush and/or species of saltbush. The Joshua Tree is an archetypal plant of the Mojave Desert that may live several hundred years and that provides valuable habitat for a variety of native wildlife species. Off-road vehicle use and illegal dumping appear to have adverse effects on the health of Joshua Trees.

Scenic Highways

The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been so designated. These highways are identified in Section 263 of the California Streets and Highways Code (S&HC). The status of a State Scenic Highway changes from "eligible" to officially "designated" when the local jurisdiction adopts a scenic corridor protection program, applies to Caltrans for scenic highway approval, and receives notification from Caltrans that the highway has been designated as a scenic highway.

There are no designated State Scenic Highways within the City of Victorville (Victorville, 2008).

4.1.5 Methodology

This project was evaluated against the City of Victorville's General Plan policies, zoning regulations, and Caltrans requirements with respect to aesthetics impacts.

4.1.6 Thresholds of Significance

Section I of Appendix G to the CEQA Guidelines addresses typical adverse effects to aesthetics and includes the following threshold questions to evaluate the Project's impacts on Aesthetics.

- a) Will the project have a substantial adverse effect on a scenic vista?
- b) Will the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- c) In nonurbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
- d) Will the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

4.1.7 Impacts Analysis

Threshold 4.1 (a). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			✓	

Discussion

The CEQA Guidelines do not provide a definition of what constitutes a “scenic vista” or “scenic resource” or a reference as to from what vantage point(s) the scenic vista and/or resource, if any, should be observed. Scenic resources are typically landscape patterns and features that are visually or aesthetically pleasing and that contribute affirmatively to the definition of a distinct community or region such as trees, rock outcroppings, and historic buildings.

A scenic vista is generally identified as a public vantage viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. Common examples may include a public vantage point that provides expansive views of undeveloped hillsides, ridgelines, and open space areas that provide a unifying visual backdrop to a developed area.

According to the General Plan EIR, surrounding areas of high aesthetic sensitivity that provide scenic vistas to the City of Victorville (but are not located within the city) are the San Bernardino and San Gabriel Mountain ranges located approximately 37 miles to the south and Quartzite Mountain, located approximately 5 miles northeast from the Project site, respectively.⁸

Areas of high visual sensitivity within/adjacent to the city include the Mojave River, the rocky bluffs of the Narrows, and the Mojave Narrows Regional Park.⁸ From the site, the Mojave River is located approximately 5.5 miles to the east, and the rocky bluffs of the Narrows, and the Mojave Narrows Regional Park are located approximately 6.5 miles to the east. These areas are not visible from the project site.

Impacts on scenic vistas are analyzed from points or corridors that are accessible to the public and that provide a view of a scenic vista. Public views and vantage points from the Project site would be from the public rights of way of Mojave Drive and Onyx Road. Development within a viewer’s line of sight of scenic areas may interfere with a public view of a scenic vista, either by physically blocking or screening the vista from view or by impeding or blocking access to a formerly available viewing position. Those viewers may see the scenic areas prior to development; but would have those views blocked post-development. However, because of the distance to these scenic resources and intervening development, public views of these scenic vistas would not be blocked by the Project. No mitigation would be required.

Level of Significance

The proposed Project would change the visual character of the Project site, which is currently vacant and undeveloped, by adding an industrial building and landscaping. However, the proposed Project would be consistent and compatible with existing and proposed general industrial development surrounding the Project site in terms of building height, massing, and development intensity. There are less than significant impacts to scenic vistas because there are no official scenic vistas in the Project vicinity. No mitigation is required.

⁸ General Plan EIR, p. 5-11.

Threshold 4.1 (b). Would the Project:	Significant and Unavoidable	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓

Discussion

The Project site is not located along a State Scenic Highway.

Level of Significance

No impacts associated with scenic resources within a state scenic highway would occur, and no mitigation would be required.

Threshold 4.1 (c). Would the Project:	Significant and Unavoidable	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) In nonurbanized 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?			✓	

Discussion

According to the U.S. Census Bureau, the Project site is located in the Victorville Hesperia, CA Urbanized Area.⁹ As such, the Project is subject to the City's applicable regulations governing scenic quality. Future construction of the residential structures and related improvements are subject to site plan review as required by Development Code §16-3.01.020(c). The Project is located within an area zoned as Light Industrial by City's General Plan, and is located along Mojave Drive, a designated Truck Route.

Level of Significance

The Project is designed to be consistent with the City's Standards and Guidelines which ensures compatibility with the visual character intended for the vicinity. Therefore, impacts are less than significant, and no mitigation is required.

9 United States Census Bureau, 2010 Census Urban Area Reference Maps, <https://www.census.gov/geographies/reference-maps/2010/geo/2010-census-urban-areas.html> accessed November 11, 2022.

Threshold 4.1 (d). Would the Project:	Significant and Unavoidable	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	

Discussion

Impacts from light are typically associated with the use of artificial lighting at nighttime. Glare typically occurs during the day, generally caused by a reflection of sunlight on highly polished surfaces, such as windows, generally associated by mid- to high-rise buildings with exterior facades that are made up of highly reflective glass or mirror-like materials. Nighttime glare is primarily associated with bright point source light that contrasts with the surrounding ambient lighting.

The types of land uses typically sensitive to light and glare include residential uses, hospitals, senior housing, and other types of uses that may disrupt sleep. Given the existing circumstances, the Project site is currently devoid of any structures or development and is surrounded largely by residential developments and vacant lands.

If implemented, the Project would introduce additional lighting to the site as required for security, safety, and wayfinding purposes. However, these new light sources would be in line with the existing lighting on-site and in the surrounding vicinity. Adhering to Section 16-3.11.060(e) of the City's Municipal Code, which outlines general lighting standards, the light fixtures would be designed to complement the overall architectural theme of the building, appropriately sized relative to the building's scale, and would provide illumination for entrances while ensuring security and safety within the premises. Furthermore, the lighting levels would not be excessively intense or cause glare, the fixtures would be shielded from neighboring properties, exposed bulbs would not be used, and unnecessary lighting would be avoided.

Glare is typically caused by the reflection of light from surfaces such as pavement, vehicles, and building materials like reflective glass and polished surfaces. The intensity and direction of sunlight during daylight hours contribute to the amount of glare experienced. However, the proposed exterior building materials, such as concrete, painted metal, and tempered glass, are non-reflective in nature. Therefore, they would not generate any potential glare issues within the Project site or its surrounding areas, particularly at street level. The Project would adhere to the requirements of the City of Victorville development standards for Light Industrial uses. Thus, the Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Level of Significance

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

4.1.8 Cumulative Impacts Analysis

The Project vicinity is zoned Light Industrial although the Project vicinity is currently vacant. The proposed Project, and any projects that would be constructed after the proposed Project, would comply with the City's development standards. The Project and its vicinity are not identified as a scenic resource, nor would development of the Project and future surrounding projects obstruct any scenic resource because none exist

in the vicinity. Therefore, the impacts of the Project and the projects that would be constructed in the immediate vicinity is not cumulatively considerable.

4.1.9 Conclusion

There are less than significant impacts of the proposed Project associated with Aesthetics, and no mitigation would be required.

4.2 Air Quality

4.2.1 Introduction

This section describes the existing air quality conditions and evaluates the potential effects from implementation of the Project on the site and the surrounding area. The section also identifies and summarizes relevant federal, state, regional, and municipal air quality regulations, standards, policies, and plans.

This section is based on current regulations and the following technical reports prepared to evaluate the potential for Project-related construction and operational activities to result in adverse effects on regional and local air quality.

- Mojave 68 Project, Air Quality Analysis, prepared by KPC EHS Consultants, LLC, December 2022 (Technical Appendix A-1)
- Mojave 68 Mobile Source Health Risk Assessment, prepared by Urban Crossroads, January 11, 2023 (Technical Appendix A-2)

4.2.2 NOP/Scoping Comments

A Notice of Preparation (NOP) for the Project was released on March 3, 2023, for public review and comment through April 12, 2023. An EIR Scoping Meeting was held on April 12, 2023. A comment letter from the Mojave Desert Air Quality Management District was received on March 20, 2023 and addressed.

4.2.3 Regulatory Framework

The following is a brief description of the federal, state, and local environmental laws and related regulations governing air quality emissions as they apply to the analysis in this section.

Federal Regulations

Federal Clean Air Act

The Clean Air Act (CAA; 42 U.S.C. §7401 et seq.), passed in 1970, established the national air pollution control program. The basic elements of the CAA are the NAAQS for criteria air pollutants, hazardous air pollutants standards, state attainment plans, motor vehicle emissions standards, stationary source emissions standards and permits, acid rain control measures, stratospheric ozone protection, and enforcement provisions.

Criteria pollutants are defined as those pollutants for which the federal and state governments have established AAQS, or criteria, for outdoor concentrations to protect public health. The U.S. EPA is responsible for setting and enforcing the NAAQS for O₃, CO, NO_x, SO₂, PM₁₀, and lead.

The NAAQS are the maximum allowable concentrations of criteria pollutants, over specified averaging periods, to protect human health. The CAA requires that the USEPA establish NAAQS and reassess, at least every 5 years, whether they are adequate to protect public health, based on current scientific evidence. The NAAQS are divided into primary and secondary standards; the former standards are set to protect human health within an adequate margin of safety, and the latter to protect environmental values, such as plant and animal life.

Data collected at permanent monitoring stations are used by the USEPA to classify regions as “attainment” or “nonattainment,” depending on whether the regions have met the requirements stated in the primary NAAQS. Nonattainment areas are subject to additional restrictions, as required by the USEPA.

The 1990 amendments to the CAA that identify specific emission reduction goals for areas not meeting the NAAQS require a demonstration of reasonable further progress toward attainment and incorporate additional sanctions for failure to attain or to meet interim milestones. The sections of the CAA most directly applicable to the development of the Project site include Title I (Non-Attainment Provisions) and Title II (Mobile Source Provisions). Title I provisions were established with the goal of attaining the NAAQS for the following criteria pollutants O₃, NO₂, SO₂, PM₁₀, CO, PM_{2.5}, and lead. The NAAQS were amended in July 1997 to include an additional standard for O₃ and to adopt a NAAQS for PM_{2.5}.

Mobile source emissions are regulated in accordance with Title II provisions. These provisions require the use of cleaner burning gasoline and other cleaner burning fuels such as methanol and natural gas. Automobile manufacturers are also required to reduce tailpipe emissions of hydrocarbons and nitrogen oxides (NO_x). NO_x is a collective term that includes all forms of nitrogen oxides (NO, NO₂, NO₃) that are emitted as byproducts of the combustion process.

State Regulations

California Clean Air Act (CCAA)

The California Clean Air Act (CCAA) establishes numerous requirements for district plans to attain state ambient air quality standards for criteria air contaminants. The CCAA mandates achievement of the maximum degree of emissions reductions possible from vehicular and other mobile sources to attain the state's ambient air quality standards, the California Ambient Air Quality Standards (CAAQS), by the earliest practical date. The California Air Resources Board (CARB) established the CAAQS for all pollutants for which the federal government has NAAQS and, in addition, established standards for sulfates, visibility, hydrogen sulfide, and vinyl chloride. Generally, the CAAQS are more stringent than the NAAQS. For districts with serious air pollution, its attainment plan should include the following: no net increase in emissions from new and modified stationary sources; and best available retrofit technology for existing sources. (SCAQMD, n.d.)

Air Quality Management Planning

The California Air Resources Board (CARB) and local air districts throughout the state are responsible for developing clean air plans to demonstrate how and when California will attain air quality standards established under both the CAA and CCAA. For the areas within California that have not attained air quality standards, CARB works with local air districts to develop and implement state and local attainment plans. In general, attainment plans contain a discussion of ambient air quality data and trends; a baseline emissions inventory; future year projections of emissions, which account for growth projections and already adopted control measures; a comprehensive control strategy of additional measures needed to reach attainment; an attainment demonstration, which generally involves complex modeling; and contingency measures. Plans may also include interim milestones for progress toward attainment. Air quality planning activities undertaken by CARB also include the development of policies, guidance, and regulations related to state and federal ambient air quality standards; coordination with local agencies on transportation plans and strategies; and providing assistance to local districts and transportation agencies. (CARB, 2012)

California Air Resources Board Rules

The CARB enforces rules related to air pollutant emissions in the State of California. Rules applicable to the Project include, but are not limited to, those listed below.

- CARB Rule 2480 (13 CCR 2480): Airborne Toxics Control Measure to Limit School Bus Idling and Idling at Schools, which limits nonessential idling for commercial trucks and school buses within 100 feet of a school.

- CARB Rule 2485 (13 CCR 2485): Airborne Toxic Control Measure to Limit Diesel-Fuel Commercial Vehicle Idling, which limits nonessential idling to 5 minutes or less for commercial trucks.
- CARB Rule 2449 (13 CCR 2449): In-Use Off-Road Diesel Idling Restricts, which limits nonessential idling to five minutes or less for diesel-powered off-road equipment.

Regional Regulations

Mojave Desert Air Quality Management District Rules

The Mojave Desert Air Quality Management District (MDAQMD) enforces rules related to air pollutant emissions in the SCAB. Rules applicable to the Project include, but are not limited to, those listed below.

- MDAQMD Rule 201: Permit to Construct
- MDAQMD Rule 401: Visible Emissions
- MDAQMD Rule 402: Nuisance
- MDAQMD Rule 403: Fugitive Dust Control
- MDAQMD Rule 1113: Architectural Coatings

Local Regulations

The City of Victorville General Plan identifies policies that relate to Air Quality within the City. The specific policies outlined in the City's General Plan that are related to Air Quality and that apply to the proposed Project are listed in [Table 4.10-1, Project Consistency With City General Plan](#) in EIR Section 4.10, Land Use and Planning.

4.2.4 Environmental Setting

Mojave Desert Air Basin (MDAB)

The Project site is located in the Mojave Desert Air Basin (MDAB) and is under the jurisdiction of the MDAQMD. The District has jurisdiction over the desert portion of San Bernardino County and the far eastern end of Riverside County. This region includes the incorporated communities of Adelanto, Apple Valley, Barstow, Blythe, Hesperia, Needles, Twentynine Palms, Victorville, and Yucca Valley. This region also includes the National Training Center at Fort Irwin, the Marine Corps Air Ground Combat Center, the Marine Corps Logistics Base, the eastern portion of Edwards Air Force Base, and a portion of the China Lake Naval Air Weapons Station. The MDAB is an assemblage of mountain ranges interspersed with long broad valleys that often contain dry lakes. Many of the lower mountains which dot the vast terrain rise from 1,000 to 4,000 feet above the valley floor. 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 (MDAQMD, 2020, p. 6).

Regional Climate

Air quality in the Project area is not only determined by various emissions sources (e.g., mobile, area, construction) but is also affected by natural factors such as topography, meteorology, and climate including atmospheric conditions such as wind speed, wind direction, temperature, and rainfall.

The District covers the majority of 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 which dot 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 Antelope Valley is bordered in the northwest by the Tehachapi Mountains, separated from the Sierra Nevadas in the north by the Tehachapi Pass (3,800 ft elevation). The Antelope Valley is bordered in the south by the San Gabriel Mountains, bisected by Soledad Canyon (3,300 feet). The Mojave Desert 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 Palo Verde Valley portion of the Mojave Desert lies in the low desert, at the eastern end of a series of valleys (notably the Coachella Valley) whose primary channel is the San Gorgonio Pass (2,300 feet) between the San Bernardino and San Jacinto Mountains.

During the summer the MDAB is generally influenced by a Pacific Subtropical High cell that sits off the coast, inhibiting cloud formation and encouraging daytime solar heating. The MDAB is rarely influenced by cold air masses moving south from Canada and Alaska, as these frontal systems are weak and diffuse prior to reaching the desert. Most desert moisture arrives from infrequent warm, moist, and unstable air masses from the south. The MDAB averages between three and seven inches of precipitation per year (from 16 to 30 days with at least 0.01 inches of precipitation). The MDAB is classified as a dry-hot desert climate (BWh), with portions classified as dry-very hot desert (BWbh), to indicate at least three months have maximum average temperatures over 100.4°F.

The MDAB experiences changes with the seasons including in the winter freezing temperatures, strong winds and precipitation in the form of snow primarily above 5,000 ft in elevation, and rain below 5,000 ft. Most precipitation occurs between November and April. During summer, brief, high-intensity thunderstorms may occur suddenly and can cause high winds and localized flash flooding.

Air Quality Pollutants and Associated Human Health Effects

The following are brief descriptions of individual pollutants and pollutant classes that have been associated with a wide range of human health effects, including increased respiratory symptoms, hospitalization for heart or lung diseases, and premature death.

The U.S. EPA and CARB periodically review new scientific data and may propose revisions to the standards as a result.

- **Ozone (O₃):** Is a highly reactive and unstable gas that is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO_x), both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight (also produced by molecular oxygen in the presence of ultraviolet light or electrical discharge). A strong oxidant that is damaging at ground level but necessary at high altitude (in the stratosphere, where it absorbs dangerous ultraviolet light). Also considered an important greenhouse gas. Ozone concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable to the formation of this pollutant. Health effects from Ozone include respiratory symptoms, worsening of lung disease leading to premature death, and damage to lung tissue.¹⁰

10 California Air Resources Board, Common Air Pollutants. <https://ww2.arb.ca.gov/resources/common-air-pollutants>. Accessed April 3, 2023.

- **Carbon Monoxide (CO):** Is a colorless, odorless gas produced by the incomplete combustion of carbon-containing fuels, such as gasoline or wood. CO concentrations tend to be the highest during the winter mornings, when little to no wind and surface-based inversions trap the pollutant at ground levels. Because CO is emitted directly from internal combustion engines, unlike ozone, motor vehicles operating at slow speeds are the primary source of CO in the Basin. The highest ambient CO concentrations are generally found near congested transportation corridors and intersections. Health effects from CO include chest pain in patients with heart disease, headache light-headedness, and reduced mental alertness.¹¹
- **Nitrogen Oxides (Oxides of Nitrogen, or NO_x):** Nitrogen dioxide (NO₂), a reddish-brown gas, and nitric oxide (NO), a colorless, odorless gas, are formed from fuel combustion under high temperature or pressure. These compounds are referred to as nitrogen oxides, or NO_x. NO_x is a primary component of the photochemical smog reaction. NO_x also contributes to other pollution problems, including a high concentration of fine particulate matter (PM_{2.5}), poor visibility, and acid deposition (i.e., acid rain). NO₂ is a criteria air pollutant and may result in numerous adverse health effects; it absorbs blue light, resulting in a brownish-red cast to the atmosphere and reduced visibility. Of the seven types of nitrogen oxide compounds, NO₂ is the most abundant in the atmosphere. As ambient concentrations of NO₂ are related to traffic density, commuters in heavy traffic may be exposed to higher concentrations of NO₂ than those indicated by regional monitors. The health effects from NO₂ include lung irritation and enhanced allergic responses.
- **Sulfur Dioxide (SO₂):** Is a colorless, extremely irritating gas or liquid. It enters the atmosphere as a pollutant mainly as a result of burning high sulfur-content fuel oils and coal and from chemical processes occurring at chemical plants and refineries. When SO₂ oxidizes in the atmosphere, it forms sulfates (SO₄). SO₂ irritates the respiratory tract, can injure lung tissue when combined with fine particulate matter (PM_{2.5}), and reduces visibility and the level of sunlight. The health effects from SO₂ include worsening of asthma: increased symptoms, increased medication usage, and emergency room visits.¹¹
- **Particulate Matter (PM₁₀ and PM_{2.5}):** Particulate matter is the term used for a mixture of solid particles and liquid droplets found in the air. Coarse particles (PM₁₀) derive from a variety of sources, including windblown dust and grinding operations. Fuel combustion and resultant exhaust from power plants and diesel buses and trucks are primarily responsible for fine particle (PM_{2.5}) levels. Fine particles can also be formed in the atmosphere through chemical reactions. PM₁₀ can accumulate in the respiratory system and aggravate health problems (e.g., asthma). The EPA's scientific review concluded that PM_{2.5}, which penetrates deeply into the lungs, is more likely than PM₁₀ to contribute to the health effects listed in a number of recently published community epidemiological studies at concentrations that extend well below those allowed by the current PM₁₀ standards. These health effects include premature death and increased hospital admissions and emergency room visits (primarily among the elderly and individuals with cardiopulmonary disease), increased respiratory symptoms and disease (in children and individuals with cardiopulmonary disease [e.g., asthma]), decreased lung functions (particularly in children and individuals with asthma), and alterations in lung tissue and structure and in respiratory tract defense mechanisms.
- **Volatile Organic Compounds (VOC):** Volatile organic compounds are also referred to as reactive organic gases (ROG), are emitted by a selection of different gases and solids such as paints and

11 California Air Resources Board, Common Air Pollutants. <https://ww2.arb.ca.gov/resources/common-air-pollutants>. Accessed April 3, 2023.

lacquers, paint strippers, cleaning supplies, pesticides, building materials and furnishings, office equipment such as copiers and printers, correction fluids and carbonless copy paper, graphics and craft materials including glues and adhesives, permanent markers, and photographic solutions.

The VOCs, or solvents, are one of the key ingredients in coatings that contribute to ozone formation. VOCs are emitted from coatings from the containers themselves, as the material is applied and as the material dries on the surface. The VOC emissions from the materials can then mix in the air with other ground level pollutants (e.g., nitrogen oxide, carbon monoxide, sulfur dioxide, hydrocarbons) and the energy from the sun acts upon this mixture to form the brown gunk in the air known as photochemical smog. Health effects include eye, nose, and throat irritation, headaches, and nausea. Long-term exposure can lead to damage to liver, kidneys, and the central nervous system and some VOCs are suspected or known to cause cancer in humans.

- **Lead (Pb):** Lead is a heavy metal that is highly persistent in the environment and is considered a criteria pollutant. In the past, the major sources of lead emissions were mainly due to historical use in motor vehicle fuel and primarily associated with lead smelting operations. Other stationary sources include waste incinerators, utilities, and lead-acid battery manufacturers. It should be noted that the Project does not include operational activities such as metal processing or lead acid battery manufacturing. As such, the Project is not anticipated to generate a quantifiable amount of lead emissions. Fetuses, infants, and children are more sensitive than others to the adverse effects of Pb exposure. Exposure to low levels of Pb can adversely affect the development and function of the central nervous system, leading to learning disorders, distractibility, inability to follow simple commands, and lower intelligence quotient. In adults, increased Pb levels are associated with increased blood pressure. Pb poisoning can cause anemia, lethargy, seizures, and death; although it appears that there are no direct effects of Pb on the respiratory system.

Existing Air Quality

Existing air quality is measured at six air quality monitoring stations throughout the MDAQMD area. The MDAQMD monitors and collects information 24 hours a day, 7 days a week on ambient levels of pollutants. The air quality is evaluated in the context of ambient air quality standards and validated and becomes part of the national air quality database. These standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect the public health and welfare. National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) currently in effect are shown in Table 4.2-1.

Whether a region's air quality is healthful or unhealthful is determined by comparing contaminant levels measured in the ambient air samples to the state and federal standards presented in Table 4.2-1.

Table 4.2-1 Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards ¹		National Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
Ozone (O ₃) ⁸	1 Hour	0.09 ppm (180 µg/m ³)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m ³)		0.070 ppm (137 µg/m ³)		
Respirable Particulate Matter (PM ₁₀) ⁹	24 Hour	50 µg/m ³	Gravimetric or Beta Attenuation	150 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m ³		—		
Fine Particulate Matter (PM _{2.5}) ⁹	24 Hour	—	—	35 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m ³	Gravimetric or Beta Attenuation	12.0 µg/m ³	15 µg/m ³	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m ³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m ³)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m ³)		9 ppm (10 mg/m ³)	—	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m ³)		—	—	
Nitrogen Dioxide (NO ₂) ¹⁰	1 Hour	0.18 ppm (339 µg/m ³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m ³)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m ³)		0.053 ppm (100 µg/m ³)	Same as Primary Standard	
Sulfur Dioxide (SO ₂) ¹¹	1 Hour	0.25 ppm (655 µg/m ³)	Ultraviolet Fluorescence	75 ppb (196 µg/m ³)	—	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m ³)	
	24 Hour	0.04 ppm (105 µg/m ³)		0.14 ppm (for certain areas) ¹¹	—	
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas) ¹¹	—	
Lead ^{12,13}	30 Day Average	1.5 µg/m ³	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m ³ (for certain areas) ¹²	Same as Primary Standard	
	Rolling 3-Month Average	—		0.15 µg/m ³		
Visibility Reducing Particles ¹⁴	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m ³	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m ³)	Ultraviolet Fluorescence			
Vinyl Chloride ¹⁵	24 Hour	0.01 ppm (26 µg/m ³)	Gas Chromatography			

Source: Technical Appendix A-1, Table 2-1: Ambient Air Quality Standards

Regional Air Quality

The MDAQMD monitors levels of various criteria pollutants at six monitoring stations throughout the air district. No areas of the MDAB exceeded federal or state standards for NO₂, SO₂, CO, sulfates, or lead. Table 4.2-2 indicates the attainment designations for the MDAB.

Table 4.2-2 Attainment Status of Criteria Pollutants in the MDAB

Criteria Pollutant	State Designation	Federal Designation
O ₃ – 1-hour standard	Nonattainment	No Standard*
O ₃ – 8-hour standard	Nonattainment	Nonattainment
PM ₁₀	Nonattainment	Attainment
PM _{2.5}	Nonattainment	Nonattainment
CO	Attainment	Unclassifiable/Attainment
NO ₂	Attainment	Unclassifiable/Attainment
SO ₂	Unclassifiable/Attainment	Unclassifiable/Attainment
PB ¹	Attainment	Unclassifiable/Attainment

*The national 1-hour O₃ standard was revoked effective June 15, 2005

Source: Technical Appendix A-1, Table 2-2, p. 16

Local Air Quality

The nearest long-term air quality monitoring site in the Project area for Ozone (O₃), Nitrogen Dioxide (NO₂), Particulate Matter ≤10 microns (PM₁₀), and Ultra-Fine Particulates (PM_{2.5}) was obtained from the Mojave Desert Air Quality Management District Victorville-Park Avenue monitoring station, located approximately 3.75 miles southeast of the project site in Victorville.

The most recent 3 years of data available is shown on Table 4.2-3 and identifies the number of days ambient air quality standards were exceeded for the study area, which is considered to be representative of the local air quality at the Project site. Data for O₃, PM₁₀, and PM_{2.5} for 2019 through 2021 was obtained from CARB's iADAM Air Quality Data Statistics. Data for CO and NO₂ for 2019 through 2021 was obtained from CARB's Air Quality and Meteorological Information System (AQMIS). Additionally, data for SO₂ has been omitted as attainment is regularly met from the Victorville Park Avenue Station. (KPC EHS Consultants, 2022a, p. 16).

As show in Table 4.2-3, no areas of the MDAB exceeded federal or state standards for NO₂, SO₂, CO, sulfates, or lead.

Table 4.2-3 Project Area Air Quality Monitoring Summary 2019-2021

Pollutant	Standard	Year		
		2019	2020	2021
Ozone				
Maximum 1-Hour Concentration (ppm)		0.104	0.112	0.112
Maximum 8-Hour Concentration (ppm)		0.081	0.094	0.098
Number of Days Exceeding Federal 1-Hour Standard		0	0	0
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	3	4	8
Number of Days Exceeding Federal 8-Hour Standard	> 0.070 ppm	29	35	34
Number of Days Exceeding State 8-Hour Standard	> 0.070 ppm	34	38	35
Carbon Monoxide (CO)				
Maximum 1-Hour Concentration	> 35 ppm	1.493	1.638	1.458
Nitrogen Dioxide (NO ₂)				
Maximum 1-Hour Concentration	> 0.100 ppm	0.146	0.141	0.139
Number of Days Exceeding State 1-Hour Standard	> 0.18 ppm	0	0	0

Pollutant	Standard	Year		
		2019	2020	2021
Particulate Matter ≤ 10 Microns (PM ₁₀)				
Maximum 24-Hour Concentration (µg/m³)	> 150 µg/m³	96.1	226.5	182.5
Annual Federal Arithmetic Mean (µg/m³)		29	30	32
Number of Days Exceeding Federal 24-Hour Standard	> 150 µg/m³	1.9	1.9	1.9
Particulate Matter ≤ 2.5 Microns (PM _{2.5})				
Maximum Federal 24-Hour Concentration (µg/m³)	> 35 µg/m³	17.8	48.4	87.1
Maximum State 24-Hour Concentration (µg/m³)		20.0	48.7	87.1
Annual Federal Arithmetic Mean (µg/m³)		7.9	8.2	9.0
Annual State Arithmetic Mean (µg/m³)		9	10	10
Number of Samples Exceeding Federal 24-Hour Standard	> 35 µg/m³	0	4	1

Source: Technical Appendix A-1, Table 2-3

4.2.5 Methodology

California Emissions Estimator Model (CalEEMod)

The SCAQMD in conjunction with the California Air Pollution Control Officers Association (CAPCOA) and other California air districts, released the latest version of the California Emissions Estimator Model (CalEEMod) version 2022.1.1.6. The purpose of this model is to calculate construction and operational-source criteria pollutant (NO_x, VOC, PM₁₀, PM_{2.5}, SO_x, and CO) and greenhouse gas (GHG) emissions from direct and indirect sources; and quantify applicable air quality and GHG reductions achieved from mitigation measures. Accordingly, the latest version of CalEEMod has been used for this Project to determine construction, operational air quality, and GHG emissions. Datasheet outputs from the model runs for construction and operations are provided in Appendix A of the Air Quality Impact Analysis (Technical Appendix A-1, p. 25).

Methodology for Calculating Project Construction Emissions

Construction activities associated with the Project will result in emissions of CO, VOCs, NO_x, SO_x, PM₁₀, and PM_{2.5}. Construction related emissions are expected from the following construction activities:

- Site Preparation
- Grading
- Building Construction
- Paving
- Architectural Coating
- Materials Deliveries and Construction Workers Commuting

Construction is expected to commence in September 2023 and will last through September 2024, approximately 13 months. Construction duration by CalEEMod phase is shown in [Table 4.2-4](#). The construction schedule utilized in the analysis represents a “worst-case” analysis scenario should construction occur any time after the respective dates since emission factors for construction decrease as time passes and the analysis year increases due to emission regulations becoming more stringent.¹² The duration of construction activity and associated equipment represents a reasonable approximation of the expected construction fleet as required per CEQA guidelines. Site specific construction fleet may vary due to specific project needs at the time of construction. The duration of construction activity was based on an estimated

12 As shown in the California Emissions Estimator Model (CalEEMod) User’s Guide Version 2020.4.0, Section 4.3 “OFFROAD Equipment” as the analysis year increases, emission factors for the same equipment pieces decrease due to the natural turnover of older equipment being replaced by newer less polluting equipment and new regulatory requirements.

schedule for the various construction phases from the Project applicant and a scheduled 2024 opening year. The associated construction equipment was based on CalEEMod 2022.1.1.6 defaults and is shown in Table 4.2-5. The construction schedule represents a “worst-case” analysis scenario because emission factors for construction decrease as time passes and the analysis year increases due to emission regulations becoming more stringent; thus, if Project construction takes place at a later date, the level of emissions would be less than what is disclosed herein. The duration of construction activity and associated equipment represents a reasonable approximation of the expected construction fleet. The duration of construction activity was based on information provided by the Project Applicant, CalEEMod defaults, and the 2024 opening year. (Technical Appendix A-1, p. 25)

Site-specific construction fleet may vary due to specific project needs at the time of construction. The associated construction equipment was generally based on CalEEMod defaults. A detailed summary of construction equipment assumptions by phase. Please refer to specific detailed modeling inputs/outputs contained in Appendix A of the Project’s AQIA (Technical Appendix A-1).

Table 4.2-4 Construction Duration by CalEEMod Phases

Phase Name	Start Date	End Date	Days
Site Preparation	09/01/2023	10/12/2023	30
Grading	10/13/2023	12/23/2023	51
Building Construction	12/23/2023	09/30/2024	201
Paving	06/01/2024	09/30/2024	86
Architectural Coatings	06/01/2024	09/30/2024	86

Table 4.2-5 Construction Equipment by CalEEMod Phases

Activity	Equipment	Number	Hours Per Day
Site Preparation	Rubber Tired Dozers	3	8
	Tractors/Loaders/Backhoes	4	8
Graders	Excavators	2	8
	Graders	1	8
	Rubber Tired Dozers	1	8
	Scrapers	2	8
	Tractors/Loaders/Backhoes	2	8
Building Construction	Cranes	1	7
	Forklifts	3	8
	Generator Sets	1	8
	Tractors/Loaders/Backhoes	3	7
	Welders	1	8
Paving	Pavers	2	8
	Paving Equipment	2	8
	Rollers	2	8
Architectural Coating	Air Compressors	1	6

Methodology for Calculating Project Operational Emissions

Operational activities associated with the proposed Project will result in emissions of VOC, NO_x, CO, SO_x, PM₁₀, and PM_{2.5}. Operational emissions would be expected from the following primary sources:

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

Area source emissions include emissions from architectural coatings, consumer products, and landscape maintenance equipment. Energy source emissions include emissions associated with the combustion of natural gas and electricity. Mobile sources emissions include Project-related traffic, including both passenger vehicles and large trucks, and were calculated based on the results of the Project's Traffic Assessment (EIR Technical Appendix H-1). On-site equipment emissions include the operation of exterior cargo handling equipment in the building's truck loading/unloading areas. The most common type of cargo handling equipment is the yard truck which is designed for moving cargo containers. Yard trucks are also known as yard goats, utility tractors (UTRs), hustlers, yard hostlers, and yard tractors. Yard trucks have a horsepower (hp) range of approximately 175 hp to 200 hp. Based on surveys conducted by the SCAQMD; high-cube warehouse projects typically have 3.6-yard trucks per million square feet of building space. For the Project, on-site modeled operational equipment includes four 200 hp yard tractors operating at 8 hours a day for 365 days of the year. Emissions for the UTRs were modeling with CalEEMod using the operational offroad equipment 100 horsepower (hp), tractors/loaders/backhoes. (Technical Appendix A-1, p. 29)

In addition to the use of UTRs operating at the Project site, forklifts and pallet jacks are also common pieces of equipment used in warehouse operations. Using the SCAQMD's study on high-cube warehouses forklifts/pallet jacks are based on 0.12 per 1,000 square feet of building area, therefore the Project includes 120 forklifts/pallet jacks operating at 8 hours a day for 365 days of the year interior to the building. For purposes of the AQA forklifts and pallet jacks are assumed to be electric consistent with industry standards. (Technical Appendix A-1, p. 29)

To account for the operations of TRUs on-site the number of refrigerated trucks/trailers was estimated using the Traffic Study and Vehicle Miles Traveled (VMT) Screening Memo (Technical Appendix H-2). According to the Memo's Trip Generation Table the average daily trips for the Cold Storage portion of the building would be approximately 97 trucks per day. For determining emissions from the TRUs they were estimated to be 50 horsepower (HP) units operating on diesel fuel for a period of 4 hours on-site. The 4-hour operational time is a worse-case scenario as typical TRUs range from 9 to 36 horsepower,¹³ and emissions can be substantially reduced through the implementation of PDF-AQ-6, which requires installation of electrical plugs for electric transport units at each dock door servicing the Cold Storage portion of the Project (Technical Appendix A-1, p. 28).

The MDAQMD has developed regional significance thresholds for regulated pollutants, shown below in Table 4.2-6 below. The MDAQMD's CEQA and Federal Conformity Guidelines (February 2020) indicate that any projects in the MDAB with daily regional emissions that exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact. (KPC EHS Consultants, 2022a, p. 24)

Table 4.2-6 Maximum Daily Regional Emissions Thresholds

Criteria Pollutant	Annual Threshold (short tons)	Daily Threshold (pounds)
Greenhouse Gases (CO ₂ e)	100,000	548,000
Carbon Monoxide (CO)	100	548
Oxides of Nitrogen (NO _x)	25	137
Volatile Organic Compounds (VOC)	25	137
Oxides of Sulfur (SO _x)	25	137
Particulate Matter (PM ₁₀)	15	82
Particulate Matter (PM _{2.5})	12	65
Hydrogen Sulfide (H ₂ S)	10	54
Lead (Pb)	0.6	3

13 California Air Resources Board (CARB) Transport Refrigeration Unit retrieved November 23, ,2022 from:
<https://ww2.arb.ca.gov/our-work/programs/transport-refrigeration-unit/about>

Health Risk Assessment (HRA) Methodology

The MDAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines (February 2020) identifies certain projects including industrial projects located within 1,000 feet, or a distribution center (40 or more trucks per day) within 1,000 feet of sensitive receptor land uses (residences, schools, daycare centers, playgrounds, and medical facilities are considered sensitive receptor land uses), are required to evaluate the potential exposure of sensitive receptors to substantial pollutant concentration, including those resulting in a cancer risk greater than or equal to 10 in 1 million and/or a Hazard Index (HI) (non-cancerous) greater than or equal to 1.

With respect to health risks, the MDAQMD has established an incidence rate of 10 persons per million as the maximum acceptable incremental cancer risk due to DPM exposure from a project such as the proposed Project. This threshold serves to determine whether a given project has a potentially significant development-specific and cumulatively considerable impact. The MDAQMD also has established non-carcinogenic risk parameters for use in HRAs. Non-carcinogenic risks are quantified by calculating a “hazard index,” expressed as the ratio between the ambient pollutant concentration and its toxicity or Reference Exposure Level (REL). An REL is a concentration at, or below which health effects are not likely to occur. A hazard index less of than 1.0 means that adverse health effects are not expected. Non-carcinogenic exposures of less than 1.0 are considered less-than-significant. Both the cancer risk and non-carcinogenic risk thresholds are applied to the nearest sensitive receptors. (Technical Appendix A-2, p. 5)

The Project’s HRA, which is included as Technical Appendix A-2, has been prepared by Urban Crossroads in accordance with the relevant documentation available including Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis and is composed of all relevant and appropriate procedures presented by the United States Environmental Protection Agency (EPA), Cal EPA, and MDAQMD. The Project’s HRA is based on applicable guidelines to produce conservative estimates of human health risk posed by exposure to DPM. The conservative nature of this analysis is due primarily to the following factors: Technical Appendix A-2, pp. 5, 9)

- The CARB-adopted diesel exhaust Unit Risk Factor (URF) of 300 in one million per $\mu\text{g}/\text{m}^3$ is based upon the upper 95th percentile of estimated risk for each of the epidemiological studies utilized to develop the URF. Using the 95th percentile URF represents a very conservative (health-protective) risk posed by DPM because it represents breathing rates that are high for the human body (95% higher than the average population). (Urban Crossroads, 2023a, p. 9)
- The emissions derived assume that every truck accessing the Project site will idle for 15 minutes under the unmitigated scenario, and this is an overestimation of actual idling times and thus conservative. The California Air Resources Board (CARB’s) anti-idling requirements impose a 5-minute maximum idling time and therefore the analysis conservatively overestimates DPM emissions from idling by a factor of three. (Technical Appendix A-2, p. 9)

Toxic Air Contaminant (TAC) emissions were calculated using the following models: CARB’s California Emissions Factor Model, Version 2021 (EMFAC2021) for vehicle DPM PM_{10} emissions, the United States Environmental Protection Agency’s (EPA) AERMOD air dispersion model to determine DPM concentrations by estimating source specific inputs, MDAQMD’s thresholds for emissions of TACs which are considered significant risk, and OHHEA’s Reference Exposure Level (REL) for an evaluation of the potential noncarcinogenic effects of chronic exposures. Refer to Section 2 of the Project’s Health Risk Assessment (Technical Appendix A-2) for a detailed description of HRA methodologies and for the model inputs and equations used in the estimation of the Project-related TAC emissions (Urban Crossroads, 2022a, pp. 9-22).

For long-term operational emissions, each roadway was modeled as a line source (made up of multiple adjacent volume sources). The modeled emission sources associated with Project operations are illustrated on [Figure 4.2-1, Modeled On-Site Emissions Sources](#), and [Figure 4.2-2, Modeled Off-Site Emissions Sources](#). The modeled truck travel routes included in the HRA are based on the truck trip distributions (inbound and outbound) available from the Project's Traffic Assessment appended to this EIR as Technical Appendix H-1. The modeled truck route is consistent with the trip distribution patterns identified in Technical Appendix H-1 is supported by substantial evidence and was modeled to determine the potential impacts to sensitive receptors along the primary truck routes. The modeling domain is limited to the Project's primary truck route and includes off-site sources in the study area for more than three-quarters mile. This modeling domain is more inclusive and conservative than using only a one-quarter-mile modeling domain which is the distance supported by several reputable studies which conclude that the greatest potential risks occur within a quarter mile of the primary source of emissions (in the case of the Project, the primary source of emissions is the on-site idling and travel). (Technical Appendix A-2, p. 13)

Refer to Section 2 of the Project's HRA (Technical Appendix A-2) for a detailed description of methodologies and for the model inputs and equations used in the estimation of the Project-related TAC emissions.

Sensitive Receptors

Receptors in the Project study area are described below and shown in [Figure 4.2-3, Sensitive Receptor Locations](#). Modeled sensitive receptors were placed at residential and non-residential locations. Receptors may be placed at applicable structure locations for residential and worker property and not necessarily the boundaries of the properties containing these uses because the human receptors (residents and workers) spend a majority of their time at the residence or in the workplace's building, and not on the property line. It should be noted that the primary purpose of receptor placement is focused on long-term exposure. For example, the HRA evaluates the potential health risks to residents and workers over a period of 30 or 25 years of exposure, respectively. Notwithstanding, as a conservative measure, receptors were placed at either the outdoor living area or the building façade, whichever is closer to the Project site.

For purposes of this HRA, receptors include residential, school, and worker land uses in the vicinity of the Project. These receptors are included in the HRA since residents and workers may be exposed at these locations over a long-term duration of 30, 9, and 25 years, respectively. This methodology is consistent with MDAQMD and OEHHA recommended guidance. (Urban Crossroads, 2023a, p. 18)

- R1: Location R1 represents the existing residence, approximately 4,079 feet west of the Project site. R1 is placed at the private outdoor living area (backyard) facing the Project site.
- R2: Location R2 represents the school child receptors at the Melva Davis Academy of Excellence, approximately 2,980 feet northeast of the Project site.
- R3: Location R3 represents the existing residence, approximately 2,671 feet east of the Project site. R3 is placed at the private outdoor living area (backyard) facing the Project site.
- R4: Location R4 represents the sensitive residence at 13008 Vista Abajo Way, approximately 1,998 feet southeast of the Project site. R4 is placed at the private outdoor living area (backyard) facing the Project site.
- R5: Location R5 represents the sensitive residence at 12634 Alveda Street, approximately 135 feet south of the Project site.
- R6: Location R6 represents the sensitive residence, approximately 807 feet south of the Project site. R6 is placed at the private outdoor living area (backyard) facing the Project site.
- R7: Location R7 represents the potential worker receptors, approximately 12,003 feet southeast of the Project site.

Figure 4.2-1 Modeled On-Site Emissions Sources

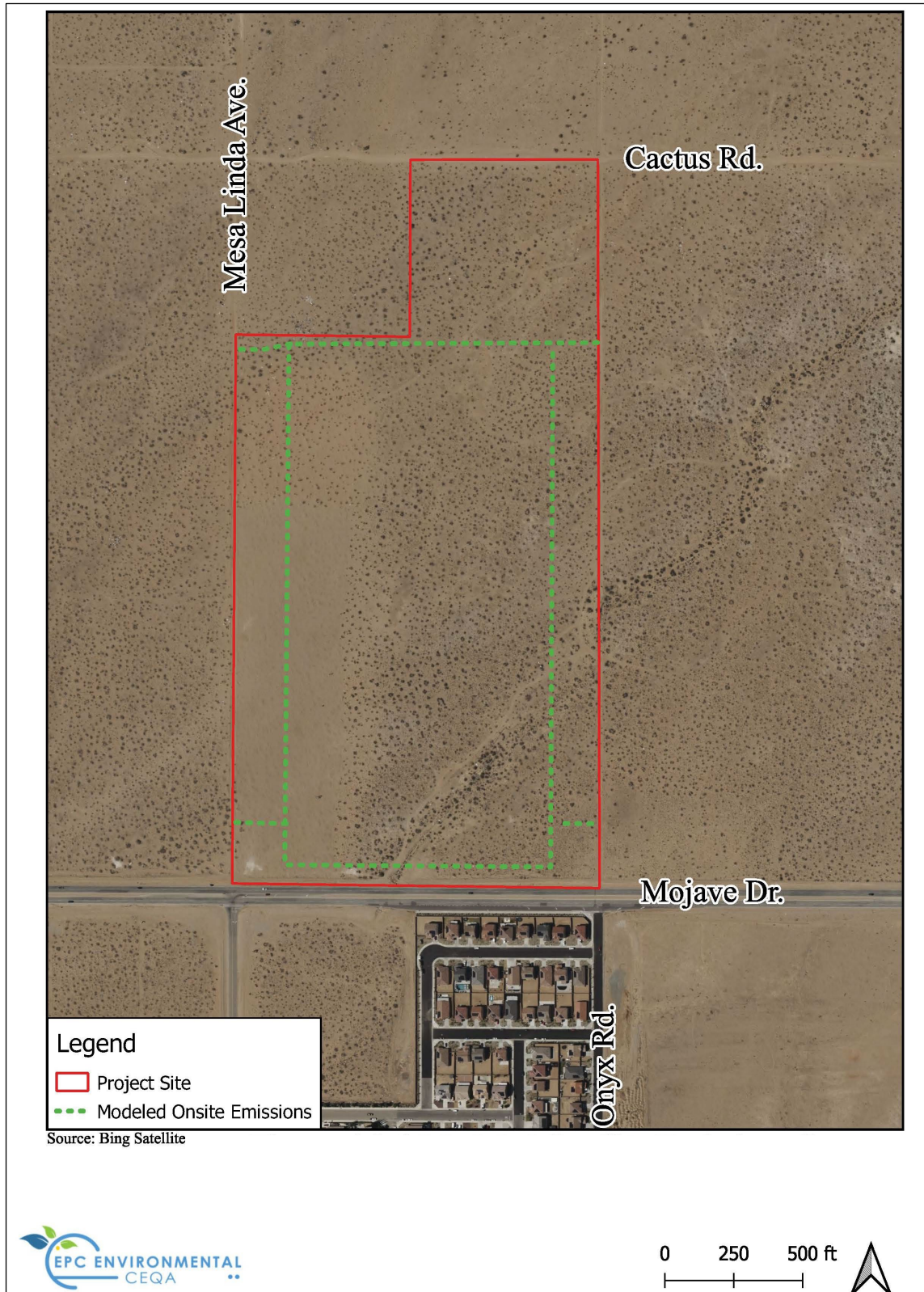


Figure 4.2-2 Modeled Off-Site Emissions Sources

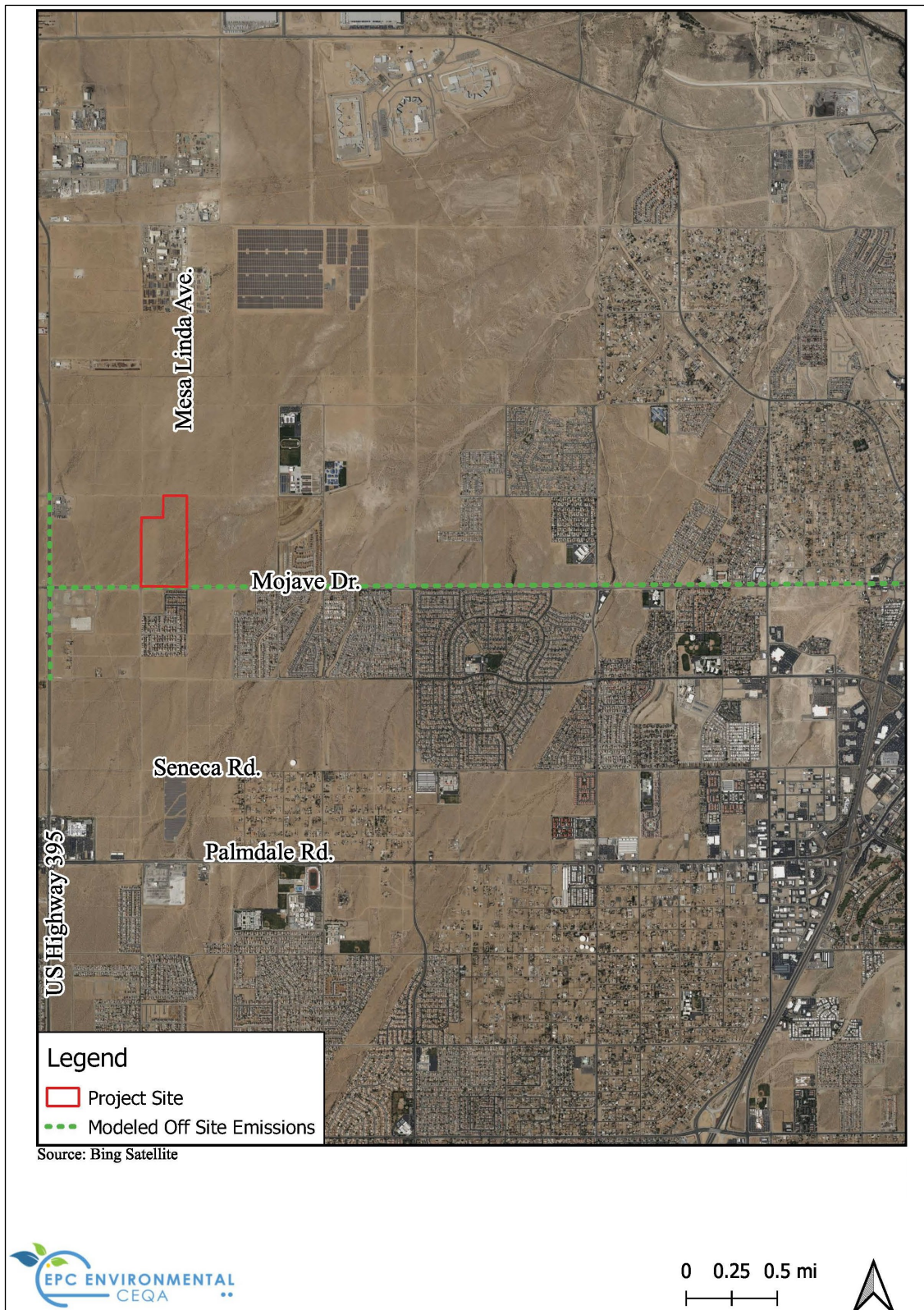
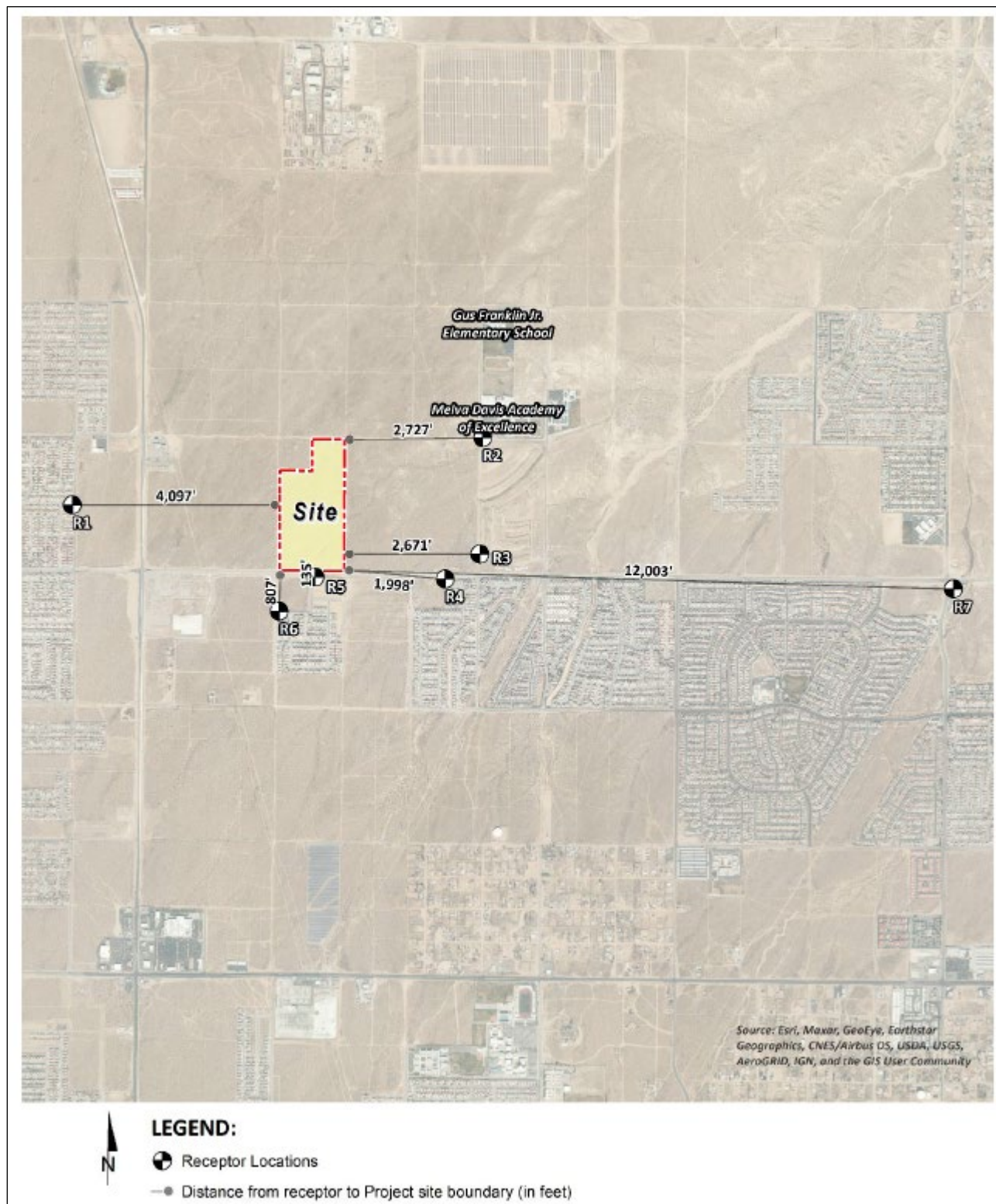


Figure 4.2-3 Sensitive Receptor Locations



4.2.6 Thresholds of Significance

Section III of Appendix G to the CEQA Guidelines addresses typical adverse effects due to air quality and includes the following threshold questions to evaluate the Project's impacts to air quality.

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

4.2.7 Impacts Analysis

Threshold 4.3 (a). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			✓	

Discussion

Applicable Regulations

The Federal Particulate Matter Attainment Plan and Ozone Attainment Plan for the Mojave Desert set forth a comprehensive set of programs that will lead the MDAB into compliance with federal and state air quality standards. The control measures and related emission reduction estimates within the Federal Particulate Matter Attainment Plan and Ozone Attainment Plan are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with these attainment plans for development projects is determined by demonstrating compliance with 1) local land use plans and/or population projections, 2) all MDAQMD Rules and Regulations; and 3) demonstrating that the project will not increase the frequency or severity of a violation in the federal or state ambient air quality standards.

Consistency Criterion No. 1 – Local Land Use Plan and/or Population Projections

The City of Victorville General Plan land use designation for the Project site is Light Industrial (LI). The LI land use designation is characterized by industrial development either located in industrial and/or business parks or in mixed industrial/business park use areas. The Project applicant proposes land uses that are consistent with development anticipated under the site's existing General Plan industrial land use designation. Additionally, the Project site is within the M-1 (Light Industrial) zoning district. The M-1 district is intended to provide appropriately located areas for the establishment of industrial uses and directly related activities which will foster a mutually beneficial and compatible pattern of industrial land uses. A warehouse/distribution facility is permitted by right land use on the M-1 district subject to approval of a Site Plan. The Project would therefore conform to local land use plans. (Technical Appendix A-1, p. 31)

Consistency Criterion No. 2 – All MDAQMD Rules and Regulations

The Project would be required to comply with all applicable MDAQMD Rules and Regulations, including, but not limited to, Rules 401 (Visible Emissions), 402 (Nuisance), and 403 (Fugitive Dust Control. As stated above, the Project also would be required to comply with MDAQMD Rule 1113 (Architectural Coatings). Because the Project would not conflict with any MDAQMD rules or regulations, the Project would meet consistency criterion No. 2. (Technical Appendix A-1, p. 31)

Consistency Criterion No. 3 – Demonstrating That the Project Will Not Increase the Frequency or Severity of a Violation in the Federal or State Ambient Air Quality Standards

As discussed in detail under the analysis of Threshold b., below, Project construction and operational-source emissions would not exceed applicable MDAQMD regional thresholds. As such, the Project would not have the potential to increase the frequency or severity of a violation in the federal or state ambient air quality for on-going project operations. (Technical Appendix A-1, p. 32)

Level of Significance

Project is consistent with the applicable air quality plan, and impacts would therefore be **less than significant**.

Mitigation Measures

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

Threshold 4.3 (b). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			✓	

Discussion

As indicated in Table 4.2-2, Attainment Status of Criteria Pollutants in the MDAB, the MDAB is currently designated as nonattainment under federal standards for ozone (8-hour standard) and PM₁₀ and is classified as nonattainment under state standards for ozone (1-hour and 8-hour standards) and PM₁₀. Provided below is an analysis of the Project's potential to exceed the MDAQMD regional thresholds of significance (Table 4.2-6, Maximum Daily Regional Emissions Thresholds) during both construction and long-term operation.

Construction Emissions Impact Analysis

Construction activities associated with the Project will result in emissions of CO, VOCs, NO_x, SO_x, PM₁₀, and PM_{2.5}. Construction related emissions are expected from the following construction activities:

- Site Preparation
- Grading
- Building Construction
- Paving
- Architectural Coating
- Materials Deliveries and Construction Workers Commuting

Construction is expected to commence in September 2023 and will last through September 2024, approximately 13 months. Construction duration by phase is shown on [Table 4.2-4](#) above. The construction schedule utilized in the analysis represents a “worst-case” analysis scenario should construction occur any time after the respective dates since emission factors for construction decrease as time passes and the analysis year increases due to emission regulations becoming more stringent.¹⁴ The duration of construction activity and associated equipment represents a reasonable approximation of the expected construction fleet as required per CEQA guidelines. Site specific construction fleet may vary due to specific project needs at the time of construction. The duration of construction activity was based on an estimated schedule for the various construction phases from the Project applicant and a scheduled 2024 opening year. The associated construction equipment was based on CalEEMod 2020.4.0 defaults. Please refer to specific detailed modeling inputs/outputs contained in Appendix A of this analysis. A summary of construction equipment assumptions by phase is provided at [Table 4.2-5](#).

Dust is typically a major concern during rough grading activities. Because such emissions are not amenable to collection and discharge through a controlled source, they are called “fugitive emissions.” Fugitive dust emissions rates vary as a function of many parameters (e.g., soil silt, soil moisture, wind speed, area disturbed, number of vehicles, depth of disturbance or excavation). CalEEMod was utilized to calculate fugitive dust emissions resulting from this phase of activity.

Construction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips (construction materials delivered to the Project site) were estimated based on information CalEEMod model defaults.

Construction Emissions Summary

MDAQMD Rules that are currently applicable during construction activity for this Project include but are not limited to: Rule 1113 (Architectural Coatings) and Rule 403 (Fugitive Dust). It should be noted that Best Available Control Measures (BACMs) are not mitigation as they are standard regulatory requirements.

¹⁴ As shown in the California Emissions Estimator Model (CalEEMod) User’s Guide Version 2020.4.0, Section 4.3 “OFFROAD Equipment” as the analysis year increases, emission factors for the same equipment pieces decrease due to the natural turnover of older equipment being replaced by newer less polluting equipment and new regulatory requirements.

Table 4.2-7 Construction Emissions Summary (Without Mitigation)

Year	Emissions (pounds per day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
2023	7.74	59.0	79.1	0.13	21.7	11.8
2024	67.1	29.0	77.8	0.08	9.90	3.08
Maximum Daily Emissions	67.1	59.0	79.1	0.13	21.7	11.8
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	No	No	No	No	No	No

Operational Emissions Impact Analysis

Operational activities associated with the proposed Project will result in emissions of VOC, NO_x, CO, SO_x, PM₁₀, and PM_{2.5}. Operational emissions would be expected from the following primary sources:

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

Area Source Emissions

- [Architectural Coatings](#) – Over a period of time the buildings that are part of this Project will be subject to emissions resulting from the evaporation of solvents contained in paints, varnishes, primers, and other surface coatings as part of Project maintenance. The emissions associated with architectural coatings were calculated using the CalEEMod model.
- [Consumer Products](#) – Consumer products include, but are not limited to detergents, cleaning compounds, polishes, personal care products, and lawn and garden products. Many of these products contain organic compounds which when released in the atmosphere can react to form ozone and other photochemically reactive pollutants. The emissions associated with use of consumer products were calculated based on assumptions provided in the CalEEMod model. In the case of the commercial uses proposed by the Project, no substantive on-site use of consumer products is anticipated.
- [Landscape Maintenance Equipment](#) – Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the Project. The emissions associated with landscape maintenance equipment were calculated based on assumptions provided in the CalEEMod model.

Energy Source Emissions

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

Mobile Source Emissions

- [Vehicles](#) – Project-related operational air quality impacts derive primarily from vehicle trips generated by the Project. CalEEMod default trip characteristics for operational truck and passenger vehicle totals were used to calculate emissions.
- [Fugitive Dust Related to Vehicular Travel](#) – Vehicles traveling on paved roads would be a source of fugitive emissions due to the generation of road dust inclusive of tire wear particulates. The emissions estimates for travel on paved roads were calculated using the CalEEMod model.

Transport Refrigeration Units (TRU)

Transport Refrigeration Units (TRU) are refrigeration systems powered by diesel internal combustion engines (ICEs) designed to refrigerate or heat perishable products that are transported in various containers, including vans, trucks, semi-truck trailers, and shipping containers.

To account for the operations of TRUs on-site the number of refrigerated trucks/trailers was estimated using the Traffic Study and Vehicle Miles Traveled (VMT) Screening Memo from David Evans and Associates, dated September 26, 2022. According to the Memo's Trip Generation Table the average daily trips for the Cold Storage portion of the building would be approximately 97 trucks per day. For determining emissions from the TRUs they were estimated to be 50 horsepower (HP) units operating on diesel fuel for a period of 4 hours on-site. The 4-hour operational time is a worse-case scenario as typical TRUs range from 9 to 36 horsepower,¹⁵ and emissions can be substantially reduced through the implementation of MM-AQ-6, which requires installation of electrical plugs for electric transport units at each dock door servicing the Cold Storage portion of the Project.

To calculate the emissions for the TRUs the CARB EMFAC OFFROAD2021 (v1.0.3) was used to obtain emissions factors and multiplied by the daily number of trucks and the estimated hours of on-site operation. The output table for emissions factors is included as Appendix C.

On-Site Equipment Emissions

Industrial warehouse projects commonly require cargo handling equipment (CHE) to move empty containers and empty chassis to and from the various pieces of cargo handling equipment that receive and distribute containers. The most common type of cargo handling equipment is the yard truck which is designed for moving cargo containers. Yard trucks are also known as yard goats, utility tractors (UTRs), hustlers, yard hostlers, and yard tractors. Yard trucks have a horsepower (hp) range of approximately 175 hp to 200 hp. Based on surveys conducted by the SCAQMD; high-cube warehouse projects typically have 3.6-yard trucks per million square feet of building space. For the Project, on-site modeled operational equipment includes four 200-hp yard tractors operating at 8 hours a day for 365 days of the year. In addition to the use of yard trucks operating at the Project site, forklifts and pallet jacks are common pieces of equipment used in warehouse operations. As part of the Project's design, all on-site outdoor CHE (including yard trucks, hostlers, yard goats), will be powered by diesel while all forklift and pallet jacks will be electric powered. Using the CalEEMod program the emissions from UTRs were calculated using the Other General Industrial Equipment, operating at 200 HP on diesel. Using the SCAQMD's study on high-cube warehouses forklifts/pallet jacks are based on 0.12 per 1,000 square feet of building area, therefore the Project includes 120 forklifts/pallet jacks

15 California Air Resources Board (CARB) Transport Refrigeration Unit retrieved November 23, 2022 from: <https://ww2.arb.ca.gov/our-work/programs/transport-refrigeration-unit/about>.

operating at 8 hours a day for 365 days of the year interior to the building. For purposes of the AQA forklifts and pallet jacks are assumed to be electric consistent with industry standards.

Operational Emissions Summary

Operational-source emissions are summarized on Table 4.2-8. Detailed operational model outputs are presented in Technical Appendix A-1.

Table 4.2-8 Summary of Peak Operational Emissions

Operational Activities	Emissions (pounds per day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
Area Source	32.8	<0.01	0.17	<0.01	<0.01	<0.01
Energy Source	0.34	3.43	2.88	0.02	0.46	0.46
Mobile	11.1	16.19	36.63	0.15	6.84	1.79
UTRs/Forklifts/Pallet Jacks	0.94	8.21	5.64	0.02	0.25	0.25
TRU	1.52	1.24	0.20	<0.01	0.03	0.03
Total Maximum Daily Emissions	46.7	29.08	45.52	0.21	7.59	2.64
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	No	No	No	No	No	No
Winter						
Area Source	25.0	<0.01	<0.01	<0.01	<0.01	<0.01
Energy Source	0.34	6.11	5.13	0.04	0.46	0.46
Mobile	9.40	6.28	42.3	0.08	6.84	1.79
UTRs/Forklifts/Pallet Jacks	0.94	8.21	5.64	0.02	0.25	0.25
TRU	1.52	1.24	0.20	<0.01	0.03	0.03
Total Maximum Daily Emissions	37.2	21.85	53.28	0.16	7.59	2.54
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	No	No	No	No	No	No

Level of Significance

Project will not 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, and impacts would therefore be less than significant.

Mitigation Measures

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

Threshold 4.3 (c). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) Would the Project expose sensitive receptors to substantial pollutant concentrations?			✓	

Discussion

During construction and operation, the Project has the potential to expose nearby sensitive receptors to substantial pollutant concentrations. The following provides an analysis of the Project’s potential to result in or contribute to CO “hot spots,” and an analysis of the Project’s potential to result in cancer risks and non-cancer health hazards.

CO Hot Spot Impact Analysis

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

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

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

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

The project would be approximately 0.5 miles to State Highway 395 as the major traffic route. As shown in 2020 Traffic Volumes on California State Highways (Caltrans 2020), average daily trips (ADT) are 22,700 on State Highway 395. According to the Traffic Study Scope and Vehicle Miles Traveled (VMT) Screening Memorandum (Technical Appendix H-2), the Project would generate 1,696 average daily trips on weekdays, which is nominal representing an approximately 7.5 % increase compared to traffic on State Highway 395. Therefore, the project would not contribute a significant increase in traffic to the adjacent roadways and would not cause an impact to intersection operations.

Given the extremely low level of CO concentrations in the project area and no project-traffic related impacts at any intersections, project-related vehicle emissions are not expected to result in the CO concentrations exceeding the state or federal CO standards. (KPC EHS Consultants, 2022a. pp. 30-31)

Toxic Air Contaminants Impact Analysis

The Project is located approximately 350 feet north as measured from the nearest dock door to the property line of the nearest residential property located on the south side of Mojave Drive. As stated in City of Victorville General Plan Update EIR, September 2022, AIR-2 is intended to reduce TAC impacts by requiring some future projects under the General Plan Update to prepare a Health Risk Assessment to demonstrate that the project would not pose a significant health risk to nearby sensitive receptors.

AIR-2 Health Risk Assessment. A Health Risk Assessment shall be prepared by a qualified air quality professional for future projects that would generate toxic air contaminants (such as diesel particulate matter) in the General Plan Update Planning Area or that would locate a new sensitive receptor within the following screening-level distances identified in the Mojave Desert Air Quality Management District CEQA and Federal Conformity Guidelines (2020): any industrial project within 1,000 feet; a distribution center (40 or more trucks per day) within 1,000 feet; a major transportation project within 1,000 feet; a dry cleaner using perchloroethylene within 500 feet; and a gasoline dispensing facility within 300 feet. A project shall not be considered for approval until a Health Risk Assessment has been completed and approved by the MDAQMD. The methodology for the Health Risk Assessment shall follow the Office of Environmental Health Hazard Assessment guidelines for the preparation of Health Risk Assessments. If a potentially significant health risk is identified, the Health Risk Assessment shall identify appropriate measures, such as upgrading building ventilation systems, to reduce the potential health risk to below a significant level, or the sensitive receptor or proposed facility shall be sited in another location.

In compliance with the General Plan Update EIR AIR-2, a Project-specific HRA was prepared for the Project based on MDAQMD guidelines to produce conservative estimates of risk posed by exposure to DPM. The Project's HRA is included as Technical Appendix A-2 to this EIR. Refer to Section 2 of the Project's HRA for a discussion of the recommended methodology, emissions estimation, exposure quantification, carcinogenic chemical risk, and non-carcinogenic exposure used as inputs to the analysis. Provided below is a summary of the results of the HRA for the Maximally Exposed Individual Receptor (MEIR), Maximally Exposed Individual Worker (MEIW), and Maximally Exposed Individual School Child (MEISC) during both construction and long-term operation.

Construction Impacts

The land use with the greatest potential exposure to Project construction DPM source emissions is Location R5 (refer to [Figure 4.2-3, Sensitive Receptor Locations](#)), which is located approximately 135 feet south of the Project site at an existing residence located at 12634 Alveda Street. R5 is placed at the private outdoor living area (backyard) facing the Project site. At the Maximally Exposed Individual Receptor (MEIR), the maximum incremental cancer risk attributable to Project construction DPM source emissions is estimated at 2.05 in one million, which is less than the MDAQMD's significance threshold of 10 in 1 million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. As such, the Project would not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction activity. All other receptors during construction activity would experience less risk than what is identified for this location. Accordingly, impacts would be less than significant. (Technical Appendix A-2, pp. 1, 20, 21)

Operational Impacts

- **Residential Exposure Scenario** – The residential land use with the greatest potential exposure to Project DPM source emissions is Location R4 (refer to [Figure 4.2-3, Sensitive Receptor Locations](#)), which is located approximately 1,998 feet southeast of the Project site at an existing residence located at 13008 Vista Abajo Way. Location R4 is placed in the private outdoor living areas (backyard) facing the Project site. At the MEIR, the maximum incremental cancer risk attributable to Project DPM source emissions is estimated at 1.09 in 1 million, which is less than the MDAQMD's significance threshold of 10 in 1 million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. Because all other modeled residential receptors are exposed to lesser concentrations and are located at a greater distance from the Project site and primary truck route than the MEIR analyzed herein, and TACs generally dissipate with distance from the source, all other residential receptors in the vicinity of the Project site would be exposed to less emissions and therefore less risk than the MEIR identified herein. As such, the Project would not cause a significant human health or cancer risk to nearby residences, and impacts would be less than significant. (Technical Appendix A-2, p. 22)
- **Worker Exposure Scenario**¹⁶ – The worker receptor land use with the greatest potential exposure to Project DPM source emissions is Location R7, which represents the potential worker receptor approximately 12,003 feet southeast of the Project site. At the MEIW, the maximum incremental cancer risk impact is 0.09 in 1 million which is less than the MDAQMD's threshold of 10 in 1 million. Maximum non-cancer risks at this same location were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. Because all other modeled worker receptors are located at a greater distance than the MEIW analyzed herein, and DPM dissipates with distance from the source, all other worker receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIW identified herein. As such, the Project would not cause a significant human health or cancer risk to nearby workers, and impacts would be less than significant. (Urban Crossroads, 2023a p. 21)
- **School Child Exposure Scenario** – The nearest school is Melva Davis Academy of Excellence, located approximately 2,980 feet northeast of the Project site. At the maximally exposed individual school child (MEISC), the maximum incremental cancer risk impact attributable to the Project is calculated to be 0.04 in 1 million, which is less than the significance threshold of 10 in one million. At this same location, non-cancer risks attributable to the Project were calculated to be <0.01, which would not exceed the applicable significance threshold of 1.0. All other school receptors would be exposed to lower concentrations of TACs and therefore less risk than the MEISC identified herein. As such, the Project will not cause a significant human health or cancer risk to nearby school children, and impacts would be less than significant. (Technical Appendix A-2, p. 22)

16 Mojave Desert AQMD guidance does not require assessment of the potential health risk to on-site workers. Excerpts from the document OEHHA Air Toxics Hot Spots Program Risk Assessment Guidelines – The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act) / CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

Conclusion – Toxic Air Contaminants

The land use with the greatest potential exposure to Project construction and operational DPM source emissions is Location R5. At the MEIR, the maximum incremental cancer risk attributable to Project construction and operational DPM source emissions is estimated at 2.51 in 1 million, which is less than the threshold of 10 in 1 million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. As such, the Project would not cause a significant human health or cancer risk to nearby land uses as a result of Project construction and operational activity. All other receptors during construction and operational activity would experience less risk than what is identified for this location. The nearest modeled receptors are illustrated on [Figure 4.2-3, Sensitive Receptor Locations](#). Therefore, Project impacts due to TACs would be less than significant.

Although the levels of toxic air contaminant emissions are below the exposure limits set forth the MDAQMD, the Project Applicant has voluntarily agreed to incorporate the following measures from the California Attorney General's Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act. To ensure a conservative disclosure of Project impacts, no reductions in impacts have been assumed due to the incorporation of these Project Design Features.

PDF AQ-1: The Project Applicant/Developer/Operator shall post both interior and exterior facing signs, including signs directed at all dock and delivery areas, identifying idling restrictions and contact information to report violations to CARB, MDAQMD, and the building manager.

PDF AQ-2: During Project grading operations, Project contractors shall limit the amount of daily grading disturbance area to not exceed the assumptions specified in the Draft EIR Air Quality Impact Analysis.

PDF AQ-3: Project construction plans and specifications shall require on-road heavy-duty haul trucks to be model year 2010 or newer if diesel-fueled, if such equipment is widely available and economically feasible.

PDF AQ-4: The Project shall provide electrical hook ups to the power grid, rather than use diesel-fueled generators, for electric construction tools, such as saws, drills and compressors, and shall use electric tools whenever feasible.

PDF AQ-5: The construction plans and specifications shall prohibit off-road diesel-powered construction equipment from being in the "on" position for more than 10 hours per day during Project construction.

PDF AQ-6: During Project construction, the Project contractors shall keep all equipment maintenance records and data sheets, including design specifications and emission control tier classifications, onsite or at the contractor's office and shall furnish documents to the Lead Agency or other regulators, upon request.

PDF AQ-7: The Project Applicant/Developer shall provide information on transit and ridesharing programs and services to construction employees.

PDF AQ-8: The Project Applicant/Developer shall provide meal options onsite or shuttles between the construction site and nearby meal destinations for construction employees.

PDF AQ-9: The Project Applicant/Developer/Tenant shall require that all facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site meet or exceed 2010 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Facility operators which own vehicles subject to Section 2025 shall maintain records on-site demonstrating compliance with

this requirement and shall make records available for inspection by the local jurisdiction, air district, and state upon request.

PDF AQ-10: The Project Applicant/Developer/Tenant shall require that all heavy-duty trucks entering or operated on the project site to be zero-emission beginning in 2030, if such trucks are widely available and economically feasible.

PDF AQ-11: The Project Applicant/Developer/Tenant shall require all on-site equipment, such as forklifts and yard trucks, to be electric, propane or natural gas with the necessary electrical charging stations provided.

PDF AQ-12: The Project Applicant/Developer/Owner shall require tenants to use zero-emission light- and medium-duty trucks as part of business operations, if such trucks are widely available and economically feasible.

PDF AQ-13: The Project Applicant/Developer shall construct electric truck charging infrastructure consisting of infrastructure (i.e., conduit) to support future installation of charging stations, when such trucks are widely available and economically feasible.

PDF AQ-14: The Project Applicant/Developer shall construct electric light-duty truck charging infrastructure consisting of infrastructure (i.e., conduit) proportional, i.e., conduit for one charging station for every five light-duty truck parking spaces at the Project.

PDF AQ-15: The Project Applicant/Developer shall install all necessary infrastructure (i.e., wiring, reinforced roofs) to allow solar photovoltaic systems on the project site to be installed in the future, with a specified electrical generation capacity, such as equal to the building's projected energy needs.

PDF AQ-16: The Project Applicant/Developer/Owner shall require all stand-by emergency generators to be powered by a non-diesel fuel.

PDF AQ-17: The Project owner shall require facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.

PDF AQ-18: The Project owner shall require operators to establish and promote a rideshare program that discourages single-occupancy vehicle trips and provides financial incentives for alternate modes of transportation, including carpooling, public transit, and biking.

PDF AQ-19: The Project shall meet CALGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking.

PDF AQ-20: The Project will achieve certification of compliance or demonstrate equivalency with LEED green building standards.

PDF AQ-21: The Project Owner/Tenant shall provide meal options onsite or shuttles between the facility and nearby meal destinations if feasible.

PDF AQ-22: The Project Applicant/Developer/Owner shall post signs at every truck exit driveway providing directional information to the truck route.

PDF AQ-23: The Project Applicant/Developer/Owner shall require that every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. Also, if the tenant/facility operator owns its own fleet of vehicles, subject to 13 California Code of Regulations section 2025, require such tenants/facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.

PDF AQ-24: The Project Applicant/Developer/Owner shall encourage tenants to enroll in the United States Environmental Protection Agency's SmartWay program and encourage tenants to use carriers that are SmartWay carriers.

PDF AQ-25: The Project Applicant/Developer/Owner shall provide tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets.

Level of Significance

As indicated in the analysis, the Project's impact on exposing sensitive receptors to substantial pollutant concentration is less than significant.

Mitigation Measures

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

Threshold 4.3 (d). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
d) Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✓	

Discussion

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

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

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

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

The Project would also be required to comply with MDAQMD Rule 402. Rule 402 provides that “[a] person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.” (Technical Appendix A-1, 2022a, p. 33)

Level of Significance Before Mitigation

Based on the preceding analysis, the potential for the Project to create objectionable odors affecting a substantial number of people would be less than significant. (Technical Appendix A-1, p. 33)

Mitigation Measures

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

4.2.8 Cumulative Impacts Analysis

The MDAQMD relies on the SCAQMD guidance for determining cumulative impacts. The SCAQMD has recognized that there is typically insufficient information to quantitatively evaluate the cumulative contributions of multiple projects because each project applicant has no control over nearby projects.

The SCAQMD published a report on how to address cumulative impacts from air pollution: White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution. In this report the AQMD clearly states (Page D-3):

“...the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is $HI > 1.0$ while the cumulative (facility-wide) is $HI > 3.0$. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts.

Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant.”

Individual projects that do not generate operational or construction emissions that exceed the MDAQMD’s recommended daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact. As previously noted, the Project construction-source and operational-source air pollutant emissions would not exceed applicable MDAQMD regional thresholds. As such, Project construction and operational-source emissions are considered less than significant.

4.2.9 Conclusion

As indicated in the preceding analysis, the Project would conform to local land use plans, comply with all applicable MDAQMD Rules and Regulations, and would not exceed the applicable regional thresholds for construction and operational source emissions after. Therefore, the Project is consistent with the applicable air quality plan, and impacts would therefore be less than significant.

4.3 Biological Resources

4.3.1 Introduction

This section is based on current regulations and the following technical reports prepared to evaluate the potential for Project-related construction and operational activities to result in adverse effects on biological resources.

- Biological Resources Assessment, prepared by ELMT Consulting, January 9, 2023 (Technical Appendix B-1)
- Joshua Tree Survey, prepared by CalPacific Sciences, November 11, 2022 (Technical Appendix B-2)
- Focused Desert Tortoise Protocol Presence/Absence Survey, prepared by Nexus Environmental LLC, May 24, 2023 (Technical Appendix B-3)
- Focused Burrowing Owl Protocol Survey, prepared by Nexus Environmental, LLC, June 20, 2023 (Technical Appendix B-4)
- Mohave Ground Squirrel Survey (need report or mitigation in lieu of) (Technical Appendix B-5)
- Aquatic Resources Delineation Report, by Huffman-Broadway Group, Inc., June 2023 (Technical Appendix B-6)

4.3.2 NOP Scoping Comments

A Notice of Preparation (NOP) for the Project was released on March 3, 2023, for public review and comment through April 12, 2023. An EIR Scoping Meeting was held on April 12, 2023. No comments were received during the NOP public comment nor were any comments made during the EIR Scoping Meeting that pertain to biological resources.

4.3.3 Regulatory Framework

Federal Regulations

Endangered Species Act: The purpose of the United States Endangered Species Act that was established in 1973 provides protections for fish, wildlife, and plants that are listed as threatened or endangered; provides for adding species to and removing them from the list of threatened and endangered species, and for preparing and implementing plans for their recovery; provides for interagency cooperation to avoid take of listed species and for issuing permits for otherwise prohibited activities; provides for cooperation with states, including authorization of financial assistance; and implements the provisions of the Convention on International Trade in Endangered Species of Wild Flora and Fauna. The U.S. Fish and Wildlife administers the federal Endangered Species Act.

Migratory Bird Treaty Act: The federal Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711) provides protection for nesting birds that are both residents and migrants whether they are considered sensitive by resource agencies. The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed under 50 CFR 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). The direct injury or death of a migratory bird, due to construction activities or other construction-related disturbance that causes nest abandonment, nestling abandonment, or forced fledging would be considered a take under federal law. The USFWS, in coordination with the California Department of Fish and Wildlife (CDFW) administers the MBTA. CDFW's authoritative nexus to MBTA is provided in California Fish and Game Code §3503.5 which protects all birds of prey and their nests and FGC §3800 which protects all non-game birds that occur naturally in the state.

Fish and Wildlife Coordination Act: The USFWS also has responsibility for project review under the Fish and Wildlife Coordination Act. This statute requires that all federal agencies consult with USFWS, NMFS, and the state's wildlife agency (California Department of Fish and Wildlife, CDFW) for activities that affect, control, or modify streams and other water bodies. Under the authority of the Fish and Wildlife Coordination Act, USFWS, NMFS, and CDFW review applications for permits issued under Section 404 and provide comments to the Corps about potential environmental impacts.

Clean Water Act (CWA): The CWA is the principal federal law that governs pollution in the nation's lakes, rivers, and coastal waters. Originally enacted in 1972 as a series of amendments to the Federal Water Pollution Control Act of 1948, the Act was last amended in 1987. The overriding purpose of the CWA is to "restore and maintain the chemical, physical and biological integrity of the nation's waters." Discharges of dredged or fill material in Waters of the U.S. (WOTUS) are regulated pursuant to Sections 404 and 401 of the CWA. The congressional intent of Section 404 of the CWA as articulated in Section 10 is to "maintain and restore the chemical, physical, and biological integrity of the nation's waters."

The Corps and the U.S. Environmental Protection Agency (US EPA) are responsible for implementing the Section 404 program. Section 404(a) authorizes the Corps to issue permits, after notice and opportunity for comment, for discharges of dredged or fill material into Waters of the United States (WOTUS) (33 U.S.C. §1344). "Discharge of fill material" is defined as the addition of fill material into Waters of the U.S., including but not limited to the following: placement of fill that is necessary for the construction of any structure, or impoundment requiring rock, sand, dirt, or other material for its construction; site-development fills for recreational, industrial, commercial, residential, and other uses; causeways or road fills; and fill for intake and outfall pipes and sub-aqueous utility lines (33 Code of Federal Regulations [CFR] §328.2(f)). Section 404(b) requires that the Corps issue permits in compliance with EPA guidelines, which are known as the Section 404(b)(1) Guidelines (40 CFR Part 230). Specifically, the Section 404(b) (1) guidelines require that the Corps only authorize the "least environmentally damaging practicable alternative" (LEDPA) and include all practicable measures to avoid and minimize impacts to the aquatic ecosystem. The guidelines also prohibit discharges that would cause significant degradation of the aquatic environment or violate state water quality standards.

A federal permit or license cannot be issued that may result in a discharge to WOTUS unless certification under Section 401 of the CWA is granted or waived by EPA, the state, or the tribe where the discharge would originate. Permits on private lands issued by the USACE in California require certification by the State of California that the proposed discharge complies with the requirements of the California Porter-Cologne Water Quality Control Act. These certifications are issued by the State Water Resources Control Board (SWRCB) or one of the nine Regional Water Quality Control Boards (RWQCBs).

Waters are defined broadly under the CWA to include all traditionally navigable waters, including those used or susceptible for use in interstate commerce, including all waters subject to the ebb and flow of the tide, interstate waters, territorial seas, impoundments, and tributaries. Waters may also include wetlands and other waters that are not traditionally navigable such as wetlands that are adjacent to traditionally navigable waters. Wetlands are defined under federal regulations as "those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas."

The geographic extent of wetlands is defined by the collective presence of a dominance of wetland vegetation, wetland hydrology conditions, and wetland soil conditions as determined following the Corps' 1987 Wetlands Delineation Manual (1987 Manual); the Corps' 2008 Regional Supplement to Corps of

Engineers Wetland Delineation Manual: Arid West, Version 2.0 (Arid West Regional Supplement); and supporting guidance documents.

The geographic extent of other waters of the U.S. is defined by an ordinary high-water mark (OHWM) in non-tidal waters (33 CFR §328.3(e)) and by the High Tide Line within tidal waters (33 CFR §328.3(d)). The OHWM is defined by the Corps as “that line on shore established by the fluctuations of water and indicated by physical character of the soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas” (33 CFR §328.3(e)). Tidal waters are also under the jurisdiction of the Corps. The landward limits of jurisdiction in tidal waters extend to the high tide line...“or, when adjacent non-tidal waters of the United States are present, to the limits of jurisdiction for such non-tidal waters” (33 CFR §328.4(b)). High tide is further defined to include the line reached by spring high tides and other high tides that occur with periodic frequency (33 CFR §328.3(d)).

Section 402 of the Clean Water Act

In 1972, the Clean Water Act was amended to provide that the discharge of pollutants to waters of the United States from any point source is unlawful unless the discharge is in compliance with a National Pollution Discharge Elimination System (NPDES) permit. Section 402 of the Clean Water Act requires that a discharge of any pollutant or combination of pollutants to surface waters that are deemed waters of the United States be regulated by a National Pollutant Discharge Elimination System (NPDES) permit. The 1987 amendments established a framework for regulating municipal, industrial, and construction-related storm water discharges under the CWA Section 402 NPDES Program. On November 16, 1990, the US EPA published final regulations that establish stormwater permit application requirements for specified categories of industries. The regulations provide that discharges of stormwater from construction projects that encompass one or more acres of soil disturbance are effectively prohibited unless the discharge is in compliance with an NPDES Permit.

The federal NPDES permit program has been delegated to the State of California with limited federal oversight. The California State Water Resources Control Board (State Water Board) has developed a general construction stormwater permit to implement the requirements for the federal NPDES permit. The permit requires submittal of a Notice of Intent to comply, fees, and the implementation of a Storm Water Pollution Prevention Plan that specifies Best Management Practices (BMPs) that will prevent construction pollutants from entering stormwater and keep products of erosion from migrating offsite into downstream receiving waters. The Construction General Permit includes post-construction requirements that site design provides no increase in overall site runoff or the concentration of drainage pollutants and requires implementation of Low Impact Development (LID) design features. The Construction General Permit is implemented and enforced by California’s nine Regional Water Quality Control Boards (Regional Water Boards).

The Water Boards have also adopted requirements for NPDES stormwater permits for medium and large municipalities, and the Water Boards have adopted a General Permit for the discharge of storm water from small municipal storm sewer systems. This General Permit requires projects to develop and implement a post-construction Storm Water Management Plan (SWMP) to reduce the discharge of pollutants to the maximum extent practicable.

State Regulations

California Endangered Species Act: The State Water Board maintains independent regulatory authority over the placement of waste, including fill, into Waters of the State under the Porter-Cologne Water Quality Control Act (Porter-Cologne Act). Waters of the State are defined more broadly than “Waters of the U.S.” to

mean “any surface water or groundwater, including saline waters, within the boundaries of the state” (Water Code §13050(e)). Examples include, but are not limited to, rivers, streams, lakes, bays, marshes, mudflats, unvegetated seasonally ponded areas, drainage swales, sloughs, wet meadows, natural ponds, vernal pools, diked baylands, seasonal wetlands, and riparian woodlands. Waters of the State include all waters within the state’s boundaries, whether private or public, including waters in both natural and artificial channels. They include all “waters of the United States”; all surface waters that are not “waters of the United States, e.g., non-jurisdictional wetlands; groundwater; and the territorial seas.

The State Water Board’s State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State adopted April 2, 2019 (the Procedures) along with the Implementation Guidance for the Procedures dated April 2020 (the Implementation Guidance) defines a wetland as an area that under normal circumstances, (1) has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area’s vegetation is dominated by hydrophytes or the area lacks vegetation. The Procedures, along with the Implementation Guidance, state that the permitting authority (e.g., Water Board) shall rely on any wetland area delineation from a final aquatic resource report verified by the Corps. If the Corps does not require an aquatic resource delineation report, an applicant must submit a delineation of all waters, but these delineations will be verified by the Water Board staff during application review. In addition, as a matter of policy, the Water Boards consider wetlands and waters determined to be non-jurisdictional by the Corps/USEPA because of federal court actions or legislation remain jurisdictional as waters of the State subject to the state and regional Water Boards jurisdiction.

The Procedures along with the Implementation Guidance also include procedures for the submission, review, and approval of applications for activities that could result in the discharge of dredged or fill material to any Waters of the State and include elements of the Clean Water Act Section 404(b)(1) Alternatives Analysis Guidelines, thereby bringing uniformity to the state and regional Water Board’s regulation of discharges of dredged or fill material to all waters of the state. Typically, the Corps requires a Clean Water Act 404(b)(1) Alternatives Analysis for wetland impacts greater than 0.50 acres. The Procedures require an alternatives analysis to be completed in accordance with a three-tier system. The level of effort required for an alternatives analysis within each of the three tiers shall be commensurate with the significance of the impacts resulting from the discharge.

The state Water Board has also developed a general construction storm water permit to implement the requirements of the federal National Pollution Discharge Elimination System (NPDES) permit. Projects approved by the state or a regional Water Board must, therefore, include the preconstruction requirement for a Stormwater Pollution Prevention Plan and the post-construction requirement for a Stormwater Management Plan.

Porter-Cologne Act: The State Water Board also maintains independent regulatory authority over the placement of waste, including fill, into waters of the state under the Porter-Cologne Water Quality Control Act (Porter-Cologne Act). Waters of the State are defined more broadly than “waters of the US” to mean “any surface water or groundwater, including saline waters, within the boundaries of the state” (Water Code section 13050(e)). Examples include, but are not limited to, rivers, streams, lakes, bays, marshes, mudflats, unvegetated seasonally ponded areas, drainage swales, sloughs, wet meadows, natural ponds, vernal pools, diked baylands, seasonal wetlands, and riparian woodlands. Waters of the State include all waters within the state’s boundaries, whether private or public, including waters in both natural and artificial channels. They include all “waters of the United States”; all surface waters that are not “waters of the United States, e.g., non-jurisdictional wetlands; groundwater; and the territorial seas.

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The Procedures along with the Implementation Guidance also include procedures for the submission, review, and approval of applications for activities that could result in the discharge of dredged or fill material to any Waters of the State and include elements of the Clean Water Act Section 404(b)(1) Alternatives Analysis Guidelines, thereby bringing uniformity to the state and regional Water Board's regulation of discharges of dredged or fill material to all waters of the state. Typically, the Corps requires a Clean Water Act 404(b)(1) Alternatives Analysis for wetland impacts greater than 0.50 acres. The Procedures require an alternatives analysis to be completed in accordance with a three-tier system. The level of effort required for an alternatives analysis within each of the three tiers shall be commensurate with the significance of the impacts resulting from the discharge.

The state Water Board has also developed a general construction storm water permit to implement the requirements of the federal National Pollution Discharge Elimination System (NPDES) permit. Projects approved by the state or a regional Water Board must, therefore, include the preconstruction requirement for a Stormwater Pollution Prevention Plan and the post-construction requirement for a Stormwater Management Plan.

California Fish and Game Code: Sections 1600 to 1616 of the California Fish and Game Code require any person, state, or local government agency or public utility (i.e., an entity) to notify the CDFW before beginning any activity that will divert the flow of or substantially modify a river, stream, or lake or result in the deposit of certain waste materials that may pass into a river, stream, or lake. Following receipt of such a notification, CDFW determines whether the activity may affect fish and wildlife resources and, if it will, issues a "Lake and Streambed Alteration Agreement" to be entered into by the entity and CDFW and which authorizes the activity in question. CDFW defines the term "stream" as "a body of water that flows perennially or episodically and that is defined by the area in which water currently flows, or has flowed, over a given course during the historic regime [i.e., 'circa 1800 to the present'], and where the width of its course can reasonably be identified by physical or biological indicators." CDFW regulates rivers and streams to their "maximum expression" on the landscape, often including the entire floodplain. MESA Field Guide, Mapping Episodic Stream Activity (2011).

Native Plant Protection Act. The NPPA was enacted in 1977 and allows the Fish and Game Commission to designate plants as rare or endangered. There are 64 species, subspecies, and varieties of plants that are protected as rare under the NPPA. The NPPA prohibits take of endangered or rare native plants, but includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying CDFW for vegetation removal from canals, roads, and other sites, changes in land use, and in certain other situations.

Natural Community Conservation Planning Act (California Fish and Game Code Sections 2800–2835). NCCPA allows for the development of broad-based ecosystem-level plans for the protection and perpetuation of biological diversity. The primary objective of Natural Community Conservation Plans prepared under the NCCPA is to conserve natural communities at the ecosystem level while accommodating compatible land use. Plants protected under an approved Natural Community Conservation Plan may be “taken” by activities covered under the plan, but also typically receive a large amount of conservation and protection.

Regional Regulations

California Desert Native Plants Act (CA Food and Agriculture Code, Sections 80001-80006): The purpose of the California Desert Native Plants Act (CDNPA) is to protect certain species of California desert native plants from unlawful harvesting on both public and privately owned lands. The CDNPA only applies within the boundaries of Imperial, Inyo, Kern, Los Angeles, Mono, Riverside, San Bernardino, and San Diego Counties. Within these counties, the CDNPA prohibits the harvest, transport, sale, or possession of specific native desert plants under many circumstances unless a person has a valid permit or wood receipt, and the required tags and seals. The appropriate permits, tags and seals must be obtained from the sheriff or commissioner of the county where collecting will occur, and the county will charge a fee.

Native Plant Protection Act: The NPPA was enacted in 1977 and allows the Fish and Game Commission to designate plants as rare or endangered. There are 64 species, subspecies, and varieties of plants that are protected as rare under the NPPA. The NPPA prohibits take of endangered or rare native plants but includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying CDFW for vegetation removal from canals, roads, and other sites, changes in land use, and in certain other situations.

Local Regulations

City of Victorville General Plan Policies

The City of Victorville General Plan identifies policies that relate to Biological Resources within the City. The specific policies outlined in the City’s General Plan that are related to Biological Resources and that apply to the proposed Project are listed in a General Plan Consistency Analysis table in EIR Section 4.10, Land Use and Planning (refer to Table 4.10-1, Project Consistency With City General Plan).

City of Victorville Municipal Code

City of Victorville Code Title 13, Chapter 13.33 Preservation and Removal of Joshua Trees makes it unlawful for any person to cut, damage, destroy, dig up, or harvest any Joshua tree without the prior written consent of the Director of Parks and Recreation or his designee.

4.3.4 Environmental Setting

General Biological Conditions

The Project site itself consists entirely of undeveloped, vacant land which supports a native creosote scrub plant community. On-site vegetation density varies from unvegetated to moderately vegetated. The southwest quadrant of the site has been significantly impacted and removed of vegetation relatively recently, as the most recent aerials show consistent vegetation throughout the entirety of the site. Additionally, anthropogenic disturbances such as illegal dumping, including biohazardous materials, and off-road vehicular use, are heavily concentrated along the site boundaries.

On-site elevation ranges from approximately 2,985 to 3,019 feet above mean sea level and generally slopes from south to north, with no areas of topographic relief. Based on the NRCS USDA Web Soil Survey, the

project site is historically underlain by Bryman Loamy Fine Sand (2% to 5% slopes) and Cajon Sand (0% to 2% slopes).

The field investigation conducted in August 2022 for the general biological surveys identified that the Project site provides foraging and cover habitat for local, non-sensitive reptile species, non-sensitive bird species, and non-sensitive mammals adapted to conditions within the Mojave Desert. Refer to this DEIR, Technical Appendix B-1 for a complete list of species identified within the Project site.

The properties surrounding the site to the north, west, and east comprise undeveloped, vacant land. residential developments, with the latter occurring in lower densities to the east and higher densities to the west and commercial and institutional development beyond. The site is bounded immediately to the north and east by undeveloped, vacant land. Residential development occurs to the immediate south. Melva Davis Academy of Excellence (charter school) and recent residential development occur approximately 0.5 miles east of the Project site at Tawney Ridge Lane and (future) Diamond Road. Disturbed areas onsite are primarily associated with anthropogenic disturbances such as illegal dumping, and off-road vehicular use. These areas are generally barred with minimal vegetation. The Mojave River, a regional wildlife corridor, is located approximately 4.6 miles east of the Project site. The site is separated from the Mojave River by existing development and roadways, and undeveloped land, and there are no riparian corridors or creeks connecting the Project site to these areas. As such, the site is not part of a wildlife corridor.

Critical Habitat

Under the federal Endangered Species Act, “Critical Habitat” is designated at the time of listing of a species or within one year of listing. Critical Habitat refers to specific areas within the geographical range of a species at the time it is listed that include the physical or biological features that are essential to the survival and eventual recovery of that species. The Project site is not located within federally designated Critical Habitat. The nearest Critical Habitat designation is located approximately 3.7 miles to the northeast within the Mojave River for southwestern willow flycatcher (*Empidonax traillii extimus*).

Special Status Species

The literature conducted for the biological resources assessment in Technical Appendix B-1 identified 12 special-status plant species and 45 special-status wildlife species as having potential to occur within the Adelanto and adjacent Victorville USGS 7.5-minute quadrangles. No special-status plant communities were identified as having potential to occur within these quadrangles. Special-status plant and wildlife species were evaluated for their potential to occur within the Project site based on habitat requirements, availability, and quality of suitable habitat, and known distributions. Species determined to have the potential to occur within the general vicinity of the Project site are discussed below.

Western Joshua Tree- Candidate Threatened: California Endangered Species Act

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

On October 9, 2020, the western Joshua tree (*Yucca brevifolia*) was designated as a candidate species for listing as threatened under the CESA. As a candidate endangered species, western Joshua trees have the same protection as listed species in the California Endangered Species Act. To date, the Fish and Game Commission has not yet reached a decision as to whether to list the species.

Desert Tortoise-Threatened: Federal and State Endangered Species Acts

Typical habitat for desert tortoise (*Gopherus agassizii*) has been characterized as creosote bush scrub below 5,500 feet in elevation with a high diversity of perennial and ephemeral plants. The dominant shrub commonly associated with desert tortoise habitat is creosote bush; however, other shrubs including burrobush, Mojave yucca, cheesebush (*Ambrosia salsola*), and Mojave prickly pear (*Opuntia mojavensis*) also provide suitable habitat. The desert tortoise spends 95% of its life underground and will opportunistically utilize burrows of various lengths, deep caves, rock and caliche crevices, or overhangs for cover. Therefore, a moderately friable soil is required to allow for burrow construction and ensure that burrows do not collapse.

Although no desert tortoise signs were observed during the general biological field investigation, a focused desert tortoise survey was conducted in May 2023 adhering to the USFWS 2019 Mojave Desert Pre-Project Survey Protocol (refer to this DEIR, *Technical Appendix B-3*). Desert tortoises were not detected within the Project boundary nor were any tortoise sign (scutes, bones, eggshell fragments, burrows, courtship ring, drinking depressions or scat) detected on site, or within any of the off-site improvement areas. Two burrows were detected on the site, but all burrows were likely coyote or feral dog. Therefore, desert tortoises are presumed to be absent from the Project site.

Burrowing Owl (BUOW) – California Species of Special Concern

Burrowing owls (*Athene cunicularia*) are a grassland specialist distributed throughout western North America where they occupy open areas with short vegetation and bare ground within shrub, desert, and grassland environments. Burrowing owls use a wide variety of arid and semi-arid environments with well-drained, level to gently sloping areas characterized by sparse vegetation and bare ground. No burrowing owls or recent sign (e.g., pellets, feathers, castings, or whitewash) were observed during the general biological field investigation. Portions of the Project site are unvegetated and/or vegetated with a variety of low-growing plant species that allow for line-of-sight observation favored by burrowing owls.

Therefore, given that there is potential habitat for burrowing owl, a CDFW protocol-level focused survey was conducted between January 31, 2023 and June 17, 2023. BUOW surveys adhered to guidance contained in the CDFW 2012 Burrowing Owl Staff Report.

Evidence of collapsed dens, likely from ground squirrels, is identified on site. California ground squirrel (*Otospermophilus beecheyi*) and Antelope Valley ground squirrel (*Ammospermophilus harrisi*) burrow complexes occur throughout the subject property, and along Cactus Road (dirt road). These species are common in the region. A single BUOW was observed on the January 31, 2023 site visit, located near the above-noted suspected coyote burrows. During the March 31, and May 12, 2023 site visits, signs of burrowing owl were observed at the above-noted mammal (coyoted) dens. These mammals' dens are suspected coyote burrows or used by feral dogs. No signs of BUOW nesting were observed, such as feathers or eggshell fragments. However, the dens are likely suitable for hunting given the existing rodent prey base on site. Potential hunting and foraging habitat for BUOW is thus considered on site, however, no signs of nesting were observed. Findings for BUOW are contained in a separate BUOW focused survey report prepared for this Project and located in Technical Appendix B-4.

Mohave Ground Squirrel – Threatened: California Endangered Species Act

The Mohave ground squirrel (*Xerospermophilus mohavensis*) is endemic to the western Mojave Desert, California. It occupies portions of Inyo, Kern, Los Angeles, and San Bernardino counties in the western Mojave Desert. In general, the species ranges from near Palmdale on the southwest to Lucerne Valley on the southeast, Olancho on the northwest and the Avawatz Mountains on the northeast. The Mohave ground squirrel occupies all major desert scrub habitats in the western Mojave Desert, including Joshua Tree woodland, which is present on the Project site.

Consistent with the CDFW practice, a habitat assessment and focused Mohave Ground Squirrel surveys were conducted. The habitat assessment of the subject property was conducted by Dr. Charles J. Randel on March 31, 2023. Surveys were conducted to allow for 100% visual coverage of the subject site with biological resources and potential constraints to focused surveys identified. As a result of the reconnaissance level surveys, it was determined that suitable habitat (e.g., *Larrea tridentata* Shrubland Alliance, Sawyer, et al. 2009) for the Mojave ground squirrel was present over the majority of the subject property, therefore, focused Mohave ground squirrel surveys were conducted to determine presence/absence of the species within the subject properties. Randel Wildlife Consulting, Inc. conducted focused Mohave ground squirrel surveys in accordance with CDFW guidelines.¹⁷ Surveys consisted of five consecutive days of live-trapping during three predefined sessions (Session 1: 15 March–30 April; Session 2: 1–31 May; Session 3: 15 June–15 July). Each survey session consisted of 100 live-traps spaced 35-m on center in a 10 x 10 array, baited with 4-way horse feed, and shaded to prevent heat stress. Traps were checked no less frequently than every four hours, when temperatures were between 40° and 90° F.

Jurisdictional Waters

Jurisdictional Waters include Waters of the U.S. subject to regulation by the Corps and USEPA under Section 404 of the CWA, Waters of the State (WOTS) by the state and regional Water Boards subject to regulation under Section 401 of the CWA and the Porter-Cologne Act, and by the California Department of Fish and Wildlife under their legislatively mandated Lake and Streambed Alteration Agreement Program (California Fish and Game Code §1600 to §1616).

4.3.5 Methodology

The methods employed consisted of literature searches and field surveys consistent with the federal and state survey protocols which vary per the individual species.

4.3.6 Thresholds of Significance

Section IV of Appendix G to the CEQA Guidelines addresses typical adverse effects to Biological Resources and includes the following threshold questions to evaluate the Project's impacts to Biological Resources.

- a) Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- b) Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
- c) Would the Project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d) Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e) Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

¹⁷ California Dept of Fish and Game, Mohave Ground Squirrel Survey Guidelines, January 2003.

- f) Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

4.3.7 Impacts Analysis

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

Discussion

Special Status Plants

The Project site did not contain any special status plants other than the western Joshua Tree, which is currently a candidate-threatened species under the California Endangered Species Act.

Based on the Joshua Tree Survey Report (Technical Appendix B-2), 30 Joshua trees were documented on the Project site (refer to [Figure 4.3-1](#)). The trees assessed ranged from juvenile to mature with 12 containing observable panicles (33 expended, 2 recently active). Pursuant to proposed Assembly Bill 1008, Technical Appendix B-2, Table 2, WJT Metrics Summary provides a census of the number of Joshua trees, as well as their corresponding health and transferability. A summary of the census is as follows:

Less Than 1 meter in height	0
One meter or greater but less than 5 meters in height	10
Five meters or greater in height	20

According to Technical Appendix B-2, Table 2, the average health of the Joshua tree population on the Project site was determined to be 1.7, on a scale based on 1-Excellent, 2-Good, 3-Fair, 4-Poor/in decline. Three trees were identified in decline or in poor health.

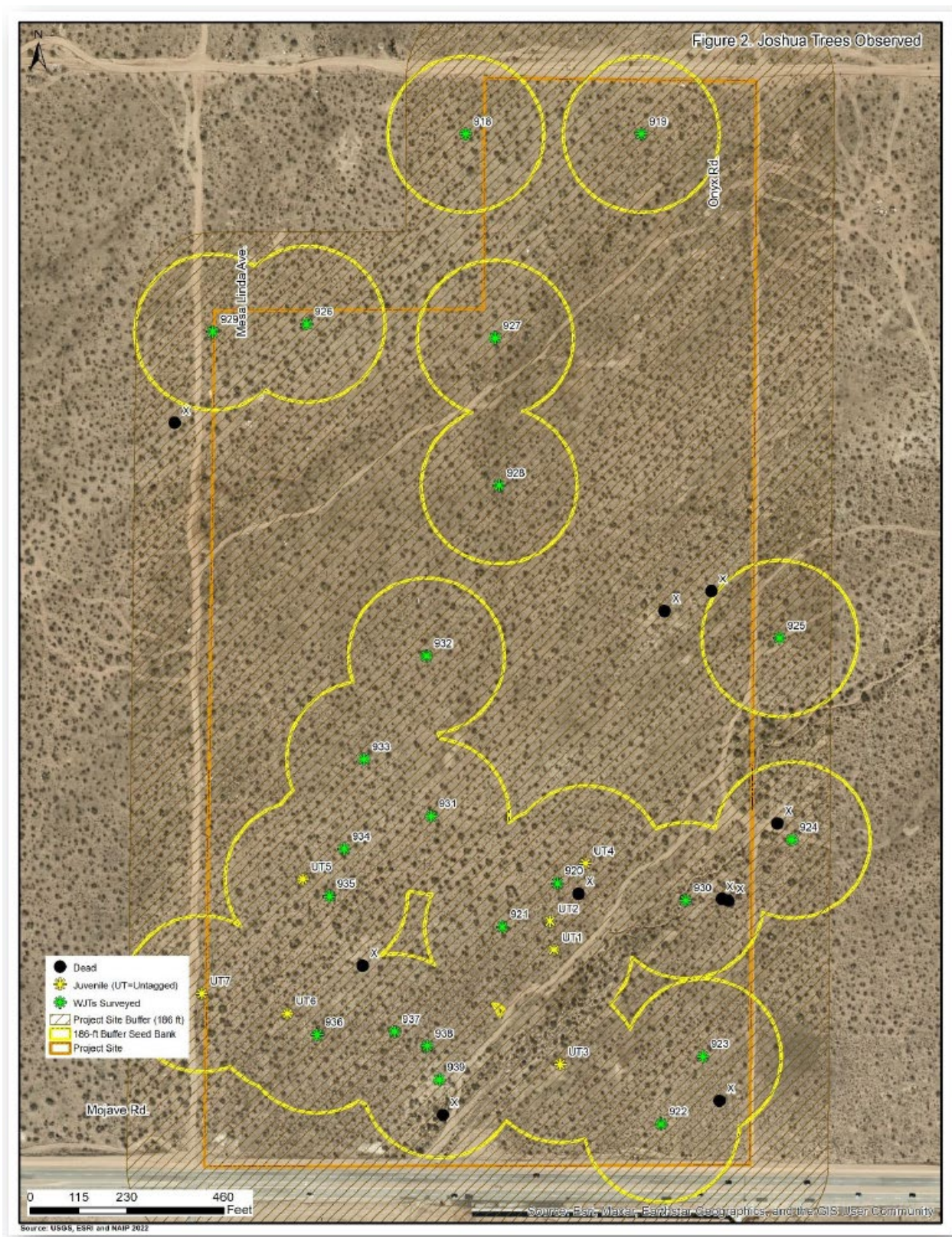
In March 2022, the California Department of Fish and Wildlife issued a report that concluded that the western Joshua tree was plentiful and including the species as threatened was unwarranted.¹⁸ On March 9, 2023, the U.S. Fish and Wildlife published its opinion in the Federal Register rejecting the petition to list the western Joshua tree within the federal Endangered Species Act, based on various scientific reports and long-range modeling.¹⁹

However, because the western Joshua Tree is, at the time of preparation of this DEIR, considered a candidate threatened species eligible for listing to the California ESA, the Project's removal of 30 individual trees would be considered potentially significant.

¹⁸ Report to the Fish and Game Commission, Evaluation of a Petition from the Center for Biodiversity to list the Western Joshua Tree (*Yucca brevifolia*) as threatened under the California Endangered Species Act, March 2022.

¹⁹ Federal Register / Vol. 88, No. 46 / Thursday, March 9, 2023 / Proposed Rules, 50 CFR Part 17 [Docket No. FWS-R8-ES-2022-0165; FF09E21000 FXES1111090FEDR 234] Endangered and Threatened Wildlife and Plants; Petition Finding for Joshua Trees (*Yucca brevifolia* and *Y. jaegeriana*).

Figure 4.3-1 Western Joshua Tree Locations



Special Status Animals

Desert Tortoise. The Project site has been determined to be potentially suitable habitat for desert tortoise, which is listed as threatened by both the federal and state Endangered Species Acts. The surrounding habitat has a low potential to harbor desert tortoises due to edge effects and residential activities such as OHV use, dogs, illegal dumping, and pedestrian use. The possibility for a desert tortoise to appear on the site from potential adjacent habitat is low because of high levels of development and recent construction surrounding the project. Roadways including Mojave Drive and Highway 395 also serve as impediments to habitat connectivity. However, due to the large vacant lands to the north, east and west of the Project site, desert tortoise may enter the Project site at any time.

Burrowing Owl. Evidence of collapsed dens, likely from ground squirrels, is identified on the Project site. California ground squirrel (*Otospermophilus beecheyi*) and Antelope Valley ground squirrel (*Ammospermophilus harrisi*) burrow complexes occur throughout the subject property, and along Cactus Road (dirt road). These species are common in the region. A single BUOW was observed on the January 31, 2023 site visit, located near the above-noted suspected coyote burrows. During the March 31, 2023 and May 12, 2023 site visits, signs of burrowing owl were observed at the above-noted mammal (coyote) dens. These mammals' dens are suspected coyote burrows or used by feral dogs. No signs of BUOW nesting, were observed such as feathers or eggshell fragments. However, the dens are likely suitable for hunting given the existing rodent prey base on site. Potential hunting and foraging habitat for BUOW is thus considered on site, however, no signs of nesting were observed. Findings for BUOW are contained in a separate BUOW focused survey report prepared for this Project and located in Technical Appendix B-4.

Mohave Ground Squirrel. Habitat for the Mohave ground squirrel (MGS) is identified on the Project site, and trapping to confirm presence was conducted using the latest CDFW protocols, with the last survey window being June 15 to July 15. And while no MGS were found, the site has the potential for MGS to enter the site because the lands to the north, east and west of the Project site are vacant.

Level of Significance

Joshua Trees

The loss of 30 Joshua Trees would be potentially significant only due to the fact they are a candidate-threatened species under the California Endangered Species Act. Therefore, Mitigation Measure BIO-1-Incidental Take Permit for Joshua Tree as described below is required.

Desert Tortoise

Therefore, Mitigation Measures BIO-2, Pre-Construction Desert Tortoise Presence/Absence Surveys, BIO-3, Desert Tortoise Worker Environmental Awareness Training, BIO-4, Desert Tortoise Avoidance as described below are required.

Burrowing Owl

Due to the lack of active nesting burrows, and with implementation of the recommended avoidance and minimization measures, an Incidental Take Permit (ITP) would not be required pursuant to California Fish and Game Code. However, due to occurrences in the area as identified by the California Natural Diversity Database (CNDDB), potential habitat within the site and limited habitat connectivity. Therefore, Mitigation Measure BIO-5, Pre-Construction Burrowing Owl Survey as described below is required.

Mohave Ground Squirrel

A habitat assessment of the subject property was conducted by Dr. Charles J. Randel in 31 March 2023. Surveys were conducted to allow for 100% visual coverage of the subject site with biological resources and potential constraints to focused surveys identified. As a result of the reconnaissance level surveys, it was determined that suitable habitat (e.g., *Larrea tridentata* Shrubland Alliance, Sawyer et al. 2009) for the Mojave ground squirrel was present over the majority of the subject property and a focused Mohave ground squirrel surveys was conducted to determine presence/absence of the species within the subject properties.

Randel Wildlife Consulting, Inc. conducted focused Mohave ground squirrel surveys in accordance with CDFW guidelines (CDFG 2003). Surveys consisted of five consecutive days of live-trapping during three predefined sessions (Session 1: 15 March–30 April; Session 2: 1–31 May; Session 3: 15 June – 15 July). Each survey session consisted of 100 live-traps spaced 35-m on center in a 10 x 10 array, baited with 4-way horse feed, and shaded to prevent heat stress. Traps were checked no less frequently than every 4 hours, when temperatures were between 40° and 90° F. No Mojave ground squirrels were detected during the focused surveys. However, because suitable habitat is present, Mitigation Measure BIO-7, Mojave Ground Squirrel Construction Monitoring and Worker Environmental Awareness Program is required as described below is required.

Mitigation Measures

Mitigation measures are required as follows.

BIO-1 Incidental Take Permit for Joshua Tree. Prior to issuance of grading permits, for any Western Joshua Trees that would be removed, the Applicant shall either obtain an Incidental Take Permit (ITP) from California Department of Fish and Wildlife (CDFW) under CDFW under §2081 of the California Endangered Species Act (CESA) or obtain a permit as described by AB 1008, whichever is applicable at the time of grading permit issuance. Mitigation is to be determined by the CDFW through its issuance of the ITP or other permit as described in AB 1008, and could consist of purchase of credits from an approved conservation bank, third-party seed collection, Joshua Tree relocation, payment into the state’s Western Joshua Tree Mitigation Fund, and/or purchase of mitigation lands.

BIO-2 Pre-Construction Desert Tortoise Presence/Absence Surveys: A USFWS Qualified/CDFW – approved biologist shall conduct pre-construction presence/absence surveys for desert tortoise during the desert tortoise active season (April to May or September to October) 48 hours prior to initiation of Project activities and after any pause in Project activities lasting 30 days or more. Desert tortoise preconstruction surveys shall be conducted in accordance with the U.S. Fish and Wildlife Service (USFWS) 2019 desert tortoise survey methodology. Preconstruction surveys shall be completed using 100% visual coverage for desert tortoise and their sign and shall use perpendicular survey routes within the Project site and 50-foot buffer zone. Pre-construction surveys cannot be combined with other surveys conducted for other species while using the same personnel. Project Activities cannot start until 2 negative results from consecutive surveys using perpendicular survey routes for desert tortoise are documented.

Results of the survey shall be submitted to CDFW prior to start of Project activities. If the survey confirms desert tortoise absence, the CDFW-approved biologist shall ensure desert tortoise do not enter the Project area. If desert tortoise presence is confirmed during the survey, the Project Proponent shall submit to CDFW for review and approval a desert tortoise specific avoidance plan detailing the protective avoidance measures to be implemented to ensure complete avoidance of take (California Fish and Game Code §86 defines “take” as

“hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) to desert tortoise.

If complete avoidance of desert tortoise cannot be achieved, the Project Proponent will not undertake Project activities, and Project activities be postponed until appropriate authorization (i.e., California Endangered Species Act (CESA) Incidental Take Permit (ITP) under Fish and Game Code §2081) is obtained. If complete avoidance of desert tortoise is infeasible, the Project Proponent would be required to apply for a CESA ITP and prepare a site-specific Desert Tortoise Translocation Plan (Plan) that will provide details on the proposed recipient site, desert tortoise clearance surveys and relocation, definitions for Authorized Biologists and qualified desert tortoise biologists, exclusion fencing guidelines, protocols for managing desert tortoise found during active versus inactive seasons, protocols for incidental tortoise death or injury, and will be consistent with project permits and current USFWS and CDFW guidelines.

The Plan shall also include a requirement for communication and coordination with Randel Wildlife Consulting, Inc. Prior to construction, the Plan shall be subject to the review and approval of the CDFW and the USFWS.

- BIO-3 **Desert Tortoise Worker Environmental Awareness Training:** A qualified biologist must present a biological resource information training for desert tortoise, as well as other species typically found in the area such as burrowing owl and Mohave ground squirrel, prior to project activities to all personnel that will be present within the Project site for longer than 30 minutes at any given time.
- BIO-4 **Desert Tortoise Avoidance:** If during project activities a desert tortoise is discovered within the project site, all activities must stop within 50-feet and the CDFW-approved biologist must be notified. Coordination with respective state and federal resource agencies will be required prior to restarting activities.
- BIO-5 **Pre-Construction Burrowing Owl Survey.** A Pre-construction Burrowing Owl Survey shall be conducted by a qualified biologist no later than 14 prior to any Project ground-disturbing activities, at any time of year. Surveys shall be completed following the recommendations and guidelines provided within the Staff Report on Burrowing Owl Mitigation (CDFG, March 2012) or most recent version by a qualified biologist. If an active burrowing owl burrow is detected within any Project disturbance area, or within a 500-foot buffer of the disturbance area, a 300-foot radius buffer zone surrounding the burrow shall be flagged, and no impacts to soils or vegetation or noise levels above 65 dBA shall be permitted while the burrow remains active or occupied. Disturbance-free buffers may be modified based on site-specific conditions in consultation with CDFW. The qualified biologist shall monitor active burrows daily and will increase buffer sizes as needed if owls show signs of disturbance. If active burrowing owl burrows are located within any work area and impact cannot be avoided, a qualified biologist shall submit a burrowing owl exclusion plan to CDFW for review and approval. The burrowing owl exclusion plan shall include permanent compensatory mitigation consistent with the recommendations in the Staff Report on Burrowing Owl Mitigation such that the habitat acreage, number of burrows and burrowing owls impacted are replaced. If passive relocation is required, a Burrowing Owl Relocation and Protection Plan that shall document the relocation procedures, and the Plan shall be submitted to the CDFW and approved by the CDFW prior to any BUOW relocation. If burrowing owls are not detected during the pre-disturbance surveys, then no additional action is required.

- BIO-6 Mohave Ground Squirrel Worker Environmental Awareness Training:** Implement Construction Monitoring and Worker Environmental Awareness Program. To reduce the potential of take of Mohave ground squirrels, and prior to ground disturbing activity, a qualified biologist will deliver a Worker Environmental Awareness Program (WEAP) on the ecology of the Mohave ground squirrel to the construction employees.
- BIO-7 Mohave Ground Squirrel Construction Monitoring and Worker Environmental Awareness Program.** To reduce the potential of take of Mohave ground squirrels, and prior to ground disturbing activity, a qualified biologist will deliver a Worker Environmental Awareness Program (WEAP) on the ecology of the Mohave ground squirrel to the construction employees. A qualified biological monitor shall be on site during initial ground disturbing activities. The name and phone number of the biological monitor shall be provided to a CDFW regional representative at least 14 days before ground disturbing activities. If the biological monitor observes a living Mohave ground squirrel on the construction site and/or determines that a Mohave ground squirrel was killed by project related activities during construction or otherwise found dead, a written report will be sent to CDFW within 5 calendar days. The report will include the date, time of the finding or incident (if known), location of the carcass and the circumstances (if known). Mohave ground squirrel remains shall be collected and frozen as soon as possible. The California Department of Fish and Wildlife shall be contacted as to the ultimate disposition of the remains.

Level of Significance After Mitigation

Implementation of the above-described mitigation measures would reduce the potentially significant impacts of candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service, to less than significant.

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

Discussion

The Project site supports a creosote scrub plant community and one land cover type that would be classified as disturbed (refer to Technical Appendix B-1, Exhibit 5).

On-site vegetation density varies from unvegetated to moderately vegetated. The creosote bush scrub plant community is dominated by creosote (*Larrea tridentata*). Other coming plant species include puncturevine (*Tribulus terrestris*), riggut brome (*Bromus diandrus*), Russian thistle (*Salsola tragus*), whitemargin sandmat (*Chamaesyce albomarginata*), western Joshua tree (*Yucca brevifolia*), rubber rabbitbrush (*Ericameria nauseosa*), filaree (*Erodium cicutarium*), winged pigweed (*Cycloloma atriplicifolium*), and purple three-awn (*Aristida purpurea*). Disturbed areas onsite are primarily associated with anthropogenic disturbances such as illegal dumping, and off-road vehicular use. These areas are generally barred with minimal vegetation.

Level of Significance

None of the plant communities identified on the Project site are considered riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Therefore, impacts would be less than significant, and no mitigation would be required.

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

Discussion

Field investigations were conducted by the Huffman-Broadway Group, Inc. (HBG) during areas identified and delineated jurisdictional waters using the following methodologies.

CWA. The field study to determine the presence or absence of CWA jurisdictional waters (wetlands and other waters) conducted consistent with the pre-2015 Corps/U.S. EPA regulatory regime in accordance with the 1986 Code of Federal Regulations definitions of jurisdictional waters, the Corps’ 1987 Wetlands Delineation Manual (Corps Delineation Manual), the Corps’ 2008 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0) (Regional Supplement) and A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States: A Delineation Manual.

Porter-Cologne Act. The state Water Board’s Wetland Definition and Procedures for Discharges of Dredge or Fill Material to Waters of the State was followed to determine the presence or absence of WOTS wetlands and other waters).

LSAA Program. The field study to determine the presence or absence of aquatic resources (lake or stream) subject to the CDFW Lake and Streambed Alteration Agreement Program relied on field observation of physical features that provide evidence of water flow through a bed and channel such as observed flowing water, sediment deposits and drift deposits and that the stream supports fish or other aquatic life. The presence of vegetation supported by the surface or subsurface flow was also considered.

No wetlands were found within the Project site. Two ephemeral streams locally referred to as dry washes were found in the Project site ([Figure 4.3-2, Corps/Regional Board Jurisdictional Delineation Map](#) and [Figure 4.3-3, CDFW Jurisdictional Delineation Map](#)). The streams are potentially subject to Corps under Section 404 of the CWA, Water Board Section 401 of the CWA and the Porter-Cologne Act and CDFW CFGC Sections 1600 to 1616 jurisdiction. The streams landward geographic reach (boundary) for the Corps and Water Board delineation was defined based on the presence of an Ordinary High Water Mark. The boundary for CDFW jurisdiction was defined by top of stream bank or reach of flood indicators depending on which was higher.

Aquatic Resources Potentially Subject to Corps and Water Board Jurisdiction						
Aquatic Resources ID	WOTUS Definition	Porter Cologne Act	Size		Hydrologic Flow Regime	Cowardin Classification*
			Acres	Linear Feet		
R1	Other Waters (Ephemeral Drainages with OHWMs Found)	Other Waters	0.05	1,939	Ephemeral Stream	Riverine Intermittent Streambed
R2		Other Waters	0.07	1,646	Ephemeral Stream	
Totals			0.12	3,585		

*Cowardin et al. 1979. CWA = Clean Water Act; Corps = U.S. Army Corps of Engineers; Water Board = Lahontan Regional Water Board.

Aquatic Resources Potentially Subject to CDFW Jurisdiction					
Aquatic Resources ID	CDFW Waters Type	Size		Hydrologic Flow Regime	Cowardin Classification*
		Acres	Linear Feet		
R1	Stream	0.16	1,939	Ephemeral Stream	Riverine Intermittent Streambed
R2	Stream	0.13	1,646	Ephemeral Stream	
Totals		0.29	3,585		

*Cowardin et al. 1979. CDFW = California Department of Fish and Wildlife

Mitigation Measures

- BIO-8 Regulatory Permits-Jurisdictional Waters.** Prior to issuance of grading permits or other permits authorizing ground disturbance (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging), the Project applicant shall obtain all necessary authorizations from the Corps and Water Board for discharging fill material into a total of 0.12 acres of ephemeral stream habitat and authorization from the CDFW for discharging fill material into a total of 0.029 acres of ephemeral stream habitat.
- BIO-9 Mitigation and Monitoring Plan-Jurisdictional Waters.** Prior to issuance of grading permits or other permits authorizing ground disturbance (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging), The applicant shall either purchase agency authorized mitigation bank credits or prepare a detailed Mitigation and Monitoring Plan (MMP) to be submitted to the Corps, Water Board, and CDFW for review and approval as part of the process for obtaining permits from the agencies. The Wetland Mitigation Plan will address the loss of ephemeral drainage impact due to the proposed project development. The MMP once implemented at a minimum shall compensation for impacts to ephemeral drainages at a minimum 1:1 mitigation ratio or 0.12-acre for impacts to Corps and Water Board jurisdiction waters and 0.29-acre for impacts CDFW jurisdictional waters.

Level of Significance

Implementation of the above-described mitigation measures would reduce the potentially significant impacts of candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service, to less than significant.

Figure 4.3-2 Corps/Regional Board Jurisdictional Delineation Map

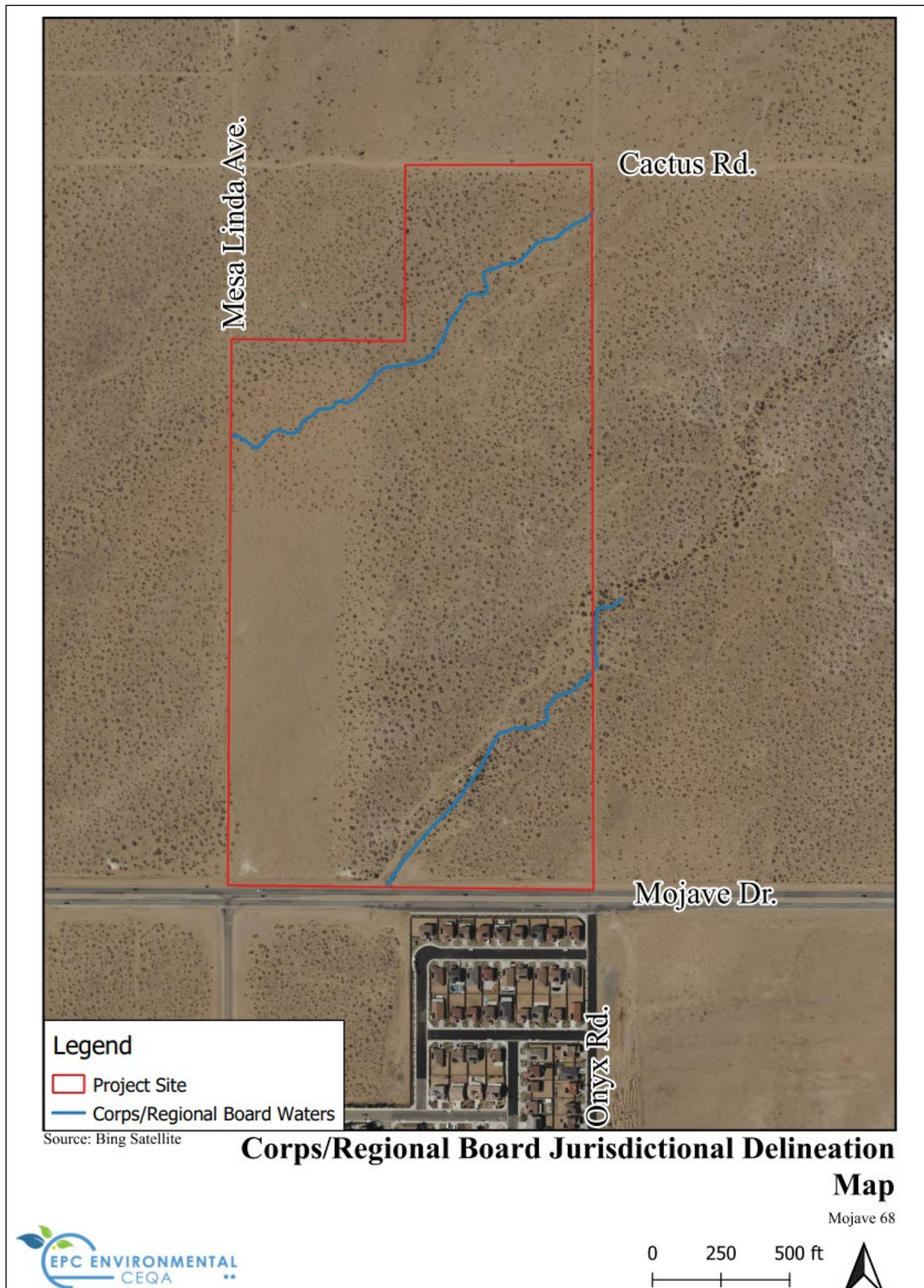
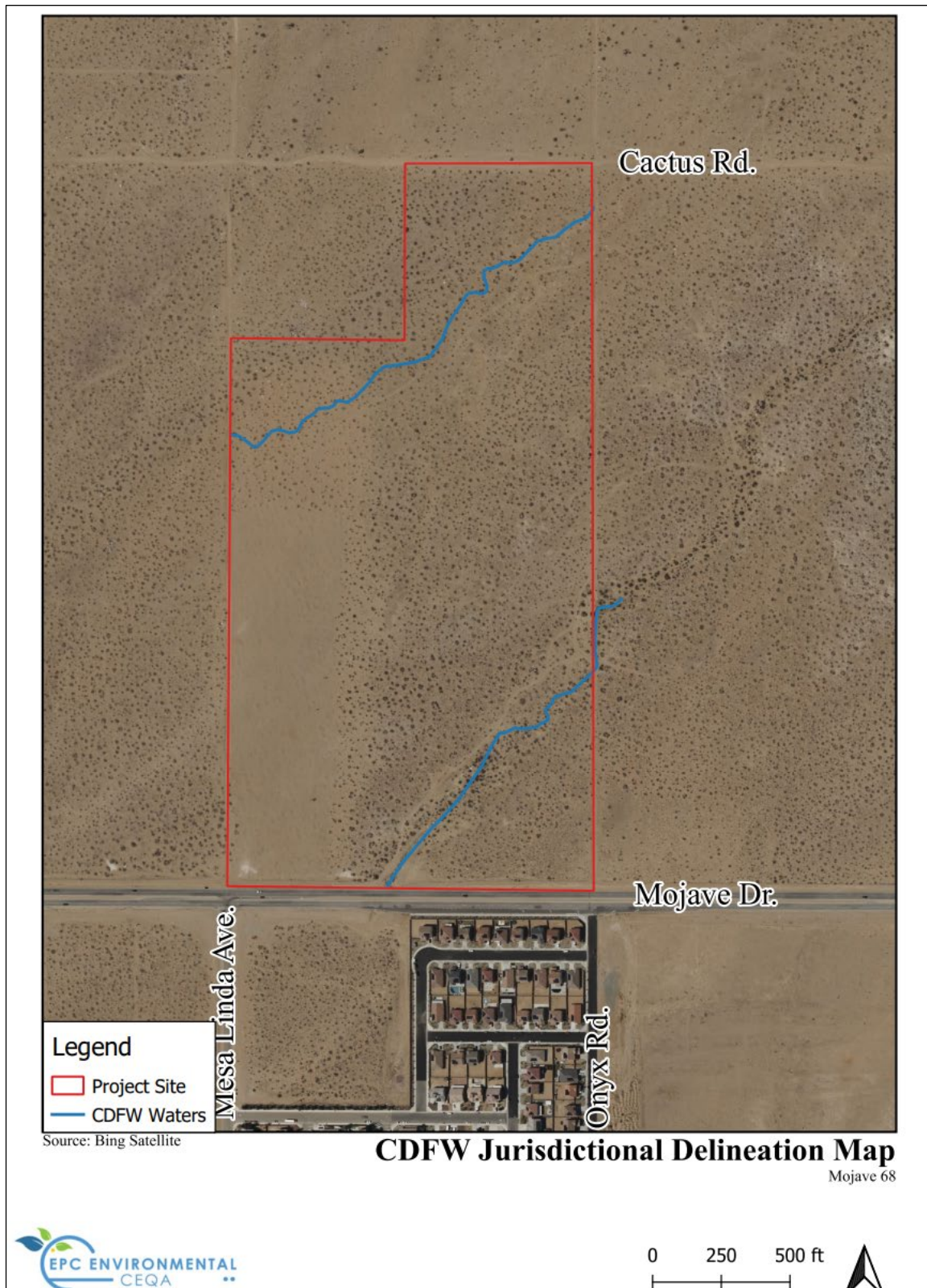


Figure 4.3-3 CDFW Jurisdictional Delineation Map



Threshold 4.3 (d). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		✓		

Discussion

According to the biological assessment provided in Technical Appendix B-1, the Project site is not located within, or designated as, an established native resident or migratory wildlife corridor, or native wildlife nursery site. However, the Project site offers forage and nesting for birds covered under the Migratory Bird Treaty Act (MBTA).

Level of Significance

The loss of the 66.4 acres of the Project site for migratory birds to nest and forage is less than significant as the Project vicinity is vacant and undisturbed and would offer nesting and forage on the vacant lands. However, take of a nesting bird during Project construction would be potentially significant.

Mitigation Measure

- BIO-10 Migratory Bird Treaty Act Compliance Methods:** To avoid violation of the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code, site-preparation activities (removal of trees and vegetation) for all projects shall be avoided, to the greatest extent possible, during the nesting season (generally February 1 to August 31) of potentially occurring native and migratory bird species. If site-preparation activities for implementing projects are proposed during the nesting/breeding season (February 1 to August 31), a pre-activity field survey shall be conducted by a qualified biologist prior to the issuance of grading permits for such project, to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone. If active nests are not located within the implementing project site and an appropriate buffer of 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected bird nests (non-listed), or 100 feet of sensitive or protected songbird nests, construction may be conducted during the nesting/breeding season. However, if active nests are located during the pre-activity field survey, no grading or heavy equipment activity shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected (under MBTA or California Fish and Game Code) bird nests (non-listed), or within 100 feet of sensitive or protected songbird nests until the nest is no longer active.

Level of Significance After Mitigation

Implementation of Mitigation Measure BIO-10, which requires a pre-construction nesting bird survey, would reduce the potential to interfere with the movement of any native resident or migratory wildlife species to less than significant.

Threshold 4.3 (e). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✓		

Discussion

City of Victorville Code Title 13, Chapter 13.33, Preservation and Removal of Joshua Trees makes it unlawful for any person to cut, damage, destroy, dig up, or harvest any Joshua tree without the prior written consent of the Director of Parks and Recreation or his designee. The Project would remove 30 Joshua Trees. Because the Joshua Tree is identified as a Candidate Threatened species under CESA, the state's CESA regulations take precedence over the City's local ordinance.

Level of Significance

Implementation of Mitigation Measure BIO-1 would reduce impacts to less than significant, because it would require the Project Applicant to obtain a State Incidental Take Permit prior to issuance of grading permits.

Threshold 4.3 (f). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

Discussion

The Project site is not located within any adopted Habitat Conservation, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, there would be no impact, and no mitigation is required.

Level of Significance

No impact.

4.3.8 Cumulative Impacts Analysis

Cumulative impacts for biological resources consider development of the Project site in conjunction with development of the adjacent properties as industrial properties per the zoning and land use identified in the City of Victorville's General Plan.

For Threshold 4.3 a), construction necessary for implementation of development of the Project site will impact Joshua trees, and potentially impact desert tortoise, Mohave ground squirrel, and burrowing owl if those species would occupy the site prior to the commencement of construction. Therefore, the Project would have an incremental contribution to cumulative impacts. However, with implementation of Mitigation Measures BIO-1 through BIO-7, impacts would not be cumulatively considerable.

For Threshold 4.3 b), there are no impacts related to riparian habitat and other sensitive natural communities. As such, the Project would not be cumulatively considerable.

For Threshold 4.3 c), construction necessary for implementation of development of the Project site will unavoidably fill jurisdictional waters subject to Corps, Water Board, and CDFW jurisdiction. Grading activities would result in the permanent placement of fill material (earthen material) into 0.12 acre of ephemeral streams. Therefore, the Project would have an incremental contribution to cumulative impacts. However, with implementation of Mitigation Measures BIO-8 and BIO-9, impacts would not be cumulatively considerable.

For Threshold 4.3 d), construction necessary for implementation of development of the Project site may impact migratory birds. Therefore, the Project would have an incremental contribution to cumulative impacts. However, with implementation of Mitigation Measure BIO-10, impacts would not be cumulatively considerable.

For Threshold 4.3 e), the construction necessary for development of the Project site would impact Joshua trees. Therefore, the Project would have an incremental contribution to cumulative impacts. However, with implementation of Mitigation Measures BIO-1, impacts would not be cumulatively considerable.

For Threshold 4.3 f), according to the California Natural Community Conservation Plans Map maintained by the California Department of Fish and Wildlife, there are no such plans that encompass the Project site.²⁰ The Project site is not covered by a habitat conservation plan.²¹

All projects approved in the City's jurisdiction are required to be consistent with the Victorville General Plan 2030 Resource Element biological and open space goals, policies, and objectives, Victorville land use and development ordinances, and WMP. Therefore, the projects in the Planning Area would not contribute to cumulative impacts associated with conflicts with regional conservation planning, and impacts from conflicts with regional conservation plans would not be cumulatively considerable. Cumulative impacts would be less than significant, and no mitigation is required.

4.3.9 Conclusion

Implementation of Mitigation Measures BIO-1 through BIO-10 would minimize significant effects to Biological Resources.

20 California Natural Community Conservation Plans Map, <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline>, accessed on June 6, 2023.

21 California Natural Community Conservation Plans Map, <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline>, accessed on June 6, 2023.

4.4 Cultural Resources

4.4.1 Introduction

This section is based on current regulations and the following technical reports prepared to evaluate the potential for Project-related construction and operational activities to result in adverse effects on cultural resources:

- Historical/Archaeological Resources Survey Report, Mojave 68 Warehouse Project, prepared by CRM Tech, January 19, 2023 (Technical Appendix C)

4.4.2 NOP Scoping Comments

A Notice of Preparation (NOP) for the Project was released on March 3, 2023, for public review and comment through April 12, 2023. An EIR Scoping Meeting was held on April 12, 2023. No comments were received when the NOP public comment period ended on, or after the NOP period, nor were any comments made during the EIR Scoping Meeting that pertain to cultural resources.

4.4.3 Regulatory Framework

National Historic Preservation Act

Section 106 (Protection of Historic Properties) of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties. The Advisory Council on Historic Preservation, an independent federal agency, administers the Section 106 review process with assistance from State Historic Preservation Offices to ensure that historic properties are considered during federal project planning and implementation. In June 2011, the SMC underwent a Section 106 review as part of a project to install an ADA compliant door and other features, which was funded through the U.S. Department of Housing and Urban Development through the County of Los Angeles Community Development Block Grant program.

National Register of Historic Resources (National Register)

The National Register of Historic Places is the nation's official list of buildings, structures, objects, sites, and districts worthy of preservation because of their significance in American history, architecture, archeology, engineering, and culture. The National Register recognizes resources of local, state, and national significance which have been documented and evaluated according to uniform standards and criteria.

Authorized under the NHPA, the National Register is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect historic and archeological resources. The National Register is administered by the National Park Service, which is part of the U. S. Department of the Interior.

As defined in National Register Bulletin #15, "How to Apply the National Register Criteria for Evaluation," resources are eligible for the National Register if they:

- are associated with events that have made a significant contribution to the broad patterns of our history; or
- are associated with the lives of significant persons in or past; or
- embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- have yielded or may be likely to yield, information important in history or prehistory.

After a resource has been determined to satisfy one of the above-referenced criteria, then it must be assessed for integrity. Integrity refers to the ability of a property to convey its significance, and the degree to which the property retains its integrity, including physical and visual attributes, for which it is significant under the four basic criteria. The National Register recognizes seven aspects or qualities of integrity: location, design, setting, materials, workmanship, feeling, and association. To retain its historical integrity, a property must possess several, and usually most, of these aspects.

State Regulations

California Register of Historical Resources

The California Register program encourages public recognition and protection of resources of architectural, historical, archeological, and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under the California Environmental Quality Act.

The California Register was established to serve as an authoritative guide to the state's significant historical and archaeological resources (Public Resources Code §5024.1). The California Office of Historic Preservation (OHP), as an office of the California Department of Parks and Recreation (DPR), implements the policies of the NHPA on a statewide level.

State law provides that in order for a property to be considered eligible for listing in the California Register, it must be found by the Office of Historic Preservation (OHP) to be significant under any of the following four criteria (14 Cal. Code of Regulations §4852 (a)):

- 1) It is associated with the events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
- 2) It is associated with the lives of persons important to local, California, or national history;
- 3) It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values; and/or
- 4) It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to meeting one or more of the above criteria, the California Register requires that sufficient time has passed since a resource's period of significance to "obtain a scholarly perspective on the events or individuals associated with the resources." (14 Cal. Code of Regulations §4852 (d)(2).) Fifty years is normally considered sufficient time to be considered a potential historical resource. All resources older than 45 years will be evaluated.

The California Register also requires that a resource possess integrity, which is defined as the ability for the resource to convey its significance through seven aspects: location, setting, design, materials, workmanship, feeling, and association.

All resources listed on or formally determined eligible for the National Register are automatically listed in the California Register, in accordance with the California Office of Historic Preservation policies (OHP, March 2001). In addition, properties designated under municipal or county ordinances or through local historic resources surveys, are eligible for listing in the California Register.

California Health and Safety Code, §7050.5

California Health and Safety Code §7050.5, states that, in the event of the discovery of human remains outside a dedicated cemetery, all ground disturbance must cease, and the County Coroner must be notified. If the remains are found to be Native American, the County Coroner must contact the NAHC within 24 hours.

Regional Regulations

There are no applicable regional regulations.

Local Regulations

Victorville Municipal Code

Victorville Municipal Code, Section 16-5.02.130, requires that measures be included at or near known sites of archaeological, paleontological, or historical significance. These measures would preserve known sites, minimize potential adverse impacts, allow reasonable time for archaeological investigations of sites, and preserve for posterity, in such other manner as may be necessary or appropriate, the positive aspects of the cultural historical site involved. In addition, Section 16-5.02.130 mandates that grading activities cease where previously unknown sites of archaeological, paleontological, or historic significance are discovered. Victorville Municipal Code, Section 16-5.02.130, requires that the discovery of a significant archaeological, paleontological, or historical site be reported to the Planning Director within 72 hours from the time the site is found. Within 5 working days after receiving a discovery report, the Planning Director is mandated to retain the services of qualified professionals to conduct a preliminary investigation of the site. If the preliminary investigation confirms that the site is or may be a significant archaeological, paleontological, or historical site, the grading permit remains suspended for up to 45 days from the date the discovery was reported. The suspension may exceed 45 days under extraordinary circumstances if, upon application of the Planning Director to the City Council, the City Council concurs. During the period of suspension, the Planning Director is required to develop conditions to be attached to the grading permit. When conditions are developed and attached to the permit, the permit must be reissued subject to the conditions, and the suspension shall be terminated.

4.4.4 Environmental Setting

Pre-Historic Context

The Victor Valley area is a part of the homeland of the Serrano people, which is centered in the San Bernardino Mountains but also includes part of the San Gabriel Mountains, much of the San Bernardino Valley, and the Mojave River valley in the southern portion of the Mojave Desert, reaching as far as the Cady, Bullion, Sheep Hole, and Coxcomb Mountains to the east, the Twentynine Palms area to the north, and possibly the southern edge of Kern County to the west. The name “Serrano” was derived from a Spanish term meaning “mountaineer” or “highlander.”

Prior to European contact, the Serrano were primarily hunter-gatherers and occasionally fishers, and their long-term settlements were located mostly on elevated terraces, hills, and finger ridges near reliable sources of water, especially in foothills and along major rivers. They were loosely organized into exogamous clans, which were led by hereditary heads, and the clans in turn were affiliated with one of two exogamous moieties.

Although contact with Europeans may have occurred as early as 1771 or 1772, Spanish influence on Serrano lifeways was minimal until the 1810s, when a mission *asistencia* was established on the southern edge of Serrano territory. Between then and the end of the mission era in 1834, most of the Serrano in the western

portion of their traditional territory were removed to the nearby missions. In the eastern portion, a series of punitive expeditions in 1866-1870 resulted in the death or displacement of almost all remaining Serrano population in the San Bernardino Mountains. Today, most Serrano descendants are affiliated with the Yuhaaviatam of San Manuel Nation (formerly known as the San Manuel Band of Mission Indians), the Morongo Band of Mission Indians, or the Serrano Nation of Indians.

Historic Context

The present-day Victor Valley area received its first European visitor, the Spanish missionary and explorer Francisco Garcés, in 1776, and the first Euro-American settlements appeared in the valley as early as 1860. Despite these “early starts,” due to its harsh environment, development in the arid high desert country of southern California was slow and limited for much of the historic period, and the Victor Valley remained only sparsely populated until the second half of the 20th century.

The City of Victorville traces its roots to a station on the Santa Fe Railway, which was completed by the California Southern Railway Company, a Santa Fe subsidiary, in 1885. The station was initially named Victor, after Jacob Nash Victor, general manager of the California Southern Railway Company.

Thanks to the availability of fertile lands and the abundance of ground water, agriculture played a dominant role in the early development of the Victor Valley area. During and after WWII, George Air Force Base, established in 1941, added a new driving force in the local economy with its 6,000 military and civilian employees. After being deactivated in 1992, the former base was converted for civilian use as the Southern California Logistics Airport. In 1962, the City of Victorville was incorporated with a population of approximately 8,110 and an area of 9.7 square miles (City of Victorville n.d.[a]). Over the 55 years since then, it has become one of the fastest growing cities in California, largely as a “bedroom community” in support of the industrial and commercial centers in the Greater Los Angeles area. At present, the city has expanded to more than 73 square miles, with an estimated population of more than 120,000.

Project Site Literature and Field Surveys

Between August and October 2022, literature searches were conducted at the South Central Coastal Information Center (SCCIC), a Sacred Lands Search was requested from the Native American Heritage Commission, and historical imagery and published literature were reviewed to determine the potential for pre-historic and historic features that may be present on the Project site. A pedestrian field survey was also conducted by walking transects of the entire property. Refer to Technical Appendix C for details regarding the methodology.

SCCIC records indicate that the project area had not been surveyed systematically for cultural resources prior to this study, although two linear surveys had been carried out in 1997 and 2011 along the segments of Mojave Drive, Cactus Road, and Mesa Linda Avenue in and around the Project Area. No cultural resources were previously identified within or adjacent to the project boundaries. Within the one-mile scope of the records search, SCCIC records identify 27 additional studies completed between 1973 and 2011, most of them also focused on linear features. As a result of these past survey efforts, 30 cultural resources were previously recorded within the one-mile radius, including 2 prehistoric (i.e., Native American) sites, 1 prehistoric isolate (i.e., a locality with fewer than three artifacts), 13 historic-period sites, and 14 historic-period isolates, although none were located on the Project site (refer to Technical Appendix C, Table 1).

During the field survey, three isolates of historical age were discovered in the project area and recorded into the California Historical Resources Inventory under the temporary designations of 3935-1H, 3935-2H, and

3935-3H, pending assignment of permanent identification numbers by the SCCIC. Each of the isolates consists of a single hole-in-cap can from the early 20th century, and all of them were crushed.

Other than these isolates, the only features or artifacts of historical origin encountered within or adjacent to the project area were the roads mentioned in the discussion above. Among these, Mojave Drive was paved in the 1980s-1990s and is now essentially a modern feature, while Cactus Road, Onyx Road, and Mesa Linda Avenue are nondescript dirt roads that do not demonstrate any distinctively historical characteristics. As working components of the modern transportation infrastructure, the dirt roads were found to have little potential for historic significance and thus required no further study.

No prehistoric features or artifacts were found throughout the survey. At the western end of the linear portion of the Project Area, a power transmission line was observed running a similar course to that depicted in the historic maps from the 1920s-1930s era, although the physical features of the line are clearly of much more recent vintage. The only features of the transmission line that cross the Project alignment, however, are the overhead wires. Because the road-paving activities proposed at this location have no potential to affect the current condition and character of the wires, the transmission line was determined to be outside the vertical extent of the Project Area.

4.4.5 Methodology

Records Search

On October 6, 2022, CRM TECH archaeologist Nina Gallardo conducted the historical/ archaeological resources records search at the South Central Coastal Information Center (SCCIC), California State University, Fullerton. During the records search, Gallardo examined maps and records on file at the SCCIC for previously identified cultural resources and existing cultural resources reports within a 1-mile radius of the main project site. Previously identified cultural resources include properties designated as California Historical Landmarks, Points of Historical Interest, or San Bernardino County Landmarks, as well as those listed in the National Register of 8 Historic Places, the California Register of Historical Resources, or the California Historical Resources Inventory.

Sacred Lands File Search

On August 23, 2022, CRM TECH submitted a written request to the State of California Native American Heritage Commission (NAHC) for a records search in the commission's Sacred Lands File. The NAHC is the State of California's trustee agency for the protection of "tribal cultural resources," as defined by California Public Resources Code §21074, and is tasked with identifying and cataloging properties of Native American cultural value, including places of special religious, spiritual, or social significance and known graves and cemeteries throughout the state. The NAHC's reply is summarized below and attached to this report in Appendix 2.

Historical Research

Historical background research for this study was conducted by CRM TECH principal investigator/ historian Bai "Tom" Tang on the basis of published literature in local and regional history, historical maps of the Victor Valley area, and aerial/satellite photographs of the project vicinity. Among the maps consulted for this study were the U.S. General Land Office's (GLO) land survey plat maps dated 1856 and the U.S. Geological Survey's (USGS) topographic maps dated 1934-1993, which are available at the websites of the U.S. Bureau of Land Management and the USGS. The aerial and satellite photographs, taken in 1952-2022, are available at the Nationwide Environmental Title Research (NETR) Online website and through the Google Earth software.

Field Survey

On October 14, 2022, CRM TECH archaeologists Hunter O'Donnell and Steven Brierty carried out the field survey of the project area. The survey was completed on foot at an intensive level by walking a series of parallel east-west transects spaced 15 meters (approximately 50 feet) apart across the main project site as well as two transects placed on either side of the segment of Cactus Road in the project area. In this way, the ground surface in the entire project area was systematically carefully examined for any evidence of human activities dating to the prehistoric or historic period (i.e., 50 years or older). Ground visibility was very good (95-100%) due to the sparse vegetation on the property, part of which had been grubbed.

4.4.6 Thresholds of Significance

Section V of Appendix G to the CEQA Guidelines addresses typical adverse effects to Cultural Resources and includes the following threshold questions to evaluate the Project's impacts on Cultural Resources.

- a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?
- b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?
- c) Would the project disturb any human remains, including those interred outside of formal cemeteries?

4.4.7 Impacts Analysis

Threshold 4.4 (a). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?			✓	

Discussion

Public Resources Code §15064.5(a) defines historical resources, which includes: A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Public Resources Code §5024.1, 14 CCR, §4850 et seq.). The conclusion of the cultural resources report in Technical Appendix C identified that there were no resources within the Project Area that were determined to be eligible to the state or federal Register. As discussed above, the only cultural resources identified within or adjacent to the Project Area were three isolates designated temporarily as 3935-1, 3935-2, and 3935-3, each consisting of a single discarded and crushed metal can. According to guidelines set forth by the California Office of Historic Preservation, isolates like these, by definition, do not qualify as archaeological sites due to the lack of contextual integrity. As such, they are not considered potential "historical resources" and require no further consideration in the CEQA-compliance process.

Level of Significance

Based on the findings of the cultural resources report in Technical Appendix C, the impact is less than significant, and no mitigation is required.

Threshold 4.4 (b). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?		✓		

Discussion

Archaeological sites represent the material remains of human occupation and activity either prior to European settlement (prehistoric sites) or after the arrival of Europeans (historical sites).

Level of Significance

Potentially significant.

Mitigation Measures

However, it is always possible that intact archaeological deposits could be present at subsurface levels. For this reason, the Project site should be treated as potentially sensitive for archaeological resources. Implementation of **Mitigation Measures CUL-1 and CUL-2** are required to manage unanticipated discoveries of archaeological and Native American resources when monitoring is not required by the Phase 1 cultural resources survey. Implementation of Mitigation Measures CUL-1 and CUL-2 would reduce potential impacts to unanticipated discoveries of archaeological resources.

- CUL-1 **Cultural Resources Discovery During Project Construction.** 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.
- CUL-2 **Monitoring and Treatment Program for Significant Cultural Resources.** 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.

Level of Significance after Mitigation

Less than significant.

Threshold 4.4 (c). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Disturb any human remains, including those interred outside of formal cemeteries?		✓		

Discussion

Based on an analysis of records and surveys of the property, it has been determined that the Project site does not include a formal cemetery or any archaeological resources that might contain interred human remains. If human remains are unearthed during Project construction, the construction contractor would be required by law to comply with California Health and Safety Code §7050.5 “Disturbance of Human Remains.”

According to §7050.5(b) and (c), if human remains are discovered, the County Coroner must be contacted and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner is required to contact the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code §5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or their authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. According to Public Resources Code §5097.94(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials. With mandatory compliance to California Health and Safety Code §7050.5 and Public Resources Code §5097.98, any potential impacts to human remains, including human remains of Native American ancestry, that may result from development of the Project would be less than significant.

Level of Significance

Potentially significant.

Mitigation Measures

However, implementation of **Mitigation Measure CUL-3** to manage unanticipated discoveries of human remains is required to ensure that potentially significant impacts would be less than significant after implementation.

- CUL-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 California Health and Safety Code §7050.5 and that code enforced for the duration of the project.

Level of Significance after Mitigation

Less than significant.

4.4.8 Cumulative Impacts Analysis

This analysis considers the cumulative impact of the proposed Project in conjunction with other development projects and planned developments that have been similarly influenced by past cultural activity in the City of Victorville and the Project region.

As mentioned earlier in Threshold a., the only cultural resources identified within or adjacent to the Project Area were three isolates designated temporarily as 3935-1, 3935-2, and 3935-3, each consisting of a single discarded and crushed metal can. However, these resources are not deemed significant under CEQA criteria. Nevertheless, there is a potential for unidentified subsurface resources within the Project area. Considering that other developments in the region also have the potential to impact historical resources as defined by CEQA Guidelines Section 15064.5, the cumulative impacts of the Project on subsurface historical resources would be significant.

In relation to Threshold b., the Project's Cultural Resources Assessment (CRA) (Technical Appendix C) did not identify any potentially significant archaeological resources or sites within the Project site or off-site improvement areas. Therefore, the Project would not result in cumulative impacts on previously identified archaeological resources or sites. However, there is a possibility that previously undiscovered subsurface archaeological resources may be affected by the proposed Project's development. Other cumulative developments in the region also have the potential to impact archaeological sites or resources, including those buried beneath the ground surface. Consequently, the Project's potential impacts on previously undiscovered archaeological sites or resources would be significant before mitigation measures are implemented.

Regarding Threshold c), mandatory compliance with the provisions of California Health and Safety Code §7050.5 and Public Resources Code §5097 et seq. would ensure that the Project's impacts on human remains remain below a significant level. As other cumulative developments would also be subject to compliance with California Health and Safety Code §7050.5 and Public Resources Code §5097 et seq., the Project's impacts on human remains are evaluated as less than significant on a cumulative basis.

4.4.9 Conclusion

With the implementation of Mitigation Measures CUL-1, CUL-2, and CUL-3, the Project impacts on Cultural Resources would be less than significant.

4.5 Energy

4.5.1 Introduction

This section is based on current regulations and primarily based on the CalEEMod data for electricity, natural gas, and transportation from the Greenhouse Gas Impact Analysis technical report prepared to evaluate the potential for Project-related construction and operational activities to result in adverse effects on energy.

- Greenhouse Gas Impact Analysis, prepared by KPC EHS Consultants, LLC., February 2023 (Technical Appendix A-3)
- EmFac2021 v1.0.2 Emissions Inventory Data, (Technical Appendix A-4)

4.5.2 NOP Scoping Comments

A Notice of Preparation (NOP) for the Project was released on March 3, 2023, for public review and comment through April 12, 2023. An EIR Scoping Meeting was held on April 12, 2023. No comments were received when the NOP public comment period ended on, or after the NOP period, nor were any comments made during the EIR Scoping Meeting that pertain to energy.

4.5.3 Regulatory Framework

The following is a brief description of the federal, state, and local environmental laws and related regulations.

Federal and state agencies regulate energy use and consumption through various means and programs. On the federal level, the U.S. Department of Transportation, the U.S. Department of Energy, and the U.S. Environmental Protection Agency (EPA) are three federal agencies with substantial influence over energy policies and programs. On the state level, the CPUC and the CEC are two agencies with authority over different aspects of energy.

Federal Regulations

Intermodal Surface Transportation Efficiency Act (ISTEA)

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) declared that it is a U.S. policy to develop a national intermodal transportation (IT) system that is economically efficient, is environmentally sound, provides the foundation for the nation to compete in the global economy, and will move people and goods in an energy efficient manner. Although Metropolitan Planning Organizations (MPOs) were initially mandated and federally funded by the Federal-Aid Highway Act of 1962, ISTEA directed additional funding and expanded the authority of the MPOs to select project and mandated new metropolitan planning initiatives. ISTEA also required state transportation agencies to consult with local MPOs regarding matters of project prioritization and decision making. To meet the new ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values guiding transportation decisions. The applicable MPO for the City of Victorville is the Southern California Association of Governments (SCAG). SCAG's Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) is the applicable planning document for the area. (FTA, 2022)

State Regulations

California Code of Regulations (CCR) Title 13, Motor Vehicles, Section 2449(d)(3)

No vehicle or engines that are subject to the regulation may idle for more than five consecutive minutes. The idling limit applies to all off-road diesel vehicles or engines subject to the regulation, unless the vehicle or engine is idling for specific circumstances defined in the regulation or a waiver has been granted.

The idling limit does not apply to:

- Idling when queuing;
- Idling to verify the vehicle is in safe operating condition;
- Idling for testing, servicing, repairing, or diagnostic purposes;
- Idling necessary to accomplish work for which the vehicle was designed (such as operating a crane);
- Idling required to bring the machine system to operating temperature, as specified by the manufacturer; and/or
- Idling necessary to ensure safe operation of the vehicle.

Examples of off-road diesel-fueled vehicles or engines include tractors, backhoes, excavators, dozers, scrapers, portable generators, transport refrigeration units, irrigation pumps, welders, compressors, scrubbers, and sweepers.²²

California Code Title 24, Part 6, Energy Efficiency Standards and Green Building Standards

California Code Title 24, Part 6²²: The California Energy Code (CALGreen) is designed to reduce wasteful and unnecessary energy consumption in newly constructed and existing buildings. The California Energy Commission updates the Building Energy Efficiency Standards (Title 24, Parts 6 and 11) every three years by working with stakeholders in a public and transparent process.

The 2022 Standards for building construction went into effect on January 1, 2023. The 2022 Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code. (CEC, n.d.)

Regional Regulations

There are no applicable regional regulations.

Local Regulations

City of Victorville General Plan

The City of Victorville General Plan Policies that are related to Energy and that apply to the proposed Project are listed in EIR Section 4.10, Land Use and Planning (refer to Table 4.10-1, General Plan Consistency Analysis).

22 The California Environmental Protection Agency Air Resources Board website at <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.aspx> contains links to the idling regulation language under section 2449(d)(3) of the Final Regulation Order.

4.5.4 Environmental Setting

The most recent data for California’s estimated total energy consumption and natural gas consumption is from 2020, released by the United States (U.S.) Energy Information Administration’s (EIA) California State Profile and Energy Estimates in 2022²³ and included:

- As of 2020, approximately 6,923 trillion British Thermal Unit (BTU) of energy was consumed
 - As of 2021, approximately 605 million barrels of petroleum
 - As of 2021, approximately 2,101 billion cubic feet of natural gas
 - As of 2021, approximately 1 million short tons of coal
- The California Energy Commission’s (CEC) Transportation Energy Demand Forecast 2018-2030 was released on December 4, 2017, in order to support the 2017 Integrated Energy Policy Report. The Transportation Energy Demand Forecast 2018-2030 lays out graphs and data supporting their projections of California’s future transportation energy demand. The projected inputs consider expected variable changes in fuel prices, income, population, and other variables. Predictions regarding fuel demand included:
 - Gasoline demand in the transportation sector is expected to decline from approximately 15.8 billion gallons in 2017 to between 12.3 billion and 12.7 billion gallons in 2030, a 20% to 22% reduction. The decline is in response to both increasing electrification of vehicles and higher fuel economy.²⁴
 - Diesel demand in the transportation sector is expected to rise, increasing from approximately 3.7 billion diesel gallons in 2015 to approximately 4.7 billion in 2030.²⁴
 - Data from the Department of Energy states that approximately 3.7 billion gallons of diesel fuel were consumed in 2020.²⁵

The most recent data provided by the EIA for energy use in California by demand sector is from 2020 and is reported as follows:

- Approximately 34.0% transportation
- Approximately 24.6% industrial
- Approximately 21.8% residential
- Approximately 19.6% commercial

Total system electric generation is the sum of all utility-scale, in-state generation, plus net electric imports. In 2021, total system electric generation for California was 277,764 gigawatt hours (GWh), an increase of 2% from 2020. California’s electricity in-state generation system generated approximately 194,127 GWh which accounted for approximately 70% of the electricity it uses; the rest was imported from the Pacific Northwest (12%) and the U.S. Southwest (18%). Natural gas is the main source for electricity generation at 50.2% of the total in-state electric generation system power as shown in Table 4.5-1.²⁶

23 California State Energy Profile: <https://www.eia.gov/state/print.php?sid=CA>. Retrieved May 25, 2023

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

25 U.S. Department of Energy, Alternative Fuels Data Center: <https://afdc.energy.gov/states/ca>. Retrieved May 25, 2023

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

Table 4.5-1 Total Electricity System Power, California 2021

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

Source: California Energy Commission: 2021 Total System Electric Generation

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

- Total generation for California was 277,764 gigawatt-hours (GWh), up 2%, or 5,188 GWh, from 2020.
- Renewable energy generation increased 3.5% in 2021, up 3,125 GWh to 93,333 GWh from 90,208 GWh in 2020. However, as total system electric generation also increased in 2021, renewable energy accounted for 33.6% of the total system mix - a 0.51% increase from 2020.
- California’s non-CO₂ emitting electric generation categories (nuclear, large hydroelectric, and renewables) accounted for 49% of its in-state generation, compared to 51% in 2020. The change is attributable to the continued impacts from California’s ongoing drought.
- In-state hydroelectric generation was significantly reduced, some 32% lower than 2020 generation levels, about 6,848 GWh lower.
- Net imports increased by about 2.4% (1,973 GWh) in 2021 to 83,636 GWh, partially offsetting the decreased output from California’s hydroelectric power plants.

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

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

Electricity

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

In 2020 the utility obtained 30.9% of its power supply from renewable sources including 50% and 100% renewable Green Rate options. SCE 2020 Power Content Label,²⁷ identifies SCE's specific proportional shares of electricity sources in 2020 to include geothermal resources are at 5.5%, wind power is at 9.4%, large hydroelectric sources are at 3.3%, solar energy is at 15.1%, and coal is at 0%.

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

Natural Gas

As cited above in the discussion on electricity the Project site is vacant and undeveloped; therefore, there is currently no natural gas consumed or produced on the Project site. Natural gas would be provided to the Project site by Southwest Gas Company (SW Gas) which is regulated by the California Public Utilities Commission (CPUC). SW Gas is a wholesale customer of SoCal Gas. SoCal Gas serves approximately 21.8 million consumers in more than 500 communities and encompasses approximately 24,000 square miles throughout Central and Southern California. The natural gas is available from both in-state and out-of-state sources.

Transportation Energy Resources

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

4.5.5 Methodology

The operations-related vehicle trips fuel usage was calculated using the CalEEMod data from the Greenhouse Gas Analysis Annual Report (Technical Appendix A-3) for annual vehicle miles traveled. The calculated total operational miles were then divided by the average rates of 31.22 miles per gallon for automobiles and the average rate of 6.19 miles per gallon for trucks, which was calculated through use of the EMFAC2022 model (included as Technical Appendix A-4) and based on the year 2024. The operations-related electricity and natural gas usage was calculated from the CalEEMod data from the Greenhouse Gas Analysis Annual Report (Technical Appendix A-3).

27 Southern California Edison 2020 Power Content Label: <https://www.energy.ca.gov/filebrowser/download/3902>.

4.5.6 Thresholds of Significance

Section VI of Appendix G to the CEQA Guidelines addresses typical adverse effects due to Energy and includes the following threshold questions to evaluate the Project's impacts to Energy:

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

4.5.7 Impacts Analysis

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

Discussion

Construction

During construction of the Project energy consumption would include:

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

Construction activities related to the proposed Project are not expected to result in a greater demand for energy use than other development projects of the same size and magnitude in Southern California. As discussed in Section 4.5.3, Regulatory Framework above, CCR Title 13 §2449(d)(3) requires limits to idling times of construction vehicles and engines to no more than 5 minutes, thereby precluding unnecessary and wasteful consumption of energy resources due to excessive and unproductive idling of construction equipment and engines.

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

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

Operation

During operations the Project would generate demand for electricity, natural gas, as well as fuels (gasoline and diesel) for motor vehicle trips. Operational use of energy includes the heating, ventilation, air conditioning, and lighting, water heating, operation of electrical systems and plug-in appliances within

buildings, parking lot and outdoor lighting, and the transport of electricity, natural gas, and water. These uses of energy are typical for urban development, and no operational activities or land uses would occur that would result in extraordinary energy consumption.

Operational Transportation Energy

The operations-related vehicle trips fuel usage was calculated using the CalEEMod data from the Greenhouse Gas Analysis Annual Report (Technical Appendix A-3) for annual vehicle miles traveled, which determined that operation of the proposed Project would generate 446,896 vehicle miles traveled per year from autos (using the general office building land use operational sources) and would generate 2,909,544 vehicle miles traveled per year from trucks (using the warehouse land uses operational sources). The calculated total operational miles were then divided by the average rates of 31.22 miles per gallon for automobiles and the average rate of 6.19 miles per gallon for trucks, which was calculated through use of the EMFAC2022 model (included as Technical Appendix A-4) and based on the year 2024. Based on this information, the operation of automobiles related to the Project would consume 14,314 gallons per year, and trucks would consume 470,039 gallons per year. The total petroleum use from operation of the proposed Project would be 484,353 gallons per year.

Operational Electricity Use

The operations-related electricity usage was calculated from the CalEEMod data from the Greenhouse Gas Analysis Annual Report (Technical Appendix A-3) and determined operation of the Project would consume the following electricity:

- Parking Lot (Truck Loading Area, Driveways, and Parking Lots) – 513,194 kWh/year
- Unrefrigerated Warehouse – 3,906,684 kWh/year
- Refrigerated Warehouse – 4,630,010 kWh/year
- Office – 698,075 kWh/year

Based on the above, it is anticipated that the proposed Project would utilize 9,747,963 kWh per year of electricity.

Operational Natural Gas Use

The operations-related natural gas usage was calculated by a CalEEMod model run that determined operation of the Project would consume unmitigated natural gas per each individual use shown in kilo British Thermal Units (kBtu) per year.

- Parking Lot (Truck Loading Area, Driveways, and Parking Lots) - 0 kBtu/year
- Unrefrigerated Warehouse – 16,079,993 kBtu/year
- Refrigerated Warehouse – 5,570,752 kBtu/year
- General Office Building – 1,097,601 kBtu/year

Based on the above, it is anticipated that the proposed project will use an unmitigated total of 22,748,346 kBtu per year of natural gas.

Level of Significance

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

related to idling, would be implemented. Therefore, impacts related to operational energy consumption would be less than significant.

Mitigation Measures

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

Threshold 4.5 (b). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			✓	

Discussion

As described under Threshold 4.5 a), the proposed Project would be required to meet the CCR Title 24 energy efficiency standards in effect during permitting of the Project. Energy-saving and sustainable design features and operational programs would be incorporated into the Project as per CALGreen. Prior to the issuance of the building permit the Project’s facility energy efficiencies would be documented as part of the City’s development review process. The City as part of the Project review will assess the design components and energy conservation measures during the permitting process, which ensures that all requirements are met, and the Project is in compliance with the City’s General Plan energy efficiency requirements.

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

Level of Significance

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

Mitigation Measures

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

4.5.8 Cumulative Impacts Analysis

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

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

4.5.9 Conclusion

There are less than significant impacts of the proposed Project associated with Energy, and no mitigation would be required.

4.6 Geology and Soils

4.6.1 Introduction

This section is based on current regulations and the following technical reports prepared to evaluate the potential for Project-related construction and operational activities to result in adverse effects on geology and soils:

- Preliminary Geotechnical Evaluation, Proposed Industrial Development, Northwest of the Intersection of Mojave Drive & Onyx Road, Victorville, California, prepared by LGC Geotechnical, Inc., October 19, 2022 (Technical Appendix D)

4.6.2 NOP Scoping Comments

A Notice of Preparation (NOP) for the Project was released on March 3, 2023, for public review and comment through April 12, 2023. An EIR Scoping Meeting was held on April 12, 2023. No comments were received when the NOP public comment period ended on or after the NOP period, nor were any comments made during the EIR Scoping Meeting that pertain to geology and soils.

4.6.3 Regulatory Framework

Clean Water Act

The Federal Clean Water Act (Clean Water Act) prohibits certain discharges of storm water containing pollutants except in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The NPDES stormwater program regulates some stormwater discharges from three potential sources: municipal separate storm sewer systems (MS4s), construction activities, and industrial activities.

Stormwater is defined by U.S. EPA as the runoff generated when precipitation from rain and snowmelt events flows over land or impervious surfaces without percolating into the ground. Stormwater is often considered a nuisance because it mobilizes pollutants such as motor oil and trash. In most cases, storm water flows directly to water bodies through sewer systems, contributing a major source of pollution to rivers, lakes, and the ocean. Stormwater discharges in California are regulated through National Pollutant Discharge Elimination System (NPDES) permits.

Dischargers whose projects disturb 1 or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility.

The Construction General Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD).

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was implemented in 1972 to prevent the construction of urban developments across the trace of active faults. California Geologic Survey Special Publication 42 was created to provide guidance for following and implementing the law requirements. Special Publication 42 was most recently revised in 2018 (CGS, 2018).

According to the State Geologist, a “Holocene-active” fault is defined as one which has had surface displacement within Holocene time (roughly the last 11,700 years). Regulatory Earthquake Fault Zones have been delineated to encompass traces of known, Holocene-active faults to address hazards associated with surface fault rupture within California. Where developments for human occupation are proposed within these zones, the state requires detailed fault evaluations be performed so that engineering-geologists can identify the locations of active faults and recommend setbacks from locations of possible surface fault rupture.

California Building Standards Code (Title 24)

California Code of Regulations (CCR) Title 24 is reserved for state regulations that govern the design and construction of buildings, associated facilities, and equipment. These regulations are also known as building standards (reference California Health and Safety Code §18909). Health and Safety Code §18902 gives CCR Title 24 the name California Building Standards Code (CBSC).

4.6.4 Environmental Setting

Regionally, the site is located in the southwestern portion of the Mojave Desert Geomorphic Province of California. The following discussion regarding the Geomorphic Province is from the California Geological Survey Note 36. The Mojave Desert is a broad interior region of isolated mountain ranges separated by expanses of desert plains. It has an interior enclosed drainage and many playas. There are two important fault trends that control topography: a prominent northwest-southeast trend and a secondary east-west trend, which is in apparent alignment with the Transverse Ranges Geomorphic Province on the southwestern side of the Mojave Desert. The Mojave Province is wedged in a sharp angle between the Garlock Fault which is the southern boundary of the Sierra Nevada Province, and the San Andreas Fault where it bends east from its northwest trend. The northern boundary of the Mojave is separated from the prominent Basin and Range Province by the eastern extension of the Garlock Fault. The site is located southeast of the Garlock Fault and north of the San Andreas Fault.

Locally, the site is located on a broad, nearly flat alluvial plain. The alluvium is derived from the nearby hills and mountains. The northward-flowing Mojave River is located approximately 4 miles northeast of the site and drainage in the vicinity of the site is generally via sheet flow towards the northeast. Old alluvial deposits are located in the upper reaches of incised drainages along the banks of the river. The alluvial plain is underlain at depth by granitic and metasedimentary rocks of the San Bernardino Mountain assemblage, and steep rugged hillsides that expose these rocks are located approximately 5 to 8 miles northeast and northwest of the site, respectively. A large playa (dry lakebed), known as El Mirage Dry Lake, is located adjacent to the hillsides northwest of the site.

4.6.5 Methodology

The basis for the information in the evaluation of the Geology and Soils analysis was found through Subsurface Exploration, Field Percolation Testing, and Laboratory Testing.

Subsurface Exploration

LGC Geotechnical conducted a subsurface geotechnical assessment of the subject site in September 2022. The evaluation involved excavating fourteen hollow-stem auger borings to assess the onsite geotechnical conditions. Using a truck-mounted drill rig equipped with 6-inch and 8-inch-diameter hollow-stem augers, fourteen borings (HS-1 through HS-12 and I-1 through I-2) were excavated. The depths ranged from approximately 10 to 50 feet below the existing grade. Throughout the drilling process, a representative from

LGC Geotechnical supervised the operations, recorded the details of the borings, and collected soil samples for laboratory testing. The soil samples were obtained using the Standard Penetration Test (SPT) and Modified California Drive (MCD) sampler methods. The SPT sampler, with a 1.4-inch inner diameter, and the MCD sampler, with a 2.4-inch inner diameter and 3.0-inch outer diameter, were driven using a 140-pound hammer falling 30 inches. This allowed the sampler to advance to a total depth of 18 inches or until refusal. The raw blow counts for each 6-inch increment of penetration were documented in the boring logs. Additionally, bulk samples were logged and collected for laboratory testing at specific depths. In some borings, the depth of the borehole due to caving was measured and recorded on the boring logs after removing the augers. The excavated borings were then backfilled with cuttings. Upon completing the excavation of Infiltration Borings I-1 through I-2, an infiltration well was constructed within each boring for subsequent testing. Following the infiltration tests, the installed pipes were removed, and the resulting voids were backfilled with native soils. Please be aware that some settlement of the backfill may occur over time, and it may be necessary to top off the excavations as needed.

Field Percolation Testing

Two field percolation tests were conducted at locations I-1 and I-2. The estimation of infiltration rates followed the general guidelines outlined by the County of San Bernardino (2013). For each test, a 3-inch diameter perforated PVC pipe was inserted into the borehole, and the space around it was filled with gravel, including approximately 2 inches of gravel at the bottom of the hole. The infiltration wells were pre-soaked one day prior to the testing. During the pre-test phase, if the water level dropped more than 6 inches within 25 minutes for two consecutive readings, the test procedure for coarse-grained soils was implemented. Conversely, if the water level did not meet this criterion, the procedure for fine-grained soils was employed. In the case of coarse-grained soils, the test was conducted for one hour, with readings taken every 10 minutes from a fixed reference point. For fine-grained soils, the test was extended to six hours, with readings taken every 30 minutes from a fixed reference point. Based on the pre-test results, it was determined that the procedure for coarse-grained soils should be followed. The calculated infiltration rates (observed) were then normalized relative to the three-dimensional flow occurring within the field test, considering only one-dimensional flow out of the bottom of the borehole. This normalization was done using the “Porchet Method.”

It is important to emphasize that the results of the infiltration tests accurately reflect the specific location and depth at which they were conducted. It should be acknowledged that subsurface conditions may differ outside the test locations, which could potentially impact the calculated infiltration rates mentioned earlier. The percolation tests were carried out using clean water devoid of particulates, silt, and similar substances.

Laboratory Testing

During our field evaluation, representative bulk and driven samples were obtained for laboratory testing. The laboratory tests encompassed various parameters, including in-situ moisture content and dry density, Atterberg Limits, gradation/fines content, consolidation, expansion index, laboratory compaction, R-Value, and corrosion characteristics (sulfate, chloride, pH, and minimum resistivity).

- The dry density of the collected samples ranged from approximately 102 pounds per cubic foot (pcf) to 130 pcf, with an average of approximately 115 pcf. Field moisture contents ranged from approximately 1 percent to 17 percent, with an average of approximately 4 percent.
- An Atterberg Limit test, consisting of liquid limit and plastic limit measurements, was performed, yielding a Plasticity Index of 7.

- Five sieve analysis and four fines content tests indicated a fines content (passing No. 200 sieve) ranging from approximately 24 to 49 percent. According to the Unified Soils Classification System (USCS), the tested samples are classified as "coarse-grained."
- Two Expansion Index (EI) tests were conducted, resulting in EI values of 0 to 18, indicating a "Very Low" expansion potential.
- Four Consolidation tests were carried out, and the deformation versus vertical stress plots can be found in Appendix C.
- A laboratory compaction curve was generated, showing a maximum dry density value of 129.5 pcf and an optimum moisture content value of 9.0 percent.
- One R-Value test was performed, yielding a result of 27.

Corrosion testing revealed soluble sulfate contents of less than approximately 0.02 percent, a chloride content of 21 parts per million (ppm), a pH value of 8.6, and a minimum resistivity of 2,590 ohm-centimeters.

4.6.6 Thresholds of Significance

Section VII of Appendix G to the CEQA Guidelines addresses typical adverse effects due to geological conditions and includes the following threshold questions to evaluate the Project's impacts resulting from geologic or soil conditions.

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

4.6.7 Impacts Analysis

Threshold 4.6 (a). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			✓	
ii) Strong seismic ground shaking?			✓	
iii) Seismic related ground failure, including liquefaction?			✓	
iv) Landslides?				✓

Discussion

i) Alquist-Priolo Earthquake Fault Zone

The Project site is located in Southern California, a seismically active area and susceptible to the effects of seismic activity include rupture of earthquake faults. The subject site is not located within an Alquist-Priolo Earthquake Fault Zone. The geotechnical report in Technical Appendix D identified that no active faults are mapped on the site, and no faults were identified during the geotechnical evaluation. Therefore, the impact is less than significant and no mitigation is required.

ii) Strong seismic ground shaking

The Project site is not located within a State of California Fault Rupture Hazard Zone (Technical Appendix D). The nearest Holocene-active faults to the Project site are the Helendale Fault, located approximately 14.5 miles northeast of the site and the San Andreas Fault Zone located approximately 18 miles to the southwest of the Site. These faults trend northwest-southeast, oblique to the site and not toward the site. Therefore, the possibility of damage due to ground rupture is considered low since no active faults are known to cross the site. The impact is less than significant and no mitigation is required.

iii) Seismic related ground failure, including liquefaction

Secondary effects of seismic shaking resulting from large earthquakes on the major faults in the Southern California region, which may affect the site, include ground lurching and shallow ground rupture, soil liquefaction, dynamic settlement, seiches, and tsunamis. These secondary effects of seismic shaking are a possibility throughout the Southern California region and are dependent on the distance between the site and causative fault, and the onsite geology.

Ground rupture due to active faulting is not likely to occur onsite due to the absence of known active fault traces. Ground cracking due to shaking from distant seismic events is not considered a significant hazard, although it is a possibility at any site. Due to the depth of groundwater greater than 50 feet, the generally dense/hard nature of underlying soils, the potential for liquefaction and liquefaction-induced settlement is

considered very low. Due to the very low potential for liquefaction, the potential for lateral spreading is also considered very low. Therefore, the impacts regarding possible seismic-related ground-failure including liquefaction are less than significant, and no mitigation is required.

iv) Landslides

Slope failures in the form of landslides are common during strong seismic shaking in areas of steep hills. The Project site and surrounding area are generally flat with no significant slopes. The Project site is not located within a landslide zone. Accordingly, no impact related to landslide hazards would occur.

Level of Significance

While the proposed Project is located within Southern California, it is not located near any critical fault zone. The topography is flat and there would be little chance of topsoil loss or landslides or other topographic hazards. Overall, the impacts from faulting, seismic shaking, and landslides are less than significant, and no mitigation is required.

Threshold 4.6 (b). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?			✓	

Discussion

During Project construction, when soils are exposed, temporary soil erosion may occur, which could be exacerbated by rainfall. To control the potential for soil erosion, wind, dust, and water quality impacts, the Project is required to comply with Mojave Desert Air Quality Management District (MDAQMD) rules relating to dust control (such as MDAQMD Rule 403) and rules to protect water quality including preparing a Stormwater Pollution Prevention Plan (SWPPP) to be approved by the Regional Water Quality Control Board (RWQCB). Compliance with federal, state, and local regulations will ensure potential impacts are less than significant. Therefore, impacts related to substantial soil erosion or the loss of topsoil would be less than significant, and no mitigation is required.

Level of Significance

Grading will occur on site that will disturb top soils. However, as indicated in the analysis, the Project construction is required to follow state and local regulations regarding soil erosion or the loss of topsoil. Therefore, the impacts to soil erosion or the loss of topsoil are less than significant and no mitigation is required.

Threshold 4.6 (c). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			✓	

Discussion

The Project site is not susceptible to landslides or liquefaction. Therefore, because no aspects of the proposed Project could increase the likelihood of landslides, lateral spreading, subsidence, liquefaction, potential impacts would be less than significant, and no mitigation is required.

The Project would be designed and constructed in accordance with the CBSC and the Victorville Municipal Code, which requires the Project to implement the site-specific geotechnical investigation recommendations. The geotechnical investigation in Technical Appendix D identified that the Project site contains medium dense to very dense silty sands and medium stiff to hard sandy silts to the maximum explored depth of approximately 50 feet below existing grade. Moisture content of soils in the upper approximate 5 feet were generally well below optimum. The near-surface compressible soils are not suitable for the planned improvements in their present condition but are anticipated to be suitable for use as general compacted fill, provided they are screened of construction debris and any oversized material (8 inches in greatest dimension). The site contains soils with high fines content (i.e., silts and clay) that are not suitable for backfill of retaining walls. Therefore, select grading and stockpiling of native suitable sandy soils and/or import of select sandy soils meeting project recommendations will be required for retaining wall backfill. Significant moisture conditioning of site soils should be anticipated to achieve adequate compaction.

Level of Significance

The geotechnical report in Appendix D identified that the Project site is not 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- site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. Compliance with the recommendations in the geotechnical investigation, and the design consistent with the CBSC, the impacts would be less than significant, and no mitigation would be required.

Threshold 4.6 (d). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1 B of the Uniform Building Code (1994), creating substantial risks to life or property?			✓	

Discussion

Based on the results of laboratory testing performed in the geotechnical investigation in Technical Appendix D, site soils are anticipated to have a “Very Low” expansion potential. The geotechnical investigation recommended that final expansion potential of site soils should be determined at the completion of grading. Results of expansion testing at finish grades will be utilized to confirm final foundation design. The Project

would be designed and constructed in accordance with the CBSC and the Victorville Municipal Code, which requires the Project to implement the site-specific geotechnical investigation recommendations. Compulsory compliance with the CBSC and local regulations will further diminish the possibility of risk associated from expansive soil.

Level of Significance

As discussed above, the on-site soils, have a “very low” expansion potential, and the Project would comply with the CBSC and local regulations. Therefore, the site is not located on expansive soil, as defined in Table 18-1 B of the Uniform Building Code (1994), and the potential impacts of creating substantial risks to life or property are less than significant, and no mitigation is required.

Threshold 4.6 (e). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓

Discussion

The proposed Project would utilize the City’s wastewater system and therefore does not propose to use a septic tank or alternative waste water disposal system.

Level of Significance

The Project does not propose to install septic tanks or alternative wastewater disposal systems. No impacts would occur, and no mitigation is required.

Threshold 4.6 (f). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		

Discussion

The project area is underlain by Quaternary alluvial (Qa) deposits to the maximum depth explored, approximately 50 feet below the ground surface (Technical Appendix D). The proposed Project site is immediately underlain by Holocene-age alluvial deposits at the surface that likely overlie and transition in the subsurface into older, Pleistocene-age deposits. Impacts to paleontological resources may occur only during excavations that will disturb sedimentary deposits of the Pleistocene age. Therefore, shallow excavations that will likely only disturb surficial Holocene deposits do not have the potential to impact paleontological resources, while excavations that will extend greater than about 15 feet below ground surface (and will potentially disturb Pleistocene age sedimentary deposits) have the potential to impact paleontological resources.

Project excavation may exceed 5 feet in some areas of the building footings to achieve adequate engineered compaction.

Level of Significance Before Mitigation

The Project site has a low potential for uncovering paleontological resources since the Project site is underlain by Holocene-age deposits at the surface and Quaternary alluvium at nearly 50 feet below ground surface. The Quaternary alluvium has the potential to contain fossorial elements, and excavations are anticipated to not to be deep enough to reach the Quaternary alluvium or fossorial elements. However, due to the anticipated variations in subsurface materials, unearthing an unanticipated paleontological resource during Project construction would be potentially significant.

Mitigation Measures

- GEO-1 **Discovery of Paleontological Resources during Construction.** If evidence of subsurface paleontological resources is found during construction, excavation and other construction activity in that area shall cease and the construction contractor shall contact the City of Victorville Planning Director. With direction from the Planning Director, a paleontologist certified by the County of San Bernardino shall evaluate the find prior to resuming ground disturbing activities in the immediate vicinity. If warranted, the paleontologist shall prepare and complete a standard Paleontological Resources Mitigation Program for the salvage and curation of identified resources.

Level of Significance After Mitigation

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

4.6.8 Cumulative Impacts Analysis

Based on the preceding analysis, all direct and indirect impacts associated with geology and soils related to the Project will be addressed by adhering to the CBSC, City of Victorville Municipal Code, other applicable regulatory requirements, and the specific recommendations outlined in the Geotechnical Report found in Technical Appendix D of this Environmental Impact Report (EIR).

With the exception of erosion hazards, potential risks associated with geologic and soil conditions covered by Thresholds a), c), d), and e) are unique to the Project site and confined to the specific property designated for development. These issues, such as fault rupture, seismic ground shaking, liquefaction, landslides, and expansive soils, pertain to effects on the proposed development project site and are specific to conditions found on that property. They are not influenced or exacerbated by geologic or soil hazards that may exist on other off-site properties. Given the site-specific nature of these potential hazards and the measures taken to address them, there is no direct or indirect connection to similar potential issues or cumulative effects on other properties.

Regarding Threshold b), regulatory requirements mandate that the Project include design measures during construction and long-term operation to prevent significant erosion impacts. Other development projects near the Project site would also be subject to these same regulatory requirements, ensuring that substantial adverse water and wind erosion impacts are avoided. Since both the Project and other projects within the cumulative study area must comply with similar mandatory regulations to control erosion hazards during construction and long-term operation, the cumulative impacts associated with wind and water erosion hazards would be insignificant.

This cumulative impact analysis takes into account the proposed Project's development in conjunction with other projects and planned developments in the vicinity of the Project site that may potentially disturb paleontological resources. Generally, impacts relating to paleontological resources are site-specific and are addressed on a case-by-case basis. Therefore, while there is a potential impact on a specific site, it would typically be limited to that site or its immediate surrounding area. Additionally, Mitigation Measure MM GEO-1 would ensure that any paleontological impacts specific to the Project are minimized to an insignificant level. Although there may be situations where a paleontological resource extends across multiple properties, there are no adjacent projects that could potentially affect unknown paleontological resources beneath the project site. Therefore, no cumulative impacts would arise in this regard.

4.6.9 Conclusion

The provisions outlined in Mitigation Measure GEO-1 aim to guarantee the appropriate identification and subsequent handling of any noteworthy paleontological resources that might be encountered during ground-disturbing activities linked to the execution of the proposed Project. By implementing the necessary mitigation measures, the potential impacts of the Project on significant paleontological resources would be diminished to a level that is considered insignificant. Furthermore, the Project's contribution to cumulative impacts would also be reduced to a degree that is deemed inconsequential.

4.7 Greenhouse Gas Emissions

4.7.1 Introduction

This section is based on current regulations and the following technical reports prepared to evaluate the potential for Project-related construction and operational activities to result in adverse effects on greenhouse gas emissions.

- Mojave 68 Greenhouse Gas Impact Analysis, prepared by KPC EHS Consultants, LLC, February 2023 (Technical Appendix A-3)

4.7.2 NOP/Scoping Comments

A Notice of Preparation (NOP) for the Project was released on March 3, 2023, for public review and comment through April 12, 2023. An EIR Scoping Meeting was held on April 12, 2023. No comments were received when the NOP public comment period ended on, or after the NOP period, nor were any comments made during the EIR Scoping Meeting that pertain to greenhouse gas emissions.

4.7.3 Regulatory Framework

Federal Regulations

Currently, there are no national standards for nationwide GHG reduction or regulations and legislation to address climate change and GHG emissions reduction at the project level. However, regulations and legislation have been passed at the federal level for improving energy efficiency fuel economy to reduce impacts on climate change and its effects.

U.S. Environmental Protection Agency Endangerment Finding

The U.S. Environmental Protection Agency (EPA) authority to regulate GHG emissions stems from the U.S. Supreme Court decision in *Massachusetts v. EPA* (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing Federal Clean Air Act (FCAA) and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court's ruling, the EPA finalized an endangerment finding in December 2009. Based on scientific evidence it found that six GHGs (CO₂, CH₄, N₂O, HFCs, PFCs, and SF₆) constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing FCAA and the EPA's assessment of the scientific evidence that form the basis for the EPA's regulatory actions.

Federal Vehicle Standards

In response to the U.S. Supreme Court ruling discussed above, Executive Order 13432 was issued in 2007 directing the EPA, the Department of Transportation, and the Department of Energy to establish regulations that reduce GHG emissions from motor vehicles, non-road vehicles, and non-road engines by 2008. In 2009, the NHTSA issued a final rule regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011, and in 2010, the EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012–2016.

In 2010, an Executive Memorandum was issued directing the Department of Transportation, Department of Energy, EPA, and NHTSA to establish additional standards regarding fuel efficiency and GHG reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, the EPA and NHTSA proposed stringent, coordinated federal GHG and fuel economy standards for model years 2017–2025 light-duty

vehicles. The proposed standards projected to achieve 163 grams per mile of CO₂ in model year 2025, on an average industry fleet-wide basis, which is equivalent to 54.5 miles per gallon if this level were achieved solely through fuel efficiency. The final rule was adopted in 2012 for model years 2017–2021, and NHTSA intends to set standards for model years 2022–2025 in a future rulemaking. On January 12, 2017, the EPA finalized its decision to maintain the current GHG emissions standards for model years 2022–2025 cars and light trucks. It should be noted that the U.S. EPA is currently proposing to freeze the vehicle fuel efficiency standards at their planned 2020 level (37 mpg), canceling any future strengthening (currently 54.5 mpg by 2026).

In addition to the regulations applicable to cars and light-duty trucks described above, in 2011, the EPA and NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014–2018. The standards for CO₂ emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to the EPA, this regulatory program will reduce GHG emissions and fuel consumption for the affected vehicles by 6% to 23% over the 2010 baselines.

In August 2016, the EPA and NHTSA announced the adoption of the phase two program related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program will apply to vehicles with model year 2018 through 2027 for certain trailers, and model years 2021 through 2027 for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work trucks. The final standards are expected to lower CO₂ emissions by approximately 1.1 billion metric tons and reduce oil consumption by up to 2 billion barrels over the lifetime of the vehicles sold under the program.

In 2018, the President and the U.S. EPA stated their intent to halt various federal regulatory activities to reduce GHG emission, including the phase two program. California and other states have stated their intent to challenge federal actions that would delay or eliminate GHG reduction measures and have committed to cooperating with other countries to implement global climate change initiatives. On September 27, 2019, the U.S. EPA and the NHTSA published the “Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program.” (84 Fed. Reg. 51,310 (Sept. 27, 2019).) The Part One Rule revokes California’s authority to set its own GHG emissions standards and set zero-emission vehicle mandates in California. On March 31, 2020, the U.S. EPA and NHTSA finalized rulemaking for SAFE Part Two sets CO₂ emissions standards and corporate average fuel economy (CAFE) standards for passenger vehicles and light duty trucks, covering model years 2021-2026. The U.S. EPA is currently reconsidering the SAFE rule.

State Regulations

The State of California legislature has enacted a series of bills that constitute the most aggressive programs and measures to reduce GHGs. Legislation such as the landmark AB 32 in 2006 was specifically enacted to address GHG emissions. Other legislation such as California Code of Regulations (CCR) Title 24 and Title 20 energy standards were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions. This section describes a summary of the major provisions of the legislation.

California Assembly Bill No. 32 (AB 32)

AB 32 instructs CARB to develop and enforce regulations for the reporting and verification of statewide GHG emissions. AB 32 also directed CARB to set a GHG emissions limit based on 1990 levels, to be achieved by 2020. It set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner.

California Air Resources Board (CARB) Scoping Plan

In November 2017, CARB released the Final 2017 Scoping Plan Update, which identifies the state’s post-2020 reduction strategy. The Final 2017 Scoping Plan Update reflects the 2030 target of a 40% reduction below 1990 levels, set by Executive Order B-30-15 and codified by SB 32. Key programs that the proposed Second Update builds upon include the Cap-and-Trade Regulation, the LCFS, and much cleaner cars, trucks, and freight movement, utilizing cleaner, renewable energy, and strategies to reduce CH₄ emissions from agricultural and other wastes.

CARB adopted the Scoping Plan to achieve the goals of AB 32. The Scoping Plan establishes an overall framework for the measures that would be adopted to reduce California’s GHG emissions. CARB determined that achieving the 1990 emissions level would require a reduction of GHG emissions of approximately 29% below what would otherwise occur in 2020 in the absence of new laws and regulations (referred to as “business-as-usual”). The Scoping Plan evaluates opportunities for sector-specific reductions, integrates early actions and additional GHG reduction measures by both CARB and the state’s Climate Action Team, identifies additional measures to be pursued as regulations, and outlines the adopted role of a cap-and-trade program. Additional development of these measures and adoption of the appropriate regulations occurred through the end of 2013. Key elements of the Scoping Plan include:

- Expanding and strengthening existing energy efficiency programs, as well as building and appliance standards.
- Achieving a statewide renewables energy mix of 33% by 2020.
- Developing a California cap-and-trade program that links with other programs to create a regional market system and caps sources contributing 85% of California’s GHG emissions (adopted in 2011).
- Establishing targets for transportation-related GHG emissions for regions throughout California and pursuing policies and incentives to achieve those targets (several sustainable community strategies have been adopted).
- Adopting and implementing measures pursuant to existing state laws and policies, including California’s clean car standards, heavy-duty truck measures, the Low Carbon Fuel Standard (amendments to the Pavley Standard adopted 2009; Advanced Clean Car standard adopted 2012), goods movement measures, and the Low Carbon Fuel Standard (adopted 2009).
- Creating targeted fees, including a public goods charge on water use, fees on gases with high global warming potential, and a fee to fund the administrative costs of the State of California’s long-term commitment to AB 32 implementation.
- The California Sustainable Freight Action Plan was developed in 2016 and provides a vision for California’s transition to a more efficient, more economically competitive, and less polluting freight transport system. This transition of California’s freight transport system is essential to supporting the state’s economic development in coming decades while reducing pollution.
- CARB’s Mobile Source Strategy demonstrates how the state can simultaneously meet air quality standards, achieve GHG emission reduction targets, decrease health risk from transportation emissions, and reduce petroleum consumption over the next fifteen years. The mobile Source Strategy includes increasing zero emission vehicle (ZEV) buses and trucks.

In 2012, CARB released revised estimates of the expected 2020 emissions reductions. The revised analysis relied on emissions projections updated in light of current economic forecasts that accounted for the

economic downturn since 2008, reduction measures already approved and put in place relating to future fuel and energy demand, and other factors. This update reduced the projected 2020 emissions from 596 million metric tons of CO₂e (MMTCo₂e) to 545 MMTCo₂e. The reduction in forecasted 2020 emissions means that the revised business-as-usual reduction necessary to achieve AB 32’s goal of reaching 1990 levels by 2020 is now 21.7%, down from 29%. CARB also provided a lower 2020 inventory forecast that incorporated state-led GHG emissions reduction measures already in place. When this lower forecast is considered, the necessary reduction from business-as-usual needed to achieve the goals of AB 32 is approximately 16%.

CARB adopted the first major update to the Scoping Plan on May 22, 2014. The updated Scoping Plan summarizes the most recent science related to climate change, including anticipated impacts to California and the levels of GHG emissions reductions necessary to likely avoid risking irreparable damage. It identifies the actions California has already taken to reduce GHG emissions and focuses on areas where further reductions could be achieved to help meet the 2020 target established by AB 32.

CARB adopted the Final 2017 Scoping Plan Update identifying the state’s post 2020 reduction strategy and reflects the 2030 reduction target of 40% below 1990 levels.

2022 Scoping Plan For Achieving Carbon Neutrality

On December 15, 2022, CARB approved the final 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan) which lays out a path to achieve targets for carbon neutrality and reduce anthropogenic greenhouse gas (GHG) emissions by 85% below 1990 levels no later than 2045, as directed by Assembly Bill 1279. The actions and outcomes in the plan are to achieve significant reductions in fossil fuel combustion by deploying clean technologies and fuels, further reductions in short-lived climate pollutants, support for sustainable development, increased action on natural and working lands to reduce emissions and sequester carbon, and the capture and storage of carbon.

The 2022 Scoping Plan contains the GHG reductions, technology, and clean energy mandated by statutes. The 2022 Scoping Plan was developed to achieve carbon neutrality by 2045 through a substantial reduction in fossil fuel dependence, while at the same time increasing deployment of efficient non-combustion technologies and distribution of clean energy. The plan would also reduce emissions of short-lived climate pollutants (SLCPs) and would include mechanical carbon dioxide (CO₂) capture and sequestration actions, as well as emissions and sequestration from natural and working lands and nature-based strategies. [Table 4.7-1](#) provides a summary of the actions of the scoping plan by sector.

Table 4.7-1 Actions for the Scoping Plan Scenario: AB 32 GHG Inventory Sectors

Sector	Action
GHG emissions reductions relative to the SB 32 target	<ul style="list-style-type: none"> At least 40% below 1990 levels by 2030
Smart Growth / Vehicle Miles Travelled (VMT)	<ul style="list-style-type: none"> VMT per capita reduced 25% below 2019 levels by 2030 and 30% below 2019 levels by 2045
Light-duty vehicle (LDV) Zero Emission Vehicles (ZEVs)	<ul style="list-style-type: none"> 100% of LDV sales are ZEV by 2035
Truck ZEVs	<ul style="list-style-type: none"> AB 74 Institute of Transportation Studies report: 100% of medium duty/heavy duty vehicle sales are ZEV by 2040
Aviation	<ul style="list-style-type: none"> 20% of aviation fuel demand is met by electricity (batteries) or hydrogen (fuel cells) in 2045. Sustainable aviation fuel meets most or the rest of the aviation fuel demand that has not already transitioned to hydrogen or batteries

Sector	Action
Ocean-going Vessels (OGV)	<ul style="list-style-type: none"> 2020 OGV At-Berth regulation fully implemented with most OGVs utilizing shore power by 2027 25% of OGVs utilize hydrogen fuel cell electric technology by 2045
Port Operations	<ul style="list-style-type: none"> Executive Order N-79-20: 100% of cargo handling equipment is zero-emission by 2037 100% of drayage trucks are zero emission by 2035
Freight and Passenger Rail	<ul style="list-style-type: none"> 100% of passenger and other locomotive sales are ZEV by 2030 100% of line haul locomotive sales are ZEV by 2035 Line haul and passenger rail rely primarily on hydrogen fuel cell technology, and others primarily utilize electricity
Oil & Gas Extraction	<ul style="list-style-type: none"> Operations to be reduced in-line with petroleum demand
Petroleum Refining	<ul style="list-style-type: none"> CCS is delayed until 2028 to allow for permitting and SB 905 related pipeline safety regulations to be in effect. Amount of CCS continues to be limited to large units at a refinery site. Production reduced in line with petroleum demand
Electricity Generation, Transmission and Distribution	<ul style="list-style-type: none"> 100% zero carbon for retail sales by 2045 Procurement of zero carbon electricity between 2030 and 2045 with an offshore wind target of 20 GW in 2045 Retail sales load coverage CCS on some electricity generation by 2045 Transmission and distribution infrastructure development to complement electrification and grid resiliency efforts
Carbon Dioxide Removal/Carbon Capture and Sequestration	<ul style="list-style-type: none"> 2030 target for carbon dioxide removal and carbon capture of 20 MMT CO₂e and 2045 target of 100 MMT CO₂e; per AB 1279, ensure 85% reduction in anthropogenic emissions from 1990 levels by 2045
New Residential and Commercial Buildings	<ul style="list-style-type: none"> All electric appliances beginning 2026 (residential) and 2029 (commercial)
Existing Commercial Buildings	<ul style="list-style-type: none"> 80% of appliance sales are electric by 2030 and 100% of appliance sales are electric by 2045 Appliances are replaced at the end of life
Construction Equipment	<ul style="list-style-type: none"> 25% energy demand electrified by 2030 and 75% by 2045
Other Industrial Manufacturing	<ul style="list-style-type: none"> 0% energy demand electrified by 2030 and 50% by 2045
Combined Heat and Power	<ul style="list-style-type: none"> Facilities retire by 2040
Agriculture Energy Use	<ul style="list-style-type: none"> 25% energy demand electrified by 2030 and 75% by 2045
Low Carbon Fuels for Transportation	<ul style="list-style-type: none"> Biomass supply used to produce conventional and advanced biofuels, as well as hydrogen
Low Carbon Fuels for Buildings and Industry	<ul style="list-style-type: none"> In 2030s, RNG blended in pipeline Renewable hydrogen blended in natural gas pipeline at 7% energy (~20% by volume), ramping up between 2030 and 2040 In 2030s, dedicated hydrogen pipelines constructed to serve certain industrial clusters
Non-combustion Methane Emissions	<ul style="list-style-type: none"> Increase landfill and dairy digester methane capture Some alternative manure management deployed for smaller dairies Moderate adoption of enteric strategies by 2030 Divert 75% of organic waste from landfills by 2025 Oil and gas fugitive methane emissions reduced 50% by 2030 and further reductions as infrastructure components retire in line with reduced natural gas demand
High Global Warming Potential (GWP) Emissions	<ul style="list-style-type: none"> Low GWP refrigerants introduced as building electrification increases, mitigating hydrofluorocarbon (HFC) emissions

The 2022 Scoping Plan also identifies local governments as critical partners with efforts to reduce GHGs within their jurisdiction which are necessary for achieving the state’s long-term climate goals. The 2022 Scoping Plan states that local governments have responsibility and authority over the built environment, transportation networks, and provision of local services. For example, local governments have primary authority to plan, zone, approve, and permit how and where land is developed to accommodate population and employment growth and the changing needs of their jurisdictions. They make decisions on how and when to deploy transportation infrastructure and can promote residential and commercial development that supports transit, bicycling, and walking. Local governments have the authority to adopt building ordinances that exceed statewide building code requirements and facilitate the implementation of zero-emission vehicle (ZEV) infrastructure.

The 2022 Scoping Plan discusses the implications for sustainable development on equity and environmental justice as part of a strategy to combat climate change and provides the following recommendations to local governments for:

- Developing local CAPs and strategies consistent with the state’s GHG emission reduction goals;
- Incorporating state-level GHG priorities into their processes for approving land use plans and individual projects;
- Implementing CEQA mitigation, as needed, to reduce GHG emissions associated with new land use development projects; and
- Leveraging opportunities for regional collaboration.

Senate Bill (SB) 32 and AB 197

SB 32 and AB 197 (enacted in 2016) are companion bills. SB 32 codified the 2030 emissions reduction goal of Executive Order (EO) B-30-15 by requiring CARB to ensure that statewide GHG emissions are reduced to 40% below 1990 levels by 2030. AB 197 established the Joint Legislative Committee on Climate Change Policies, consisting of at least three members of the Senate and three members of the Assembly, to provide ongoing oversight over implementation of the state’s climate policies. AB 197 also added two members of the Legislature to the CARB Board as nonvoting members; requires CARB to make available and update (at least annually via its website) emissions data for GHGs, criteria air pollutants, and TACs from reporting facilities; and requires CARB to identify specific information for GHG emissions reduction measures when updating the Scoping Plan.

AB 1493 (Pavley Regulations and Fuel Efficiency Standards)

AB 1493, enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the EPA’s denial of an implementation waiver. The EPA subsequently granted the requested waiver in 2009, which was upheld by the U.S. District Court for the District of Columbia in 2011. The regulations establish one set of emission standards for model years 2009–2016 and a second set of emissions standards for model years 2017 to 2025. By 2025, when all rules will be fully implemented, new automobiles will emit 34% fewer CO₂e emissions and 75% fewer smog-forming emissions.

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California Code of Regulations

The California Code of Regulations (CCR) is the official compilation and publication of regulations adopted, amended, or repealed by the state agencies pursuant to the Administrative Procedure Act (APA). The CCR includes regulations that pertain to GHG emissions specifically Title 20 Appliance Efficiency, Title 24 Building Energy Efficiency Standards and California Green Building Standards Code.

Title 20 Appliance Efficiency Regulations

The California Energy Commission (CEC) first developed the Appliance Energy Efficiency Standards in 1977. The appliance efficiency regulations (California Code of Regulations [CCR] Title 20, Sections 1601-1608) include standards for new appliances and set minimum efficiency levels for energy and water consumption in products, such as consumer electronics, household appliances, and plumbing equipment.

Title 24 Building Energy Efficiency Standards

California's Energy Efficiency Standards for Residential and Nonresidential Buildings (CCR Title 24, Part 6) was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The 2016 Building Energy Efficiency Standards approved on January 19, 2016 went into effect on January 1, 2017. The 2019 Building Energy Efficiency Standards were adopted on May 9, 2018 and took effect on January 1, 2020. Under the 2019 standards, homes will use about 53% less energy and nonresidential buildings will use about 30% less energy than buildings under the 2016 standards.

Title 24 California Green Building Standards Code (CALGreen)

The California Green Building Standards Code (CCR Title 24, Part 11 code) commonly referred to as the CALGreen Code, is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. The CALGreen standards require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics. The most recent update to the CALGreen Code went into effect January 1, 2017. Updates to the 2016 CALGreen Code took effect on January 1, 2020 (2019 CALGreen). The 2019 CALGreen standards continue to improve upon the existing standards for new construction of, and additions and alterations to, residential and nonresidential buildings.

CARB Refrigerant Management Program

CARB adopted a regulation in 2009 to reduce refrigerant GHG emissions from stationary sources through refrigerant leak detection and monitoring, leak repair, system retirement and retrofitting, reporting and recordkeeping, and proper refrigerant cylinder use, sale, and disposal. The regulation is set forth in sections 95380 to 95398 of Title 17, CCR. The rules implementing the regulation establish a limit on statewide GHG

emissions from stationary facilities with refrigeration systems with more than 50 pounds of a high GWP refrigerant. The refrigerant management program is designed to reduce emissions of high-GWP GHG refrigerants from leaky stationary, non-residential refrigeration equipment; reduce emissions from the installation and servicing of refrigeration and air-conditioning appliances using high-GWP refrigerants; and verify GHG emission reductions.

CARB GHG Standards for Medium- and Heavy-Duty Engines and Vehicles

CARB has adopted greenhouse gas (GHG) standards that largely align with the U.S. Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA) for new medium- and heavy-duty engines, vehicles, and trailers sold in California. The regulations will reduce GHG emissions from on-road medium- and heavy-duty vehicles.

Tractor-Trailer GHG Regulation

The tractors and trailers subject to this regulation must either use EPA SmartWay certified tractors and trailers or retrofit their existing fleet with SmartWay verified technologies. The regulation applies primarily to owners of 53-foot or longer box-type trailers, including both dry-van and refrigerated-van trailers, and owners of the HD tractors that pull them on California highways. These owners are responsible for replacing or retrofitting their affected vehicles with compliant aerodynamic technologies and low rolling resistance tires. Sleeper cab tractors model year 2011 and later must be SmartWay certified. All other tractors must use SmartWay verified low rolling resistance tires. There are also requirements for trailers to have low rolling resistance tires and aerodynamic devices.

California Attorney General’s Bureau of Environmental Justice, (Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act)

The document builds upon the California Attorney General’s Bureau of Environmental Justice (Bureau) reviews of proposed warehouse project for compliance with CEQA. The document includes input from comment letters, and knowledge gained from the Bureau’s review of warehouse projects across the state. The document provides guidance to lead agencies providing information on feasible best practices and mitigation measures, adapted from actual warehouse projects in the state.

Table 4.7-2 Major Climate Legislation and Executive Orders Since 2017 Scoping Plan

Assembly Bill 1279 (AB 1279) (Muratsuchi, Chapter 337, Statutes of 2022) The California Climate Crisis Act	AB 1279 establishes the policy of the state to achieve carbon neutrality as soon as possible, but no later than 2045; to maintain net negative GHG emissions thereafter; and to ensure that by 2045 statewide anthropogenic GHG emissions are reduced at least 85% below 1990 levels. The bill requires CARB to ensure that Scoping Plan updates identify and recommend measures to achieve carbon neutrality, and to identify and implement policies and strategies that enable CO2 removal solutions and carbon capture, utilization, and storage (CCUS) technologies. This bill is reflected directly in the 2022 Scoping Plan.
Senate Bill 905 (SB 905) (Caballero, Chapter 359, Statutes of 2022) Carbon Capture, Removal, Utilization, and Storage Program	SB 905 requires CARB to create the Carbon Capture, Removal, Utilization, and Storage Program to evaluate, demonstrate, and regulate CCUS and carbon dioxide removal (CDR) projects and technology. The bill requires CARB, on or before January 1, 2025, to adopt regulations creating a unified state permitting application for

	<p>approval of CCUS and CDR projects. The bill also requires the Secretary of the Natural Resources Agency to publish a framework for governing agreements for two or more tracts of land overlying the same geologic storage reservoir for the purposes of a carbon sequestration project.</p> <p>The 2022 Scoping Plan modeling reflects both CCUS and CDR contributions to achieve carbon neutrality.</p>
<p>Senate Bill 1020 (SB 1020) (Laird, Chapter 361, Statutes of 2022)</p> <p>Clean Energy, Jobs, and Affordability Act of 2022</p>	<p>SB 1020 adds interim renewable energy and zero carbon energy retail sales of electricity targets to California end-use customers set at 90% in 2035 and 95% in 2040.</p> <p>It accelerates the timeline required to have 100% renewable energy and zero carbon energy procured to serve state agencies from the original target year of 2045 to 2035. This bill requires each state agency to individually achieve the 100% goal by 2035 with specified requirements. This bill requires the CPUC, California Energy Commission (CEC), and CARB, on or before December 1, 2023, and annually thereafter, to issue a joint reliability progress report that reviews system and local reliability.</p> <p>The bill also modifies the requirement for CARB to hold a portion of its Scoping Plan workshops in regions of the state with the most significant exposure to air pollutants by further specifying that this includes communities with minority populations or low-income communities in areas designated as being in extreme federal non-attainment.</p> <p>The 2022 Scoping Plan describes the implications of this legislation on emissions.</p>
<p>Senate Bill 1075 (SB 1075) (Skinner, Chapter 363, Statutes of 2022)</p> <p><i>Hydrogen: Green Hydrogen: Emissions of Greenhouse Gases</i></p>	<p>SB 1075 requires CARB, by June 1, 2024, to prepare an evaluation that includes: policy recommendations regarding the use of hydrogen, and specifically the use of green hydrogen, in California; a description of strategies supporting hydrogen infrastructure, including identifying policies that promote the reduction of GHGs and short-lived climate pollutants; a description of other forms of hydrogen to achieve emission reductions; an analysis of curtailed electricity; an estimate of GHG and emission reductions that could be achieved through deployment of green hydrogen through a variety of scenarios; an analysis of the potential for opportunities to integrate hydrogen production and applications with drinking water supply treatment needs; policy recommendations for regulatory and permitting processes associated with transmitting and distributing hydrogen from production sites to end uses; an analysis of the life-cycle GHG emissions from various forms of hydrogen production; and an analysis of air pollution and other environmental impacts from hydrogen distribution and end uses.</p> <p>This bill would inform the production of hydrogen at the scale called for in the 2022 Scoping Plan.</p>
<p>Senate Bill 1206 (SB 1206) (Skinner, Chapter 884, Statutes of 2022)</p> <p><i>Hydrofluorocarbon gases: sale or distribution</i></p>	<p>SB 1206 mandates a stepped sales prohibition on newly produced high- global warming potential (GWP) HFCs to transition California's economy toward recycled and reclaimed HFCs for servicing existing HFC-based equipment. Additionally, SB 1206 also requires CARB to develop regulations to increase the adoption of very low-, i.e., GWP</p>

	<10, and no-GWP technologies in sectors that currently rely on higher-GWP HFCs.
Senate Bill 596 (SB 596) (Becker, Chapter 246, Statutes of 2021) <i>Greenhouse Gases: Cement Sector: Net-zero Emissions Strategy</i>	SB 596 requires CARB, by July 1, 2023, to develop a comprehensive strategy for the state’s cement sector to achieve net-zero-emissions of GHGs associated with cement used within the state as soon as possible, but no later than December 31, 2045. The bill establishes an interim target of 40% below the 2019 average GHG intensity of cement by December 31, 2035. Under SB 596, CARB must: <ul style="list-style-type: none"> • Define a metric for GHG intensity and establish a baseline from which to measure GHG intensity reductions. • Evaluate the feasibility of the 2035 interim target (40% reduction in GHG intensity) by July 1, 2028. • Coordinate and consult with other state agencies. • Prioritize actions that leverage state and federal incentives. • Evaluate measures to support market demand and financial incentives to encourage the production and use of cement with low GHG intensity.
Executive Order N-79-20	Governor Newsom signed Executive Order N-79-20 in September 2020 to establish targets for the transportation sector to support the state in its goal to achieve carbon neutrality by 2045. The targets established in this Executive Order are: <ul style="list-style-type: none"> • 100% of in-state sales of new passenger cars and trucks will be zero-emission by 2035. • 100% of medium- and heavy-duty vehicles will be zero-emission by 2045 for all operations where feasible, and by 2035 for drayage trucks. • 100% of off-road vehicles and equipment will be zero-emission by 2035 where feasible. The Executive Order also tasked CARB to develop and propose regulations that require increasing volumes of zero-electric passenger vehicles, medium- and heavy-duty vehicles, drayage trucks, and off-road vehicles toward their corresponding targets of 100% zero-emission by 2035 or 2045, as listed above.
Executive Order B-55-18	Governor Brown signed Executive Order B-55-18 in September 2018 to establish a statewide goal to achieve carbon neutrality as soon as possible, and no later than 2045, and to achieve and maintain net negative emissions thereafter. Policies and programs undertaken to achieve this goal shall: <ul style="list-style-type: none"> • Seek to improve air quality and support the health and economic resiliency of urban and rural communities, particularly low-income and disadvantaged communities. • Be implemented in a manner that supports climate adaptation and biodiversity, including protection of the state’s water supply, water quality, and native plants and animals. This Executive Order also calls for CARB to:

	<ul style="list-style-type: none"> • Develop a framework for implementation and accounting that tracks progress toward this goal. • Ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal. <p>The 2022 Scoping Plan is designed to achieve carbon neutrality no later than 2045 and the modeling includes technology and fuel transitions to achieve that outcome.</p>
<p>Senate Bill 100 (SB 100) (De León, Chapter 312, Statutes of 2018)</p> <p><i>California Renewables Portfolio Standard Program: emissions of greenhouse gases</i></p>	<p>SB 100 mandates that the CPUC, CEC, and CARB plan for 100% of total retail sales of electricity in California to come from eligible renewable energy resources and zero-carbon resources by December 31, 2045. This bill also updates the state’s Renewables Portfolio Standard (RPS) to include the following interim targets:</p> <ul style="list-style-type: none"> • 44% of retail sales procured from eligible renewable sources by December 31, 2024. • 52% of retail sales procured from eligible renewable sources by December 31, 2027. • 60% of retail sales procured from eligible renewable sources by December 31, 2030. <p>Under SB 100, the CPUC, CEC, and CARB shall use programs under existing laws to achieve 100% clean electricity. The statute requires these agencies to issue a joint policy report on SB 100 every four years. The first of these reports was issued in 2021.</p> <p>The 2022 Scoping Plan reflects the SB 100 Core Scenario resource mix with a few minor updates.</p>
<p>Assembly Bill 2061 (AB 2061) (Frazier, Chapter 580, Statutes of 2018)</p> <p><i>Near-zero-emission and Zero-emission Vehicles</i></p>	<p>Existing state and federal law sets specified limits on the total gross weight imposed on the highway by a vehicle with any group of two or more consecutive axles. Under existing federal law, the maximum gross vehicle weight of that vehicle may not exceed 82,000 pounds. AB 2061 authorizes a near-zero-emission vehicle or a zero-emission vehicle to exceed the weight limits on the power unit by up to 2,000 pounds.</p>

Regional Regulations

There are no applicable regional regulations.

Local Regulations

City of Victorville Climate Action Plan (CAP)

The City of Victorville Climate Action Plan (CAP) was adopted in 2015 to present the GHG inventories, identify the effectiveness of California initiatives to reduce GHG emissions, and identify local measures that were selected by the City to reduce GHG emissions under the City’s jurisdictional control to achieve the City’s identified reduction targets per AB 32 2020 GHG target. The City’s CAP is currently being updated to provide for post 2020 GHG emissions reduction targets.

As part of the City’s CAP projects are required to complete and implement the Greenhouse Gas Emissions Screening Table Review Measures form (GHG Screening Table) providing for a minimum 100 points.

City of Victorville Greenhouse Gas Reduction Plan (GGRP)

To meet the intent of SB 32, the City is in the process of adopting the 2021 GGRP to implement General Plan policies focused on GHG emissions. The GGRP sets an aggressive goal to reduce GHG emissions by 55% below 2008 baseline GHG emission levels. To achieve this goal, the GGRP will require 100% of new industrial buildings to install on-site renewable electrical generation.

General Plan Policies and Implementation Measures

Local air quality within Victorville varies from place to place and depends on both regional wind patterns and proximity to local pollution sources. The City of Victorville General Plan contains a variety of policies and implementation measures that address air quality improvement and GHG reduction. The following policies and implementation measures would apply to the project.

Policy 6.1.1: Encourage planning and development activities, that reduce the number and length of single occupant automobile trips.

- **Implementation Measure 6.1.1.1:** Require large projects (exceeding 150,000 square feet of development) to incorporate Transportation Demand Management (TDM) techniques, such as promoting carpooling and transit, as a condition of project approval.

Policy 7.2.1: Support energy conservation by requiring sustainable building design and development for new residential, commercial, and industrial projects.

- **Implementation Measure 7.2.1.2:** Minimize energy use of new residential, commercial, and industrial projects by requiring high efficiency heating, lighting, and other appliances, such as cooking equipment, refrigerators, furnaces, overhead and area lighting, and low NOx water heaters.
- **Implementation Measure 7.2.1.3:** Require drought tolerant landscaping in all new private developments.

4.7.4 Environmental Setting

Greenhouse Gases and Climate Change

Greenhouse gases, also known as GHGs, are gases in the earth's atmosphere that trap heat and create the greenhouse effect. The gases act like the panels of a greenhouse, thus the reason for the name greenhouse gases. The greenhouse effect is a natural occurrence that prevents nighttime temperatures from dropping to levels too low to sustain life. The greenhouse effect helps to maintain earth's temperature at an average 57°F (14°C), without the greenhouse effect temperatures would drop to as low as -0.4°F (-18°C).

Human activity, however, has created changes to earth's natural greenhouse effect due to the increased release of greenhouse gases. Since the Industrial Revolution, humans have been releasing large quantities of GHGs into the atmosphere. The impact of human activity on the greenhouse gas effect is referred to as Climate Change.

GHGs can be categorized into natural and man-made. Natural GHGs include gases such as Carbon Dioxide (CO₂), Methane (CH₄), Nitrous Oxide (N₂O), and Water Vapor. Man-made GHGs include fluorinated gases such as hydrofluorocarbons (HFC), perfluorocarbons (PFC), nitrogen trifluoride (NF₃) and sulfur hexafluoride (SF₆).

GHGs are considered global pollutants, whereas criteria air pollutants and toxic air contaminants (TACs) are air pollutants of regional and local concern. Criteria pollutants and TACs not only have localized air quality effects they have relatively short atmospheric lifetimes (typically one day or less), GHGs on the other hand

have long atmospheric lifetimes (one to several thousand years). Due to the long lifetime GHGs persist in the atmosphere for long enough time periods to be dispersed around the globe. Although the exact lifetime of a GHG molecule is dependent on multiple variables and cannot be pinpointed, more CO₂ is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, or other forms of carbon sequestration. Of the total annual human-caused CO₂ emissions, approximately 55% is sequestered through ocean and land uptakes every year, averaged over the last 50 years, whereas the remaining 45% of human-caused CO₂ emissions remains stored in the atmosphere.²⁸ Table 4.7-3 describes the primary GHGs attributed to global climate change, including their physical properties.

Table 4.7-3 Greenhouse Gases and Health Effects

Greenhouse Gas	Description	Health Effects
Carbon Dioxide (CO ₂)	<p>Carbon dioxide (CO₂) is the primary greenhouse gas emitted through human activities. In 2020, CO₂ accounted for about 79% of all U.S. greenhouse gas emissions from human activities. Carbon dioxide is naturally present in the atmosphere as part of the Earth's carbon cycle (the natural circulation of carbon among the atmosphere, oceans, soil, plants, and animals). Human activities are altering the carbon cycle—both by adding more CO₂ to the atmosphere and by influencing the ability of natural sinks, like forests and soils, to remove and store CO₂ from the atmosphere. While CO₂ emissions come from a variety of natural sources, human-related emissions are responsible for the increase that has occurred in the atmosphere since the industrial revolution.*</p> <p>Carbon dioxide enters the atmosphere through burning fossil fuels (coal, natural gas, and oil), solid waste, trees and other biological materials, and also as a result of certain chemical reactions (e.g., manufacture of cement). Carbon dioxide is removed from the atmosphere (or "sequestered") when it is absorbed by plants as part of the biological carbon cycle.</p>	<p>Outdoor levels of CO₂ typically range from 300 to 400 ppm but can be as high as 600 to 900 ppm in metropolitan areas. Ambient levels are not high enough to result in negative health effects.</p> <p>CO₂ is considered to be minimally toxic by inhalation. The primary health effects caused by CO₂ are the result of its behavior as a simple asphyxiant. A simple asphyxiant is a gas which reduces or displaces the normal oxygen in breathing air. Symptoms of mild CO₂ exposure may include headache and drowsiness. At higher levels, rapid breathing, confusion, increased cardiac output, elevated blood pressure and increased arrhythmias may occur.</p> <p>Breathing oxygen depleted air caused by extreme CO₂ concentrations can lead to death by suffocation.</p>
Methane (CH ₄)	<p>In 2020, methane (CH₄) accounted for about 11% of all U.S. greenhouse gas emissions from human activities. Human activities emitting methane include leaks from natural gas systems and the raising of livestock. Methane is also emitted by natural sources such as natural wetlands. In addition, natural processes in soil and chemical reactions in the atmosphere help remove CH₄ from the atmosphere. Methane's lifetime in the atmosphere is much shorter than carbon dioxide (CO₂), but CH₄ is more efficient at trapping</p>	<p>Exposure to CH₄ at high levels can cause asphyxiation, loss of consciousness, headache and dizziness, nausea and vomiting, weakness, loss of coordination, and an increased breathing rate.</p>

28 Intergovernmental Panel on Climate Change, Carbon and Other Biogeochemical Cycles. In: Climate Change 2013: The Physical Science Basis, Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change, 2013. http://www.climatechange2013.org/images/report/WG1AR5_ALL_FINAL.pdf

Greenhouse Gas	Description	Health Effects
	<p>radiation than CO₂. Pound for pound, the comparative impact of CH₄ is 25 times greater than CO₂ over a 100-year period.*</p> <p>Globally, 50-65% of total CH₄ emissions come from human activities.* Methane is emitted from energy, industry, agriculture, land use, and waste management activities.</p> <p>Methane is emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from livestock and other agricultural practices, land use, and by the decay of organic waste in municipal solid waste landfills.</p>	
Nitrous Oxide (N ₂ O)	<p>In 2020, nitrous oxide (N₂O) accounted for about 7% of all U.S. greenhouse gas emissions from human activities. Human activities such as agriculture, fuel combustion, wastewater management, and industrial processes are increasing the amount of N₂O in the atmosphere. Nitrous oxide is also naturally present in the atmosphere as part of the Earth's nitrogen cycle and has a variety of natural sources. Nitrous oxide molecules stay in the atmosphere for an average of 114 years before being removed by a sink or destroyed through chemical reactions. The impact of 1 pound of N₂O on warming the atmosphere is almost 300 times that of 1 pound of carbon dioxide.*</p> <p>Globally, about 40% of total N₂O emissions come from human activities.* Nitrous oxide is emitted from agriculture, land use, transportation, industry, and other activities.</p> <p>Nitrous oxide is emitted during agricultural, land use, and industrial activities; combustion of fossil fuels and solid waste; as well as during treatment of wastewater.</p>	<p>N₂O is not considered harmful at low concentrations. Exposure may cause light headedness, dizziness, and euphoria. Chronic exposure has been associated with brain damage.</p>
Water Vapor	<p>Water is constantly cycling through the atmosphere. Water evaporates from the Earth's surface and rises on warm updrafts into the atmosphere. It condenses into clouds, is blown by the wind, and then falls back to the Earth as rain or snow. This cycle is one important way that heat and energy are transferred from the surface of the Earth to the atmosphere, and transported from one place to another on our planet.</p> <p>Water vapor is also the most important greenhouse gas in the atmosphere. Heat radiated from Earth's surface is absorbed by water vapor molecules in the lower atmosphere. The water vapor molecules, in turn, radiate heat in all directions. Some of the heat returns to the Earth's</p>	<p>There are no known direct health effects related to water vapor, however when some pollutants react with water vapor, the reaction forms a transport mechanism for these pollutants to enter the human body through water vapor.</p>

Greenhouse Gas	Description	Health Effects
	surface. Thus, water vapor is a second source of warmth (in addition to sunlight) at the earth's surface.	
Fluorinated Gases hydrofluorocarbons (HFC), perfluorocarbons (PFC), nitrogen trifluoride (NF ₃) sulfur hexafluoride (SF ₆).	Fluorinated gases, also called F-gases, have no significant natural sources and come almost entirely from human-related activities. They are emitted through their use as substitutes for ozone-depleting substances (e.g., as refrigerants) and through a variety of industrial processes such as aluminum and semiconductor manufacturing. Many fluorinated gases have very high global warming potentials (GWPs) relative to other greenhouse gases, so small atmospheric concentrations can have disproportionately large effects on global temperatures. They can also have long atmospheric lifetimes—in some cases, lasting thousands of years. Like other long-lived greenhouse gases, most fluorinated gases are well-mixed in the atmosphere, spreading around the world after they are emitted. Many fluorinated gases are removed from the atmosphere only when they are destroyed by sunlight in the far upper atmosphere. In general, fluorinated gases are the most potent and longest lasting type of greenhouse gases emitted by human activities.	No health effects are known for exposures to HFCs and PFCs. Chronic and repeated exposure to NF ₃ has the potential to cause fluorosis and impact the kidneys and liver functions. SF ₆ displaces oxygen in the atmosphere and is a suffocation danger in high concentrations in confined spaces.

*USEPA Overview of Greenhouse Gases at <https://www.epa.gov/ghgemissions/overview-greenhouse-gases#CH4-reference>

Global Warming Potential

Greenhouse gases (GHGs) warm the Earth by absorbing energy and slowing the rate at which the energy escapes to space; they act like a blanket insulating the Earth. Different GHGs can have different effects on the Earth's warming. Two key ways these gases differ from each other are their ability to absorb energy (their "radiative efficiency"), and how long they stay in the atmosphere (also known as their "lifetime").

The Global Warming Potential (GWP) was developed to allow comparisons of the global warming impacts of different gases. GHGs have varying global warming potential (GWP). A GWP is a "quantified measure of the globally averaged relative radiative forcing impacts of a particular greenhouse gas, defined as the accumulated radiative forcing within a specific time horizon caused by emitting one kilogram of the gas, relative to that of the reference gas" (EPA 2017). The reference gas for GWP is carbon dioxide (CO₂); CO₂ has a GWP of one. For example: methane has a GWP of 21, which means that it has a greater global warming effect than carbon dioxide on a molecule per molecule basis. One teragram of carbon dioxide equivalent (Tg CO₂ Eq.) is the emissions of the gas multiplied by the GWP. One teragram is equal to one million metric tons. The carbon dioxide equivalent is a good way to assess emissions because it gives weight to the GWP of the gas. The lifetime and GWP of selected GHG are summarized in Table 4.7-4. As shown in the table, GWP for a 100-year time horizon from the Intergovernmental Panel on Climate Change (IPCC) second assessment report (SAR), fourth assessment report (AR4) and the fifth assessment report (AR5) ranges from 1 (carbon dioxide) to 23,500 (sulfur hexafluoride).

Table 4.7-4 Global Warming Potential (GWP) Values Relative to CO₂

Gas Name	Formula	Lifetime (years)	SAR GWP	AR4 GWP	AR5 GWP
Carbon Dioxide	CO ₂		1	1	1
Methane	CH ₄	12	21	25	28
Nitrous Oxide	N ₂ O	114	310	298	265
Sulphur Hexafluoride	SF ₆	3200	23,900	22,800	23,500
Nitrogen Trifluoride	NF ₃	740	n/a	17,200	16,100
Hexafluoroethane (PFC-116)	C ₂ F ₆	10,000	9,200	12,200	11,100
Octafluoropropane (PFC-218)	C ₃ F ₈	2,600	7,000	8,830	8,900
Octafluorocyclobutane (PFC-318)	C ₄ F ₈	3,200	8,700	10,300	9,540
Tetrafluoromethane (PFC-14)	CF ₄	50,000	6,500	7,390	6,630
Hydrofluorocarbon 125	HFC-125	29	2,800	3,500	12,400
Hydrofluorocarbon 134a	HFC-134a	14	1,300	1,430	1,300
Hydrofluorocarbon 143a	HFC-143a	52	3,800	4,470	4,800
Hydrofluorocarbon 152a	HFC-152a	1	140	124	138
Hydrofluorocarbon 227ea	HFC-227ea	34	2,900	3,220	3,350
Hydrofluorocarbon 23	HFC-23	270	11,700	14,800	12,400
Hydrofluorocarbon 236fa	HFC-236fa	240	6,300	9,810	8,060
Hydrofluorocarbon 245fa	HFC-245fa	8	n/a	1,030	858
Hydrofluorocarbon 32	HFC-32	5	650	675	677

Source:

- 1) California Air Resources Board (CARB) GHG Global Warming Potentials: <https://ww2.arb.ca.gov/ghg-gwps>
- 2) Greenhouse Gas Protocol, Global Warming Potential Values: https://www.ghgprotocol.org/sites/default/files/ghgp/Global-Warming-Potential-Values%20%28Feb%2016%202016%29_1.pdf

State of California

California has significantly slowed the rate of growth of GHG emissions due to the implementation of energy efficiency programs as well as adoption of strict emission controls but is still a substantial contributor to the United States emissions inventory total. The California Air Resource Board (CARB) compiles GHG inventories for the State of California. The most recent GHG Inventory is from the 2022 Edition 2000-2020 GHG Inventory data for the 2000-2020 GHG emissions period, California emitted 369.2 million metric tons of CO₂e per year (MMTCO₂e/yr).

Effects of Climate Change in California

According to the State of California Department of Justice Attorney General, climate change impacts in California have the potential to include, but are not limited to, the following areas.²⁹

Sea Level Rise, Coastal Flooding, and Coastal Erosion

The sea level along California's coast has risen approximately 8 inches in the past 100 years and is projected to rise as much as 20 to 55 inches by the end of the current century. Coastal erosion could have a significant impact on California's ocean-dependent economy, which is estimated to be \$46 billion per year. Sea level rise, coastal flooding, and coastal erosion will not impact the Project area.

²⁹ State Attorney General Climate Change Impacts in California:
<https://oag.ca.gov/environment/impact#:~:text=These%20include%3A,the%20end%20of%20the%20century.>

Losses to the Sierra Snowpack and Water Supply

The Sierra Nevada snowpack functions as the most important natural reservoir of water in California. Under current conditions, the snowpack is created in fall and winter and slowly releases about 15 million acre-feet of water in the spring and summer, when California needs it most. California's dams and water storage facilities are built to handle the snow melt as it happened in the past. Higher temperatures are now causing the snowpack to melt earlier and all at once. Earlier and larger releases of water could overwhelm California's water storage facilities, creating risk of floods and water shortages.

Forestry and Higher Risk of Fires

Forest and rangelands cover over 80% of California's 100 million acres. Climate change will affect tree survival and growth, reducing these lands' productivity and changing their habitats. In addition, climate change makes forests more vulnerable to fires by increasing temperatures and making forests and brush drier. Today's fire season in the western United States starts earlier, lasts longer, and is more intense than in the last several decades. Wildfire occurrence statewide could increase severalfold by the end of the century, increasing fire suppression and emergency response costs and damage to property.

Damage to Agriculture

Global warming can cause drought, higher temperatures, saltwater contamination through rising sea levels, flooding, and increased risk of pests. These changes pose a very serious threat to California's agricultural industry, which generated \$39 billion in revenue in 2007, and which is responsible for more than half of all domestic fruits and vegetables. Because California feeds not only its own residents, but the entire U.S. and other countries as well, production declines could lead to food shortages and higher prices.

Increased demand for electricity. Higher temperatures and more heat waves will drive up demand for cooling in the summer. As people turn up their air conditioners, increased electricity use will be greatest in southern California and the Central Valley, and may be as high as 60% above present demand by the end of the century.

Public Health Impacts

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Habitat Destruction and Loss of Ecosystems

California is one of the most biologically diverse regions of the world, with the highest number of unique plant and animal species of all 50 states and the greatest number of endangered species. Climate change will adversely affect plant and wildlife habitats and the ability of the state's varied ecosystems to support clean water, wildlife, fish, timber and other goods and services important for our well-being.

4.7.5 Methodology

Land uses such as the proposed Project produce greenhouse gas emissions through construction-source and operational- source emissions.

The SCAQMD in conjunction with the California Air Pollution Control Officers Association (CAPCOA) and other California air districts, released the latest version of the California Emissions Estimator Model (CalEEMod) version 2022.1.1.6. The purpose of this model is to calculate construction and operational-source criteria pollutant (NOX, VOC, PM₁₀, PM_{2.5}, SO_x, and CO) and greenhouse gas (GHG) emissions from direct and indirect sources; and quantify applicable air quality and GHG reductions achieved from mitigation measures. Accordingly, the latest version of CalEEMod has been used for this Project to determine construction, operational air quality, and GHG emissions. Datasheet outputs from the model runs are provided in Technical Appendix A-1.

Project Construction Emissions

Construction related GHG emissions are expected from the following construction activities:

- Site Preparation
- Grading
- Building Construction
- Paving
- Architectural Coating
- Materials Deliveries and Construction Workers Commuting

Construction is expected to commence in September 2023 and will last through September 2024, approximately 13 months. The construction schedule utilized in the analysis represents a “worst-case” analysis scenario should construction occur any time after the respective dates since emission factors for construction decrease as time passes and the analysis year increases due to emission regulations becoming more stringent.³⁰ The duration of construction activity and associated equipment represents a reasonable approximation of the expected construction fleet as required per CEQA guidelines. Site specific construction fleet may vary due to specific project needs at the time of construction. The duration of construction activity was based on an estimated schedule for the various construction phases from the Project applicant and a scheduled 2024 opening year.

30 As shown in the California Emissions Estimator Model (CalEEMod) User’s Guide Version 2020.4.0, Section 4.3 “OFFROAD Equipment” as the analysis year increases, emission factors for the same equipment pieces decrease due to the natural turnover of older equipment being replaced by newer less polluting equipment and new regulatory requirements.

Table 4.7-5 Construction Duration

Phase Name	Start Date	End Date	Days
Site Preparation	09/01/2023	10/12/2023	30
Grading	10/13/2023	12/23/2023	51
Building Construction	12/23/2023	09/30/2024	201
Paving	06/01/2024	09/30/2024	86
Architectural Coatings	06/01/2024	09/30/2024	86

Construction Equipment

The associated construction equipment was based on CalEEMod 2022.1.1.6 defaults. Please refer to specific detailed modeling inputs/outputs contained in Technical Appendix A-1. Construction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips (construction materials delivered to the Project site) were estimated based on information CalEEMod model defaults.

Table 4.7-6 Construction Equipment

Activity	Equipment	Number	Hours Per Day
Site Preparation	Rubber Tired Dozers	3	8
	Tractors/Loaders/Backhoes	4	8
Graders	Excavators	2	8
	Graders	1	8
	Rubber Tired Dozers	1	8
	Scrapers	2	8
	Tractors/Loaders/Backhoes	2	8
Building Construction	Cranes	1	7
	Forklifts	3	8
	Generator Sets	1	8
	Tractors/Loaders/Backhoes	3	7
	Welders	1	8
Paving	Pavers	2	8
	Paving Equipment	2	8
	Rollers	2	8
Architectural Coating	Air Compressors	1	6

Project Operation Emissions

Operational activities associated with the proposed Project will result in emissions of VOC, NO_x, CO, SO_x, PM₁₀, PM_{2.5}, and Greenhouse Gases. The Operational emissions for VOC, NO_x, CO, SO_x, PM₁₀ and PM_{2.5} are assessed as part of the Project's Air Quality Impact Analysis. Operational GHG emissions would be expected from the following primary sources:

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

Area Source Emissions

- [Consumer Products](#) – Consumer products include, but are not limited to detergents, cleaning compounds, polishes, personal care products, and lawn and garden products. Many of these products contain organic compounds which when released in the atmosphere can react to form

ozone and other photochemically reactive pollutants. The emissions associated with use of consumer products were calculated based on assumptions provided in the CalEEMod model. In the case of the commercial uses proposed by the Project, no substantive on-site use of consumer products is anticipated.

- Landscape Maintenance Equipment – Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the Project. The emissions associated with landscape maintenance equipment were calculated based on assumptions provided in the CalEEMod model.

Energy Source Emissions

- Combustion Emissions Associated with Natural Gas and Electricity – Electricity and natural gas are used by almost every project. Criteria pollutant emissions are emitted through the generation of electricity and consumption of natural gas. The emissions associated with natural gas and electricity use were calculated using the CalEEMod model.

Mobile Source Emissions

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

Transport Refrigeration Units (TRU)

Transport Refrigeration Units (TRU) are refrigeration systems powered by diesel internal combustion engines (ICEs) designed to refrigerate or heat perishable products that are transported in various containers, including vans, trucks, semi-truck trailers, and shipping containers.

To account for the operations of TRUs on-site the number of refrigerated trucks/trailers was estimated using the Traffic Study and Vehicle Miles Traveled (VMT) Screening Memo from David Evans and Associates, dated September 26, 2022. According to the Memo's Trip Generation Table the average daily trips for the Cold Storage portion of the building would be approximately 97 trucks per day. For determining emissions from the TRUs they were estimated to be 50 horsepower (HP) units operating on diesel fuel for a period of 4 hours on-site. The 4-hour operational time is a worse-case scenario as typical TRUs range from 9 to 36 horsepower.³¹

To calculate the emissions for the TRUs the CARB EMFAC OFFROAD2021 (v1.0.3) was used to obtain emissions factors and multiplied by the daily number of trucks and the estimated hours of on-site operation. The output table for emissions factors is included as Technical Appendix A-1.

On-site Equipment Emissions

An Industrial warehouse project commonly requires cargo handling equipment (CHE) to move empty containers and empty chassis to and from the various pieces of cargo handling equipment that receive and

31 California Air Resources Board (CARB) Transport Refrigeration Unit retrieved November 23, ,2022 from:
<https://ww2.arb.ca.gov/our-work/programs/transport-refrigeration-unit/about>

distribute containers. The most common type of cargo handling equipment is the yard truck which is designed for moving cargo containers. Yard trucks are also known as yard goats, utility tractors (UTRs), hustlers, yard hostlers, and yard tractors. Yard trucks have a horsepower (hp) range of approximately 175 hp to 200 hp. Based on surveys conducted by the SCAQMD; high-cube warehouse projects typically have 3.6-yard trucks per million square feet of building space. For the Project, on-site modeled operational equipment includes four 200 hp yard tractors operating at 8 hours a day for 365 days of the year. In addition to the use of yard trucks operating at the Project site, forklifts and pallet jacks are also common pieces of equipment used in warehouse operations. As part of the Project's design, all on-site outdoor CHE (including yard trucks, hostlers, yard goats), will be powered by compressed natural gas, propane, or electric engines while all forklift and pallet jacks will be electric powered. Using the CalEEMod program the emissions from UTRs were calculated using the Tractor/Loader/Backhoe equipment, operating at 200 HP on CNG. Using the SCAQMD's study on high-cube warehouses forklifts/pallet jacks are based on 0.12 per 1,000 square feet of building area, therefore the Project includes 120 forklifts/pallet jacks operating at 8 hours a day for 365 days of the year interior to the building. For purposes of the GHG analysis forklifts and pallet jacks are assumed to be electric consistent with industry standards.

Solid Waste, Water, and Wastewater

Emissions associated with the solid waste, water, and wastewater generation and conveyance is based on CalEEMod defaults.

4.7.6 Thresholds of Significance

Section VIII of Appendix G to the CEQA Guidelines addresses typical adverse effects due to Greenhouse Gas Emissions conditions and includes the following threshold questions to evaluate the Project's impacts resulting from Greenhouse Gas Emissions conditions.

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

The MDAQMD has developed regional significance thresholds for regulated pollutants, shown below in [Table 4.7-7](#). The MDAQMD's CEQA And Federal Conformity Guidelines (February 2020) indicate that any projects in the MDAB with daily regional emissions that exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact.

Currently neither the CEQA statutes, OPR guidelines, nor the draft proposed changes to the CEQA Guidelines prescribe thresholds of significance or a particular methodology for performing an impact analysis; as with most environmental topics, significance criteria are left to the judgment and discretion of the Lead Agency. The MDAQMD has identified thresholds of 100,000 tons per year (90,718 MTCO₂e/year) or 548,000 pounds per day of CO₂e emissions for individual projects. The MDAQMD thresholds were used in this analysis.

Table 4.7-7 MDAQMD Significant Emissions Thresholds

Criteria Pollutant	Annual Threshold (short tons)	Daily Threshold (pounds)
Greenhouse Gases (CO ₂ e)	100,000	548,000
Carbon Monoxide (CO)	100	548
Oxides of Nitrogen (NO _x)	25	137
Volatile Organic Compounds (VOC)	25	137
Oxides of Sulfur (SO _x)	25	137
Particulate Matter (PM ₁₀)	15	82
Particulate Matter (PM _{2.5})	12	65
Hydrogen Sulfide (H ₂ S)	10	54
Lead (Pb)	0.6	3

4.7.7 Impacts Analysis

Threshold 4.7 (a). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	

Discussion

Construction Emissions Summary

The estimated maximum daily construction emissions without mitigation are summarized on Table 4.7-8. Detailed construction model outputs are presented in Technical Appendix A-1. For Construction related Project GHG emissions the GHGs are quantified using CalEEMod and amortized over the life of the project. The MDAQMD recommendation is to amortize using a 30-year project life.

Table 4.7-8 Construction GHG Emissions

Source	GHG Emissions MT/yr.			
	N ₂ O	CO ₂	CH ₄	CO ₂ e
Construction 2023	0.01	277	0.01	279
Construction 2024	0.09	1,402	0.04	1,433
Total Construction	0.10	1,679	0.05	1,887 / 1,712
30-year Amortized Construction GHG	Tons/Year / Metric Tons / Year			63.0/57.1
MDAQMD Threshold	100,000 Tons/Year / 90,718.5 MT/Year*			100,000/90,718.5
Exceed Threshold?				No

*CalEEMod GHG Emissions for GHG CO₂e is calculated in Metric Tons (MT) per year.

Operational Emissions Summary

Operational-source emissions with amortized construction GHG Annual emissions are summarized in Table 4.7-9. Detailed operational model outputs are presented in the CalEEMod datasheets in Technical Appendix A-1.

Table 4.7-9 Operational GHG Emissions

Source	GHG Emissions MT/yr.			
	N ₂ O	CO ₂	CH ₄	CO ₂ e
Area	<0.005	16.0	<0.005	16.1
Energy	0.03	3,426	0.32	3,422
Mobile Sources	0.08	1,313	0.10	1,342
On-Site Equipment	<0.005	189	0.01	190
TRU	--	--	--	207.20
Solid Waste	0.00	92.0	9.19	322
Water/Wastewater	0.20	311	8.21	575
Refrigeration	--	--	--	933
30-year Amortized Construction GHG				63.0/57.1
Total	Tons/Year / Metric Tons / Year			7,787 / 7,064
MDAQMD Threshold	100,000 Tons/Year / 90,718 MT/Year*			100,000 / 90,718
Exceed Threshold?				No

*CalEEMod GHG Emissions for GHG CO₂e is calculated in Metric Tons (MT) per year

The City uses the MDAQMD significance thresholds to determine a project's impacts on GHG emissions (Table 4.7-10). The thresholds established by the MDAQMD for GHG emissions included an annual threshold of 100,000 short tons CO₂e per year (90,718 MTCO₂e/year) and a daily threshold of 548,000 pounds per day.

The Project's annual GHG Emissions for operations would result in 7,787 short tons CO₂e/year (7,064 MTCO₂e/year) and as such would not exceed the annual threshold of 100,000 short tons CO₂e per year (90,718 MTCO₂e/year). The Project's annual GHG Emissions from construction would result in 1,887 short tons CO₂e/year (1,712 MTCO₂e/year) and as such would not exceed the annual threshold of 100,000 short tons CO₂e per year (90,718 MTCO₂e/year).

Additionally, the Project's daily emissions for construction and operations would be below the MDAQMD's threshold of 548,000 pounds CO₂e per day, with construction estimated at 21,700, pounds CO₂e per day in the first construction year and 18,657 pounds CO₂e in the second year of construction. Operational daily GHG emissions are estimated to be 42,226 pounds CO₂e per day.

Table 4.7-10 Summary of Project's Peak Daily and Annual GHG Emissions

GHG Emissions Source	Daily Emissions	Daily Threshold	Annual Emissions (Tons/Metric Tons)	Annual Threshold (Tons/Metric Tons)	Exceeds Threshold?
Construction 2023	21,700	548,000	308 / 279	100,000 / 90,718	No
Construction 2024	18,657	548,000	1,591 / 1,443	100,000 / 90,718	No
Operations	42,226	548,000	7,787 / 7,064	100,000 / 90,718	No

Level of Significance

According to the MDAQMD's CEQA Guidelines if a project is deemed to not exceed the established thresholds, then it is deemed to not be significant, if the project is consistent with the existing land use plan. The Project's GHG Emissions for construction and operations are below the MDAQMD GHG Thresholds and the Project is consistent with the existing land use designation and zoning, therefore the impacts are less than significant.

Level of Significance After Mitigation

The Project's impacts are less than significant therefore no mitigation measures are required and the level of significance remains less than significant.

Threshold 4.7 (b). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?		✓		

Discussion

In determining the Project's impacts for Threshold b) the Project was evaluated for consistency with the CARB's 2022 Scoping Plan and the City's CAP GHG Screening Table.

CARB 2022 Scoping Plan

On December 15, 2022, CARB adopted the Final 2022 Scoping Plan Update, which identifies the state's progress towards the statutory 2030 target, while providing a path towards carbon neutrality and reduce greenhouse gases emissions by 85% below 1990 levels by 2045. Recent studies show that the state's existing and proposed regulatory framework will allow the state to reduce its GHG emissions level to 40% below 1990 levels by 2030 (55). The Project would not conflict with any of the 2022 Scoping Plan elements as any regulations adopted would apply directly or indirectly to the Project.

Additionally, the Project is consistent with the general plan land use designation, density, building intensity, and applicable policies specified for the Project area in SCAG's Sustainable Community Strategy/Regional Transportation Plan, which pursuant to SB 375 calls for the integration of transportation, land-use and housing policies to plan for achievement of the GHG-emissions target for the region. Therefore, the Project will have a less than significant impact related to GHG emissions from construction and operation.

Victorville GHG Emissions Screening Table Review Measures

Projects in the City of Victorville are required to complete the GHG Emission Screening Table Review Measures and achieve a minimum of 100 points. Appendix D is a copy of a GHG Emissions Screening Table Review Measures Project Draft, and contains an example of how the Project can achieve 100 points on the Screening Table. The Project will not be required or limited to the specific measures provided the Project demonstrates a minimum of 100 points would be achieved. Item 3 Mitigation Measures below contains the CAP Mitigation Measure GHG-1: GHG Emissions Screening Table Review Measures and outlines the requirements for approval of the proposed measures the Project will implement.

Level of Significance

The Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. Furthermore, the Project will comply with applicable Green Building Standards and the City of Victorville's CAP policies including the completion of the GHG Emissions Screening Table Review Measures with the required Mitigation Measure GHG-1 City of Victorville's CAP policies and impacts are considered to be less than significant.

Mitigation Measures

- GHG-1 **GHG Emissions Screening Table Review Measures:** The project shall implement the Greenhouse Gas Emissions Screening Table Review Measures (GHG Screening Table

Measures) providing for a minimum 100 points per the City’s Greenhouse Gas Emissions Screening Table Review form. The City shall verify incorporation of the identified GHG Screening Table Measures or equivalent replacement measures within the Project building plans and site design prior to the issuance of building permit(s) and/or site plans as applicable.

Level of Significance After Mitigation

With the implementation of Mitigation Measure GHG-1 impacts for GHG Emissions from the Project will be less than significant.

4.7.8 Cumulative Impacts Analysis

According to CAPCOA, “GHG impacts are exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective.”³² The resultant consequences of that climate change can cause adverse environmental effects. A project’s GHG emissions typically would be very small in comparison to state or global GHG emissions and, consequently, they would, in isolation, have no significant direct impact on climate change.

Individual projects that do not generate operational or construction emissions that exceed the MDAQMD’s recommended daily and annual thresholds for project-specific impacts would also not cause a cumulatively considerable increase in GHG, and, therefore, would not be considered to have a significant, adverse GHG impact. As previously noted, the Project construction-source and operational-source GHG emissions would not exceed applicable MDAQMD thresholds. As such, Project construction and operational-source GHG emissions are considered less than significant.

4.7.9 Conclusion

There are less than significant impacts of the proposed Project associated with Greenhouse Gas Emissions, and no mitigation would be required.

32 California Air Pollution Control Officers Association, CEQA & Climate change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act, (2008).

4.8 Hazards and Hazardous Materials

4.8.1 Introduction

This section is based on current regulations and the following technical reports prepared to evaluate the potential for Project-related construction and operational activities to result in adverse effects on hazards and hazardous wastes:

- Phase I Environmental Site Assessment, Undeveloped Property, Assessor Parcel Numbers 3128-621-02, 3128-621-03, 3128-621-04, 3128-621-05 and 3128-621-06, Victorville, California, prepared by Wood Environment & Infrastructure Solutions, Inc, September 14, 2022 (Technical Appendix E)
- City of Victorville, Local Hazard Mitigation Plan 2021, (Victorville, 2022), last updated January 2022

For the purposes of this EIR, the term “toxic substance” is defined as a substance which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may present an unreasonable risk of injury to human health or the environment. Toxic substances include chemical, biological, flammable, explosive, and radioactive substances.

For purposes of this EIR, the term “hazardous material” is defined as a substance which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may: 1) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, disposed of, or otherwise mismanaged; or 2) cause or contribute to an increase in mortality or an increase in irreversible or incapacitating illness. Hazardous waste is defined in the California Code of Regulations, Title 22, §66261.3. The defining characteristics of hazardous waste are ignitability (oxidizers, compressed gases, and extremely flammable liquids and solids), corrosivity (strong acids and bases), reactivity (explosives or generates toxic fumes when exposed to air or water), and toxicity (materials listed by the United States Environmental Protection Agency (USEPA) as capable of inducing systemic damage to humans or animals). Certain wastes are called “Listed Wastes” and are found in the California Code of Regulations, Title 22, §§66261.30 through 66261.35. Wastes appear on the lists because of their known hazardous nature or because the processes that generate them are known to produce hazardous wastes (which are often complex mixtures).

4.8.2 NOP Scoping Comments

A Notice of Preparation (NOP) for the Project was released on March 3, 2023, for public review and comment through April 12, 2023. An EIR Scoping Meeting was held on April 12, 2023. No comments were received when the NOP public comment period ended on, or after the NOP period, nor were any comments made during the EIR Scoping Meeting that pertain to hazards and/or hazardous materials.

4.8.3 Regulatory Framework

Federal Regulations

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Superfund Amendments and Reauthorization Act (SARA)

The Comprehensive Environmental Response, Compensation, and Liability Act, also known as CERCLA or Superfund, provides a Federal “Superfund” to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Through CERCLA, the Environmental Protection Agency (EPA) was given power to seek out those parties responsible for any release and assure their cooperation in the cleanup. EPA cleans up orphan sites when

potentially responsible parties cannot be identified or located, or when they fail to act. Through various enforcement tools, EPA obtains private party cleanup through orders, consent decrees, and other small party settlements. EPA also recovers costs from financially viable individuals and companies once a response action has been completed. (EPA, 2022g)

EPA is authorized to implement the Act in all 50 states and U.S. territories. Superfund site identification, monitoring, and response activities in states are coordinated through the state environmental protection or waste management agencies. (EPA, 2022g)

The Superfund Amendments and Reauthorization Act (SARA) of 1986 reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, definitions clarifications, and technical requirements were added to the legislation, including additional enforcement authorities. Also, Title III of SARA authorized the Emergency Planning and Community Right-to-Know Act (EPCRA). (EPA, 2022g)

Resource Conservation and Recovery Act (RCRA)

The Resource Conservation and Recovery Act (RCRA) gives EPA the authority to control hazardous waste from the "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances. (EPA, 2022h)

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. Some of the other mandates of this law include increased enforcement authority for EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program. (EPA, 2022h)

Hazardous Materials Transportation Act (HMTA)

The Hazardous Materials Transportation Act of 1975 (HMTA) empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property." (OSHA, n.d.)

Hazardous materials regulations are subdivided by function into four basic areas:

- Procedures and/or Policies 49 CFR Parts 101, 106, and 107
- Material Designations 49 CFR Part 172
- Packaging Requirements 49 CFR Parts 173, 178, 179, and 180
- Operational Rules 49 CFR Parts 171, 173, 174, 175, 176, and 177 (OSHA, n.d.)

The HMTA is enforced by use of compliance orders [49 U.S.C. 1808(a)], civil penalties [49 U.S.C. 1809(b)], and injunctive relief (49 U.S.C. 1810). The HMTA (Section 112, 40 U.S.C. 1811) preempts state and local governmental requirements that are inconsistent with the statute, unless that requirement affords an equal or greater level of protection to the public than the HMTA requirement. (OSHA, n.d.)

Hazardous Materials Transportation Uniform Safety Act of 1990

In 1990, Congress enacted the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) to clarify the maze of conflicting state, local, and federal regulations. Like the HMTA, the HMTUSA requires the Secretary of Transportation to promulgate regulations for the safe transport of hazardous material in

intrastate, interstate, and foreign commerce. The Secretary also retains authority to designate materials as hazardous when they pose unreasonable risks to health, safety, or property. (OSHA, n.d.)

The statute includes provisions to encourage uniformity among different state and local highway routing regulations, to develop criteria for the issuance of federal permits to motor carriers of hazardous materials, and to regulate the transport of radioactive materials. (OSHA, n.d.)

Occupational Safety and Health Act (OSHA)

Congress passed the Occupational and Safety Health Act (OSHA) to ensure worker and workplace safety. Their goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions. (EPA, 2021c)

In order to establish standards for workplace health and safety, the Act also created the National Institute for Occupational Safety and Health (NIOSH) as the research institution for OSHA. OSHA is a division of the U.S. Department of Labor that oversees the administration of the Act and enforces standards in all 50 states. (EPA, 2021c)

Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint. (EPA, 2021d)

Various sections of TSCA provide authority to:

- Require, under Section 5, pre-manufacture notification for "new chemical substances" before manufacture.
- Require, under Section 4, testing of chemicals by manufacturers, importers, and processors where risks or exposures of concern are found.
- Issue Significant New Use Rules (SNURs), under Section 5, when it identifies a "significant new use" that could result in exposures to, or releases of, a substance of concern.
- Maintain the TSCA Inventory, under Section 8, which contains more than 83,000 chemicals. As new chemicals are commercially manufactured or imported, they are placed on the list.
- Require those importing or exporting chemicals, under Sections 12(b) and 13, to comply with certification reporting and/or other requirements.
- Require, under Section 8, reporting and record-keeping by persons who manufacture, import, process, and/or distribute chemical substances in commerce.
- Require, under Section 8(e), that any person who manufactures (including imports), processes, or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment to immediately inform EPA, except where EPA has been adequately informed of such information. EPA screens all TSCA b§8(e) submissions as well as voluntary "For Your Information" (FYI) submissions. The latter are not required by law, but are submitted by industry and public interest groups for a variety of reasons. (EPA, 2021d)

State Regulations

Cal/OSHA and the California State Plan

Under an agreement with OSHA, since 1973 California has operated an occupational safety and health program in accordance with Section 18 of the federal OSHA. The State of California's Department of Industrial Relations administers the California Occupational Safety and Health Program, commonly referred to as Cal/OSHA. The State of California's Division of Occupational Safety and Health (DOSH) is the principal agency that oversees plan enforcement and consultation. In addition, the California State program has an independent Standards Board responsible for promulgating State safety and health standards, and reviewing variances. It also has an Appeals Board to adjudicate contested citations and the Division of Labor Standards Enforcement to investigate complaints of discriminatory retaliation in the workplace. (OSHA, n.d.)

Pursuant to 29 CFR 1952.172, the California State Plan applies to all public and private sector places of employment in the state, with the exception of federal employees, the United States Postal Service, private sector employers on Native American lands, maritime activities on the navigable waterways of the United States, private contractors working on land designated as exclusively under federal jurisdiction and employers that require federal security clearances. Cal/OSHA is the only agency in the state authorized to adopt, amend, or repeal occupational safety and health standards or orders. In addition, the Standards Board maintains standards for certain things not covered by federal standards or enforcement, including elevators, aerial passenger tramways, amusement rides, pressure vessels and mine safety training. The Cal/OSHA enforcement unit conducts inspections of California workplaces in response to a report of an industrial accident, a complaint about an occupational safety and health hazard, or as part of an inspection program targeting industries with high rates of occupational hazards, fatalities, injuries or illnesses. (OSHA, n.d.)

California Hazardous Waste Control Law

The Hazardous Waste Control Law (HWCL) (Health and Safety Code [HSC], Division 20, Chapter 6.5, Section 25100, et seq.) is the primary hazardous waste statute in California. The HWCL implements RCRA as a "cradle-to-grave" waste management system in the state. It specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure its proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reuse as raw materials. The HWCL exceeds federal requirements by mandating source reduction planning and broadening requirements for permitting facilities that treat hazardous waste. It also regulates a number of waste types and waste management activities not covered by federal law (RCRA). (CA Legislative Info, n.d.)

California Code of Regulations (CCR), Titles 22 and 26

A variety of California Code of Regulation (CCR) titles address regulations and requirements for generators of hazardous waste. Title 22 contains detailed compliance requirements for hazardous waste generators, transporters, and facilities for treatment, storage, and disposal. Because California is a fully-authorized state according to RCRA, most regulations (i.e., 40 CFR 260, et seq.) have been duplicated and integrated into Title 22. However, because the Department of Toxic Substances Control (DTSC) regulates hazardous waste more stringently than the EPA, the integration of state and federal hazardous waste regulations that make up Title 22 does not contain as many exemptions or exclusions as does 40 CFR 260. As with the HSC, Title 22 also regulates a wider range of waste types and waste management activities than does RCRA. To aid the regulated community, California has compiled hazardous materials, waste, and toxics-related regulations from CCR, Titles 3, 8, 13, 17, 19, 22, 23, 24 and 27 into one consolidated listing: CCR Title 26 (Toxics). However, the hazardous waste regulations are still commonly referred to collectively as "Title 22." (DTSC, n.d.; DTSC, 2019)

Regional Regulations

City of Victorville General Plan

The General Plan identifies goals related to hazards and hazardous materials in the Safety Element. These goals and policies and a discussion of the Project's consistency are discussed in [Table 4.10-1, General Plan Consistency Analysis](#), in EIR Subsection 4.10, Land Use and Planning, of this Draft EIR.

City of Victorville Local Hazard Mitigation Plan

The City of Victorville Local Hazard Mitigation Plan (LHMP) is a plan that the City reviews, monitors, and updates approximately every 5 years to reflect changing conditions and new information regarding hazards faced by the City. The most current version is dated January 2022. The LMHP assesses the natural caused risks to City so as to reduce the potential impact of the hazards by creating mitigation strategies. The LHMP represents the City's commitment to create a safer, more resilient community by taking actions to reduce risks and by committing resources to lessen the effects of hazards on the people and property of the City. (Victorville, 2022)

Local Regulations

The San Bernardino County Fire Department – Hazardous Materials Division is the local agency responsible for the enforcement of a variety of hazardous materials management requirements. The Fire Department is the state designated Certified Unified Program Agency (CUPA) for the County of San Bernardino (excluding the City of Victorville). The purpose of the CUPA program is to provide a comprehensive approach to reduce the overlapping and sometimes conflicting requirements of different governmental agencies. The CUPA provides consolidation and consistency in reporting requirements, permit formats, inspection criteria, enforcement standards, and fees for various hazardous materials programs. The CUPA is required by state law to maintain a list of facilities within the County that are known to use, store, and/or generate hazardous materials/wastes. Facilities that handle hazardous materials or generate hazardous waste must obtain a permit from the CUPA.

4.8.4 Environmental Setting

A site reconnaissance was completed, observing the general site conditions and operations on the site. The site was observed as undeveloped land consisting of exposed soil, desert brush, and occasional Joshua Trees. Trash (i.e., wood, concrete rubble, tires, glass, plastic, paper, clothing, and mattresses) were scattered across the site. There were no structures observed on the site. Unpaved roads adjoin the site to the west, north, and east. Paved Mojave Drive, a four-lane thoroughfare, adjoins the site to the south. Property to the west, north, and east is undeveloped land consisting of exposed soil, desert brush, and occasional Joshua Trees. Trash (i.e., wood, concrete rubble, tires, glass, plastic, paper, clothing, and mattresses) were scattered across the adjoining properties. Property adjoining the site to the south, south of Mojave Drive, consists of undeveloped land and a residential development. Wood did not observe evidence of underground storage tanks (USTs), odors, pools of liquid, containers storing unidentified substances, stains or corrosion, pits, ponds, or lagoons on the site during the reconnaissance.

4.8.5 Methodology

The exterior of the site was visually and/or physically observed from unpaved roads located along/within the site in general accordance with ASTM 2247-16 (Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property) reconnaissance methodologies and supplemented with a review of current and historical aerial photographs. No structures were observed on the site (Technical Appendix E).

4.8.6 Thresholds of Significance

Section IX of Appendix G to the CEQA Guidelines addresses typical adverse effects to Hazards and Hazardous Materials and includes the following threshold questions to evaluate the Project's impacts on Hazards and Hazardous Materials.

- a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard or excessive noise to the public or the environment?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- g) Would the project expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?

4.8.7 Impacts Analysis

Threshold 4.8 (a). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	

Discussion

After conducting a review of regulatory databases and conducting a site reconnaissance, it was confirmed that the Project site is free from any hazards. There are no off-site hazards that affect the Project site. No abnormal or unpleasant odors, pools of liquid, or potentially hazardous substances, structures for storing hazardous materials, stained soil, aboveground storage tanks, pits, or ponds were observed at the site. Subsequent soil sampling indicated that no detections above the laboratory Practical Quantitation Limits

(PQLs) were found. Therefore, the past uses of the site do not pose a significant environmental concern for the Project. Consequently, the implementation of the Project would result in insignificant impacts concerning on-site soil contamination.

The heavy equipment utilized during Project construction would be powered and maintained by substances such as oil, diesel fuel, gasoline, hydraulic fluid, and other liquids that could be considered hazardous if mishandled or improperly stored. Additionally, materials commonly used in building construction, such as paints, roofing materials, solvents, and other substances, would be present on the Project site during the construction phase.

However, these materials would be stored and managed in a manner that does not pose a significant safety hazard to construction workers on-site or the general public. Construction activities would be of a short-term nature, occurring only during the construction phase of the proposed Project and ceasing upon its completion.

Workers involved in Project construction would receive training in the safe handling and usage of hazardous materials in accordance with Hazardous Waste and Emergency Response (HAZWOPER) regulations. Furthermore, the use, storage, transportation, and disposal of hazardous materials related to construction would adhere to existing laws and regulations, including the U.S. Department of Transportation regulations specified in the Code of Federal Regulations (Title 49, Hazardous Materials Transportation Act), California Department of Transportation standards, and California Occupational Safety and Health Administration standards.

Any generation, transportation, treatment, storage, and disposal of hazardous waste associated with the Project would be conducted in compliance with Subtitle C of the Resource Conservation and Recovery Act (RCRA) as outlined in the Code of Federal Regulations (Title 40, Part 263). The construction of the proposed Project would also adhere to the regulations set forth by the San Bernardino County Fire Department (SBCFD), which acts as the designated Certified Unified Program Agency (CUPA).

Construction activities required for development of the Project site would involve the disturbance of onsite soils. However, it should be noted that no impacted soils were identified on-site, and there were no Recognized Environmental Conditions (RECs) or Historic Recognized Environmental Conditions (HRECs) found that would have a negative impact on the environment. Therefore, the risk of hazardous material exposure to workers and the public during routine activities such as transportation, use, or disposal of contaminated soils would be deemed insignificant.

Considering the proposed facilities and activities at the Project site, it is anticipated that hazardous materials would be utilized during the site's daily operations. The specific materials to be used on-site cannot be determined at this stage since the tenants for the warehouses have not been finalized. However, if any hazardous materials, other than the common materials mentioned earlier, are associated with future warehouse operations, they would be stored and transported exclusively to and from the premises.

Federal and state Community-Right-to-Know laws provide public access to information concerning the types and quantities of chemicals that may be employed by the businesses operating at the Project site. Additionally, businesses are required by law to plan and prepare for potential chemical emergencies. Any facility operating at the Project site that handles and/or stores substantial quantities of hazardous materials, as defined by §25500 of the California Health and Safety Code, Division 20, Chapter 6.95, would be obligated to create and submit a Hazardous Materials Business Emergency Plan (HMBEP) to register as a hazardous materials handler. Furthermore, such businesses must comply with California's Hazardous Materials Release Response Plans and Inventory Law, which mandates immediate reporting to the Victorville Fire Department

and the State Office of Emergency Services in the event of a release or potential release of hazardous materials, irrespective of the quantity being handled.

To ensure the proper transportation, use, and disposal of hazardous substances, the operation of the Project would be required to comply with all applicable federal, state, and local regulations. By adhering to these mandatory regulatory standards, the potential impacts of hazardous materials associated with the long-term operation of the Project are not expected to pose significant risks to the public or the environment through routine transportation, use, or disposal. Additionally, the Project would not increase the likelihood of operational accidents that could lead to the release of hazardous materials into the environment.

Level of Significance

Given the mandatory regulatory compliance with federal, state, and local laws (as outlined above), the potential impacts associated with the long-term operation of the Project in relation to hazardous materials are considered to be insignificant. Therefore, no mitigation measures are deemed necessary.

Threshold 4.8 (b). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	

Discussion

As mentioned in the discussion and analysis for Threshold a), the Phase I Environmental Site Assessment conducted for the Project site did not identify any potential hazardous materials, Recognized Environmental Conditions (RECs), or Historic Recognized Environmental Conditions (HRECs). Consequently, there would be no significant impact regarding hazards to the public or the environment resulting from reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment at the current state of the Project site.

Furthermore, as discussed under Threshold a), the construction activities in the near term would not have a significant impact concerning the handling or disposal of hazardous materials. These construction activities would be of short duration and would cease upon the completion of the Project's construction phase. It is recognized that improper handling, storage, or transportation of hazardous materials could potentially lead to accidental releases or spills, posing risks to the health of workers, the public, and the environment. However, the potential for such releases and spills of hazardous materials during construction is a standard risk that exists on all construction sites, and there would be no greater risk associated with the proposed Project's future development than what is typically expected on similar construction sites. Therefore, the impacts of construction activities would not pose a significant hazard to the public or the environment through routine transportation, use, or disposal of hazardous materials, resulting in an insignificant impact. Additionally, construction workers involved in the Project would receive training in safe handling and use of hazardous materials in accordance with HAZWOPER regulations. The use, storage, transportation, and disposal of hazardous materials related to construction would also comply with existing laws and regulations, including those established by the U.S. Department of Transportation, California Department of Transportation, and the California Occupational Safety and Health Administration. Any hazardous waste

generation, transportation, treatment, storage, and disposal related to the Project would be conducted in compliance with Subtitle C of the Resource Conservation and Recovery Act (RCRA) specified in Title 40, Part 263 of the Code of Federal Regulations. Furthermore, the construction of the proposed Project would adhere to the regulations set forth by the San Bernardino County Fire Department (SBCFD), which serves as the designated Certified Unified Program Agency (CUPA).

Level of Significance

Regarding the long-term operation of the proposed Project, there would be no significant adverse effects related to reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The Project's operation would not involve any components associated with the transportation, use, or disposal of hazardous materials beyond what is typical for a similar land use, and all activities would be conducted in accordance with applicable local, state, and federal regulations. Any business operating at the Project site that handles and/or stores substantial quantities of hazardous materials, as defined by the California Health and Safety Code, Division 20, Chapter 6.95, would be required to prepare and submit a Hazardous Materials Business Emergency Plan (HMBEP) to the SBCFD for registration as a hazardous materials handler. General cleaning activities on-site that involve toxic substances usually have low concentrations and small quantities, posing no significant risks to humans or the environment. As a result, the proposed Project would not 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, resulting in impacts that are considered insignificant. Therefore, no mitigation measures are necessary.

Threshold 4.8 (c). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓

Discussion

The Melva Davis Academy of Excellence, situated approximately 0.75 miles southeast of the Project site according to Google Earth Pro in 2023, is the nearest existing school to the Project site. Furthermore, there are no planned schools within a 0.25-mile radius of the Project site.

Level of Significance

Consequently, the Project does not involve the emission of hazardous substances or the handling of hazardous or acutely hazardous materials, substances, or waste within a 0.25-mile distance from an existing or proposed school. As a result, there would be no impact in this regard, and no mitigation measures are necessary.

Threshold 4.8 (d). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard or excessive noise to the public or the environment?			✓	

Discussion

Under Government Code §65962.5, various state agencies, including DTSC (Department of Toxic Substances Control), the California Department of Health Services, State Water Resources Control Board, and the California Department of Resources Recycling and Recovery, are required to maintain a list of hazardous materials sites falling under specific categories.

Level of Significance

It is important to note that the Project site is not included in any of these lists of hazardous materials sites compiled in accordance with Government Code §65962.5 (DTSC, n.d.). Therefore, the absence of the Project site on any such list indicates that there would be no impact in this regard.

Threshold 4.8 (e). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓

Discussion

According to the Southern California Logistics Airport Compatibility Plan, (SCLA Airport Plan), the Project site is located within Review Area 2 (Figure 4.8-1, Southern California Logistics Airport Compatibility Review Areas). Zone 2 is the Inner Approach/Departure Zone. The Southern California Logistics Airport Compatibility Plan prohibits or restricts the following uses. Residential use should only be allowed on large, agricultural parcels, and nonresidential use should be low intensity. Several land uses should be avoided in this area such as schools, daycare centers, hospitals, and nursing homes. The previously mentioned uses are not included in this project.

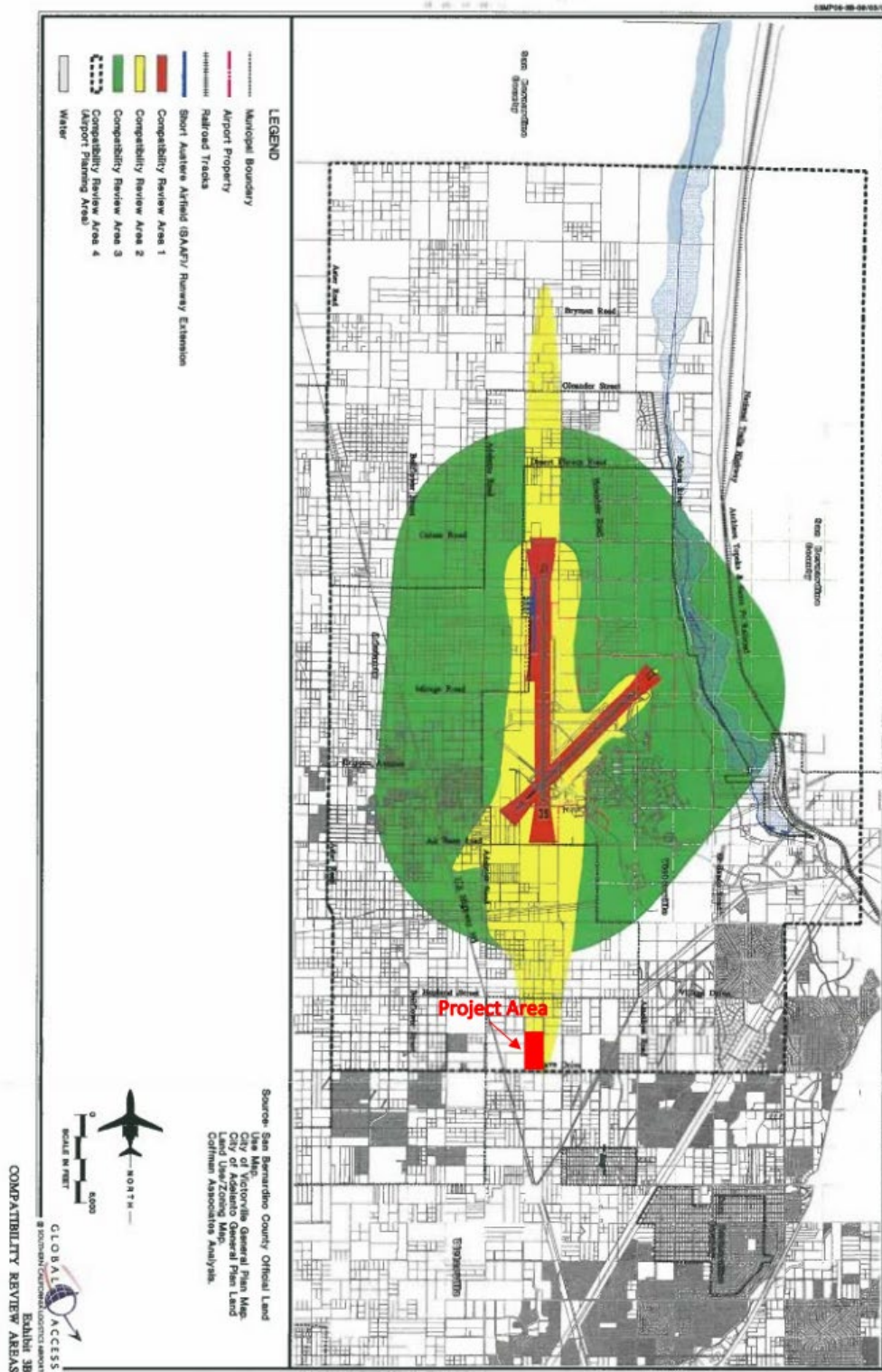
Additionally, aboveground storage of fuel should be prohibited in this area. Page B-3. Policy 1.3 C. “All new projects proposed within the Airport Planning Area boundaries of this Comprehensive Land Use Plan shall be reviewed for consistency utilizing the Land Use Compatibility Noise and Safety Standards found in Table 3A, Land Use Compatibility Standards, Southern California Logistics Airport Environs Warehouses are “Normally Acceptable” provided they do not exceed an average intensity of 100 people per gross acre. The Project site is approximately 68 gross acres. As such, 6,800 persons would be allowed to occupy the property. The Project

will employ an estimated 691 persons,³³ which represents an intensity of 0.10 persons per gross acres, which is far below the 6,800-person maximum allowed.

Although building height is not a standard that is required in Review Area 2, according to the SCLA Airport Plan, “defining the height limits according to Title 14, Part 77 of the Code of Federal Regulations (CFR) provides an ample margin of safety for aircraft operations. Part 77 establishes the standards and notification requirements for objects affecting navigable airspace. Employing Part 77 regulations helps to prevent the construction of buildings or other structures that may interfere with the safe operation of aircraft near the airport. Establishing maximum height standards within airport influence areas that are tied to the Part 77 restrictions can be an effective means of avoiding airspace obstructions.

33 Source: SCAG Employment Density Study Summary Report, October 31, 2001

Figure 4.8-1 Southern California Logistics Airport Compatibility Review Areas



The Light Industrial (LI) zone is located within Review Area 2 -Future 65 CNEL Noise Contour, Review Area 3 - Part 77 Horizontal Surface (height limits), and Review Area 4-Airport Planning Area (requires disclosure notice for residential development). Pursuant to Chapter Three, Section 1.3. Types of Actions Reviewed, Paragraph B, of the Comprehensive Land Use Plan (CLUP) States 4.1 Airspace Obstructions: The proposed use or structure shall not be greater than the imaginary surfaces defined according to 14 CFR Part 77.

Part 77 Horizontal Surface (height limits), which is regulated by 14 CFR § 77.17 Obstruction standards as described below.

- (a) An existing object, including a mobile object, is, and a future object would be an obstruction to air navigation if it is of greater height than any of the following heights or surfaces:
 - (1) A height of 499 feet above ground level (“AGL”) at the site of the object.
 - (2) A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet.
 - (3) A height within a terminal obstacle clearance area, including an initial approach segment, a departure area, and a circling approach area, which would result in the vertical distance between any point on the object and an established minimum instrument flight altitude within that area or segment to be less than the required obstacle clearance.
 - (4) A height within an enroute obstacle clearance area, including turn and termination areas, of a Federal Airway or approved off-airway route, that would increase the minimum obstacle clearance altitude.
 - (5) The surface of a takeoff and landing area of an airport or any imaginary surface established under §77.19, 77.21, or 77.23. However, no part of the takeoff or landing area itself will be considered an obstruction.

The Federal Aviation Administration (FAA) conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, and issued a Determination of No Hazard To Air Navigation dated December 1, 2022 (Appendix M of this Initial Study). This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation. Based on this evaluation, marking and lighting are not necessary for aviation safety

The proposed building height of 55 feet is significantly below the height restrictions contained in the SCLA Airport Plan and allowed by the FAA.

Based on the preceding analysis, impacts are less than significant.-

Level of Significance

Consequently, there would be no impact in this regard.

Threshold 4.8 (f). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	

Discussion

The Project site lacks emergency facilities and does not serve as an emergency evacuation route. However, during construction and long-term operation, the proposed Project would be obligated to maintain suitable access for emergency vehicles. As part of the City's discretionary review process, the access driveways and circulation of the proposed Project were thoroughly assessed to ensure the availability of appropriate emergency ingress and egress to the Project site.

Level of Significance

The City concluded that the proposed Project would not significantly hinder emergency response routes in the local area. Therefore, the implementation of the Project would not impede or physically obstruct an adopted emergency response plan or emergency evacuation plan. Consequently, no impact would arise, and no mitigation measures are necessary.

Threshold 4.8 (g). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?			✓	

Discussion

The Project site is situated at a distance from wildlands or areas characterized by high fire hazards. Moreover, the Project site does not fall within an area officially designated by CAL FIRE as a fire hazard severity zone (CAL FIRE, 2022).

Level of Significance

Consequently, the Project would not subject individuals or structures, either directly or indirectly, to the risk of loss, injury, or fatality due to wildland fires. As a result, there would be no impact in this regard.

4.8.8 Cumulative Impacts Analysis

The Project's Phase I Environmental Site Assessment (EIR Technical Appendix B-7) confirmed that the Project site is not at risk of adverse impacts from hazardous materials. No Recognized Environmental Conditions (RECs) or Historic Recognized Environmental Conditions (HRECs) were identified at the Project site under existing conditions. Although temporary construction activities for the Project would involve the storage, handling, and use of hazardous substances, the associated risks would not exceed those typically encountered at similar construction sites, resulting in impacts that are less than significant. Any other future

developments in the vicinity that involve the handling, storage, or transport of hazardous materials would also be subject to the same federal, state, and local regulations as the Project, mitigating potential adverse impacts.

As previously stated, there are no existing or planned schools within a 0.25-mile radius of the Project site, ensuring that the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste in close proximity to schools. Consequently, no impact would occur in this regard, and there is no potential for cumulative impacts related to hazardous materials within the specified distance.

The Project site is not listed on any hazardous materials sites lists compiled according to Government Code §65962.5, further supporting the absence of impacts related to hazardous materials.

The Project site is not located within an Airport Influence Area (AIA), eliminating any potential impact associated with air travel safety hazards or aircraft operations. Thus, there is no potential for the Project to contribute to cumulative impacts in this regard.

As the Project site does not contain any emergency facilities or serve as an emergency evacuation route, it would not interfere with the implementation of emergency response plans or evacuation plans. Therefore, no impact would occur, and there is no potential for cumulative impacts associated with emergency facilities or evacuation routes.

The Project site is not susceptible to wildfire hazards, ensuring that there would be no impact in terms of significant risks of loss, injury, or death related to wildland fires. Consequently, the Project would not contribute to any cumulative impacts associated with such hazards.

4.8.9 Conclusion

The project would result in less than significant impacts related to hazards and hazardous materials; therefore, no mitigation is required at this time.

4.9 Hydrology and Water Quality

4.9.1 Introduction

This section is based on current regulations and the following technical reports prepared to evaluate the potential for Project-related construction and operational activities to result in adverse effects on hydrology and water quality:

- Preliminary Hydrology Study for Mojave 68 Warehouse, Mojave Road and Mesa Linda Avenue, prepared by Kier + Wright, January 2023 (Technical Appendix F-1)
- Mojave River Watershed Preliminary Water Quality Management Plan, for Mojave 68, prepared by Kier + Wright, January 2023 (Technical Appendix F-2)

4.9.2 NOP Scoping Comments

A Notice of Preparation (NOP) for the Project was released on March 3, 2023, for public review and comment through April 12, 2023. An EIR Scoping Meeting was held on April 12, 2023. No comments were received when the NOP public comment period ended on, or after the NOP period, nor were any comments made during the EIR Scoping Meeting that pertain to hydrology and water quality.

4.9.3 Regulatory Framework

The following is a brief description of the federal, state, and local environmental laws and related regulations related to hydrology and water quality.

Federal Regulations

Clean Water Act

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the Environmental Protection Agency (EPA) has implemented pollution control programs such as setting wastewater standards for industry, and also has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man-made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters. (EPA, 2022d)

State Regulations

Porter-Cologne Water Control Act

The Porter-Cologne Act is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code §13000 et seq.), the policy of the state is as follows: (SWRCB, 2014)

- That the quality of all the waters of the State shall be protected;
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

The Porter-Cologne Act established nine Regional Water Boards (based on hydrogeologic barriers) and the State Water Board, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The State Water Board provides program guidance and oversight, allocates funds, and reviews Regional Water Boards decisions. In addition, the State Water Board allocates rights to the use of surface water. The Regional Water Boards have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrologic regions. The State Water Board and Regional Water Boards have numerous non- point source (NPS) related responsibilities, including monitoring and assessment, planning, financial assistance, and management. (SWRCB, 2014)

The Regional Water Boards regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES permits for point source discharges and waste discharge requirements (WDRs) for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Boards (RWQCBs) can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions. (SWRCB, 2014)

The Porter-Cologne Act also implements many provisions of the Clean Water Act, such as the NPDES permitting program. The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. In addition, regional water quality control plans (basin plans) have been adopted by each of the Regional Water Boards and get updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the state and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans. (SWRCB, 2014) The Project site is located in the Mojave River Watershed, which is within the purview of Lahontan Regional Water Quality Control Board. The Mojave River Integrated Regional Water Quality Management Plan is the governing water quality plan for the region.

California Water Code

The California Water Code is the principal state law regulating water quality in California. Water quality provisions must be complied with as contained in numerous code sections including: 1) the Health and Safety Code for the protection of ground and surface waters from hazardous waste and other toxic substances; 2) the Fish and Game Code for the prevention of unauthorized diversions of any surface water and discharge of any substance that may be deleterious to fish, plant, animal, or bird life; 3) the Harbors and Navigation Code for the prevention of the unauthorized discharge of waste from vessels into surface waters; and 4) the Food and Agriculture Code for the protection of groundwater which may be used for drinking water supplies. The California Department of Fish and Wildlife (CDFW), through provisions of the Fish & Game Code (§§1601–1603) is empowered to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may be adversely affected. CDFW regulates wetland areas only to the extent that those wetlands are part of a river, stream, or lake as defined by CDFW. (CA Legislative Info, n.d.)

Surface water quality is the responsibility of the Regional Water Quality Control Board (RWQCB), water supply and wastewater treatment agencies, and city and county governments. The principal means of enforcement by the RWQCB is through the development, adoption, and issuance of water discharge permits. RWQCB basin plans establish water quality objectives that are defined as the limits or levels of water quality constituents or characteristics for the reasonable protection of beneficial uses of water. (CA Legislative Info, n.d.)

Local Regulations

City of Victorville General Plan

The General Plan identifies goals related to water quality throughout its elements. These goals and policies and a discussion of the Project's consistency are discussed in [Table 4.10-1, Project Consistency With City General Plan](#), in EIR Subsection 4.10, Land Use and Planning.

City of Victorville Municipal Code

The City of Victorville Municipal Code identifies policies related to stormwater runoff management. The specific Municipal Code policy that is relevant to the Project is as follows:

Chapter 10.30 - Storm Water and Urban Runoff Management and Discharge Control. The purpose of this chapter is to ensure the health, safety, and welfare of the residents of the city and to protect and enhance the water quality of receiving waters in a manner pursuant to and consistent with the CWA, the Porter-Cologne Act and the municipal NPDES permit by reducing pollutants in storm water discharges and by limiting non-storm discharges into the MS4 to the maximum extent practicable.

4.9.4 Environmental Setting

Regional Hydrology

The Project site is situated within the Mojave River Watershed, an expansive region spanning more than 5,400 square miles in the California High Desert, specifically in San Bernardino County. This watershed exhibits significant hydrological diversity. The majority, over 90%, of the basin's groundwater recharge originates from the San Gabriel and San Bernardino Mountains. Groundwater discharge occurs primarily through activities such as well pumping, evaporation from the soil, plant transpiration, seepage into dry lakes where water evaporates, and seepage into the Mojave River (Victorville, 2008).

Site Hydrology

The undeveloped land site, positioned north of Mojave Drive, is situated between the unpaved Mesa Linda Avenue, Cactus Road, and Onyx Road. Its elevation varies from around 3,020 feet in the southwest corner to 2993 feet in the northeast corner above sea level.

Within the vicinity, two 48-inch culverts can be found beneath Mojave Drive, which discharge into a natural channel located on the Project site. The Mojave 68 Project (Project) would develop the approximately 66.4-acre vacant site with a 1,097,300 square feet industrial building with 1,057,300 square feet allocated to warehousing use, and 40,000 square feet allocated to office, and related site improvements, including landscaping, parking, and infrastructure facilities. Catch basins and storm drains will collect runoff from the roof and the impervious areas throughout and will convey stormwater to the infiltration basin at the low end of the site. A 72-inch reinforced concrete storm drain is proposed to convey stormwater from the existing two 48-inch culverts to and will outlet to an existing channel east of Onyx Road. This storm drain will outlet through a headwall and rip-rap, and will remain within the City of Victorville right-of-way.

Flooding and Dam Inundation

Based on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06071CIND1E, the Project site falls within "Zone X (unshaded)." This zone indicates an area with a low flood risk, with a 0.2% chance of annual flooding occurrence (FEMA, 2016). The designation of Zone X (unshaded) signifies a minimal flood hazard area and does not classify as a special flood hazard area.

Water Quality

Under the Federal Water Pollution Control Act Amendment of 1972, commonly known as the Clean Water Act (CWA), states are mandated to assess the water quality of their water resources to identify areas where water quality standards are not met. Water bodies that fail to meet these standards due to excessive pollutant concentrations are listed as impaired waters under Section 303(d) of the CWA. Within the region, the groundwater basins exhibit several areas with water quality concerns. Some prominent contaminants found include arsenic, nitrates, iron, manganese, Chromium VI, and TDS. While certain contaminants occur naturally in desert environments, others are associated with human activities. Elevated levels of these constituents, exceeding drinking water standards, have been detected in the Mojave River Basin and the Morongo Basin/Johnson Valley Area (Morongo). As a result, groundwater in these areas may require treatment before it is suitable for consumption.³⁴

4.9.5 Methodology

The Hydrology Study in Technical Appendix F-1 references the County of San Bernardino Hydrology Manual and the City of Victorville's Master Plan. NOAA Atlas 14 Point Precipitation Frequency Estimates were used to determine rainfall intensity. The USDA Web Soil Survey was used to determine the soil classification of the site, Soil Group C.

4.9.6 Thresholds of Significance

Section X of Appendix G to the CEQA Guidelines addresses typical adverse effects to Hydrology and Water Quality and includes the following threshold questions to evaluate the Project's impacts on Hydrology and Water Quality.

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
 - i) result in a substantial erosion or siltation on- or off-site;
 - ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
 - iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
 - iv) impede or redirect flood flows?

³⁴ Final Mojave Region Integrated Regional Water Management Plan, Mojave Water Agency, June 2014.

- d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

4.9.7 Impacts Analysis

Threshold 4.9 (a). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			✓	

Discussion

The Project Applicant will be required to adhere to the regulations outlined in Section 402 of the Clean Water Act, which establishes the National Pollution Discharge Elimination System (NPDES) permit program for point sources of pollution discharging into water bodies. The NPDES program mandates operators of construction sites with an area of one acre or more to develop a Storm Water Pollution Prevention Plan (SWPPP) and obtain authorization to discharge stormwater under an NPDES construction stormwater permit. Additionally, the Project Applicant must comply with the California Porter-Cologne Water Quality Control Act (Section 13000 et seq., of the California Water Code), which necessitates the development of comprehensive water quality control plans for all waters within the State of California. The Project site falls under the jurisdiction of the Lahontan Regional Water Quality Control Board.

Construction Impacts

Construction activities for the proposed Project, including clearing, grading, paving, utility installation, building construction, and landscaping, have the potential to generate water quality pollutants such as silt, debris, chemicals, paints, solvents, and other substances that could adversely affect water quality. Without protective or avoidance measures, short-term water quality impacts may occur during construction.

To address these concerns, the development projects may necessitate the submission of a Notice of Intent and a Stormwater Pollution Prevention Plan (SWPPP) to the State Water Resources Control Board (SWRCB) to demonstrate compliance with the Construction General NPDES Permit. The Construction General Permit mandates the elimination or reduction of non-storm water discharges from construction sites to the maximum extent practicable. It requires the development of a SWPPP that governs construction activities and the implementation of routine inspections to ensure the effectiveness of stormwater pollution prevention measures and control practices before and after storm events. The SWPPP would include the implementation of various Best Management Practices (BMPs) during construction activities to prevent, minimize, and appropriately treat potential pollutants before their discharge from the project site. Examples of these BMPs include sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydroseeding. Additionally, the Project would be required to implement an erosion control plan in accordance with the City of Victorville Municipal Code Section 10.30.210 to mitigate water- and windborne erosion.

Compliance with the SWPPP and erosion control plan would ensure that the Project's construction activities do not violate water quality standards or waste discharge requirements. Consequently, short-term water quality impacts associated with temporary construction activities would be considered less than significant.

Post-Development Water Quality Impacts

Per the City of Victorville Municipal Code Section 10.30.220, the Project Applicant must implement a Water Quality Management Plan (WQMP) to comply with the City's NPDES municipal stormwater permit (refer to Technical Appendix F-2 for the Project's WQMP). The WQMP aims to minimize the release of potential waterborne pollutants, including those of concern for downstream receiving waters. It is a site-specific post-construction water quality management program that incorporates BMPs, including on-site structural source control BMPs such as underground infiltration chambers, as well as operational source controls. Compliance with the WQMP is a condition of Project approval, and the long-term maintenance of on-site BMPs is necessary to ensure their effectiveness. Consequently, water quality impacts associated with long-term operational activities would be considered less than significant.

Furthermore, the National Pollutant Discharge Elimination System (NPDES) program requires certain land uses, including light industrial warehouse and parking lot land uses proposed by the Project, to prepare a SWPPP for operational activities and establish a long-term water quality sampling and monitoring program, unless exempted. The details of the SWPPP, including BMPs, or the potential exemption from the SWPPP requirement for operational activities cannot be determined at this stage since the Project's future building occupants and their operations are unknown. However, considering the provisions of the NPDES Industrial General Permit, it is expected that the Project's strict adherence to all relevant regulations will effectively minimize potential water quality impacts throughout its long-term operation.

Level of Significance

Based on the comprehensive analysis conducted, it can be concluded that the Project will not contravene any water quality standards or waste discharge requirements during its long-term operation. Therefore, the anticipated impacts on water quality would be considered less than significant.

Threshold 4.9 (b). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✓	

Discussion

The development of the Project would lead to an increase in impervious surfaces on the property, which could reduce the amount of water that infiltrates into the underlying aquifer. However, the proposed Project includes infiltration chambers and landscaped areas designed to capture and allow water to percolate into the ground. Therefore, with the full buildout of the Project, it is anticipated that the local groundwater levels would not be significantly adversely affected. As a result, the Project's buildout would not substantially interfere with groundwater recharge.

According to the Water Supply Assessment (WSA) conducted for the Project (found in Technical Appendix L of this EIR), the primary water source for the VWD (Victorville Water District) is groundwater, supplemented by a small amount of recycled water utilized at the Southern California Logistics Airport (SCLA). The VWD relies on the Mojave Groundwater Basin and groundwater purchases from MWA's Regional Recharge and Recovery Project (R3) for its current and future groundwater supplies, whenever available. The Mojave River

Groundwater Basin, covering an area of approximately 1,400 square miles, is the largest in the region and has a total estimated water storage capacity of nearly 5 million acre-feet. While the basin is essentially a closed system with minimal groundwater inflow or outflow, there is movement of groundwater within different subareas, as well as interactions with surface water and the atmosphere. The Mojave River accounts for about 80% of the basin's natural recharge, with additional sources of recharge including storm runoff infiltration from the mountains, human activities such as irrigation return flows and wastewater discharge, and augmented recharge through imported water. The majority of groundwater recharge, over 90%, originates from the San Gabriel and San Bernardino Mountains. Groundwater is primarily discharged from the basin through well pumping, evaporation, plant transpiration, seepage into dry lakes where water evaporates, and seepage into the Mojave River (WSC, 2022, pages 14-15).

Given that the primary source of recharge is the Mojave River (80%) and the majority of basin groundwater recharge comes from the San Gabriel and San Bernardino Mountains, the infiltration at the Project site does not make a significant contribution to groundwater recharge. Moreover, the Project does not involve any groundwater extraction activities or the use of wells on the site. Thus, the Project does not directly deplete groundwater resources.

Furthermore, the 2020 Urban Water Management Plan (UWMP) estimated an increase of 690 acre-feet per year (AFY) in commercial water demands, including industrial use, from 2020 to 2025. Since the completion of the 2020 UWMP, several commercial and industrial projects have been approved. Taking into account the approved projects along with the Project's water demand, there remains a projected demand growth of 77 AFY. Consequently, the Project was considered in the 2020 UWMP, and there are sufficient water supplies available to meet the Project's needs during average, single dry, and consecutive dry years throughout the planning period (WSC, 2022). Additionally, the VWD's UWMP states that demand during dry years is assumed to remain constant due to ongoing state and local conservation programs, and groundwater supply is assumed to remain 100% available since the long-term average of the groundwater basin incorporates dry periods, and no individual or multiple-year dry cycles affect the basin's long-term yield. The available supplies are deemed sufficient to meet demands in average, single-dry year, and multiple-dry years scenarios until 2045 (VWD, 2021). Therefore, the implementation of the proposed Project would not lead to significant depletion or reduction in groundwater supplies, and its impact on groundwater supplies would be considered less than significant.

Level of Significance

Based on the aforementioned factors, the Project would not substantially deplete groundwater supplies nor significantly interfere with groundwater recharge, resulting in no net deficit in aquifer volume or notable decline in the local groundwater table level. Thus, the impacts on groundwater supplies would be considered less than significant.

Threshold 4.9 (c). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation onsite or offsite			✓	
ii) substantially increase the rate or amount of surface water runoff in a manner which would result in flooding on or offsite;			✓	
iii) create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			✓	
iv) impede or redirect flood flows?			✓	

Discussion

Erosion or Siltation On- or Off-Site

While the Project would modify the drainage patterns on the property, these alterations would not result in significant erosion or siltation either on-site or off-site. The majority of the site would be covered by impervious surfaces after development, minimizing the amount of exposed soil. Moreover, the Project includes an integrated storm drain system with Best Management Practices (BMPs) aimed at reducing water-borne pollutants carried from the site. The proposed underground infiltration chambers within the BMPs effectively remove sediment from stormwater runoff. Consequently, the stormwater leaving the Project site would not carry substantial sediment. The discharge of stormwater runoff from the site occurs through an underground storm drain system, which utilizes a sump pump to limit the flow rate. This controlled discharge, combined with the low flow rate, eliminates the potential for substantial erosion as the stormwater leaves the Project site.

Runoff and Flooding On-Site or Off-Site

Based on hydrology evaluations and calculations of both off-site and on-site runoff for the Project, once the Project and storm drain facilities are constructed, the development will be protected from flood hazards. The proposed retention systems, including bioswales, will ensure longer times of concentration, reducing flows to levels similar to or lower than existing conditions. Off-site run-on will be conveyed through culverts on the site without treatment or attenuation and eventually discharged into a public storm drain.

The existing offsite 100-year storm runoff was determined to be 23.56 cubic feet per second (cfs) from the west and 6.67 cfs from the northwest. This flow will be separated and diverted from the onsite runoff in the proposed condition. The existing two existing 48" culverts were determined to convey 232 cfs of offsite runoff from south of the site. This stormwater will be conveyed from the existing two 48-inch culverts through a proposed 72-inch reinforced concrete storm drain, with a capacity of 268 cfs, within the right-of-way and outlet to in the existing natural channel east of Onyx Road through a headwall and rip-rap.

Storm Drain Systems and Polluted Runoff

The storm drain system of the Project would be designed and sized according to the master drainage plan for the area, ensuring that off-site flows passing through the Project site, as well as flows originating from off-site, can be accommodated by existing and planned downstream storm drain facilities.

As mentioned in Thresholds a) and b) above, the Project Applicant would be required to adhere to a future Storm Water Pollution Prevention Plan (SWPPP) and the Project's Water Quality Management Plan (WQMP) outlined in Technical Appendix F-2. These plans identify the necessary Best Management Practices (BMPs) to be integrated into the Project's design and operation.

Flood Flows

According to the Flood Insurance Rate Map (FIRM) No. 06071C6485J issued by the Federal Emergency Management Agency (FEMA), the Project site falls within "Zone X (unshaded)," indicating an area with a low flood hazard, with a 0.2% annual chance of flooding. Being in Zone X (unshaded) signifies minimal flood risk, and the site is not considered a special flood hazard area. Therefore, the Project site is not expected to experience inundation from flood flows throughout its lifespan, and it would not impede the natural flow of floodwaters.

Level of Significance

Implementation of the Project would not lead to significant on-site or off-site erosion, flooding, or siltation because the Site's storm water will be captured on site and directed to infiltration basins and to the existing drainage channel that flows off-site to the east. This results in a less than significant impact to drainage, water quality and quantity.

Threshold 4.9 (d). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			✓	

Discussion

The Project site is situated approximately 70 miles southwest of the Pacific Ocean (Google Earth Pro, 2022), ensuring that it is not susceptible to potential tsunami impacts. While there could be potential threats of dam inundation to the Victorville Planning Area in the event of a failure at Silverwood or Arrowhead Lakes, resulting in water discharge into the Mojave River via Deep Creek, the distance to the nearest developed areas and the presence of protective measures in the holding basins below Lake Silverwood and the Deep Creek area reduce the probability of extreme flooding and the risk of dam failure-induced inundation.

Level of Significance

Additionally, as stated earlier in Threshold c), the Project is not located within a flood hazard zone. Therefore, there would be a less than significant impact arising from these factors.

Threshold 4.9 (e). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			✓	

Discussion

The Project site falls within the Mojave River Basin, and all construction and operational activities associated with the Project would be required to comply with the Mojave Integrated Regional Water Management Plan. This would involve the preparation and adherence to a SWPPP and WQMP. By implementing the necessary measures, the Project would not contradict or hinder the Mojave River Watershed Water Quality Control Plan, resulting in impacts that are deemed less than significant.

Additionally, California depends on groundwater for a major portion of its annual water supply, particularly during times of drought. This reliance on groundwater has resulted in overdraft and unsustainable groundwater usage in many of California's basins.³⁵ The Sustainable Groundwater Management Act (SGMA) was enacted to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. The City of Victorville is located within the Upper Mojave River Valley portion of the Mojave River Basin.

The Mojave River is an adjudicated basin (i.e., water rights are determined by court order).³⁶ Adjudicated basins are exempt from the SGMA because such basins already operate under a court-ordered management plan to ensure the long-term sustainability of a basin. No component of the Project would obstruct or prevent the implementation of the management plan for the Mojave River Basin. As such, the Project would not conflict with a sustainable groundwater management plan. Impacts would be less than significant.

Level of Significance

As explained in Threshold b), the Project's activities would not lead to a substantial decrease in groundwater supplies or significant interference with groundwater recharge. Therefore, the Project is not anticipated to conflict with or impede a sustainable groundwater management plan. Consequently, the construction and operation of the Project would not contradict any sustainable groundwater management plan, ensuring impacts remain less than significant.

4.9.8 Cumulative Impacts Analysis

This analysis examines the cumulative impacts of the proposed Project in conjunction with other development projects and planned development within the Mojave River Basin.

Discussion

Water Quality

Construction activities associated with the Project and other cumulative projects in the study area have the potential to contribute waterborne pollution, such as erosion and siltation, to the Mojave River Watershed. To comply with regulatory requirements, construction projects disturbing 1.0 acre or more of land must obtain coverage under the state's General Construction NPDES Permit. This involves developing and

35 https://www.waterboards.ca.gov/water_issues/programs/gmp/, accessed on June 10, 2022.

36 <https://gis.water.ca.gov/app/bp-dashboard/final/>, accessed on June 10, 2022.

implementing an effective site-specific SWPPP that identifies potential pollutants and employs erosion and sediment control measures. The Lahontan Region Basin Plan establishes water quality standards for the region, which the Project Applicant and all cumulative developments would need to comply with. By adhering to these mandatory regulations, the proposed Project and other developments in the Mojave River watershed would not substantially contribute to water quality impairments during construction.

During operation, the Project would also comply with its WQMP to minimize waterborne pollution, including erosion and sediment discharge. Similarly, other development projects within the watershed would be required to prepare and implement site-specific WQMPs to prevent substantial contributions to water quality violations. Consequently, the Project's operations would not cumulatively contribute to significant water quality effects.

Groundwater Supplies and Management

Despite the increase in impervious surface coverage, the Project incorporates design features that facilitate surface runoff infiltration into the groundwater basin. Likewise, other development projects within the basin would be obligated to include design elements that promote percolation, such as minimum landscaped/permeable area requirements and water quality/detention basins. The Project and other developments would not obstruct or hinder the implementation of applicable groundwater management plans. With no significant impacts to groundwater, the provision of percolation-friendly design measures, and compliance with relevant Lahontan Region Groundwater Basin management plans, cumulative development would not considerably and adversely affect local groundwater supplies.

Flooding

Both the Project and other development projects within the Mojave River Basin would be required to comply with federal, state, and local regulations, as well as regional and local master drainage plans, to mitigate flood hazards on- and off-site. Compliance entails safeguarding development sites from flooding during extreme storm events (e.g., 100-year storm) and preventing increased flood risks to downstream properties. Future development proposals in the basin must submit hydrologic and hydraulic calculations for review and approval by the responsible City/County Engineer to demonstrate the absence of significant on- and/or off-site flood hazards. As discussed in the response to Threshold c), the Project is designed to maintain runoff during peak storm events at existing levels. Given the requirement for all developments in the Mojave River Basin to comply with regulations and prevent excessive stormwater discharges, a substantial cumulative impact related to flood hazards would not occur.

Additionally, the Project site is not situated in a special flood hazard area or a susceptible inundation zone. Therefore, the development on the Project site would not impede or redirect flood flows, and there would be no significant cumulative impact in this regard.

There are less than significant impacts of the proposed Project associated with Hydrology and Water Quality, and no mitigation would be required.

4.9.9 Conclusion

The Project would not impact water quality or water quantity because drainage will be handled on-site through an underground system, and some flows would be allowed to flow into the natural drainage off site, as they do currently. Overall, the impacts to hydrology and water quality are less than significant.

4.10 Land Use and Planning

4.10.1 Introduction

This section is based on current regulations and the following reports.

- City of Victorville General Plan 2030, (Victorville, 2008) adopted by the City Council on September 24, 2008
- City of Victorville 2045 Land Use Element, (Victorville, 2022), September 2, 2022

4.10.2 NOP Scoping Comments

A Notice of Preparation (NOP) for the Project was released on March 3, 2023, for public review and comment through April 12, 2023. An EIR Scoping Meeting was held on April 12, 2023. No comments were received when the NOP public comment period ended on, or after the NOP period, nor were any comments made during the EIR Scoping Meeting that pertain to land use and planning.

4.10.3 Regulatory Framework

Federal Regulations

There are no federal regulations related to Land Use and Planning for the Project.

State Regulations

There are no state regulations related to Land Use and Planning for the Project.

Regional Regulations

The Southern California Association of Governments (SCAG) is a Joint Powers Authority (JPA) under California law, established as an association of local government and agencies that voluntarily convene as a forum to address regional issues. Under federal law, SCAG is designated as a Metropolitan Planning Organization (MPO) and under state law as a Regional Transportation Planning Agency and a Council of Governments. The SCAG region encompasses six counties: Riverside, Los Angeles, Orange, San Bernardino, Ventura, and Imperial; and 191 cities in an area covering more than 38,000 square miles. SCAG develops long-range regional transportation plans including sustainable communities strategy and growth forecast components, regional transportation improvement programs, regional housing needs allocations and other plans for the region. As an MPO and public agency, SCAG develops transportation and housing strategies that transcend jurisdictional boundaries that affect the quality of life for southern California as a whole.

On September 3, 2020, SCAG's Regional Council adopted the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, known as "Connect SoCal." Connect SoCal includes long-range regional transportation plans, regional transportation improvement programs, regional housing needs allocations, and other plans for the region. Connect SoCal is a long-range visioning plan that builds upon and expands land use and transportation strategies to increase mobility options and achieve a more sustainable growth pattern. Connect SoCal identifies a path toward a more mobile, sustainable, and prosperous region by making connections between transportation networks, between planning strategies and between the people whose collaboration can improve the quality of life for Southern Californians (SCAG, 2020a). Connect SoCal also provides objectives for meeting emissions reduction targets set forth by CARB; these objectives were provided in a direct response to Senate Bill 375 (SB 375) which was enacted to reduce greenhouse gas emissions from automobiles and light trucks through integrated transportation, land use, housing, and

environmental planning (SCAG, 2020a). Additionally, SCAG reviews environmental impact reports for projects having regional significance to ensure they are in line with approved regional plans.

As identified in Section 15206 of the CEQA Guidelines, regionally significant industrial projects include “A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or encompassing more than 650,000 square feet of floor area.” Therefore, this Project is considered regionally significant and subject to review by SCAG. Connect SoCal includes a Technical Appendix titled “Goods Movement” that is applicable to the Project because the Project entails development within the SCAG region that would support a variety of industrial and commercial users, and relies directly on the goods movement system (e.g., manufacturing, construction, retail trade, wholesale trade and transportation, and warehousing). The “Goods Movement” appendix offers a broad overview of goods movement in Southern California by defining what the goods movement system is, including its most critical components; highlighting its importance and connections to the economy and local industry sectors; summarizing international and domestic trade flows and their relations to the region; addressing environmental and air quality issues; articulating a regional vision and how it can be achieved; and illustrating the path to 2045 by promoting an effective set of regional strategies. (SCAG, 2020a)

Local Regulations

City of Victorville General Plan

In the State of California, all cities are required to develop a General Plan. A General Plan is a comprehensive policy document that informs future land use decisions. It establishes land use designations and policies that identify a range of zoning options that can be applied to property. These policies assist decision makers as they review planning approvals for a new project or consider a proposed ordinance or policy.

By identifying land use categories and corresponding zones, the General Plan provides the foundational guide for planning, outlining how land is used and how the City allocates its resources. The General Plan is, however, more than just the legal basis for all local land use decisions; it is the vision for how the City will evolve, reflecting the values and priorities of its communities.

The City adopted the City of Victorville General Plan 2030 on October 21, 2008 that contains seven chapters, known as “Elements.”

- Introduction
- Land Use Element
- Circulation Element
- Housing Element
- Resource Element
- Noise Element
- Safety Element

Each “Element” identifies Goals, Policies and Implementation measures that guide the City’s actions. “Goals” represent a synthesis of input from those who live and work in the City of Victorville and define desired General Plan outcomes. “Policies” provide the overall direction for choosing among alternative courses of action necessary to achieve the Goals while also providing a measure of flexibility needed to adapt the action to changes over the life of the General Plan. “Implementation Measures” are specific, discreet actions the City may take to achieve the future conditions reflected in the General Plan element. Implementation Measures define the municipal work program for providing transportation improvements needed to meet Goals identified in the General Plan element, consistent with the element’s policies.

In September 2022, the City of Victorville amended the Land Use Element. The revisions to the Land Use Element refined the Goals and Policies determined in the 2008 General Plan.

City of Victorville Development Code

The City of Victorville Development Code is contained within Title 16 of the City of Victorville’s Municipal Code. The Development Code is adopted to implement the Victorville General Plan and regulate development to protect and promote public health, safety, prosperity, and general welfare. More specifically, it is intended to achieve the following objectives: a) Guide physical development in order to enhance the character and quality of existing neighborhoods and to foster a harmonious and beneficial relationship between all land uses; b) Determine appropriate land uses and locations envisioned by the General Plan in order to protect all areas of the community from harmful land use intrusions; c) Encourage a full range of office, commercial and industrial uses in order to assure a strong local economic base; d) Ensure the provision of adequate open space for light, air circulation, visual relief from the built environment and to maximize fire safety provisions; e) Ensure that new development will not overtax the capacity of existing streets, utilities or community facilities and services; f) Reduce the risk of injury or exposure to hazards for people and property through adherence to building and fire codes. (Title 16, Section 16-1.01.020)

Title 12 of the City’s Municipal Code governs vehicles and traffic. Specifically, Title 12, Section 12.36.050 designates Mojave Drive as a truck route. Mojave Drive is adjacent to the Project site’s southern boundary. Trucks will not use Mojave Drive but enter and exit the site using the 40-foot-wide driveways on Mesa Linda Avenue on the west side of the property boundary, or the two 40-foot driveways on Onyx Road on the east side of the property boundary, to avoid conflicts with passenger cars that would be using one 30-foot driveway along Mojave Drive.

4.10.4 Environmental Setting

The Project site location and regional context are shown on [Figure 2-1, Regional Location Map](#), and [Figure 2-2, Vicinity Map/Aerial Photo](#). The Project site is located approximately 0.5 mile east of State Route (SR) 395, approximately 4 miles west of Interstate 15 (I-15) and approximately 1.5 miles north of State Route 18 (SR-18). It is bordered by Mojave Drive on the south, Cactus Road on the north, Onyx Road on the east, and Mesa Linda Avenue on the west. The 66.4-acre Project site comprised five parcels, Assessor Parcel Numbers (APNs): 3128-621-02, 3128-621-03, 3128-621-04, 3128-621-05, and 3128-621-06.

The Project site is generally surrounded by vacant lands on the north, east and west. On the south, south of Mojave Road, a low density residential subdivision exists, which is accessed by Onyx Road on the south side of Mojave Drive.

The proposed Project includes a building that will house a warehouse with refrigeration and offices, which is consistent with the Light Industrial (LI) Land Use designation identified in the Land Use Element of the General Plan as follows:

The Light Industrial land use designation is characterized by industrial development either located in industrial and/or business parks or in mixed industrial areas. The main feature of industrial activities in this category is that they do not require any significant site or structure requirements that are so specialized that would limit future use of the structures and/or site by another industrial activity.

Allowable land uses are defined as:

The Light Industrial land use designation allows industrial uses that include the fabrication, manufacturing, assembly, or processing of materials that are in refined form and which do not, in their transformation, create smoke, gas, odor, dust, noise, vibration of earth, soot, or lighting to a degree that is impactful or produce products that pose a danger when located in proximity to nearby non-industrial uses. Provides warehouses and warehouse distribution centers, and breweries and distilled spirits manufacturers. Also allows for other employment-intensive uses, such as campus-style research and development and business parks, and makerspaces, co-workspaces, and incubator spaces. Most operations within this designation are conducted within enclosed buildings.

The 2040 Land Use Element created Development Focus Areas (DFAs) that identified locations where key changes to the Land Use Map have occurred as a part of the Land Use Element update, representing areas where the City wants or anticipates land use change and/or growth to occur during the planning period. Per Figure LUE-4 in the 2040 Land Use Element, the Project site is not within a DFA.

4.10.5 Methodology

To ascertain the existing land use designations and zoning classifications of the Project site and its surrounding areas, an examination was conducted. This involved referencing the City's General Plan, City Municipal Code, and SCAG's Connect SoCal documents. The purpose of this review was to assess the potential impacts of the Project in relation to land use and planning.

4.10.6 Thresholds of Significance

Section XI of Appendix G to the CEQA guidelines addresses the adverse effects that are typical to land use and planning. The following thresholds are used to evaluate the impacts that the Project might have on land use and planning:

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

4.10.7 Impacts Analysis

Threshold 4.10 (a). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?			✓	

Discussion

The proposed Project is the construction and operation of a 1,097,300-square-foot industrial building with 1,057,300 square feet allocated to warehousing use, and 40,000 square feet allocated to offices on the north side of Mojave Drive in an area designated for Light Industrial. The lands adjacent to the Project site are vacant on the east and west, and are also identified for light industrial land use. The existing roadways on the west and east would be improved with the Project consistent with the planned improvements for the area. Implementation of the Project provides for a land use consistent with the land use and zoning identified by

the City of Victorville. Therefore, the Project does not propose infrastructure or a use that would be physical or mobility barriers in the area.

Level of Significance

The Project would not physically divide an established community because it is being constructed within the property's designated land use and zoning code. The vacant lands to the west, east and north are also zoned for light industrial. The impacts would be less than significant, and no mitigation would be required.

Threshold 4.10 (b). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			✓	

Discussion

The City of Victorville General Plan 2030 was adopted by the City Council on October 21, 2008. In September 2022, the City of Victorville amended the Land Use Element. The City's General Plan contains goals and policies that guide development. Table 4.10-1 below identifies the Project's consistency with applicable goals and policies contained in the City's 2008 General Plan. As shown in Table 4.10-1, the Project 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. The impacts are less than significant, and no mitigation is required.

Table 4.10-1 Project Consistency with City General Plan

Policy	Consistency Analysis
Land Use Element	
Policy A.2: Encourage development that does not conflict with or adversely affect other existing or potential developments.	Consistent. The Project would construct a 1,097,300-square-foot industrial building with 1,057,300 square feet allocated to warehousing use, and 40,000 square feet allocated to office use, which would create approximately 535 jobs. The Project is situated in an area identified by the City as Light Industrial. The Project is also situated on the north side of Mojave Drive, which is a designated truck route in the City. And though the tenant for the building is not yet known, the Project is designed in accordance to the City's design standards for Light Industrial, and the tenant operations would be required to comply with the City's allowable uses under the City's zoning ordinance for Light Industrial.
Policy I.1: Encourage development of land uses and infrastructure to support growth of businesses and commerce	Consistent. The Project proposes a warehouse building with office space on currently undeveloped land. This would create jobs for the Victorville community and surrounding areas.
Policy N.1: Promote high standards of building design, site planning, landscaping and hardscaping, and signage that	Consistent. The Project's architectural design integrates various colors and relief features to reduce massing. The

Policy	Consistency Analysis
reflect the character of Victorville and strengthen the City's economic vitality.	earth tone themed building is meant to compliment the landscape. Landscaping and hardscaping will complement the building perimeter and interior parking areas. This is illustrated in Figure 4.1-1, <i>Architectural Elevations</i> .
Policy O.1: Ensure that the integrity of each land use district is maintained	Consistent. The Project proposes industrial use in a Light Industrial General Plan land use designation. The Project would not require a General Plan Amendment or Zone change and is consistent with the intent of the goal of the General Plan Land Use Map.
Resource Element	
Policy 1.3.1: Require new development and major redevelopment projects public and private, to prepare and implement water quality management plans that incorporate a variety of structural and nonstructural best management practices to minimize, control and filter construction site runoff and various forms of developed site urban runoff, prior to discharge to receiving waters	Consistent. The Project includes a Water Quality Management Plan which is consistent with the requirements (see Appendix F-2).
Policy 5.1.1: Determine presence/absence of and consider impacts to cultural resources in the review of public and private development and infrastructure projects.	Consistent. The Project contains a Historical/ Archaeological Resources Survey Report (see Appendix C) which establishes the absence of cultural resources and are used in Sections 4.4, Cultural Resources and 4.12 Tribal Cultural Resources.
Policy 5.1.2: Prohibit destruction of cultural and paleontological materials that contain information of importance to our knowledge of the evolution of life forms and history of human settlement in the Planning Area, unless sufficient documentation of that information is accomplished and distributed to the appropriate scientific community. Require mitigation of any significant impacts that may be identified in project or program level cultural and paleontological assessments as a condition of project or program approval.	Consistent. As discussed above in Sections 4.4, <i>Cultural Resources</i> , and in Section 4.12 <i>Tribal Cultural Resources</i> , the Project is not within a known cultural or paleontological resource area. Mitigation discussed in sections 4.4 and 4.12 would be carried out to prevent impacts to unknown resources which could be discovered during the grading for the Project.
Policy 6.1.1: Encourage planning and development activities that reduce the number and length of single occupant automobile trips.	Consistent. As shown in EIR Section 4.12, Transportation, the Project would not result in a significant VMT impact for project generated VMT or project's effects on VMT.
Policy 6.2.1: Encourage compliance with the California Air Resources Board (CARB) "Air Quality and Land Use Handbook: A Community Health Perspective," which provides guidelines for siting new sensitive land uses in proximity to air pollutant emitting sources	Consistent. The Project's Air Quality Impact Analysis was prepared in compliance with CARB
Policy 7.2.1: Support energy conservation by requiring sustainable building design and development for new residential, commercial and industrial projects.	Consistent. The Project is designed using the latest CALGreen code which includes energy conservation metrics that the building must comply with. The Project design therefore maximizes energy conservation designs to promote passive solar energy generation, natural ventilation, effective use of daylight, and onsite electricity generation.
Safety Element	
Policy 1.2.1: Require an adequate assessment of site-specific geologic hazards and required mitigation measures prior to granting discretionary approval for a	Consistent. Discussed in Section 4.6, Geology and Soils, a site specific study of geologic hazards and required mitigation measures which is located in this DEIR,

Policy	Consistency Analysis
land use plan, development project or public infrastructure plan or project.	Appendix D.
Policy 1.3.1: Restrict and/or prohibit the siting of land uses that store, use, transport, dispose of or generate significant quantities of hazardous materials and wastes, through land use element policies, zoning and subdivision regulations, and site plan review procedures.	Consistent. As described in EIR Section 4.8, Hazards and Hazardous Materials, the final end user is not known at this time. In the event that hazardous materials are associated with future warehouse operations, the hazardous materials would only be stored and transported to and from the building site. Any generation, transportation, treatment, storage, and disposal of hazardous waste associated with the Project would be conducted in compliance with Subtitle C of the Resource Conservation and Recovery Act (RCRA) as outlined in the Code of Federal Regulations (Title 40, Part 263). The construction of the proposed Project would also adhere to the regulations set forth by the Victorville Fire Department (VFD), which acts as the designated Certified Unified Program Agency (CUPA) for the City of Victorville. Any business that operates any of the facilities at the Project site and that handles and/or stores substantial quantities of hazardous materials (as defined by § 25500 of California Health and Safety Code, Division 20, Chapter 6.95) would be required to prepare and submit a Hazards Materials Business Emergency Plan (HMBEP) in order to register the business as a hazardous materials handler. Such business is also required to comply with California’s Hazardous Materials Release Response Plans and Inventory Law, which require immediate reporting to Victorville Fire Department and State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business.
Policy 2.1.1: Ensure that new private or public development has sufficient fire protection, police and emergency medical services available. Such developments shall not strain capabilities to a level where service standards could not be met	Consistent. The City of Victorville Fire Department provides fire protection services to the Project area. There are five active fire stations currently operating within the City of Victorville; Fire Station 311 (16200 Desert Knoll Drive); Fire Station 312 (15182 El Evado Road); Fire Station 313 (13086 Amethyst Road); Fire Station 314 (17008 Silica Drive); Fire Station 315 (12820 Eucalyptus Street). The Project would be primarily served by Fire Station 312 which is located approximately 2.4 miles east of the Project site. Since the Project site is currently vacant, development could place additional demand on existing fire protection resources. To offset the increased demand for fire protection services, the Project would be conditioned by the City to provide fire safety and support fire suppression, including compliance with state and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access routes. In addition, the Project plans were routed to the Fire

Policy	Consistency Analysis
	<p>Department for review and comment on the impacts to providing fire protection services. The Fire Department did not indicate that the Project would result in the need for new or physically altered fire facilities in order to maintain acceptable service ratios, response times or other performance objectives.</p> <p>Police protection services are provided to the City of Victorville by the San Bernardino County Sheriff's Department. The closest station to the Project site is located at 14200 Amargosa Road 4 miles east of the Project site. The Project could generate additional calls for service; however, the Project would be consistent with the General Plan land use designation and buildout has been anticipated in the General Plan. According to the City General Plan EIR, Sheriff Department requests for more officers are based on service needs and 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. Therefore, no significant adverse impacts to law enforcement are identified or anticipated.</p>
<p>Policy 2.3.1: Ensure that new development proposals (private or public) do not over-consume the City's water supplies to the extent that the minimum volume of water storage required to meet the City's peak load water supply standard could not be met.</p>	<p>Consistent. Seen in Section 4.14, Utilities and Service Systems, the Project's water demand was within the 2020 Victorville Water District Urban Water Management Plan's future projections including in dry years. The City also has the ability to pump additional groundwater to meet demands. A Water Quality Management Plan (WQMP) has also been prepared, which is provided in Appendix F-2.</p>

Level of Significance

The Project has been analyzed as being consistent with the City's General Plan which is the City's policy document that guides development and other resources for the City. Therefore, the Project 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. The impact is less than significant, and no mitigation is required.

Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (Connect SoCal)

As a metropolitan planning organization, the Southern California Association of Governments (SCAG), is responsible for developing long-range transportation plans and a sustainability strategy for a vast and varied region. The centerpiece of that planning work is Connect SoCal, the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The plan charts a path toward a more mobile, sustainable and prosperous region by making key connections: between transportation networks, between planning strategies and between the people whose collaboration can make plans a reality. *Connect SoCal* is an important planning document for the SCAG region, allowing public agencies who implement transportation projects to do so in a coordinated manner, while qualifying for federal and state funding.

Additionally, California Senate Bill 375, codified in 2008 in Government Code §65080 (b)(2)(B), also requires that the RTP include a sustainable communities strategy or “SCS”, which outlines growth strategies for land use and transportation and help reduce the state’s greenhouse gas emissions from cars and light duty trucks.

Table 4.10-2 SCAG Connect SoCal Goal Consistency Analysis

RTP/SCS Goal	Goal Statement	Project Consistency Discussion
1	Encourage regional economic prosperity and global competitiveness.	Consistent. The Project includes development of the Project site with an industrial building that is designed to meet contemporary industry standards and operational characteristics that can accommodate a wide variety of users, and are economically competitive with similar industrial buildings in the local area and region. The Project would assist the City to meet its economic goal for fiscal strength and stability through business investment and employment generation. Accordingly, the Project would encourage regional economic prosperity and global competitiveness.
2	Improve mobility, accessibility, reliability, and travel safety for people and goods.	Consistent. As discussed under Threshold c) in Section 4.11, Transportation, of this EIR, the Project would not result in a substantial safety hazard to motorists. Additionally, the proposed buildings would accommodate the movement of goods throughout the region, which would shorten the length of vehicular trips and increase the reliability of the movement of goods throughout the region.
3	Enhance the preservation, security, and resilience of the regional transportation system.	Consistent. The Project contributes to and would be consistent with planned land use and growth assumptions in the City of Victorville, as anticipated by the General Plan. The Project applicant would pay applicable development impact fees to fund traffic improvements and maintenance of roadway infrastructure in the Project area. This policy provides guidance to the City of Victorville to monitor the transportation network and to coordinate with other agencies as appropriate. The Project would not conflict with the City’s transportation network or the City’s coordination with other agencies.
4	Increase person and goods movement and travel choices within the transportation system.	Consistent. The Project involves development of an industrial building within a developing industrial area and in proximity to the state highway system, which would avoid or shorten truck-trip lengths on other roadways. In compliance with the CALGreen Code, the Project would include bicycle parking stalls.
5	Reduce greenhouse gas emissions and improve air quality.	Consistent. The Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. Furthermore, the Project will comply with applicable Green Building Standards and the City of Victorville’s CAP policies including the completion of the GHG Emissions Screening Table Review Measures with the required Mitigation Measure GHG-1 City of Victorville’s CAP policies and impacts are considered to be less than significant. GHG-1 GHG Emissions Screening Table Review Measures: The project shall implement the Greenhouse Gas Emissions Screening Table Review Measures (GHG Screening Table Measures) providing for a minimum 100 points per the City’s Greenhouse Gas Emissions Screening Table Review form. The City shall verify incorporation of

RTP/SCS Goal	Goal Statement	Project Consistency Discussion
		the identified GHG Screening Table Measures or equivalent replacement measures within the Project building plans and site design prior to the issuance of building permit(s) and/or site plans as applicable.
6	Support healthy and equitable communities	Consistent. The Project is located in an area zoned for industrial uses. Therefore, the proposed industrial buildings are intended for the Project site, which is also surrounded by property zoned for industrial uses to the north and south, with commercial uses to the west.
7	Adapt to a changing climate and support an integrated regional development.	Consistent. Connect SoCal indicates that, since the adoption of the previous 2016 RTP/SCS, there have been significant drivers of change in the goods movement industry, including emerging and new technologies, more complex supply chain strategies, evolving consumer demands, and shifts in trade policies. The Project involves the redevelopment of a Project site with an industrial building that will accommodate a wide variety of users that would diversify the City of Victorville’s economy and bring employment opportunities closer to the local workforce. Co-locating jobs near housing reduces greenhouse gas emissions caused by long commutes and contributes to integrated development patterns. Further, the Project site is located in an area designated for industrial development in the City of Victorville, which is in close proximity to key freeway infrastructure, thereby reducing travel distances.
8	Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	Consistent. Connect SoCal also indicates that the advancement of automation is expected to have considerable impacts throughout regional supply chain. Notably, warehouses such as those proposed with the Project are increasingly integrating automation to improve operational efficiencies in response to the surge in direct-to-consumer e-commerce. Additionally, continued developments and demonstrations of electric-powered and automated truck technologies will alter the goods movement environment with far-reaching impacts ranging from employment to highway safety. The Project would meet contemporary industry standards to support advancements in these and other transportation technologies.
9	Encourage development of diverse housing types in areas that are supported by multiple transportation options.	Consistent. The Project is in an area designated for industrial uses and would not interfere with the City’s ability to encourage the development of diverse housing types that are supported by multiple transportation options in other parts of the City, as appropriate.
10	Promote conservation of natural and agricultural lands and restoration of habitats.	Consistent. The site is not located within an area intended for conservation of natural or agricultural lands. Implementation of the Project would not interfere with the City’s ability to promote the conservation of natural and agricultural lands and the restoration of habitats. Additionally, the Project site does not include any land designated for agricultural uses.
Local Jurisdictions’ Land Use Policies/Best Practices		
	PMM-TRA-1: In accordance with provisions of §15091(a)(2) and	Consistent: The project includes Project Design Features (PDFs) AQ 7, 8, 18, and 21. They involve things such as ride sharing, car pooling,

RTP/SCS Goal	Goal Statement	Project Consistency Discussion
	<p>§15126.4(a)(1)(B) of the CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to transportation-related impacts, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> • Transportation demand management (TDM) strategies should be incorporated into individual land use and transportation projects and plans, as part of the planning process. Local agencies should incorporate strategies identified in the Federal Highway Administration’s publication: Integrating Demand Management into the Transportation Planning Process: A Desk Reference (August 2012) into the planning process (FHWA 2012). For example, the following strategies may be included to encourage use of transit and non-motorized modes of transportation and reduce vehicle miles traveled on the region’s roadways; • Include TDM mitigation requirements for new developments; • Incorporate supporting infrastructure for non-motorized modes, such as, bike lanes, secure bike parking, sidewalks, and crosswalks; • Provide incentives to use alternative modes and reduce driving, such as, universal transit passes, road and parking pricing; • Parking management programs, such as parking cash-out, priority parking for carpools and vanpools; • Develop TDM-specific performance measures to evaluate project-specific and systemwide performance; • Incorporate TDM performance 	<p>and public transportation usage. As required by Mitigation Measure TRANS-1: Transportation Demand Management Program, the Project shall provide assurances that the transportation demand management measures consistent with the measures identified in the Connect SoCal Plan.</p>

RTP/SCS Goal	Goal Statement	Project Consistency Discussion
	<p>measures in the decision-making process for identifying transportation investments;</p> <ul style="list-style-type: none"> • Implement data collection programs for TDM to determine the effectiveness of certain strategies and to measure success over time; • Set aside funding for TDM initiatives; • The increase in per capita VMT on facilities experiencing LOS F represents a significant impact compared to existing conditions. To assess whether implementation of these specific mitigation strategies would result in measurable traffic congestion reductions, implementing actions may need to be further refined within the overall parameters of the proposed Plan and matched to local conditions in any subsequent project-level environmental analysis 	

Sources: SCAG, 2020a; RTP/SCS Goals are set forth in Chapter 1, *About the Plan*.
SCS Strategies are set forth in Chapter 3, *A Path to Greater Access, Mobility & Sustainability*.

4.10.8 Cumulative Impact Analysis

This analysis considers the combined effects of the Project's development alongside other nearby development projects and planned development within Victorville City. As explained in Threshold a), the Project's location, surrounded by roadways and existing industrial development, ensures that it does not physically divide an established community. Consequently, the Project's overall impact on the physical division of the community is less than cumulatively considerable.

Regarding Threshold b), the Project does not conflict with the City's General Plan, or any other relevant land use plan, policy, or regulation designed to mitigate negative environmental effects. Furthermore, any cumulative development would undergo specific reviews to ensure compliance with adopted land use plans, policies, or regulations. During the environmental review process, projects would be required to provide mitigation measures for any inconsistencies with the General Plan and environmental policies that could result in adverse physical environmental effects. Thus, it is expected that the land uses of cumulative projects would be consistent with policies that avoid an environmental effect; therefore, cumulatively considerable impacts from cumulative projects related to policy consistency would be less than significant.

4.10.9 Conclusion

There are less than significant impacts of the proposed Project associated with Land Use and Planning, and no mitigation would be required.

4.11 Noise

4.11.1 Introduction

This section addresses the environmental issue of noise, including existing noise levels in the Project area and the Project's potential to introduce new or elevated sources of noise. The analysis contained herein incorporates information contained in a technical report prepared by Urban Crossroads.

- Mojave Drive Warehouse, Noise and Vibration Analysis, prepared by Urban Crossroads, February 15, 2023 (Technical Appendix G)

The technical report and analysis in this subsection assess the proposed Project's potential impacts from noise and vibration that would result from project construction and operation and includes a discussion of the characteristics of sound and groundborne vibration as well as regulations, standards, and plans for controlling noise and vibration exposures. The section identifies sensitive noise receivers surrounding the Project site and presents the results of ambient noise sampling at nearby noise sensitive receivers. Short-term (construction) noise and vibration exposure estimates are quantified, and a qualitative discussion of operational impacts is presented for noise and vibration generated by project construction, operations and cumulative noise impacts.

Noise Definitions

Noise is simply defined as "unwanted sound." Sound becomes unwanted when it interferes with normal activities, when it causes actual physical harm or when it has adverse effects on health. Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). A-weighted decibels (dBA) approximate the subjective response of the human ear to broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum.

Range of Noise

Since the range of intensities that the human ear can detect is so large, the scale frequently used to measure intensity is a scale based on multiples of 10, the logarithmic scale. The scale for measuring intensity is the decibel scale. Each interval of 10 decibels indicates a sound energy ten times greater than before, which is perceived by the human ear as being roughly twice as loud. The most common sounds vary between 40 dBA (very quiet) to 100 dBA (very loud). Normal conversation at three feet is roughly at 60 dBA, while loud jet engine noises equate to 110 dBA at approximately 1,000 feet, which can cause serious discomfort. (Technical Appendix G, p. 7)

Noise Descriptors

Environmental noise descriptors are generally based on averages, rather than instantaneous noise levels. The most commonly used figure is the equivalent continuous noise level (Leq). Leq represents a steady state sound level containing the same total energy as a varying signal over a given time period. Leq values are not measured directly but are calculated from sound pressure levels typically measured in dBA. Consequently, Leq can vary depending on the time of day. (Technical Appendix G, p. 8)

Peak hour or average noise levels, while useful, do not completely describe a given noise environment. Noise levels lower than peak hour levels may be disturbing if they occur during times when quiet is most desirable, namely evening and nighttime (sleeping hours). To account for this, the Community Noise Equivalent Level (CNEL), representing a composite 24-hour noise level is utilized. The CNEL is the weighted average of the intensity of a sound, with corrections for time of day, and average over 24 hours. The time-of-day corrections

require the addition of five dB to sound levels in the evening from 7:00 p.m. to 10:00 p.m., and the addition of 10 dB to sound levels at night between 10:00 p.m. and 7:00 a.m. These additions are made to account for the noise sensitive time periods during the evening and nighttime hours when sound appears louder. CNEL does not represent the actual sound level heard at any particular time, but rather represents the total sound exposure. The City of Victorville relies on the 24-hour CNEL level to assess land use compatibility with transportation-related noise sources. (Technical Appendix G, p. 8)

Noise Propagation

When sound propagates over a distance, it changes in level and frequency content. The manner in which noise reduces with distance depends on geometric spreading, ground absorption, atmospheric effects, and shielding.

Geometric Spreading

Sound from a localized source (i.e., a stationary point source) propagates uniformly outward in a spherical pattern. The sound level attenuates (or decreases) at a rate of 6 dB for each doubling of distance from a point source. Highways consist of several localized noise sources on a defined path and hence can be treated as a line source, which approximates the effect of several point sources. Noise from a line source propagates outward in a cylindrical pattern, often referred to as cylindrical spreading. Sound levels attenuate at a rate of 3 dB for each doubling of distance from a line source. (Technical Appendix G, p. 8)

Ground Absorption Noise

To account for the ground-effect attenuation (absorption) of noise, two types of site conditions are commonly used in noise models: soft site and hard site conditions. For acoustically hard sites (i.e., sites with a reflective surface between the source and the receptor, such as a parking lot or body of water), no excess ground attenuation is assumed. For acoustically absorptive or soft sites (i.e., sites with an absorptive ground surface between the source and the receptor such as soft dirt, grass, or scattered bushes and trees), an excess ground attenuation value of 1.5 dB per doubling of distance is normally assumed. (Technical Appendix G, pp. 8 & 9)

Atmospheric Effects

Receptors located downwind from a noise source can be exposed to increased noise levels relative to calm conditions, whereas locations upwind can have lowered noise levels. Other factors that may affect noise levels include air temperature, humidity, and turbulence. (Technical Appendix G, p. 9)

A large object or barrier in the path between a noise source and a receptor can substantially attenuate noise levels at the receptor. The amount of attenuation provided by shielding depends on the size of the object and the frequency content of the noise source. Solid objects or barriers are most effective at attenuating noise levels. Effective noise barriers can reduce noise levels by 10 to 15 dBA. Noise barriers, however, do have limitations. For a noise barrier to work, it must be high enough and long enough to block the path of the noise source. (Technical Appendix G, p. 9)

Community Response to Noise

Surveys have shown that community response to noise varies from no reaction to vigorous action for newly introduced noises averaging from 10 dB below existing to 25 dB above existing. According to research originally published in the Noise Effects Handbook, the percentage of high annoyance ranges from approximately 0% at 45 dB or less, 10% are highly annoyed around 60 dB, and increases rapidly to approximately 70% being highly annoyed at approximately 85 dB or greater. Despite this variability in behavior on an individual level, the population can be expected to exhibit the following responses to changes

in noise levels: A change of 1 dBA is just perceptible, a change of 3 dBA is considered barely perceptible, and changes of 5 dBA are considered readily perceptible (Technical Appendix G, p.10)

Vibration

Per the Federal Transit Administration (FTA) Transit Noise Impact and Vibration Impact Assessment Manual vibration is the periodic oscillation of a medium or object. Sources of groundborne vibration include natural phenomena (e.g., earthquakes, volcanic eruptions, sea waves, landslides) or human-made causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, groundborne vibrations may be described by amplitude and frequency. Decibel notation (VdB) serves to reduce the range of numbers used to describe human response to vibration.

The background vibration-velocity level in residential areas is generally 50 VdB. Groundborne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels. Typical outdoor sources of perceptible ground-borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the ground-borne vibration is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration-velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings. (Technical Appendix G, p. 11)

4.11.2 NOP/Scoping Comments

Notice of Preparation (NOP) for the Project was released on March 3, 2023, for public review and comment through April 12, 2023. An EIR Scoping Meeting was held on April 12, 2023. No comments were received when the NOP public comment period ended on, or after the NOP period, nor were any comments made during the EIR Scoping meeting that pertain to noise.

4.11.3 Regulatory Framework

The following is a brief description of the federal, state, and local environmental laws and related regulations related to noise.

To limit population exposure to physically and/or psychologically damaging as well as intrusive noise levels, the federal government, the State of California, various county governments, and most municipalities in the state have established standards and ordinances to control noise. In most areas, automobile and truck traffic is the major source of environmental noise. Traffic activity generally produces an average sound level that remains constant with time. Air and rail traffic, and commercial and industrial activities are also major sources of noise in some areas. Federal, state, and local agencies regulate different aspects of environmental noise. Federal and state agencies generally set noise standards for mobile sources such as aircraft and motor vehicles, while regulation of stationary sources is left to local agencies.

Federal Regulations

There are no applicable federal regulations.

State Regulations

State of California Noise Requirements

The State of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards, and provides guidance for local land use compatibility. State

law requires that each county and city adopt a General Plan that includes a Noise Element which is to be prepared per guidelines adopted by the Governor’s Office of Planning and Research (OPR). (9) The purpose of the Noise and Safety Element is to limit the exposure of the community to excessive noise levels. In addition, the California Environmental Quality Act (CEQA) requires that all known environmental effects of a project be analyzed, including environmental noise impacts.

Regional Regulations

There are no applicable regional regulations.

Local Regulations

Southern California Logistics Airport Land Use Compatibility

The closest airport to the Project site is the Southern California Logistics Airport (SCLA) located roughly 2.8 miles to the north with the potential to expose the Project site to aircraft-related exterior noise levels. Therefore, the Southern California Logistics Airport Comprehensive Land Use Plan future noise level contour boundaries are used in this noise study to determine the land use compatibility of the Project.

City of Victorville General Plan Noise Element

The City of Victorville General Plan Noise Element is intended to limit exposure of the community to excessive noise levels. The City of Victorville General Plan Noise Element land use compatibility standards specify the noise levels allowable for new developments impacted by transportation noise sources. The Victorville Land Use Compatibility Standards, found on Table N-3 of the General Plan, identify the criteria and is included as Exhibit 3-A, in Technical Appendix G. For the noise sensitive residential land use, exterior noise levels of less than 65 dBA CNEL are considered normally acceptable, conditionally acceptable with exterior noise levels between 65 to 70 dBA CNEL, and normally unacceptable with exterior noise levels above 70 dBA CNEL. For the non-residential land use, exterior noise levels of less than 70 dBA CNEL are generally considered as normally acceptable.

City of Victorville Municipal Code

Section 13.01.030 of the City of Victorville Municipal Code establishes the noise level standards for stationary noise sources. For residential properties, the exterior noise level shall not exceed 65 dBA Leq during the daytime hours (7:00 a.m. to 10:00 p.m.) and 55 dBA Leq during the nighttime hours (10:00 p.m. to 7:00 a.m.). For commercial uses, exterior noise levels shall not exceed 70 dBA Leq at any time. For the industrial uses the exterior noise levels commercial uses shall not exceed 75 dBA Leq at any time. The operational noise level standards are shown on Table 4.11-1.

Table 4.11-1 Operational Noise Standards

Land Use	Exterior Noise Levels (dBA L_{eq})*	
	Daytime (7:00 am-10:00 pm)	Nighttime (10:00 pm-7:00 am)
Residential	65	55
Commercial	70	
Industrial	75	

Source: City of Victorville Municipal Code, Section 13.01.030

*Leq represents a steady state sound level containing the same total energy as a time varying signal over a given period.

4.11.4 Environmental Setting

Existing Study Area Ambient Noise Considerations

The existing noise environment is defined by ambient noise levels presently experienced in the Specific Plan area. The existing acoustical environment around the Project site is typical of urban and suburban communities. The primary sources of noise throughout the community include both stationary and mobile sources. The mobile sources include the various modes of transportation such as automobiles, trucks, motorcycles, trains and aircraft. The locations directly adjacent to the roadways experience noise dominated by vehicles.

Existing Ambient Noise

To assess the existing noise level environment, 24-hour noise level measurements were taken at six locations in the Project study area (Table 4.11-2, Ambient Noise Level Measurement). The receiver locations were selected to describe and document the existing noise environment within the Project study area. The long-term noise level measurements were positioned as close to the nearest sensitive receiver locations as possible to assess the existing ambient hourly noise levels surrounding the Project site.

The noise measurements presented below focus on the equivalent or the hourly energy average sound levels (Leq). The equivalent sound level (Leq) represents a steady state sound level containing the same total energy as a time varying signal over a given sample period. Table 4.11-2 identifies the hourly daytime (7:00 a.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) noise levels at each noise level measurement location.

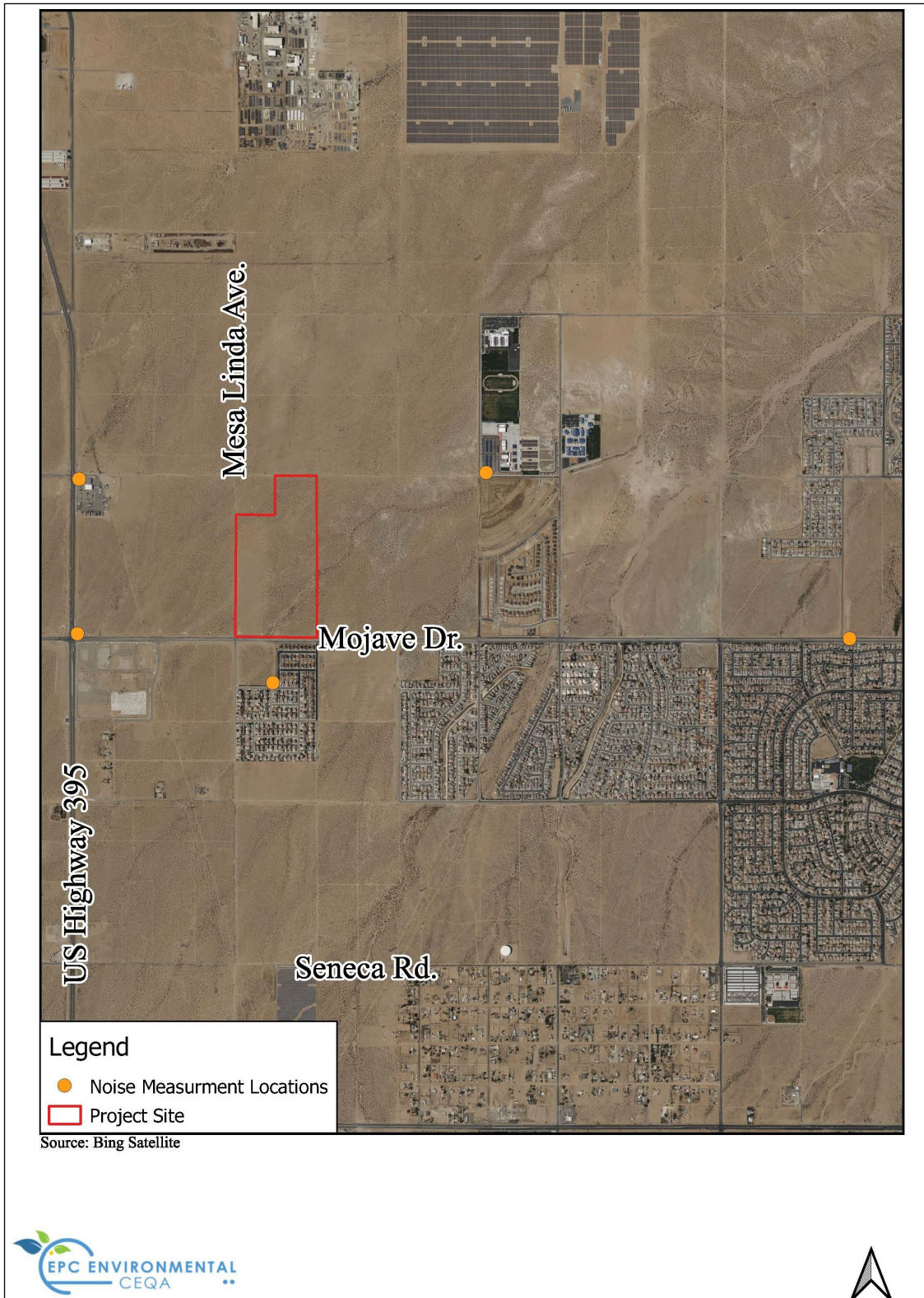
Table 4.11-2 Ambient Noise Level Measurement

Location ¹	Description	Energy Average Noise Level (dBA L _{eq}) ²		CNEL
		Daytime	Nighttime	
L1	Located west of the Project site near the residence at 15484 Pearmin Street	58.2	56.0	63.0
L2	Located East of the Project site near the educational facility located at 15831 Diamond Rd.	56.6	49.6	58.5
L3	Located East of the Project site near the residence located at 15359 Diamond Rd.	57.5	65.8	72.8
L4	Located East of the Project site near the residence located at 13008 Vista Abajo Way	82.3	77.3	85.2
L5	Located East of the Project site near the residence located at 12619 Alveda St.	80.7	75.5	83.5
L6	Located East of the Project site near the residence located at 15075 Mesa Linda Ave.	60.8	57.1	64.7

¹ See Figure 4.11-1 for the noise level measurement locations.

² Energy (logarithmic) average levels. The long-term 24-hour measurement worksheets are included in Appendix 5.2.
"Daytime" = 7:00 a.m. to 7:00 p.m.; "Evening" = 7:00 p.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

Figure 4.11-1 Ambient Noise Measurement Locations



Existing Groundborne Vibrations

The Project site is currently vacant with no existing conditions creating groundborne vibrations.

Existing Airport Noise

The Project site area and its immediate vicinity currently experience noise from SCLA aircraft operations. The aircraft noise contours generated for SCLA are depicted on Figure 4.11-5 SCLA Future Airport Noise Contours. The contours expected to have a significant noise effect are the 75, 70, and 65 CNEL contours. For existing activity levels, the 70 to 75 CNEL contours remain entirely on airport property. The 65 CNEL noise contour extends off airport property to the south. The 60 CNEL noise contour extends off airport property to the north, south, and southwest.

4.11.5 Methodology

Construction Noise Analysis

Because neither the City of Victorville General Plan or Municipal Code establish numeric maximum acceptable construction source noise levels at potentially affected receivers for CEQA analysis purposes, a numerical construction threshold based on Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual was used for analysis of daytime construction impacts. The FTA considers a daytime exterior construction noise level of 80 dBA Leq as a reasonable threshold for noise sensitive residential land use with a nighttime exterior construction noise level of 70 dBA Leq.

The construction noise analysis conducted by Urban Crossroads included as Technical Appendix G, was prepared using reference construction equipment noise levels from the Federal Highway Administration (FHWA) published the Roadway Construction Noise Model (RCNM), which includes a national database of construction equipment reference noise emission levels. The RCNM equipment database provides a comprehensive list of the noise generating characteristics for specific types of construction equipment. In addition, the database provides an acoustical usage factor to estimate the fraction of time each piece of construction equipment is operating at full power (i.e., its loudest condition) during a construction operation).

Using the reference construction equipment noise levels and the CadnaA noise prediction model, calculations of the Project construction noise level impacts at the nearby sensitive receiver locations were completed (Figure 4.11-2, Construction Noise Source and Receiver Locations). Consistent with FTA guidance for general construction noise assessment using the reference levels and presenting the combined noise levels for the loudest construction equipment, assuming all equipment operates at the same time. (Technical Appendix G)

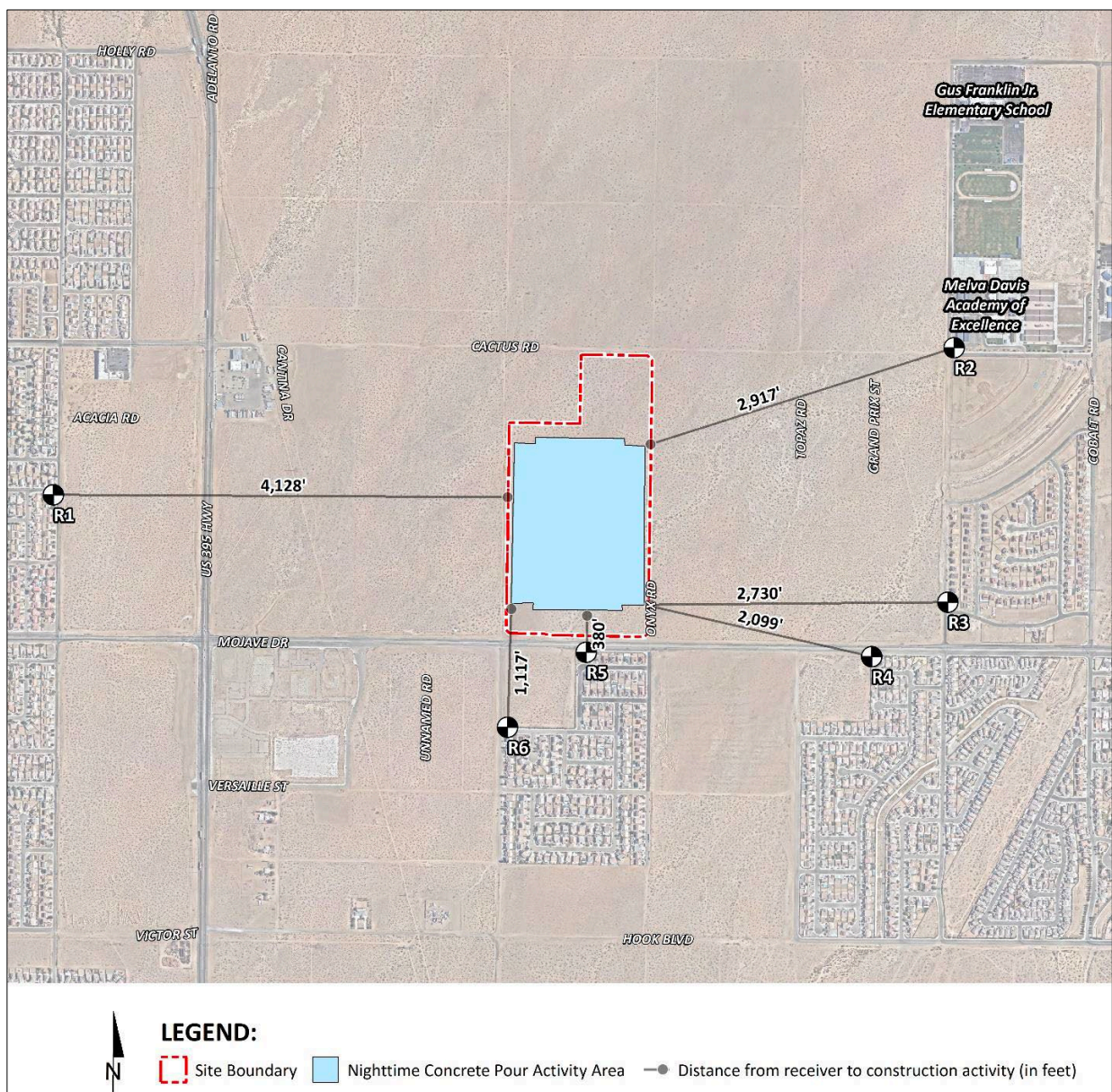
Figure 4.11-2 Construction Noise Source and Receiver Locations



Nighttime Concrete Pour Reference Noise Levels

To estimate the noise levels due to nighttime concrete pour activities, sample reference noise level measurements were taken during a nighttime concrete pour at an unrelated construction site (Figure 4.11-3). Urban Crossroads, Inc. collected short-term nighttime concrete pour reference noise level measurements during the noise-sensitive nighttime hours between 1:00 a.m. to 2:00 a.m. at 27334 San Bernardino Avenue in the City of Redlands. The reference noise levels describe the expected concrete pour noise sources that may include concrete mixer truck movements and pouring activities, concrete paving equipment, rear mounted concrete mixer truck backup alarms, engine idling, air brakes, generators, and workers communicating/whistling. To describe the nighttime concrete pour noise levels associated with the construction, the analysis relies on reference sound pressure level of 67.7 dBA Leq at 50 feet.

Figure 4.11-3 Nighttime Concrete Pour Noise Source and Receiver Locations



Operational Noise Analysis

To estimate the Project operational noise impacts, reference noise level measurements were collected from similar types of activities to represent the noise levels expected with the development of the proposed Project. The estimated reference noise levels were combined with the existing ambient noise level measures for the nearby received locations. The difference between the combined Project and ambient noise levels indicates the Project noise level increases to the existing noise environment.

To estimate the Project operational noise impacts, reference noise level measurements were collected from similar types of activities to represent the noise levels expected with the development of the proposed Project (Figure 4.11-4, Operational Noise Source Locations). This section provides a detailed description of the reference noise level measurements shown on Table 4.11-3 used to estimate the Project operational noise impacts. It is important to note that the following projected noise levels assume the worst-case noise environment with the cold storage loading dock activity, roof-top air conditioning units, trash enclosure activity, parking lot vehicle movements, and truck movements all operating at the same time. These sources of noise activity will likely vary throughout the day. (Technical Appendix G, p. 43)

The reference noise level measurements presented in this section were collected using Piccolo Type 2 integrating sound level meter and dataloggers. The Piccolo sound level meters were calibrated using a Larson-Davis calibrator, Model CAL 150. All noise meters were programmed in “slow” mode to record noise levels in "A" weighted form. The sound level meters and microphones were equipped with a windscreen during all measurements. All noise level measurement equipment satisfies the American National Standards Institute (ANSI) standard specifications for sound level meters ANSI S1.4-2014/IEC 61672-1:2013. (Technical Appendix G, p. 43)

Table 4.11-3 Operational Reference Noise Levels

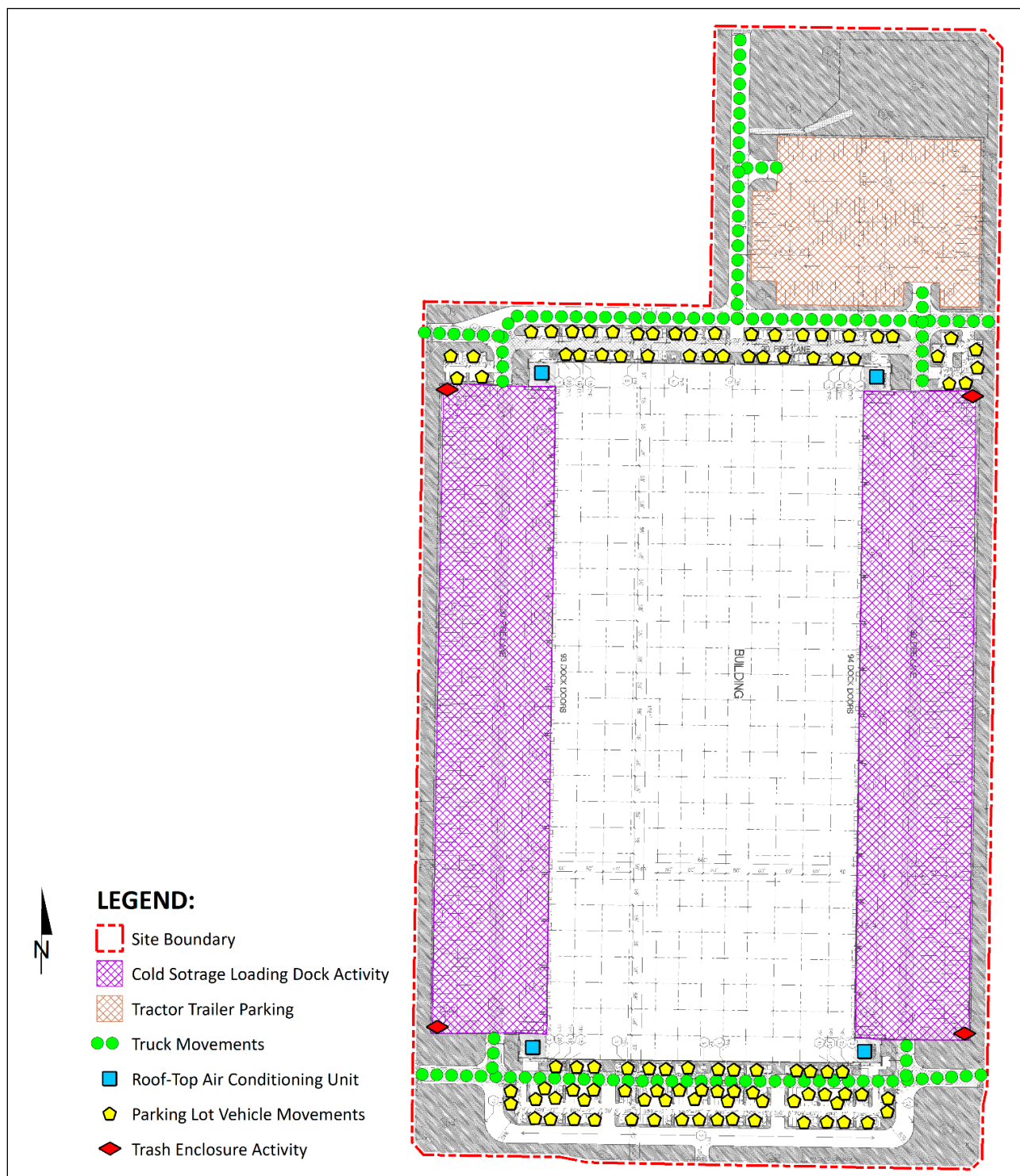
Noise Source ¹	Noise Source Height (Feet)	Min./ Hour ²		Reference Noise Level (dBA L _{eq}) @ 50 Feet	Sound Power Level (dBA) ³
		Day	Night		
Cold Storage Loading Dock Activity	8'	60	60	65.7	111.5
Tractor Trailer Parking Activity	8'	60	60	62.8	103.4
Roof-Top Air Conditioning Units	5'	39	28	57.2	88.9
Trash Enclosure Activity	5'	60	30	57.3	89.0
Parking Lot Vehicle Movements	5'	60	60	52.6	81.1
Truck Movements	8'	60	60	59.8	93.2

¹ As measured by Urban Crossroads, Inc.

² Anticipated duration (minutes within the hour) of noise activity during typical hourly conditions expected at the Project site. "Daytime" = 7:00 a.m. - 10:00 p.m.; "Nighttime" = 10:00 p.m. - 7:00 a.m.

³ Sound power level represents the total amount of acoustical energy (noise level) produced by a sound source independent of distance or surroundings. Sound power levels calculated using the CadnaA noise model at the reference distance to the noise source. Numbers may vary due to size differences between point and area noise sources.

Figure 4.11-4 Operational Noise Source Locations



Vibration Analysis Methodology

During construction the operation and movement of heavy equipment create seismic waves that radiate along the ground-surface in all directions. These waves are felt as ground vibrations. Vibrations from construction can result in effects ranging from annoyance to people to structure damage. Vibration levels are impacted by geology, distance, and frequencies. Ground-borne vibration from the construction activities would be intermittent and localized impacts. Ground-borne vibration was estimated using the Federal Transit Administration's (FTA). Transit Noise and Vibration Impact Assessment Manual data for typical construction equipment summarized in Table 4.11-4. Based on the vibration source levels for various construction equipment and the construction vibration assessment methodology published by the FTA, it is possible to estimate the Project vibration impacts. (Urban Crossroads, 2022e)

Table 4.11-4 Vibration Source Levels for Construction Equipment

Equipment	PPV (inches per second) at 25 feet
Small bulldozer	0.003
Jackhammer	0.035
Loaded Trucks	0.076
Large bulldozer	0.089
Vibratory Roller	0.210

Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual
Source: Technical Appendix G

4.11.6 Thresholds of Significance

Section XIII of Appendix G to the CEQA Guidelines addresses typical adverse effects to Noise and includes the following threshold questions to evaluate the Project's impacts on Noise.

- 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?
- Generation of excessive groundborne vibration or groundborne noise levels?
- For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

4.11.7 Impacts Analysis

Threshold 4.13 (a). Would the Project result in:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	

Discussion

Noise impacts shall be considered significant if any of the following occur as a direct result of the proposed development. Table 4.11-5 shows the significance criteria summary matrix that includes the allowable criteria used to identify potentially significant incremental noise level increases.

Table 4.11-5 Significance Criteria Summary

Analysis	Receiving Land Use	Condition(s)	Significance Criteria	
			Daytime	Nighttime
Off-Site Traffic	Noise-Sensitive ¹	If ambient is < 60 dBA CNEL	≥ 5 dBA CNEL Project increase	
		If ambient is < 60 - 65 dBA CNEL	≥ 3 dBA CNEL Project increase	
		If ambient is < 65 dBA CNEL	≥ 1.5 dBA CNEL Project increase	
	Non-Noise-Sensitive ²	If ambient is > 70 dBA CNEL ¹	≥ 3 dBA CNEL Project increase	
Operational	Noise-Sensitive	Exterior Noise Level Standards ³	See Table 4.11-2	
		If ambient is < 60 dBA CNEL ¹	≥ 5 dBA CNEL Project increase	
		If ambient is < 60 - 65 dBA CNEL ¹	≥ 3 dBA CNEL Project increase	
		If ambient is < 65 dBA CNEL ¹	≥ 1.5 dBA CNEL Project increase	
Construction	Noise-Sensitive	Noise Level Threshold ⁴	80 dBA Leq	70 dBA Leq
		Vibration Level Threshold ⁵	0.3 in/sec PPV	

¹ FICON, 1992.

² Victorville Land Use Compatibility Standards (General Plan Table N-3) for non-residential land use.

³ City of Victorville Municipal Code, Section 13.01.030 (Appendix 3.1).

⁴ Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual.

⁵ Caltrans Transportation and Construction Vibration Manual, April 2020 Table 19

"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

Construction Noise Impacts Analysis

Using the reference construction equipment noise levels and the CadnaA noise prediction model, calculations of the Project construction noise level impacts at the nearby sensitive receiver locations were completed. Consistent with FTA guidance for general construction noise assessment, the Noise and Vibration Analysis used the noise levels for the loudest construction equipment, assuming all equipment is operated at the same time. As shown on Table 4.11-6, the construction noise levels are expected to range from 36.7 to 66.5 dBA Leq at the nearby receiver locations. Technical Appendix G includes the detailed CadnaA construction noise model inputs.

Table 4.11-6 Expected Construction Noise Levels

Receiver Location ¹	Construction Noise Levels (dBA L _{eq})					
	Site Preparation	Grading	Building Construction	Paving	Architectural Coating	Highest Levels ²
R1	39.7	42.7	40.7	42.7	36.7	42.7
R2	42.1	45.1	43.1	45.1	39.1	45.1
R3	43.8	46.8	44.8	46.8	40.8	46.8
R4	45.9	48.9	46.9	48.9	42.9	48.9
R5	63.5	66.5	64.5	66.5	60.5	66.5
R6	51.0	54.0	52.0	54.0	48.0	54.0

¹ Construction noise source and receiver locations are shown on Figure 4.11-2.

² Construction noise level calculations based on distance from the construction activity, which is measured from the Project site boundary to the nearest receiver locations. CadnaA construction noise model inputs are included in Technical Appendix G.

Nighttime Concrete Pour Noise Analysis

As shown on Table 4.11-7 the noise levels associated with the nighttime concrete pour activities (Figure 4.11-3, Nighttime Concrete Pour Noise Source and Receiver Locations) are estimated to range from 29.6 to 47.9 dBA Leq and will not nighttime exterior noise level threshold at all the receiver locations. Based on the results of this analysis, all the nearest noise receiver locations will experience less than significant impacts due to the Project related nighttime concrete pour activities. Technical Appendix G includes the CadnaA nighttime concrete pour noise model inputs.

Table 4.11-7 Nighttime Concrete Pour Noise Levels

Receiver Location ¹	Concrete Pour Construction Noise Levels (dBA L _{eq})		
	Exterior Noise Levels ²	Nighttime Threshold ³	Threshold Exceeded? ⁴
R1	29.6	70	No
R2	31.9	70	No
R3	33.6	70	No
R4	35.7	70	No
R5	47.9	70	No
R6	40.2	70	No

¹ Construction noise source and receiver locations are shown on Figure 4.11-2.

² Nighttime Concrete Pour noise model inputs are included in Technical Appendix G, Appendix 10.2.

³ Construction noise level thresholds as shown on Table 4.11-5

⁴ Do the estimated Project construction noise levels exceed the construction noise level threshold?

On-site Operational Impact Analysis

Using the reference noise levels to represent the proposed Project operations that include cold storage loading dock activity, tractor trailer parking, roof-top air conditioning units, trash enclosure activity, parking lot vehicle movements, and truck movements, Urban Crossroads, Inc. (Technical Appendix G) calculated the operational source noise levels that are expected to be generated at the Project site and the Project-related noise level increases that would be experienced at each of the sensitive receiver locations. Figure 4.11-4 shows the operational noise source locations, whereas Table 4.11-8 shows the Project operational noise levels during the daytime hours of 7:00 a.m. to 10:00 p.m. The daytime hourly noise levels at the off-site receiver locations are expected to range from 36.8 to 47.6 dBA Leq.

Table 4.11-8 Project Daytime Operational Noise Levels

Noise Source	Operational Noise Levels by Receiver Location (dBA Leq)					
	R1	R2	R3	R4	R5	R6
Cold Storage Loading Dock Activity	36.0	38.6	39.8	41.5	41.4	45.1
Tractor Trailer Parking Activity	25.5	31.2	29.9	30.5	18.5	21.7
Roof-Top Air Conditioning Units	15.8	18.6	19.4	21.0	31.0	27.3
Trash Enclosure Activity	16.0	18.7	19.7	21.6	32.3	27.5
Parking Lot Vehicle Movements	19.4	22.7	24.3	26.5	44.1	33.9
Truck Movements	24.2	27.8	27.5	29.2	41.6	34.8
Total (All Noise Sources)	36.8	39.8	40.6	42.3	47.6	45.9

Source: Noise and Vibration Analysis Technical Appendix G.

Table 4.11-9 shows the Project operational noise levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. The nighttime hourly noise levels at the off-site receiver locations are expected to range from 36.7 to 47.4 dBA Leq. The minor differences between the daytime and nighttime noise levels are largely related to the estimated duration of noise activities.

Table 4.11-9 Project Nighttime Operational Noise Levels

Noise Source	Operational Noise Levels by Receiver Location (dBA Leq)					
	R1	R2	R3	R4	R5	R6
Cold Storage Loading Dock Activity	36.0	38.6	39.8	41.5	41.4	45.1
Tractor Trailer Parking Activity	25.5	31.2	29.9	30.5	18.5	21.7
Roof-Top Air Conditioning Units	13.4	16.2	16.9	18.6	28.6	24.9
Trash Enclosure Activity	12.0	14.7	15.7	17.6	28.3	23.5
Parking Lot Vehicle Movements	19.4	22.7	24.3	26.5	44.1	33.9
Truck Movements	24.2	27.8	27.5	29.2	41.6	34.8
Total (All Noise Sources)	36.7	39.7	40.6	42.2	47.4	45.9

Source: Noise and Vibration Analysis Technical Appendix G.

On-site Operational Noise Level Compliance

To demonstrate compliance with local noise regulations, the Project-only operational noise levels are evaluated against the exterior noise level thresholds adjusted to reflect the ambient noise levels at the nearest noise-sensitive receiver locations. Table 4.11-10 shows the operational noise levels associated with Mojave Drive Warehouse Project will not exceed the daytime and nighttime exterior noise level standards. Therefore, the operational noise impacts are considered less than significant at the nearby noise-sensitive receiver locations.

Table 4.11-10 Project Operational Noise Level Compliance

Receiver Location ¹	Project Operational Noise Levels (dBA Leq) ²		Noise Level Standards (dBA Leq) ³		Noise Level Standards Exceeded? ⁴	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
R1	36.8	36.7	65.0	55.0	No	No
R2	39.8	39.7	65.0	55.0	No	No
R3	40.6	40.6	65.0	55.0	No	No
R4	42.3	42.2	65.0	55.0	No	No
R5	47.6	47.4	65.0	55.0	No	No
R6	45.9	45.9	65.0	55.0	No	No

¹ See Figure 4.11-2 for the sensitive receiver locations.

² Proposed Project operational noise level calculations are included in Technical Appendix G, Appendix 9-1.

³ City of Victorville Municipal Code, Section 13.01.030

⁴ Do the estimated Project operational noise source activities exceed the noise level standards? "Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

To describe the Project operational noise level increases, the Project operational noise levels are combined with the existing ambient noise levels measurements for the nearby receiver locations that may be potentially impacted by Project operational noise sources. The difference between the combined Project and ambient noise levels describes the Project noise level increases to the existing ambient noise environment. Noise levels that would be experienced at receiver locations when Project-source noise is added to the daytime and nighttime ambient conditions are presented on Table 4.11-11 and Table 4.11-12, respectively. As indicated on Table 4.11-11, the Project will generate a daytime operational noise level increases ranging from 0.0 to 0.1 dBA Leq at the nearest receiver locations. Table 4.11-12 shows that the Project will generate a nighttime operational noise level increases ranging from 0.0 to 0.4 dBA Leq at the nearest receiver locations. Project-related operational noise level increases would not exceed the operational noise level increase significance criteria. Therefore, Project related operational noise level increases at the sensitive receiver locations will be less than significant.

Table 4.11-11 Daytime Project Operational Noise Level Increase Analysis

Receiver Location ¹	Total Project Operational Noise Level ²	Measurement Location ³	Reference Ambient Noise Levels ⁴	Combined Project and Ambient ⁵	Project Increase ⁶	Increase Criteria ⁷	Increase Criteria Exceeded?
R1	36.8	L1	58.2	58.2	0.0	5.0	No
R2	39.8	L2	56.6	56.7	0.1	5.0	No
R3	40.6	L3	57.5	57.6	0.1	5.0	No
R4	42.3	L4	82.3	82.3	0.0	1.5	No
R5	47.6	L5	80.7	80.7	0.0	1.5	No
R6	45.9	L6	60.8	60.9	0.1	5.0	No

¹ See Figure 4.11-2 for the sensitive receiver locations.

² Total Project daytime operational noise levels as shown on Table 4.11-8

³ Reference noise level measurement locations as shown on Figure 4.11-1

⁴ Observed daytime ambient noise levels as shown on Table 4.11-9.

⁵ Represents the combined ambient conditions plus the Project activities.

⁶ The noise level increase expected with the addition of the proposed Project activities.

⁷ Significance increase criteria as shown on Table 4.11-5

Table 4.11-12 Nighttime Project Operational Noise Level Increase Analysis

Receiver Location ¹	Total Project Operational Noise Level ²	Measurement Location ³	Reference Ambient Noise Levels ⁴	Combined Project and Ambient ⁵	Project Increase ⁶	Increase Criteria ⁷	Increase Criteria Exceeded?
R1	36.7	L1	56.0	56.1	0.1	5.0	No
R2	39.7	L2	49.6	50.0	0.4	5.0	No
R3	40.6	L3	65.8	65.8	0.0	1.5	No
R4	42.2	L4	77.3	77.3	0.0	1.5	No
R5	47.4	L5	75.5	75.5	0.0	1.5	No
R6	45.9	L6	57.1	57.4	0.3	5.0	No

¹ See Figure 4.11-2 for the sensitive receiver locations.

² Total Project nighttime operational noise levels as shown on Table 4.11-9.

³ Reference noise level measurement locations as shown on Figure 4.11-1

⁴ Observed nighttime ambient noise levels as shown on Table 4.11-10.

⁵ Represents the combined ambient conditions plus the Project activities.

⁶ The noise level increase expected with the addition of the proposed Project activities.

⁷ Significance increase criteria as shown on Table 4.11-5.

Off-site Operational Traffic Noise Impact Analysis

To assess the off-site transportation CNEL noise level impacts associated with development of the proposed Project, noise contours were developed based on Mojave Drive Warehouse Traffic Analysis prepared by David Evans and Associates, Inc and included as Technical Appendix H-1.

Noise contours were used to assess the Project's incremental 24-hour dBA CNEL traffic-related noise impacts at receiving land uses adjacent to roadways conveying Project traffic. The noise contours represent the distance to noise levels of a constant value and are measured from the center of the roadway for the 70, 65, and 60 dBA CNEL noise levels. The noise contours do not consider the effect of any existing noise barriers or topography that may attenuate ambient noise levels. In addition, because the noise contours reflect modeling of vehicular noise on area roadways, they appropriately do not reflect noise contributions from the surrounding stationary noise sources within the Project study area. [Table 4.11-13](#) and [Table 4.11-14](#) present a summary of the exterior traffic noise levels, without barrier attenuation, for the seven study area roadway segments analyzed under each traffic condition. Technical Appendix G Appendix 7.1 includes a summary of the traffic noise level contours for each of the traffic scenarios.

Table 4.11-13 Existing Project Traffic Noise Level Increases

ID	Road	Segment	Receiving Land Use ¹	CNEL at Receiving Land Use (dBA) ¹			Incremental Noise Level Increase Threshold ²	
				No Project	With Project	Project Addition	Limit	Exceeded ?
1	Mesa Linda Rd.	n/o Mojave Dr.	Non-Sensitive	55.6	61.8	6.2	n/a	No
2	Onyx Rd.	n/o Mojave Dr.	Non-Sensitive	53.8	63.0	9.2	n/a	No
3	Cactus Rd.	e/o Highway 395	Non-Sensitive	62.1	62.3	0.2	n/a	No
4	Mojave Dr.	w/o Highway 395	Non-Sensitive	68.5	68.5	0.0	n/a	No
5	Mojave Dr.	e/o Highway 395	Non-Sensitive	70.4	71.3	0.9	3.0	No
6	Mojave Dr.	e/o Mesa Linda Rd.	Sensitive	71.4	72.1	0.7	1.5	No
7	Mojave Dr.	e/o Onyx Rd.	Sensitive	71.8	72.3	0.5	1.5	No

¹ Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.

² The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.

³ Does the Project create an incremental noise level increase exceeding the significance criteria (Table 4.11-5)?

"n/a" Per the City of Victorville General Plan Noise Element Table N-3, a barely perceptible 3 dBA or greater noise level increase is considered a significant impact when the ambient non-noise sensitive noise level is greater than the normally acceptable 70 dBA CNEL land use compatibility criteria.

Table 4.11-14 Background 2024 Traffic Noise Level Increases

ID	Road	Segment	Receiving Land Use ¹	CNEL at Receiving Land Use (dBA) ¹			Incremental Noise Level Increase Threshold ²	
				No Project	With Project	Project Addition	Limit	Exceeded?
1	Mesa Linda Rd.	n/o Mojave Dr.	Non-Sensitive	57.1	62.2	5.1	n/a	No
2	Onyx Rd.	n/o Mojave Dr.	Non-Sensitive	54.6	63.1	8.5	n/a	No
3	Cactus Rd.	e/o Highway 395	Non-Sensitive	62.6	62.8	0.2	n/a	No
4	Mojave Dr.	w/o Highway 395	Non-Sensitive	68.8	68.9	0.1	n/a	No
5	Mojave Dr.	e/o Highway 395	Non-Sensitive	70.7	71.6	0.9	3.0	No
6	Mojave Dr.	e/o Mesa Linda Rd.	Sensitive	71.8	72.4	0.6	1.5	No
7	Mojave Dr.	e/o Onyx Rd.	Sensitive	71.8	72.3	0.5	1.5	No

¹ Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.

² The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.

³ Does the Project create an incremental noise level increase exceeding the significance criteria (Table 4.11-5)?

"n/a" Per the City of Victorville General Plan Noise Element Table N-3, a barely perceptible 3 dBA or greater noise level increase is considered a significant impact when the ambient non-noise sensitive noise level is greater than the normally acceptable 70 dBA CNEL land use compatibility criteria.

Table 4.11-15 Future Year 2034 Project Traffic Noise Level Increases

ID	Road	Segment	Receiving Land Use ¹	CNEL at Receiving Land Use (dBA) ¹			Incremental Noise Level Increase Threshold ²	
				No Project	With Project	Project Addition	Limit	Exceeded ?
1	Mesa Linda Rd.	n/o Mojave Dr.	Non-Sensitive	58.1	62.5	4.4	n/a	No
2	Onyx Rd.	n/o Mojave Dr.	Non-Sensitive	55.7	63.3	7.6	n/a	No
3	Cactus Rd.	e/o Highway 395	Non-Sensitive	63.8	63.9	0.1	n/a	No
4	Mojave Dr.	w/o Highway 395	Non-Sensitive	70.0	70.1	0.1	n/a	No
5	Mojave Dr.	e/o Highway 395	Non-Sensitive	72.0	72.6	0.6	3.0	No
6	Mojave Dr.	e/o Mesa Linda Rd.	Sensitive	73.0	73.5	0.5	1.5	No
7	Mojave Dr.	e/o Onyx Rd.	Sensitive	73.0	73.4	0.4	1.5	No

1 Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.

2 The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.

3 Does the Project create an incremental noise level increase exceeding the significance criteria (Table 4.11-5)?

"n/a" Per the City of Victorville General Plan Noise Element Table N-3, a barely perceptible 3 dBA or greater noise level increase is considered a significant impact when the ambient non-noise sensitive noise level is greater than the normally acceptable 70 dBA CNEL land use compatibility criteria.

Table 4.11-16 Existing Project Traffic Noise Level Increases

ID	Road	Segment	Receiving Land Use ¹	CNEL at Receiving Land Use (dBA) ¹			Incremental Noise Level Increase Threshold ²	
				No Project	With Project	Project Addition	Limit	Exceeded?
1	Mesa Linda Rd.	n/o Mojave Dr.	Non-Sensitive	58.5	62.7	4.2	n/a	No
2	Onyx Rd.	n/o Mojave Dr.	Non-Sensitive	57.3	63.6	6.3	n/a	No
3	Cactus Rd.	e/o Highway 395	Non-Sensitive	62.4	62.6	0.2	n/a	No
4	Mojave Dr.	w/o Highway 395	Non-Sensitive	69.9	69.9	0.0	n/a	No
5	Mojave Dr.	e/o Highway 395	Non-Sensitive	71.0	71.7	0.7	3.0	No
6	Mojave Dr.	e/o Mesa Linda Rd.	Sensitive	72.8	73.3	0.5	1.5	No
7	Mojave Dr.	e/o Onyx Rd.	Sensitive	72.9	73.3	0.4	1.5	No

1 Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.

2 The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.

3 Does the Project create an incremental noise level increase exceeding the significance criteria (Table 4.11-5)?

"n/a" Per the City of Victorville General Plan Noise Element Table N-3, a barely perceptible 3 dBA or greater noise level increase is considered a significant impact when the ambient non-noise sensitive noise level is greater than the normally acceptable 70 dBA CNEL land use compatibility criteria.

Level of Significance

The Project would not generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project site during construction or operations in excess of the standards established by the City of Victorville General Plan or municipal code, or applicable standards as discussed above. The Project's impacts are less than significant.

Threshold 4.13 (b). Would the Project result in:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Generation of excessive groundborne vibration or groundborne noise levels?			✓	

Discussion

Construction Vibration Analysis

Using the vibration source level of construction equipment provided on Table 4.11-4 and the construction vibration assessment methodology published by the FTA, it is possible to estimate the Project vibration impacts. Table 4.11-17 presents the expected Project related vibration levels at the nearby receiver locations. At distances ranging from 151 to 4,083 feet from Project construction activities, construction vibration velocity levels are estimated to range from 0.000 to 0.014 PPV in/sec. Based on maximum acceptable continuous vibration threshold of 0.3 PPV (in/sec), the typical Project construction vibration levels will fall below the building damage thresholds at all the noise sensitive receiver locations. Therefore, the Project-related vibration impacts are considered less than significant during typical construction activities at the Project site.

Table 4.11-17 Project Construction Vibration Levels

Receiver ¹	Distance to Const. Activity (Feet) ²	Typical Construction Vibration Levels PPV (in/sec) ³						Thresholds PPV (in/sec) ⁴	Thresholds Exceeded? ⁵
		Small Bulldozer	Jackhammer	Loaded Trucks	Large Bulldozer	Vibratory Roller	Highest Vibration Level		
R1	4,083'	0.000	0.000	0.000	0.000	0.000	0.000	0.3	No
R2	2,716'	0.000	0.000	0.000	0.000	0.000	0.000	0.3	No
R3	2,668'	0.000	0.000	0.000	0.000	0.000	0.000	0.3	No
R4	2,028'	0.000	0.000	0.000	0.000	0.000	0.000	0.3	No
R5	151'	0.000	0.002	0.005	0.006	0.014	0.014	0.3	No
R6	847'	0.000	0.000	0.000	0.000	0.001	0.001	0.3	No

¹ Construction noise source and receiver locations are shown on Figure 4.11-2.

² Distance from receiver location to Project construction boundary (Project site boundary).

³ Based on the Vibration Source Levels of Construction Equipment, Noise and Vibration Analysis, Table 10-5, Technical Appendix G, p. 57.

⁴ Caltrans Transportation and Construction Vibration Guidance Manual, April 2020, Table 19, p. 38.

⁵ Does the peak vibration exceed the acceptable vibration thresholds? "PPV" = Peak Particle Velocity

Operational Vibration Analysis

During operations of the Project following construction the primary source of vibration would be from vehicle traffic. Groundborne vibration levels from automobile traffic are generally overshadowed by vibration generated by heavy trucks that roll over the same uneven roadway surfaces. However, due to the rapid drop-off rate of ground-borne vibration and the short duration of the associated events, vehicular traffic-induced ground-borne vibration is rarely perceptible beyond the roadway right-of-way, and rarely results in vibration levels that would cause annoyance to people or damage to buildings in the vicinity.

Level of Significance

The Project would not generate excessive groundborne vibration or noise levels during construction or operations. Therefore, the Project's impacts are less than significant.

Threshold 4.13 (c) Would the Project result in:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			✓	

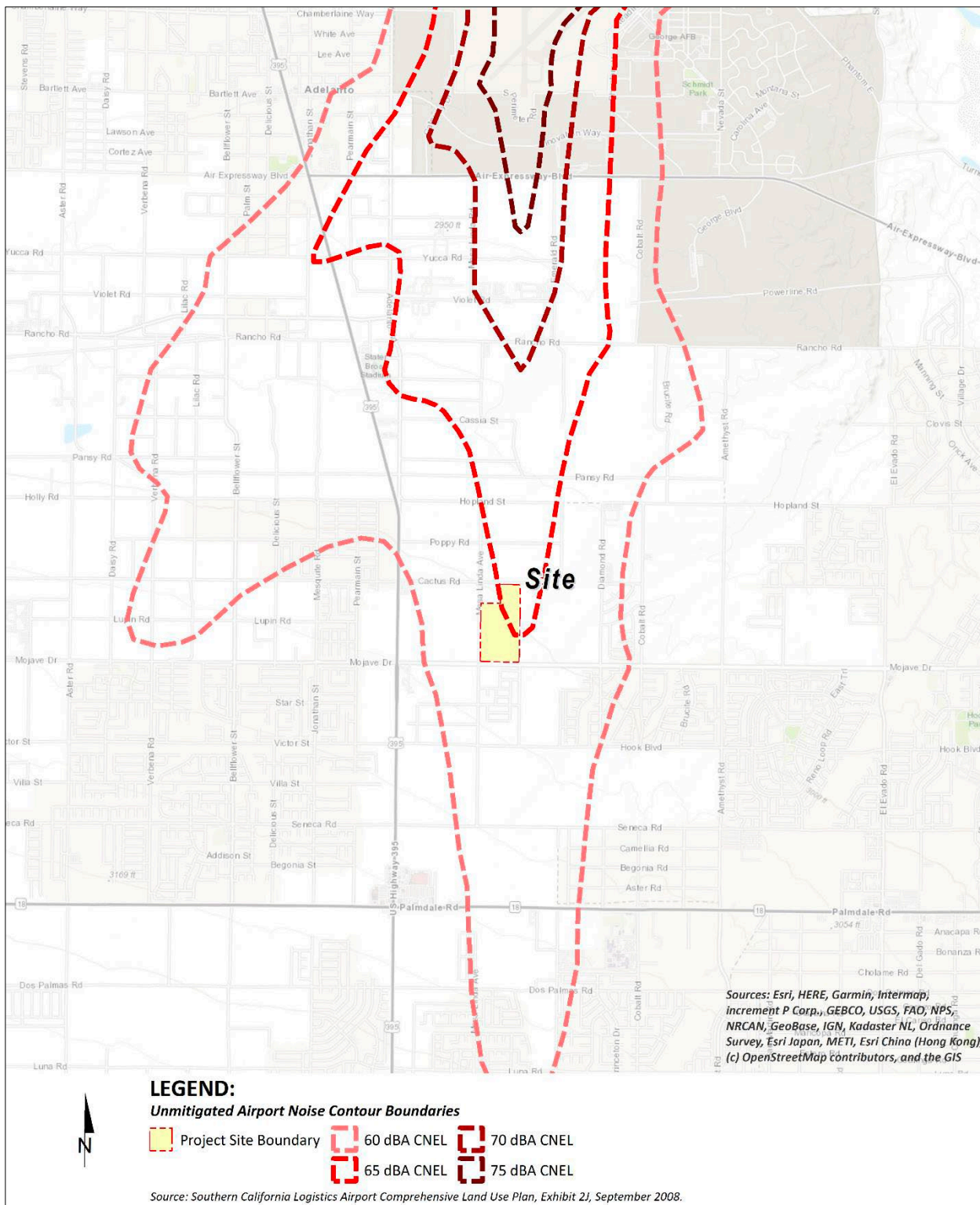
Discussion

The closest airport to the Project site is the Southern California Logistics Airport (SCLA) located roughly 2.8 miles to the north with the potential to expose the Project site to aircraft-related exterior noise levels. Therefore, the Southern California Logistics Airport Comprehensive Land Use Plan future noise level contour boundaries are used in this noise study to determine the land use compatibility of the Project. [Figure 4.11-5](#) shows that the Project site is located within the future SCLA 65 dBA CNEL noise level contour boundary. Based on the Land Use Compatibility Standards (Table 3A) described on Page 3-13 of the *SCLA Comprehensive Land Use Plan*, the Project's warehouse land use is considered a *normally acceptable* land use. Therefore, since the Project site falls within the *normally acceptable* 65 dBA CNEL contour boundaries of SCLA, no further analysis is required. (Technical Appendix G, p. 16)

Level of Significance

The Project site is not located within 2 miles from an airport or airstrip. The SCLA is located approximately 2.8 miles north and the Project site is located within the *normally acceptable* 65 dBA CNEL contour boundaries for the SCLA and would not expose people residing or working in the project area to excessive noise levels from an airport or airstrip. Therefore, the Project's impacts are less than significant.

Figure 4.11-5 SCLA Future Airport Noise Contours



4.11.8 Cumulative Impacts Analysis

The cumulative impact analysis considers construction and operation of the Project in conjunction with other development projects in the vicinity of the Project site and resulting from full General Plan buildout in the neighboring cities.

Construction Noise

Cumulative construction impacts could occur if other construction projects were active concurrently with development of the proposed Project, and near enough so that noise from two or more projects were perceived by the same sensitive receivers. Construction activities associated with the proposed Project, especially activities involving heavy equipment, would create intermittent periods of noise when construction equipment is in operation and cause a short-term increase in ambient noise levels. There are no known active, pending, or planned construction projects in the immediate vicinity of the Project site that would overlap with the Project's proposed construction schedule. Furthermore, construction activities at other planned and approved projects near the Project site would be required to comply with applicable City rules related to noise and projects requiring discretionary City approvals would be required to evaluate construction noise impacts, comply with the City's standard conditions of approval, and implement mitigation, if necessary, to minimize noise impacts. Construction noise impacts are by nature localized. Based on the fact that noise dissipates as it travels away from its source, noise impacts would be limited to the Project site and vicinity. Accordingly, there is no potential for Project-related construction activities to contribute to cumulatively considerable impacts to occupied sensitive receptor locations.

Operational Noise

No known past, present, or reasonably foreseeable projects would combine with the operational noise levels generated by the Project to increase noise levels above acceptable standards because each project must comply with applicable City regulations that limit operational noise. Therefore, the Project, together with other projects, would not create a significant cumulative impact or make a cumulatively considerable contribution to significant cumulative operational noise.

Given that noise dissipates as it travels away from its source, operational noise impacts from on-site activities and other stationary sources would be limited to the Project site and vicinity. Thus, cumulative operational noise impacts from related projects, in conjunction with project-specific noise impacts, would not be cumulatively significant.

Groundborne Vibration and Noise

During construction, the Project's peak vibration impacts would occur during the grading phase when large pieces of equipment such as bulldozers, are operating on-site. (During the non-grading phases of Project construction smaller pieces of equipment are typically used on-site and the Project's vibration would be minimal.) Vibration effects diminish rapidly from the source; therefore, the only reasonable sources of cumulative vibration in the vicinity of the Project site could occur on properties abutting these sites. There are no known active or pending construction projects abutting the Project site that would overlap with the Project's proposed construction schedule. Accordingly, there is no potential for the Project to contribute to the exposure of persons to substantial temporary groundborne vibration or groundborne noise. Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration beyond the Project site. Trucks would travel to and from the Project site along local roadways; however, vibration levels for heavy trucks operating at the posted speed limits on

paved surfaces are not perceptible beyond the roadway. The Project would not cumulatively-contribute to the exposure of persons to excessive groundborne vibration or noise levels during long-term operation.

Airport Noise

The Project would not involve the construction, operation, or use of any public airports or public use airports. There are no conditions associated with implementation of the Project that would contribute airport noise or exposure of additional people to unacceptable levels of airport noise. Accordingly, the Project would have no potential to cumulatively contribute to impacts associated with noise from a public airport, public use airport, or private airstrip. Accordingly, there is no potential for cumulative development to expose persons residing or working in the Project area to excessive airport-related noise levels.

4.11.9 Conclusion

The Project's Noise and Vibration Analysis (Technical Appendix G) and the above summary indicates that the environmental noise impacts of the proposed Project will be less than significant for construction, operations, and cumulative impacts.

4.12 Transportation

4.12.1 Introduction

This section evaluates the potential for impacts to transportation resulting from implementation of the proposed Project. The analysis in this section is based on the information in the 2022 Transportation Impact Study (Vehicle Miles Traveled [VMT] Analysis) prepared by CR Associates (Appendix E). This section is based on current regulations and the following technical reports prepared to evaluate the potential for Project-related construction and operational activities to result in adverse effects on transportation:

- Scoping Agreement for Focused Traffic Impact Analysis and Vehicle Miles Traveled Screening, prepared by David Evans and Associates, January 12, 2023 (Technical Appendix H-1)
- Vehicle Miles Traveled (VMT) Analysis, prepared by General Technologies and Solutions, December 5, 2022 (Technical Appendix H-2)

4.12.2 NOP Scoping Comments

A Notice of Preparation (NOP) for the Project was released on March 3, 2023, for public review and comment through April 12, 2023. An EIR Scoping Meeting was held on April 12, 2023. No comments were received during the NOP public comment period nor were any comments made during the EIR Scoping Meeting that pertain to transportation.

4.12.3 Regulatory Framework

Federal Regulations

There are no federal regulations that apply to the Project with respect to Transportation (e.g., Vehicle Miles Traveled).

State Regulations

Senate Bill 743

With the adoption of Senate Bill (SB) 743, the State of California changed the method of traffic analysis required through the California Environmental Quality Act (CEQA) for publicly and privately initiated projects. The law changed the way local jurisdictions, like the City of Victorville, analyze transportation impacts from development projects and identify mitigation measures to reduce those impacts. SB 743 became effective on July 1, 2020. The previous practice of evaluating traffic transportation impacts used road congestion and delay or level of service (LOS). SB 743 requires the amount of driving and length of trips – as measured by "vehicle miles traveled" or VMT – be used to assess transportation impacts on the environment for CEQA review.

Regional Regulations

There are no applicable regional regulations.

Local Regulations

City of Victorville Vehicle Miles Traveled Analysis Guidelines

The City VMT Analysis Guidelines dated June 16, 2020 provides methodology and thresholds for VMT analyses with regard to CEQA for projects in the City. The guidelines also provide screening thresholds to determine if VMT analysis for CEQA is required.

City of Victorville Non-Motorized Transportation Plan

As part of the San Bernardino County Non-Motorized Transportation Plan, the City of Victorville Non-Motorized Transportation Plan was developed and approved by City Council in 2011, which designates various corridors, thoroughfares, and facilities to encourage bicycle and pedestrian use. The plan helps in meeting the goals and objectives of the General Plan and guides the future, orderly development of trails and bikeways, by requiring developers to install the segments adjoining their projects. Supplemental to coordinating and guiding the San Bernardino County's bicycle and pedestrian plans, programs, and projects, the NMTP for the Victor Valley area includes regional and intra-jurisdictional bicycle connections and pedestrian facilities.

4.12.4 Environmental Setting

The City of Victorville (the City) circulation system comprises freeways and their interchanges, arterial, collector and local streets, public transportation, and non-motorized transportation. In addition to these facilities and services, the implementation and management of the circulation system includes parking policies and goods and freight movement.

Roadways

The following roadways provide local and regional access to the project within the study area: Highway 395 is a major north-south primarily four-lane road (two lanes in each direction with a with turn pockets at key intersections) (Figure 4.12-1, General Plan Circulation System).

- **Highway 395** is identified as a super arterial on the City of Victorville Circulation Plan. The posted speed limit within the project area is 55 mph. Mojave Drive is a major east-west primarily four-lane road (two lanes in each direction with a raised curbed median, and with turn pockets at key intersections) within the project vicinity.
- **Mojave Drive** is identified as a super arterial on the City of Victorville Circulation Plan. The posted speed limit is 60 mph.
- **Cactus Road** is a local east-west primarily two-lane road (one lane in each direction with a turn pocket at key intersections). A segment of Cactus Road starting at Highway 395 to approximately 1,300 feet east is identified as an arterial on the City of Victorville Circulation Plan. Cactus Road 395 is identified as a collector on the City of Victorville Circulation Plan.
- **Mesa Linda Avenue** is a local north-south primarily two-lane road (one lane in each direction), in the project area. Mesa Linda Avenue is identified as a collector on the City of Victorville Circulation Plan. Currently Mesa Linda Avenue is a dirt road north of Mojave Avenue. It will provide direct access to the project site.
- **Onyx Road** is a local north-south primarily two-lane road (one lane in each direction), in the project area. Currently Onyx Road is a dirt road north of Mojave Avenue. It will provide direct access to the project site.

Transit

Victorville is currently served by Victor Valley Transit Authority (VVTa). There is no bus service in the immediate vicinity of the site. The nearest bus service is Route 31 at the intersection of Mojave Drive and Jonathan Street approximately 1 mile to the west in the City of Adelanto, and Route 52 at the intersection of Mojave Drive and Jeraldo Drive approximately 3 miles to the east.

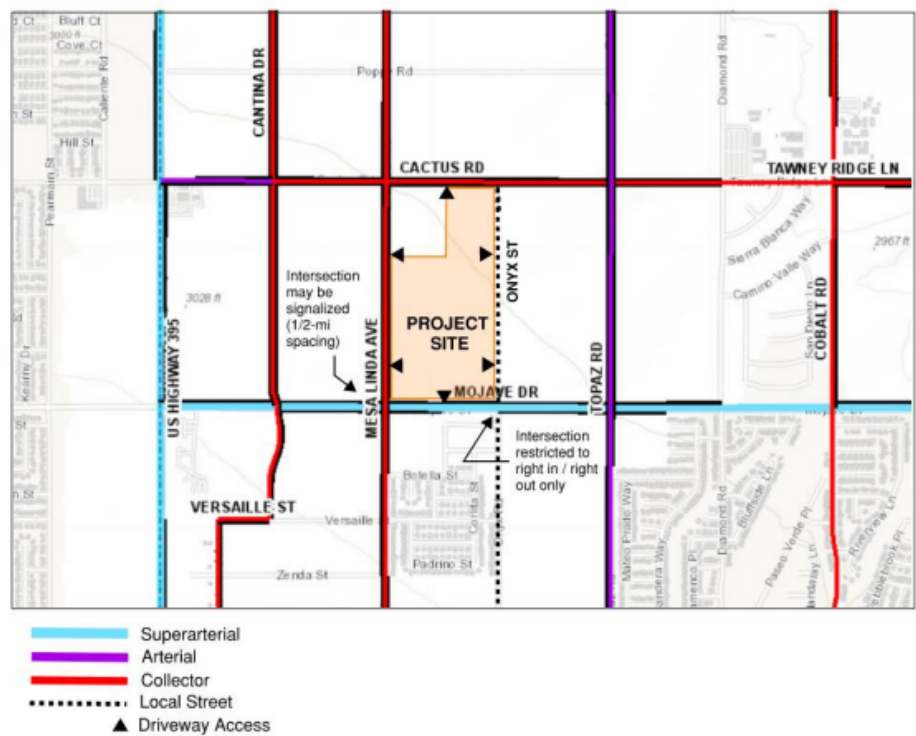
Non-Motorized (Bicycle and Pedestrian)

There are no sidewalks or delineated bicycle lanes adjacent to or near the Project site.

Figure 4.12-1 General Plan Circulation System

Mojave Drive is classified as a super-arterial street in the city's general plan circulation element. This classification affects the spacing and allowable traffic control at intersections.

The proposed project relies on driveway access from city streets that surround the project site and the connections these streets make to the city's overall circulation system. The project's access may be affected by the movement restrictions inherent to streets with lower order classifications. For example, Onyx Street is restricted to right turn in / right turn out at Mojave Drive because it is a local street. The project's driveways connecting to Onyx Street do not share the same level of access to Mojave Drive as the driveways connected to Mesa Linda Avenue (with its collector classification) and, therefore, traffic using the Onyx Street driveways will have more circuitous routes.



4.12.5 Methodology

The project VMT analysis was conducted using the City of Victorville Resolution “Resolution P-20-010 PLAN 20-00011, Attachment ‘A’, Exhibit ‘1’ – City of Victorville Vehicle Miles Traveled (VMT) Analysis Guidelines”, dated May 27, 2020. The guidelines included project screening criteria which was reviewed for the project evaluation. The project doesn’t qualify for VMT screening under any of the established screening criteria. Hence, a full VMT analysis was conducted using San Bernardino County Transportation Analysis Model (SBTAM) as recommended in the City’s guidelines. SBTAM model is a socioeconomic data-based model and so the project land uses were converted into model employment categories using conversion factors from SCAG’s “Employment Density Study Summary Report – dated October 31, 2001”. The land use conversion yielded a total of 520 employees as shown in Table 1 which was used as input for the model runs.³⁷

4.12.6 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, the project would have a significant impact on transportation if it would:

- a) Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities
- b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)
- d) Would the project result in inadequate emergency access.

4.12.7 Impacts Analysis

Threshold 4.12 (a). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			✓	

Discussion

A significant impact would occur if the development of the Project would conflict with programs, plans, or ordinances that support transit services, bicycle lanes, sidewalks, and trails. The Project would construct the following circulation system improvements:

Roadway Improvements

The Project will construct pavement for travel lanes, curbs, gutters, sidewalks, and a landscaped parkway adjacent to the site frontage along Mojave Drive, Cactus Road, Onyx Road, and Mesa Linda Avenue. Additionally, a fire access road will be constructed from the Project site westerly within the right of way of Cactus Road connecting to the paved section of Cactus Road just east of U.S. Highway 395.

³⁷ Vehicle Miles Traveled (VMT) Analysis – Mojave 68 Warehouse, Victorville, CA, General Technologies and Solutions, December 5, 2022

For CEQA purposes, roadway facilities are viewed in the context of how they reduce the amount of vehicle miles traveled and promote the use of other non-motorized modes of travel such as transit, bicycle, and pedestrian. The proposed roadway improvements will promote a reduction in VMT by constructing sidewalks to facilitate pedestrians and by improving roadway to allow access for transit service.

Bicycle and Pedestrian Facilities

In June 2010, the Non-Motorized Transportation Plan that provides a safe network of non-motorized travel modes with connectivity to the San Bernardino County Non-Motorized Transportation Plan system and the non-motorized transportation plans of surrounding cities.

The Project would construct sidewalks that would accommodate pedestrian access along Mojave Drive, Cactus Road, Onyx Road, and Mesa Linda Avenue. Additionally, a Class 2 bike lane will be delineated, if required by the City, along Mojave Drive.

Public Transit Facilities

Public transportation services within the City of Victorville are provided by the Victor Valley Transit Authority (VVTa). There is no transit service adjacent to the site. The Project is not proposing any improvements that would conflict with future transit routes.

Level of Significance

As detailed above, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Therefore, the Project's impacts on transportation would be less than significant.

Threshold 4.12 (b). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?			✓	

Discussion

Changes to California Environmental Quality Act (CEQA) Guidelines were adopted in December 2018, which require all lead agencies to adopt Vehicle Miles Traveled (VMT) as a replacement for automobile delay-based level of service (LOS) as the new measure for identifying transportation impacts for land use projects. This statewide mandate took effect on July 1, 2020. Impacts related to LOS will be evaluated through the City's development review process apart from CEQA.

The Project VMT analysis was conducted using the City of Victorville Resolution "Resolution P-20-010 PLAN 20-00011, Attachment 'A', Exhibit '1' – City of Victorville Vehicle Miles Traveled (VMT) Analysis Guidelines", dated May 27, 2020. The guidelines included project screening criteria which was reviewed for the project evaluation. The project doesn't qualify for VMT screening under any of the established screening criteria. Hence, a full VMT analysis was conducted using San Bernardino County Transportation Analysis Model (SBTAM) as recommended in the City's guidelines. SBTAM model is a socioeconomic data-based model and so the project land uses were converted into model employment categories using conversion factors from

SCAG’s “Employment Density Study Summary Report – dated October 31, 2001.” The land use conversion yielded a total of 691 employees as shown in Table 4.12-1, which was used as input for the model runs.

Table 4.12-1 Employment Estimates

Land Use Type	Square Feet	Square feet per Employee	Total Employees
High Cube Transload	877,800*	2,111	416
High Cube Cold Storage	219,500	2,111	104
Total	1,097,300	---	520

Source: SCAG Employment Density Study Summary Report, October 31, 2001

*Includes up to 40,000 SF of office use.

Both baseline (2016) and horizon year (2040) model runs were used to estimate project’s VMT impacts. SBTAM socioeconomic databases for the scenarios were updated with the project land use to calculate project VMT. Typically, project VMT is calculated by isolating the project in a new TAZ or multiple TAZs depending on the diversity of project land uses and project size. Because SBTAM does not allow addition of new TAZs, one TAZ was borrowed for this project. The project TAZ was utilized to calculate project specific VMT per service population. No project specific network modifications were conducted for the model scenarios. Full model runs with feedback loops were conducted for all of the project scenarios. It should be noted that the project land use was included in the model as additional land use in the cumulative (2040) scenario and no shifting of land use from other TAZs was used. In that regard, the cumulative VMT analysis can be considered as a conservative estimate. The Project’s Origin/Destination (OD) VMT per service population can be used to evaluate project impact according to the guidelines. Origin-destination matrix outputs were used as trips and the trip lengths were derived from the skimming step to estimate OD VMT as recommended in the guidelines. OD matrix outputs include vehicle trips and hence no conversion for auto occupancy was applied. The trip length or distance was obtained using the model outputs from the “Skimming” step. The model skim outputs include peak and off-peak skim matrices by mode, similar to trip outputs from the model. OD VMT was estimated for both peak and off-peak and added together to estimate the total daily VMT for the project. According to the guidelines, the project would constitute a significant impact if the project OD VMT per service population for base and cumulative scenarios is greater than City of Victorville General Plan Buildout OD VMT per service population. The City of Victorville General Plan Buildout OD VMT per service population was obtained from GTS “No project” model runs. Table 4.12-2 below shows the Project VMT metrics for both baseline (2016) and cumulative (2040) conditions along with the regional VMT thresholds.

Table 4.12-2 Project VMT Analysis

	Mojave 68 Warehouse (Project)	City of Victorville General Plan Buildout (Threshold)*
2016		
Population	0	174,718
Employment	520	50,493
Service population	520	225,211
OD VMT	12,241	6,546,499
OD VMT per service population	23.5	29.1
2040		
Population	0	174,718
Employment	520	50,493
Service population	520	225,211
OD VMT	12,996	6,546,499
OD VMT per service population	25.0	29.1

*Threshold value estimated using GTS No Project model runs

Table 4.12-3 illustrates the Project’s effect on VMT. The project’s effect on VMT is a comparison of roadway VMT within City of Victorville for both “With project” and “Without project” conditions.

Table 4.12-3 Roadway VMT within City of Victorville

	With Project	Without Project
2016		
Roadway VMT	2,258,954	2,252,678
Service population	161,475	160,955
VMT per service population	14.0	14.0
2040		
Roadway VMT	3,627,875	3,654,954
Service population	225,731	225,211
VMT per service population	16.1	16.2

Level of Significance

Based on the VMT analysis as shown in Table 4.12-2 and Table 4.12-3 above, the Project does not exceed the City’s VMT thresholds of significance for “project generated VMT” and the Project’s effect on VMT is less than significant.

Threshold 4.12 (c). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓	

Discussion

The type of traffic generated by the Project (i.e., passenger cars and trucks) would be compatible with the type of existing traffic on Project area roadways, as the surrounding areas are either developed or planned to be developed with industrial or residential land uses. In addition, all proposed improvements within the public right-of-way would be installed in conformance with City design standards. The City of Victorville Public Works Department reviewed the Project's application materials and determined that no hazardous transportation design features would be introduced by the Project.

Level of Significance

Accordingly, the proposed Project would not create or substantially increase safety hazards due to a design feature or incompatible use. Impacts would be less than significant.

Threshold 4.12 (d). Would the Project:	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) Result in inadequate emergency access?			✓	

Discussion

The City of Victorville reviewed the Project's design and confirmed that the Project would provide adequate access to-and-from the Project site for emergency vehicles and also that development of the Project would not interfere with the circulation of emergency vehicles along public streets that abut the site. The City also will require the Project Applicant to provide adequate paved access to-and-from the site as a condition of Project approval. Lastly, the City will review all future Project construction drawings to ensure that adequate emergency access is maintained along abutting public streets during construction activities.

Level of Significance

Based on the proposed Project design and with required adherence to City requirements for emergency vehicle access, no impact would occur.

4.12.8 Cumulative Impact Analysis

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

As identified in the analysis presented under Threshold a), the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Cumulative development projects would be reviewed for consistency with adopted

programs, plans, ordinances, or policies, implemented by the City. Therefore, the Project would not contribute to a cumulative impact and thus would not be cumulatively considerable in this regard.

As identified in the analysis presented under Threshold b), the Project does not exceed the City's VMT thresholds of significance for "project generated VMT" and the Project's effect on VMT is less than significant. Therefore, the Project would not contribute to a cumulative impact and thus would not be cumulatively considerable in this regard.

As identified in the analysis presented under Threshold c), the type of traffic generated by the Project (i.e., passenger cars and trucks) would be compatible with the type of existing traffic on Project area roadways, as the surrounding areas are either developed or planned to be developed with industrial or residential land uses. In addition, all proposed improvements within the public right of way would be installed in conformance with City design standards, as would all the projects in the planning area. Therefore, the Project would not contribute to a cumulative impact and thus would not be cumulatively considerable in this regard.

As identified in the analysis presented under Threshold d), the City of Victorville reviewed the Project's design and confirmed that the Project would provide adequate access to-and-from the Project site for emergency vehicles and also that development of the Project would not interfere with the circulation of emergency vehicles along public streets that abut the site. This is also required of other projects in the planning area. Therefore, the Project would not contribute to a cumulative impact and thus would not be cumulatively considerable in this regard.

4.12.9 Conclusion

The Project's impact on the City's roadway circulation does not interfere with the ability to provide transit, bicycle, or pedestrian modes of travel; does not create a hazard because of roadway design, impair emergency vehicle access to the site or surrounding area; nor does it generate vehicle miles traveled that are above the acceptable thresholds adopted by the City in order to comply with state law. Therefore, impacts are less than significant.

4.13 Tribal Cultural Resources

4.13.1 Introduction

This section is based on current regulations and technical report to evaluate the potential for Project-related construction and operational activities to result in adverse effects on tribal cultural resources.

- Historical/Archaeological Resources Survey Report, Mojave 68 Warehouse Project, prepared by CRM Tech, January 19, 2023 (Technical Appendix C)

Additionally, the City received an email communication from Ryan Nordness, Cultural Resources analyst, email dated June 9, 2023.

4.13.2 NOP Scoping Comments

A Notice of Preparation (NOP) for the Project was released on March 3, 2023, for public review and comment through April 12, 2023. An EIR Scoping Meeting was held on April 12, 2023. No comments were received during the NOP public comment period, nor were any comments made during the EIR Scoping Meeting that pertain to tribal cultural resources.

4.13.3 Regulatory Framework

Federal Regulations

There are no applicable federal regulations.

State Regulations

Assembly Bill 52 (AB 52)

California Assembly Bill 52 (AB 52) (2014) Chapter 532 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21802.3, 21083.09, 21084.2 and 21084.3 to the California Public Resources Code, relating to Native Americans. AB 52 was approved on September 25, 2014. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources. By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process.

Regional Regulations

There are no applicable regional regulations.

Local Regulations

There are no applicable local regulations.

4.13.4 Environmental Setting

According to the Resource Element of the General Plan (Victorville, 2008), the first Native American group to historically occupy the Mojave Desert was the Shoshoneans. This group was comprised of a broad band of people who spoke similar languages. These bands moved west from the Great Basin, a vast inland region of the Western United States, into the Mojave Desert (Victorville, 2008).

It is believed that these bands were well established 1200 to 1500 years ago and possibly as early as 3000 years ago. One of these bands of people, the Serrano, occupied an area from the southern fringe of the San Bernardino Mountains, east to 29 Palms and north into the Mojave Desert. The Serrano practiced a hunting- and gathering-based subsistence focusing on the collection of seasonally available food sources (Victorville, 2008).

Prehistoric settlements in the Victorville Planning area centered on the Mojave River drainage, with longer, more permanent habitation occurring on the first and second terraces of the river flood plain. These settlements subsisted on the fruit of Joshua trees, mesquite beans, tule bulbs, and small game such as rabbit and lizard. The more permanent settlements included formal tools of a non-portable nature such as ground stone tools. Rock art and shelters were also associated with these sites (Victorville, 2008).

4.13.5 Methodology

As part of the AB 52 consultation process required by State law, the City of Victorville sent notification of the Project to the following Native American tribes: Yuhaaviatam of San Manuel Nation, Twenty-Nine Palms Band of Mission Indians, Morongo Band of Mission Indians, and Cabazon Band of Mission Indians. During the course of the tribal consultation process, the Yuhaaviatam of San Manuel Nation responded to the City's invitation for consultation and expressed they have no concerns for this project, but it is their policy to always reach out and respond to projects within Serrano ancestral territory. YSMN requested that the mitigation measures state law requirements identified below be made a part of the project/permit/plan conditions.

4.13.6 Thresholds of Significance

Section XVIII of Appendix G to the CEQA Guidelines addresses typical adverse effects to Tribal Cultural Resources and includes the following threshold questions to evaluate the Project's impacts on 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 § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code 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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

4.13.7 Impacts Analysis

Threshold 4.13 (a).	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		✓		

Discussion

According to PRC Chapter 2.5, §21074, tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and items with cultural value to a California Native American tribe that are either included or determined to be eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources as defined in §5020.1.

There were no resources that were identified as eligible for listing to the California Register of Historic Places within or near the Project site during the cultural resources assessment Appendix C. Therefore, there would be no impact to known tribal cultural resources. However, On June 28, 2022, the Yuhaaviatam of San Manuel Nation (YSMN) informed the City of Victorville during the AB 52 process that 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 YSMN's present state of knowledge, YSMN did not have any concerns with the project's implementation, as planned, at this time. However, the SMBMI requested that Mitigation Measures TCR-1 and TCR-2 be made a part of the project/permit/plan conditions to protect for unidentified resources.

Level of Significance

Potentially significant.

Mitigation Measures

Mitigation Measure CUL-1 from Section 4.4 Cultural Resources applies here.

Level of Significance after Mitigation

Less than significant.

Threshold 4.13 (b).	Significant and Unavoidable	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code 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.		✓		

Discussion

The Project site is previously disturbed land and are no resources that have been identified as significant within or near the Project site. Although ground-disturbing activities would occur on previously disturbed land, there is the potential to uncover unanticipated tribal cultural resources.

There are no resources that have been identified as eligible for listing to the California Register of Historic Places within or near the Project site. As discussed above, Mitigation Measures TCR-1 and Mitigation Measure TCR-2 would be implemented to avoid potential impacts to tribal cultural resources that may be unearthed by Project construction activities.

- TCR-1 **Discovery of Tribal Cultural Resources During Construction.** The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) 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. If the find is 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.
- TCR-2 **Provide Architectural/Cultural Documents to YSMN.** 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 on realizes that there may be additional tribes claiming cultural affiliation to the area; however, Yuhaaviatam of San Manuel Na on 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.

4.13.8 Cumulative Impact Analysis

This cumulative impact analysis considers development of the proposed Project in conjunction with other development projects and planned development in the High Desert region.

Although other development projects in the traditional use area of Yuhaaviatam of San Manuel Nation may impact significant tribal cultural resources; impacts are generally site-specific due resulting from ground disturbing activities. Furthermore, with implementation of Mitigation Measures CUL-1, TCR-1, and TCR-2, project impacts to tribal cultural resources would be less than significant. There is no potential for the proposed Project to contribute towards a significant cumulative impact to the significance of a tribal resource or a collection of resources pursuant to California Code of Regulations §15064.5. Other projects will also be required to comply with AB 52 and SB18 if applicable.

4.13.9 Conclusion

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

4.14 Utilities and Service Systems

4.14.1 Introduction

This section is based on current regulations and the following technical reports prepared to evaluate the potential for Project-related construction and operational activities to result in adverse effects on regional and local air quality:

- Mojave 68 Project, Air Quality Analysis, prepared by KPC EHS Consultants, LLC, December 2022 (Technical Appendix A-1)
- Mojave 68 Mobile Source Health Risk Assessment, prepared by Urban Crossroads, January 11, 2023 (Technical Appendix A-2)

This section assesses impacts to utilities and service systems resulting from implementation of the Project. The analysis contained herein incorporates information contained in a technical report prepared by Kier & Wright, Water Systems Consulting, Inc., and David Evans and Associates. (Appendices F-1, F-2, and I).

4.14.2 NOP/Scoping Comments

A Notice of Preparation (NOP) for the Project was released for public review on March 3, 2023 and an EIR Scoping Meeting was held on April 12, 2023. No comments were made during NOP review period or at the EIR Scoping Meeting that pertain to utilities and service systems.

4.14.3 Regulatory Framework

The following describes the federal, state, and local environmental laws and related regulations related to utilities and service systems.

Federal Regulations

Water Supply Regulations

Water supply regulations as they apply to the proposed Project are regulated at the state level.

State Regulations

Water Supply Regulations

Urban Water Management Planning Act: The Urban Water Management Planning Act (UWMP Act) was proposed and adopted to ensure that water planning is conducted at the local level, as the State of California recognized that two water agencies in the same region could have very different impacts from a drought. The UWMP Act requires water agencies to develop Urban Water Management Plans (UWMPs) over a 20-year planning horizon, and further required UWMPs to be updated every 5 years. UWMPs are exempt from compliance with CEQA. (DWR, 2016, p. 1-2). The UWMPs provide a framework for long term water planning and inform the public of a supplier's plans for long-term resource planning that ensures adequate water supplies for existing and future demands. This part of the California Water Code (CWC) requires urban water suppliers to report, describe, and evaluate:

- Water deliveries and uses;
- Water supply sources;
- Efficient water uses;
- Demand management measures; and
- Water shortage contingency planning. (DWR, 2016, p. 1-3)

California Senate Bill 610: The California Water Code (Water Code) §10910 through §10915 were amended by the enactment of SB 610 in 2002. SB 610 requires an assessment of whether available water supplies are sufficient to serve the demand generated by a proposed project, as well as the reasonably foreseeable cumulative demand in the region over the next 20 years under average normal year, single dry year, and multiple dry year conditions. Under SB 610, water assessments must be furnished to local governments for inclusion in any environmental documentation for certain projects (as defined in Water Code 10912 [a]) subject to CEQA. (DWR, 2003; CA Legislative Info, n.d.) For the purposes of SB 610, a “project” includes a proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area. (DWR, 2003; California Legislative Info, n.d.)

Wastewater Regulations

California Regional Water Quality Control Board: The Industrial Wastewater Treatment Plant (IWTP) is operated under Order No. R6V-2020-0028 NPDES No. Ca0102822 WDID No. 6B360109001 Waste Discharge Requirements, Water Reclamation Requirements, and National Pollutant Discharge Elimination System Permit for The Victor Valley Wastewater Reclamation Authority Regional Wastewater Treatment Plant, San Bernardino County.³⁸ This Order in part stipulates that the average annual flow to the Mojave River, must not exceed 14.0 million gallons per day (MGD) in any calendar year.

Solid Waste Regulations

California Solid Waste Integrated Waste Management Act (AB 939, 1989): The Integrated Waste Management Act (IWMA) established an integrated waste management hierarchy to guide the California Integrated Waste Management Board (CIWMB) and local agencies in implementation, in order of priority: (1) source reduction, (2) recycling and composting, and (3) environmentally safe transformation and land disposal (it should be noted that the CIWMB no longer exists, and its duties have been assumed by CalRecycle). As part of the IWMA, the CIWMB was given a purpose to mandate the reduction of disposed waste. (CalRecycle, 2018a)

2022 California Green Building Standards Code (CAL Green; Part 11 of Title 24, California Code of Regulations): California Code of Regulations, Title 24, Part 11 is referred to as the California Green Building Standards Code (CALGreen Code). CALGreen became effective January 1, 2022, and is applicable to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout the State of California (including residential structures and elementary schools). The purpose of the CALGreen Code is to “improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality.” Unless otherwise noted in the regulation, all newly constructed buildings in California are subject to the requirements of the CALGreen Code. (CEC, 2018)

Regional Regulations

Water Supply Regulations

At the regional level, the regulations imposed by the state address water supply.

³⁸ https://www.waterboards.ca.gov/lahtontan/board_decisions/adopted_orders/2020/r6v_2020_0028_vvwa_npdes_permit_ada.pdf; accessed June 12, 2023

Wastewater Regulations

At the regional level, the regulations imposed by the state as regulated by the Lahontan Regional Water Quality Board address wastewater capacity issues.

Solid Waste Regulations

County of San Bernadino, Countywide Integrated Waste Management Plan: The preparation of the Countywide Integrated Waste Management Plan (CIWMP) is one of the requirements of IWMA. The CIWMP consists of four elements and a Summary Plan. Each jurisdiction (cities and the county) prepared the first three elements: 1) Source Reduction and Recycling Element (SRRE) which analyzed the local waste stream to determine where to focus diversion efforts, and developed diversion programs and funding; 2) Household Hazardous Waste Element (HHWE) which provides a framework for recycling, treatment, and disposal practices; and 3) Nondisposal Facility Element (NDFE), which lists planned and existing facilities such as material recovery facilities and composting facilities that recover waste from the waste stream. The County prepared the Countywide Siting Element, which demonstrates that at least 15 years of disposal capacity remains to serve all the jurisdictions within the county. The Countywide Summary Plan, the final element of the CIWMP, contains goals and policies as well as a summary of integrated waste management issues faced by the County. It summarizes waste management programs and the steps needed to cooperatively implement programs among the County's jurisdictions continue to meet the statewide diversion mandates. The Summary Plan is to be updated every 5 years along with any other affected elements of the CIWMP.³⁹

Local Regulations

Water Supply Regulations

Chapter 10.04 - Victorville Water District Water Regulations and Service. As required by this section, all new water service connections shall comply with the rules and procedures of this section. This chapter is adopted pursuant to the applicable provisions of Division 12 of the Water Code, the applicable provisions of the Government Code, and further pursuant to the Constitution of the State of California. The VWD is further authorized by Water Code Section 31027 to prescribe and define by ordinance those restrictions, prohibitions and exclusions it may determine to be necessary pursuant to the California Constitution Article X, Section 2 and Water Code Sections 31026, 375-377 and 1009 to restrict the use of district water during threatened or existing water shortages. These regulations also require submission of an application for water service connection(s) to be made in writing to the VWD in the form of a “will serve” letter. Any and all “will serve” letters must be approved in writing by the VWD.⁴⁰

Wastewater Regulations

Title 10-Water, Sewers, and Utilities: As required by section 10.02.110 - Sanitary sewer policy—Sewer connection required, the owner of any building occupied or used by humans situated within the city and abutting on any street in which there is now located, or may in the future be located, a public sewer which will serve the building, is required at his/her expense to connect the building directly with the proper public sewer in accordance with the provisions of this chapter within three years from the date of the availability of such public sewer.

39 <https://www.sbcounty.gov/uploads/DPW/docs/SB-County-Final-Draft-Summary-Plan-SP-for-SWAT-07-2018r.pdf>

40 https://library.municode.com/ca/victorville/codes/code_of_ordinances?nodeId=TIT10WASEUT_CH10.04VIWADIWARESE_10.04.04ODISE

Solid Waste Regulations

Each city (and the County for the unincorporated area) is responsible for its own integrated solid waste management planning, implementation, and monitoring, as well as public information, budgeting, and enforcement. In some cases, this responsibility may be delegated to a franchised waste hauler. Burttec is the franchised waste hauler. A majority of the cities have franchised collection systems.

Title 6 - Health And Sanitation. Chapter 6.36 - Solid Waste Services: As required by section 6.36.0 - Declaration of policy,

- a) In compliance with the California Integrated Waste Management Act (State Public Resources Code §40000, et seq.) and subsequent revisions thereto, the city shall devise programs to recover fifty percent of all solid waste generated within the city. In order to achieve this goal, it is necessary for the city to control the management of solid waste handling, processing, and disposal in the city.
- b) The city shall provide for solid waste handling services including, but not limited to, the collection, transfer and disposal of solid waste within the city. The city council finds that provision of solid waste handling services benefits all premises and persons in the city; and therefore, all owners of premises are made liable for charges adopted by the city council for solid waste handling services.
- c) The city shall also provide for recycling and solid waste processing services, which may include recycling of solid waste from any or all premises. The city council finds that provision of recycling and solid waste processing services benefits all premises and persons in the city; and therefore, all owners of premises are made liable for charges adopted by the city council for recycling and solid waste processing services.

City General Plan Policies

The City of Victorville General Plan Policies that are related to utilities and service systems and that apply to the proposed Project are listed in EIR Section 4.10, Land Use and Planning (refer to Table 4.10-1, General Plan Consistency Analysis).

4.14.4 Environmental Setting

Water Service

The Project site is located in the service area of the Victorville Water District (VWD). The 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 would be the purveyor of water to the Project site (VWD, 2021).

VWD currently pumps potable water supplies from groundwater in the Mojave Groundwater Basin and purchases water from MWA's Regional Recharge Recovery Project, when available. The Mojave River Groundwater Basin, the largest in the region, encompasses 1,400 square miles and has an estimated total water storage capacity of nearly 5 million acre-feet. The Mojave River Groundwater Basin Area is essentially a closed basin, which means that little groundwater enters or exits the basin. Within the basin, however, groundwater moves between the different subareas; groundwater-surface water and groundwater-atmosphere interchanges also occur. For the purposes of the UWMP, it is assumed that VWD will meet all current and future demands through groundwater, therefore, purchased water is not included in future supply projections.

Wastewater Services

The wastewater that is generated within the service boundary of VWD is collected through a gravity sewer system owned and operated by the City of Victorville. A portion of the collection system conveys wastewater to the Industrial Wastewater Treatment Plant (IWTP) that is owned and operated by VWD. A portion of the collection system discharges to a regional interceptor, which conveys the wastewater flows to a regional wastewater treatment plant (WWTP) owned and operated by the Victor Valley Wastewater Regional Authority (VWVRA). VWD began operation of the IWTP, a domestic and industrial wastewater treatment plant at the Southern California Logistics Airport (SCLA) with a design capacity of 2.5 million gallons per day (mgd). VWVRA is a Joint Powers Authority consisting of the Town of Apple Valley, City of Hesperia, City of Victorville, and County Service Areas of Oro Grande (Number 42) and Spring Valley Lake (Number 64). The regional plant has a current capacity of 14 mgd and is located approximately 7 miles north of the City, between SCLA and the Mojave River.

Stormwater

Under existing conditions, the Project site is undeveloped and contains two 48-inch culverts beneath Mojave Drive which outlet into a natural channel on the project site.

Solid Waste

Solid waste disposal and recycling services for the proposed Project site would be provided by Burrtec Waste Industries. Non-hazardous solid waste generated in the City is currently deposited in the Victorville Landfill, which is currently operated by the County of San Bernardino. This landfill is located at 17080 Stoddard Wells Road in the northeastern quadrant of the City. The Victorville Sanitary Landfill property area is approximately 491 acres in total, with an approximately 80-acre parcel currently in use for landfill operations. The Victorville Sanitary Landfill has a permitted disposal capacity of 3,000 tons per day with a remaining capacity of 79,400,000 cubic yards (CalRecycle, 2021).

Electricity

Southern California Edison (SCE) provides electricity services to a large majority of southern and central California, including the Project site. SCE serves 180 cities across 50,000 square miles of service area.

Natural Gas

The Project site is located in the natural gas service area of Southwest Gas, which maintains local underground service lines in the City of Victorville.

4.14.5 Methodology

The following evaluation discusses whether the proposed Project would result in direct or indirect impacts from the relocation or construction of new or expanded on utilities and service systems such as water, wastewater (sewer) and stormwater drainage, electricity, and telecommunication facilities that would cause a physical change to the environment. The various technical documents described above analyzed the existing conditions and identified the infrastructure necessary serve development of the site for a 1,097,300-square-foot industrial building with 1,057,300 square feet allocated to warehousing use, and 40,000 square feet allocated to office use.

The analysis involved identifying the demand for utilities and service systems using quantified methods as described in the following sections and comparing the increased demand against published data and material

provided by the various utility and service providers and evaluated whether the existing utility and service systems have adequate capacity to serve the proposed Project.

4.14.6 Thresholds of Significance

Section XIX of Appendix G to the CEQA Guidelines addresses typical adverse effects to Utilities and Service Systems and includes the following threshold questions to evaluate the Project’s impacts on Utilities and Service Systems.

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

4.14.7 Impacts Analysis

Threshold 4.19 (a). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			✓	

Discussion

The Project would construct new and expanded utilities. The Project would include the installation of water and wastewater lines within the project site, connecting to existing facilities south on Mojave Drive. The Project also proposes construction of water and sewer lines along the northern border of the Project along Cactus Road, extending sewer lines to Diamond Road to the east and to High Desert Truck Stop, adjacent to U.S. Highway 395 to the west. Installation of water and wastewater lines on the Project site is considered an inherent component of the Project’s construction process, and less than significant impacts have been identified throughout this EIR specifically related to installation of the water and sewer lines.

Water service to the Project site would be provided by VWD. Water service would connect to the existing 12-inch diameter waterline in Mojave Drive along the southern border of the project site. The new waterlines would extend north on both the eastern and western border of the site and extend across the northern border of the site. Sewer services would connect to existing 10-inch sewer lines along Mojave Drive. The Project proposes to construct new sewer lines along the northern border of the site extending from Diamond Road to approximately 350 feet from U.S. Highway 395, which will connect to the existing sewer lines on

Diamond Road. New sewer lines would also be constructed along the western boundary of the Project as well.

The Project would include the installation of an integrated, on-site system of underground storm drainpipes, and an underground pipe retention/infiltration system. The integrated storm water system is designed to capture on-site stormwater runoff flows, convey the runoff across the site, and treat the runoff to minimize the amount of waterborne pollutants transported from the Project site. The site includes an infiltration basin in the northeast portion of the site. Catch basins and storm drains will collect runoff from the roof and the impervious areas throughout and will convey stormwater to the infiltration basin at the low end of the site. A reinforced concrete storm drain is proposed to convey stormwater from the existing two 48-inch culverts to and will outlet to an existing channel east of Onyx Road. This storm drain will outlet through a headwall and will remain within the City of Victorville right-of-way (Kier & Wright, 2023).

The Project also would not require the installation of natural gas lines. The Project would also involve utility connections to provide electric power and telecommunications services to the Project site. Installation of dry utilities on the Project site is considered an inherent component of the Project’s construction process, and no significant impacts have been identified throughout this EIR specifically related to their installation.

Construction or installation of the infrastructure and utilities needed to serve the Project will result in a ground disturbance that may impact Biological Resources, Cultural Resources, Geology and Soils (Paleontological Resources), and Tribal Cultural resources. Mitigation Measures BIO-1 through BIO-10, CUL-1, CUL-3, GEO-1, GHG-1, and TCR-1 through TCR-2 as described in [Table 1](#) beginning on page 6 of this Environmental Impact Report document are required. With these mitigation measures, the impacts will be less than significant.

Level of Significance

Impacts would be less than significant.

Mitigation Measures

No additional mitigation measures needed.

Level of Significance After Mitigation

Impacts would be less than significant.

Threshold 4.19 (b) Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			✓	

Discussion

VWD is responsible for supplying potable water to the Project site. The Project’s estimated water demand was calculated by applying the industrial water demand factor from the City of Victorville’s 2021 Water Master Plan to the development’s projected acreage. This factor was developed based on the average usage for all commercial and industrial developments in the Project and is expected to be conservative for a

warehouse use type. Based on an industrial water demand factor of 1,000 gallons per day (gpd) per acre, the total demand for the 66.4-acre Project site would be 66,400 gpd (74 acre-feet of water per year [AFY]). The 2020 UWMP estimated that commercial demands, which include industrial water use types, would increase by 690 AFY from 2020 to 2025. Since the completion of the 2020 UWMP and 2021 WMP, there have been several commercial and industrial projects that have been approved. The projected total demand for these projects is 890 AFY. The total proposed commercial/industrial demand from the Project and previously approved commercial/industrial projects is 965 AFY by 2025, this is 275 AFY less than the projected commercial/industrial demand increase in the 2020 UWMP. The 2020 UWMP projected a total increase of 2,597 AFY from 2020 to 2025 and the total projected demand for all projects with an approved WFS or WSA including this project is 2,427 AFY. This is 170 AFY less than the projected increase in the 2020 UWMP so the Project projected demands are within the 2020 UWMP. The City also had the ability to pump additional groundwater to meet demands. (WSC, 2022)

As discussed in VWD's UWMP, demand during dry years was assumed to remain constant because of on-going state and local conservation programs. Groundwater supply is assumed to remain 100% available because the long-term average of the groundwater basin includes dry periods, and no single or multiple-year dry cycle affects the long-term yield of the basin. Supplies are sufficient to meet average, single-dry year, and multiple-dry year demands through year 2045 (VWD, 2021). Accordingly, implementation of the Project would result in a less than significant impact.

Level of Significance

The impacts would be less than significant.

Mitigation Measures

No mitigation measures required.

Level of Significance After Mitigation

The impacts would be less than significant.

Threshold 4.19 (c) Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	

Discussion

VWD is responsible for supplying wastewater services to the Project site. Wastewater flows are received by two wastewater agencies: the VWD and the VVWRA. The SCLA Treatment plant, operated by the VWD has a maximum capacity of 2.5 million gallons per day (MGD) and the VWRA has a current capacity of 14 MGD per day (VWD, 2021). The estimated average flow of wastewater is 51,123 gpd and the estimated peak flow is 81,769 (David Evans and Associates, 2022). The project would use less than a percentage of the daily wastewater capacity even at peak flow. Therefore, sufficient wastewater treatment capacity is available to

serve the Project's projected demand in addition to the provider's existing commitments. Implementation of the Project would result in a less than significant impact.

The City of Victorville Sewer Master Plan 2016 evaluates all the City sewers that are within the city limits under both existing and projected Year 2040 flow conditions and determines their hydraulic capacities, structural conditions, and needed capital improvements. The Plan provides information relative to population growth and wastewater flows to identify potential capacity problems that can be addressed in the City's 5-Year Capital Improvement Plan (CIP).

Wastewater treatment service would be provided to the Project site by SCLA Industrial Wastewater Treatment Plant. The Plant has a design capacity of 2.5 million gallons per day (MGD); 1.0 MGD industrial and 1.5 MGD sanitary.

As detailed in the Plan, the City's population is projected to increase to 190,100 by the year 2035, which is an average annual increase of 2.3% and a total increase of 56.9% relative to January 2015. Housing is projected to increase by 70.6% (relative to 2015) to 64,062 dwelling units in 2035. If vacancy remains at 11.18%, the City's population density would decrease to approximately 3.3 people per occupied dwelling unit by the year 2035. According to the California Department of Finance, E-5 Population and Housing Estimates for Cities, Counties, and the State, January 2011-2021, with 2010 Benchmark, the City's population in 2021 was 127,710. Thus, the City's population is in line with the growth projections contained in the Plan.

As detailed above, the design treatment capacity of the SCLA Treatment Plant is 2.5 MGD. As such, the impact of the project on the daily treatment capacity would be nominal.

For the reasons stated above, it is not anticipated that the Project would result in a determination by the City that SCLA Treatment Plan would not have adequate capacity to serve the Project's projected demand in addition to SCLA's existing commitments.

Level of Significance

The impacts would be less than significant.

Mitigation Measures

No mitigation measures required.

Level of Significance After Mitigation

The impacts would be less than significant.

Threshold 4.19 (d) Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			✓	

Discussion

As stated previously, solid waste from the City is transported to the Victorville Sanitary Landfill, which is currently operated by the County of San Bernardino. The Victorville Sanitary Landfill has a permitted disposal capacity of 3,000 tons per day with a remaining capacity of 79,400,000 cubic yards (CalRecycle, 2023).

Construction-Related Impacts

Waste generated during the construction phase of the Project would primarily consist of discarded materials from the construction of streets, common areas, infrastructure installation, and other project-related construction activities. The California Green Building Standards Code (CALGreen) requires all newly constructed buildings to prepare a Waste Management Plan and divert construction waste through recycling and source reduction methods. Mandatory compliance with CALGreen solid waste requirements will ensure that construction waste impacts are less than significant.

The Project site would be served by the Victorville Sanitary Landfill. According to the CalRecycle Facility/Site Summary Details website accessed on May 23, 2023, Victorville Landfill is well below their maximum permitted daily disposal volume and demolition and construction waste generated by the Project is not anticipated to cause these landfills to exceed their maximum permitted daily disposal volume. Furthermore, none of these regional landfill facilities are expected to reach their total maximum permitted disposal capacities during the Project's construction period. As such, these regional landfill facilities would have sufficient daily capacity to accept construction solid waste generated by the commercial facility.

Operational-Related Impacts

Based on CalEEMod data outputs, the Project would produce 1,031.06 tons of solid waste per year (CalEEMod, 2022). This equates to an average of 2.8 tons of solid waste produced per day. As previously stated, the Victorville Landfill has a permitted disposal capacity of 3,000 tons per day. The Project's estimated solid waste generation represents less than 0.0009% of the landfill's capacity and would not contribute significantly to the daily landfill capacity. Accordingly, impacts would be less than significant.

Level of Significance

Less than significant.

Mitigation Measures

No mitigation required.

Level of Significance After Mitigation

Less than significant.

Threshold 4.19 (e) Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			✓	

Discussion

The California Integrated Waste Management Act (Assembly Bill (AB) 939), signed into law in 1989, established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the bill established a 50% waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted.

The proposed Project would be required to coordinate with City of Victorville, the waste hauler, to develop collection of recyclable material for the Project on a common schedule as set forth in applicable local, regional, and state programs. Recyclable materials that could be recycled by the Project include paper products, glass, aluminum, and plastic. Additionally, the Project would be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Act of 1991) and other applicable local, state, and federal solid waste disposal standards. This would ensure that the solid waste stream to regional landfills is reduced in accordance with existing regulations.

Victorville Disposal (Burrtec) currently provides solid waste collection services to the City as required by Municipal Code Chapter 6.36, Solid Waste Services. Burrtec provides these services in compliance with federal, state, and local management and reduction statutes and regulations related to solid waste. Accordingly, the impacts would be less than significant.

Level of Significance

Less than significant.

Mitigation Measures

No mitigation required.

Level of Significance After Mitigation

Less than significant.

4.14.8 Cumulative Impacts Analysis

This cumulative impact analysis considers development of the Project site in conjunction with General Plan buildout within the service area for the respective utility providers or the service area for specific facilities (e.g., wastewater treatment facilities). As with the Project, individual cumulative development projects would require the construction of necessary infrastructure (water and wastewater lines, storm drain facilities, dry utilities, and others) to serve the projects. Each individual development project is subject to review for utility capacity to avoid unanticipated interruption of service or inadequate supplies. Coordination with the utility providers would allow for the provision of utility services to the Project and other developments. The Project and cumulative development are subject to connection and service fees to offset increased demand and assist in facility expansion and service (at the time of need). The infrastructure needed for the Project would be limited to the identified construction impact area, and no new or expanded off-site infrastructure is

required for the Project. The environmental impacts associated with the construction of these facilities are addressed throughout this EIR and would be less than significant.

Therefore, the Project would not have a cumulatively considerable contribution to a significant cumulative impact associated with construction of utility infrastructure. The cumulative area considered for water supply is the service area of the VWD. The 2020 UWMP was adopted by the VWD on June 15, 2021, which details VWD's current and future water supply. Based on an industrial water demand factor of 1,000 gallons per day (gpd) per acre, the total demand for the 66.4-acre Project site would be 66,400 gpd (74 acre-feet of water per year [AFY]). The 2020 UWMP estimated that commercial demands, which include industrial water use types, would increase by 690 AFY from 2020 to 2025. Since the completion of the 2020 UWMP and 2021 WMP, there have been several commercial and industrial projects that have been approved. The projected total demand for these projects is 890 AFY. The total proposed commercial/industrial demand from the Project and previously approved commercial/industrial projects is 965 AFY by 2025, this is 275 AFY less than the projected commercial/industrial demand increase in the 2020 UWMP. The 2020 UWMP projected a total increase of 2,597 AFY from 2020 to 2025 and the total projected demand for all projects with an approved WFS or WSA including this project is 2,427 AFY. This is 170 AFY less than the projected increase in the 2020 UWMP so the Project projected demands are within the 2020 UWMP. The City also had the ability to pump additional groundwater to meet demands. (WSC, 2022). Because the demand for water services can be met through 2025, including in dry years, cumulative impacts to water services would be less than significant (VWD, 2021).

AB 341 mandates the reduction of solid waste disposal in landfills (PRC Section 42649). The solid waste generated by construction and operation of the Project would represent nominal portion of daily disposal capacities at existing landfill facilities. The existing landfill facilities have sufficient daily capacity to handle solid waste during the Project's construction and operation and would not directly result in the need for expanded solid waste disposal facilities. With Victorville Landfill's planned capacity through 2047 and projected growth rates contained in the City's General Plan EIR, sufficient landfill capacity would exist to accommodate future disposal needs through General Plan buildout. Further, the Project would adhere to applicable local and State regulations during both construction and long-term operation to reduce solid waste generation. Other cumulative development would be required to comply with such regulations. Therefore, development according to the City's General Plan would not create demands for solid waste services that would exceed the capabilities of the County's waste management system. Consequently, cumulative impacts associated with solid waste within the City would be considered less than significant.

4.14.9 Conclusion

There are less than significant impacts of the proposed Project associated with Utilities and Services, and no mitigation would be required.

5.0 Other CEQA Considerations

The CEQA Guidelines require that an EIR disclose the significant environmental effects of a project that cannot be avoided if the proposed project is implemented (CEQA Guidelines §15126[b]). As thoroughly described in Subsections 4.1 through 4.14 of this EIR, the Project would result in a significant and unavoidable direct and cumulatively considerable impact related to the topics of a cumulatively considerable impact related to Tract Map 20422. All other Project-related impacts (direct, indirect, and/or cumulatively considerable), to the environment would either be less than significant or be reduced to below a level of significance due to mandatory compliance with applicable laws and regulations, and implementation of feasible mitigation measures that have a proportional nexus to the Project's impacts.

5.1 Significant Effects That Cannot Be Avoided if the Proposed Project is Implemented

Significant effects which cannot be avoided are the significant and unavoidable impacts that would occur if the Project was implemented and after applying regulatory requirements and mitigation measures. The Project does not result in any significant and unavoidable impacts, as discussed in subsections 4.1 through 4.14.

5.2 Significant Irreversible Environmental Changes

The CEQA Guidelines require EIRs to address any significant irreversible environmental changes that would be involved with the proposed action should it be implemented (2023 CEQA Guidelines §15126.2[d]). An environmental change would fall into this category if: a) the project would involve a large commitment of non-renewable resources; b) the primary and secondary impacts of the project would generally commit future generations to similar uses; c) the project involves uses in which irreversible damage could result from any potential environmental accidents; or d) the proposed consumption of resources is not justified (e.g., the project results in the wasteful use of energy).

The Project would remove 30 Joshua Trees, which are considered a State-Threatened Candidate species under CESA. However, the CDFW would require mitigation to off-set the loss of the 30 trees and its seedbank.

Construction materials and energy resources such as non-renewal fossil fuel would be used in the construction of the proposed Project. Operations of the proposed Project would utilize natural gas and electricity, some of which comes from renewable resources. However, the Project is required by law to comply with the California Building Standards Code which would minimize the Project's demand for non-renewable resources. A more detailed discussion of the energy usage during construction and operations is provided in this DEIR, Section 4.5, Energy.

As demonstrated throughout Section 4, Environmental Analysis, the construction and long-term operations of the Project would be compatible with the existing and planned land uses that surround the Project site. No wetlands were found within the Project site. Two ephemeral streams locally referred to as dry washes were found in the Project site (Figure 4.3-2, Corps/Regional Board Jurisdictional Delineation Map and Figure 4.3-3, CDFW Jurisdictional Delineation Map). The streams are potentially subject to Corps under Section 404 of the CWA, Water Board Section 401 of the CWA and the Porter-Cologne Act and CDFW CFGC Sections 1600 to 1616 jurisdiction. The streams landward geographic reach (boundary) for the Corps and Water Board

delineation was defined based on the presence of an Ordinary High Water Mark. The boundary for CDFW jurisdiction was defined by top of stream bank or reach of flood indicators depending on which was higher.

5.3 Growth-Inducing Impacts

CEQA requires a discussion of the ways in which the Project could be growth-inducing. The CEQA Guidelines identify a project as growth-inducing if it would foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment (2023 CEQA Guidelines §15126.2[e]). A project is defined as growth inducing when it directly or indirectly does any of the following:

- Fosters population growth
- Fosters economic growth
- Includes the construction of additional housing in the surrounding environment
- Removes obstacles to population growth
- Taxes existing community service facilities, requiring construction of new facilities that could cause significant environmental effects
- Encourages or facilitates other activities that could significantly affect the environments, either individually or cumulatively

Pursuant to CEQA Guidelines §15126.2(e), it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

A project can have direct and/or indirect growth-inducement potential. Direct growth inducement would result if a project involved construction of new housing. A project can have indirect growth-inducement potential if it would establish substantial new permanent employment opportunities (e.g., commercial, industrial, or governmental enterprises) or if it would involve a substantial construction effort with substantial short-term employment opportunities and indirectly stimulate the need for additional housing and services to support the new employment demand. Similarly, under CEQA, a project would indirectly induce growth if it would remove an obstacle to additional growth and development, such as removing a constraint on a required public service. An example of this indirect effect would be the expansion of a wastewater treatment plant, which might allow for more development in service areas.

Environmental effects resulting from induced growth (i.e., growth-induced effects) fit the CEQA definition of “indirect” effects in §15358(a)(2) of the CEQA Guidelines. These indirect or secondary effects of growth may result in significant environmental impacts. CEQA does not require that the EIR speculate unduly about the precise location and site-specific characteristics of significant, indirect effects caused by induced growth, but a good-faith effort is required to disclose what is feasible to assess. Potential secondary effects of growth could include consequences – such as conversion of open space to developed uses, increased demand on community and public services and infrastructure, increased traffic and noise, degradation of air and water quality, or degradation or loss of plant and wildlife habitat – that are the result of growth fostered by the project. The decision to allow those projects that result from induced growth is the subject of separate discretionary processes by the lead agency responsible for considering such projects. Because the decision to allow growth is subject to separate discretionary decision making, and such decision making is itself subject to CEQA, the analysis of growth-inducing effects is not intended to determine site-specific environmental impacts and specific mitigation for the potentially induced growth. Rather, the discussion is intended to disclose the potential for environmental effects to occur more generally, such that decision makers are aware that additional environmental effects are a possibility if growth-inducing projects are approved. The decision of whether impacts do occur, their extent, and the ability to mitigate them is appropriately left to consideration by the agency responsible for approving such projects at such times as complete applications for development are submitted.

The proposed Project would construct a warehouse with an office on vacant lands, along a designated truck route within an existing Light Industrial zoned area of the City. The Project does not propose to construct additional housing. Project operations are anticipated to generate approximately 520 employees,⁴¹ but any potential growth-inducing impact of the employment of persons at the Project site was accounted for in the City's General Plan, as the Project would develop the Project site in compliance with the City's General Plan land use designation. Accordingly, the Project would not directly promote growth either at the Project site or at the adjacent and surrounding properties that were not accounted for in the City's General Plan. It is anticipated that construction operations employees would come from Victorville and the surrounding area including Adelanto and Hesperia. Construction and operations of the Project may draw new employees from other areas of the desert who would move to Victorville to live and work. New employees and new residential populations represent direct forms of growth for the City, which may increase the need for new housing in the Victorville area. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area, placing additional demands on public services and infrastructure systems, and in the generation of a variety of environmental impacts, which are addressed in the other sections of this DEIR.

The proposed Project would also facilitate a sewer connection to an industrial area that currently does not have sewer infrastructure. Therefore, the proposed Project would remove a potential barrier to population growth because other light industrial applicants may be more encouraged to relocate to near the Project site given that the Project has placed initial utility infrastructure. This indirectly would create the need for additional construction and operations workers who may choose to move from their home of origin to the Victorville area.

In conclusion, it is unlikely, speculative, and not reasonably foreseeable that the Project would induce growth in the form of additional economic activity or employment that would result in measurable impacts on the physical environment.

5.4 Impacts Considered Not Significant

Section 15128 of the CEQA Guidelines states that "an EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR." Based on review of the Project and supporting technical studies, it was determined that the following environmental topical issues would result in no impact or less than significant impacts: Agricultural Resources, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire. A description of the determination for each topical issue

5.4.1 Agriculture and Forestry Resources

According to the CEQA Guidelines, Appendix G Checklist, the thresholds of significance for Agriculture and Forestry Resources are as follows:

- a. Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- b. Conflict with existing zoning for agricultural use or a Williamson Act contract?
- c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104(g))?

⁴¹ Vehicle Miles Traveled (VMT) Analysis – Mojave 68 Warehouse, Victorville, CA, General Technologies and Solutions, December 5, 2022

- d. Result in the loss of forest land or conversion of forest land to non-forest use?
- e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Overall, the Project site is not located within any agricultural preserves, has not been used for agriculture in the past, nor is the site subject to any Williamson Act contracts or contain forest lands. The Project site is zoned Light Industrial, and the proposed use is consistent with the zoning. As such, there would be no impacts to threshold criteria for agriculture and forestry resources. No impact would occur, and no mitigation is required.

5.4.2 Mineral Resources

According to the CEQA Guidelines, Appendix G Checklist, the thresholds of significance for Mineral Resources are as follows:

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

Figure RE-1, Victorville Planning Area Mineral Land Classification Map, in the City's General Plan Land Use Element Update shows the Project site designated as MRZ-3a. MRZ-3a is defined as areas 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 (Victorville, 2008). The California Department of Conservation does not show oil, gas, or geothermal fields underlying the Project site; and no oil or gas wells are recorded on or near the site in the Division of Oil, Gas, and Geothermal Resources (DOGGR) Well Finder (DOC, 2019). No mines, wells, or other resource extraction activity occurs on the Project site or is known to have ever occurred on the Project site. Accordingly, no impacts would occur.

5.4.3 Population and Housing

According to the CEQA Guidelines, Appendix G Checklist, the thresholds of significance for this resource are as follows:

- a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

The Project would not directly result in population growth because it does not propose any residential dwelling units. Based on the estimated employment rates specified in Table II-B of the Employment Density Study Summary Report prepared by SCAG, warehouse uses within San Bernardino County generate approximately 0.61 employee per 1,000 square feet of building space. As such, the Project may generate approximately 520 employees.⁴² The proposed Project would create jobs both during construction and operation and therefore, may indirectly contribute to population growth within the City. However, it is anticipated that the majority of new jobs would be filled by workers who already reside in the City and that

⁴² Vehicle Miles Traveled (VMT) Analysis – Mojave 68 Warehouse, Victorville, CA, General Technologies and Solutions, December 5, 2022

the Project would not attract a significant amount of new residents to the City. Although the proposed Project will include some expansion of infrastructure, this new infrastructure will all be constructed to serve the proposed Project's needs and will not cause additional unplanned growth. The creation of jobs and necessary infrastructure to support the land uses proposed in the General Plan were already addressed and analyzed in the previous General Plan EIR Housing Element Update (Victorville, 2022).

Additionally, there is no existing housing on the Project site that would be removed thereby displacing substantial numbers of existing housing that would necessitate the construction of replacement housing elsewhere.

Therefore, construction and operation of the proposed Project would not significantly induce substantial unplanned population growth either directly or indirectly. Therefore, impacts would be less than significant, and no mitigation is required.

5.4.4 Public Services

According to the CEQA Guidelines, Appendix G Checklist, the threshold of significance for this resource are as follows:

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
 - Fire Protection
 - Police Protection
 - Schools
 - Recreation/Parks
 - Other Public Facilities

Fire Protection

Fire department services are provided by the City of Victorville. The closest fire station to the Project site is Fire Station 312, located at 15182 El Evado Road, approximately 2 miles east of the Project site. Development of the proposed Project consists of a warehouse and offices. The remaining Project site would be paved parking and landscaping. The facility may increase the number of fire or emergency services calls. However, considering the proposed use, concrete building type and existing firefighting resources available at the Fire Station 312, adverse impacts on Fire Department services are not expected to occur. The increase in fire service demand generated by the proposed Project would not require the construction of a new fire station or improvements to the fire stations serving the City of Victorville and the Project area.

Additionally, the proposed Project is required to comply with the most current adopted fire, building, and electrical codes and nationally recognized fire and life safety standards of the City's municipal code. Compliance with these codes and standards would be enforced through the City's development review and building plan check process.

Therefore, potential impacts associated with fire protection would be less than significant, and no mitigation would be required.

Police Protection

Police services are provided by contract with the County of San Bernardino. The Victorville Sheriff's Department at 14200 Amargosa Road, approximately 4 miles southeast of the Project site serves as the main sheriff's station for the area. Typically, impacts on police services are analyzed based on increases in permanent residents from projects involving residential developments. Although the Project does not involve an increase in residential development, the proposed Project could generate a typical range of police service calls, such as vehicular burglaries or thefts and disturbances.

The site will have perimeter fences/walls and will be secured during closure hours. The Project site is within the Victorville Sheriff's Station service area, and the Project would not require an expansion of San Bernardino County Sheriff's Department/Victorville City service area. The applicable Developer Impact Fees (DIFs) would be assessed to the Project which includes police services that could be used to add additional officers if deemed necessary by the Sheriff's Department.

Development of the Project site would not result in the need for new or physically altered police protection facilities. Therefore, potential impacts associated with police protection would be less than significant, and no mitigation would be required.

Schools

The proposed Project is located within the Victor Elementary School District (VESD) and the Victor Valley Union High School District (VVHSD) service boundaries. The Project will not directly increase the City's population as it does not increase residential land use designations nor construct any housing. Therefore, it would not generate the need for new or altered school facilities. It may indirectly affect schools by providing a source of employment that may draw new residents into the area; however, appropriate developer impact fees, as required by state law, shall be assessed and paid to the school district. Since the proposed Project does not include any new housing, any potential impacts would be considered incremental and can be offset through the payment of the appropriate development impact fees. Thus, the proposed Project will not result in substantial adverse physical impacts related to schools. Therefore, there are no impacts, and no mitigation would be required.

Recreation/Parks

The proposed Project will not directly require the construction or expansion of public recreational facilities as it does not propose new residential uses. However, it may indirectly affect public recreational facilities by providing a source of employment that may draw new residents into the area. The applicable Recreational Facilities DIFs shall be assessed and paid toward parks. With the payment of these fees, the impacts to parks and other public recreational facilities are considered mitigated to a less than significant level. Based on the above discussion, impacts are considered to be less than significant.

Other Public Facilities

Other public facilities, including the library and community centers are located within the City. Desert Valley Medical Hospital (16850 Bear Valley Road) is an 83-bed acute care private for-profit hospital and Victor Valley Community Hospital (15248 11th Street) is a nonprofit 115-bed hospital with a heliport.

The proposed Project is subject to development impact fees that are used to construct new facilities or expand existing facilities subsequent to increased demand. Since the proposed Project does not include new housing, any impacts will be considered incremental and can be offset through the payment of the appropriate mitigation fees. Therefore, impacts related to public services are less than significant, and no mitigation is required.

5.4.5 Recreation

According to the CEQA Guidelines, Appendix G Checklist, the threshold of significance for this resource are as follows:

- 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?

Impacts on parks and recreational facilities are typically analyzed based on increases in permanent residents from projects involving residential developments. The Project applicant proposes to construct an industrial building designed for warehouse and offices in an existing Light Industrial land use area, and therefore, it does not include any residential development or permanent residents. Although the proposed Project may indirectly affect recreational facilities by creating new jobs in the area which may draw new residents to the area, it is anticipated that the majority of jobs will be filled by individuals already residing in the Project vicinity. Indirect impacts to park facilities will be offset through payment of the applicable Recreational Facilities DIFs. With payment of these fees, impacts to parks and other public recreational facilities would be less than significant, and no mitigation is required.

5.4.6 Wildfire

According to the CEQA Guidelines, Appendix G Checklist, the threshold of significance for this resource are as follows:

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

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of 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?

The City's General Plan Safety Element Update (Victorville, 2022) identifies that the City has a very low risk and a very low incidence of brush fires. The CAL FIRE Fire Hazard Severity Zones⁴³ includes three Tiers/Levels of fire threat risk. The CAL FIRE map identifies that the City of Victorville is located within the Local Responsibility Area, but is not surrounded by or near State Responsibility Areas that are more than Moderate areas of fire hazard. The City of Victorville's Local Hazard Mitigation Plan 2021 (January 2022) about one-third of the desert floor in the Mojave section is devoid of vegetation limiting amount of surface fuel loads available to burn. The Project site's terrain is flat with sparse vegetation; therefore, there would be no impacts due to slope or prevailing winds in the event of a fire. Therefore, there are no impacts to this topical area, and no mitigation is required.

43 <https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=4466cf1d2b9947bea1d4269997e86553>, accessed June 8, 2023.

6.0 Alternatives

6.1 Introduction

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

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

As discussed in Draft EIR Section 4, Environmental Analysis, the Project would not result in significant adverse environmental effects that cannot be mitigated to below levels of significance after the implementation of feasible mitigation measures.

6.1.1 Project Objectives

The underlying purpose and goal of the Mojave 68 Project is to develop a modern industrial warehouse building in the City of Victorville along a City truck route that is also in proximity to the state highway system in order to increase employment opportunities and improve the City's economic competitiveness. The Project would achieve its underlying purpose and goal through the following objectives:

1. To efficiently develop a vacant and underutilized property with industrial uses, consistent with the property's zoning and land use, to help meet the substantial and unmet regional demands for goods movement facilities consistent with the Southern California Association of Governments' 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (SCAG, 2020).
2. To establish new business to the City of Victorville and thereby provide a more equal jobs to housing balance in the City of Victorville that will reduce the need for members of the local workforce to commute outside the area for employment.
3. To develop an industrial building along a City-established truck route that is in proximity to I-5 and U.S. Highway 395 that can be used as part of the region's goods movement network.
4. To develop a use that maximizes energy conservation measures that are sustainable and consistent with Smart Growth principles.
5. To develop a vacant property that has access to available infrastructure, including roads and utilities.

6.1.2 Summary of the Proposed Project's Significant Effects

As Discussed in Section 4.0, Environmental Analysis, the Project would not result in any significant environmental impacts that could not be mitigated to less than significant with Project Design Features (PDFs), mandatory regulatory requirements, and feasible mitigation measures.

6.2 Alternatives Under Consideration

CEQA Guidelines §15126.6(e) requires that an alternative be included that describes what would reasonably be expected to occur on the property in the foreseeable future if the proposed Project were not approved, based on current plans and consistent with available infrastructure and community services (i.e., “no project” alternative). For development projects that include a revision to an existing land use plan, the “no project” alternative is considered to be the continuation of the existing land use plan into the future. For projects other than a land use plan (for example, a development project on an identifiable property such as the proposed Project evaluated herein), the “no project” alternative is considered to be a circumstance under which the proposed Project does not proceed (CEQA Guidelines §15126.6(e)(3)(A-B). For the alternatives’ analysis in this Draft EIR, the “No Project/No Development Alternative” and the Reduced Intensity Alternative were considered.

6.2.1 No Project/No Development Alternative

The No Project/No Development Alternative proposes no development on the 66.4-acre Project site, and it would remain in its current vacant state. No off-site improvements, such as paving of Mesa Linda Avenue, Cactus Road, and Onyx Road and installation of water and sewer facilities would occur. This alternative was selected by the City to compare the environmental effects of the Project with an alternative that would leave the Project site undeveloped in its existing condition.

6.2.2 Reduced Intensity Alternative

The Reduced Intensity Alternative would consider the development of the Project site with a 20% reduction in building square footage, in order to reduce vehicle and truck trips associated with GHG and noise. Under this alternative, a total of 877,840 square feet of industrial uses would be constructed, resulting in a reduction of 219,460 square feet from the proposed building. Although the proposed building would be reduced, the development impact area would generally remain the same as the Project. This alternative would generate approximately 520 employees.⁴⁴ Access to the site would be similar to the Project with a proportional reduction in the number of parking spaces.

6.2.3 Alternatives Considered and Rejected

An EIR is required to identify any alternatives that were considered by the City but were rejected as infeasible. Factors described by CEQA Guidelines §15126.6 in determining whether to exclude alternatives from detailed consideration in the EIR include: a) failure to meet most of the basic project objectives, b) infeasibility, or c) inability to avoid significant environmental impacts. With respect to the feasibility of potential alternatives to the proposed Project, CEQA Guidelines §15126.6(f)(1) notes:

Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan

⁴⁴ Vehicle Miles Traveled (VMT) Analysis – Mojave 68 Warehouse, Victorville, CA, General Technologies and Solutions, December 5, 2022

consistency, other plans or regulatory limitations, jurisdictional boundaries...and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site...

In determining an appropriate range of alternatives to be evaluated in this EIR, a number of possible alternatives were initially considered and, for a variety of reasons, rejected. Alternatives were rejected because either: 1) they could not accomplish the basic objectives of the Project, 2) they would not have resulted in a reduction of significant adverse environmental impacts, or 3) they were considered infeasible to construct or operate. A summary of the alternatives that were considered but rejected are described below.

6.2.4 Alternative Sites

The City considered but rejected an alternative that would develop the Project on an alternative site. In making the decision to include or exclude analysis of an alternative site:

- (A) The key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need to be considered for inclusion in the EIR. (CEQA Guidelines §15126.6(f)(2))

To meet the Project objectives and implement the Mojave 68 Project, an Alternative Site for consideration in this analysis would include other sites designated as Light Industrial where the City anticipates future industrial development. For this alternative, any development within these areas would need to be consistent with the Project, the Project objectives, and development anticipated in the area, as presented in City of Victorville General Plan and zoning. There are 8,805 acres of land within the City designated as Light Industrial land use, located in the northwest portion of the City, in the immediate vicinity of the Project site, as well as within Specific Plan areas and in the southwestern portion of the City, that currently occupies 1,548,000 square feet (Victorville, 2022). Based on the Land Use Element, the City's ultimate build out for Light Industrial is estimated to be 8,804,565 square feet (Victorville, 2002, Table A-6).

The Project occurs within the Light Industrial area in the northwest portion of the City. The other lands available for the Project site occur north of the Project site and do not have improved roadways. These lands would not meet the objective of providing a facility that has direct access to a designated truck route.

Other Light Industrial areas include one situated in the southwestern portion of the City; however, this area is built out, and there is no property large enough to accommodate the Project's design or objectives. Within a Specific Plan area, such as the Desert Gateway Specific Plan Area, there are vacant lands; however, they are not accessible without significant infrastructure improvement and would not meet the Project objective of a facility that is close to a designated truck route for efficient movement of goods and services.

Therefore, because an alternative location is not available that would avoid or substantially lessen the environmental effects of the Project, and because the Project Applicant does not have ownership control over, and cannot reasonably obtain ownership control over, any other parcels of land in the jurisdiction of the City that could accommodate the Project, an alternative location alternative is not feasible. Accordingly, this alternative is not further considered in the Draft EIR.

6.3 Analysis of Alternatives

The City has identified the following alternatives as a range of reasonable alternatives to the Project in accordance with CEQA Guidelines §15126.6. These alternatives are described in more detail and evaluated

for their level of environmental effects, compared to the Project’s environmental effects. The following discussion compares the impacts of each alternative considered by the City with the impacts of the Project, as detailed in Section 4.0, Environmental Analysis, of this EIR. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code §21002.1), CEQA Guidelines §15126.6(d) requires that the discussion of alternatives focus on alternatives which are capable of avoiding or substantially lessening the environmental effects of the Project. Therefore, the analysis provided herein focuses on a comparison of the Project’s environmental impacts to the level of impact that would occur under each evaluated alternative. A conclusion is provided for each environmental impact of the Project as to whether the alternative results in one of the following: 1) reduction or elimination of the Project’s impact, 2) a greater impact than would occur under the Project, 3) the same impact as the proposed Project, or 4) a new impact in addition to the Project’s impacts.

6.3.1 No Project/No Development Alternative

The No Project/No Development Alternative considers no development on the Project site beyond what occurs on the site under existing conditions (as described in EIR Section 3.0). As such, the approximately 66.4-acre Project site would continue to consist of undeveloped land. Under this alternative, no improvements would be made to the Project site and none of the Project’s internal parking, utility, and other infrastructure improvements would occur. This alternative was selected by the City to compare the environmental effects of the proposed Project with an alternative that would leave the Project site undeveloped in its general existing conditions.

Air Quality

The No Project/No Development Alternative would avoid the introduction of new potential sources of short-term (construction) and long-term (operational) air pollutant emissions that would occur during the implementation of the Project. Accordingly, all the Project’s short- and long-term air quality impacts would be avoided under this alternative because no construction and operational activities would occur at the Project site. No impacts associated with air quality would occur under this alternative.

Biological Resources

The No Project/No Development Alternative would leave the property in its existing condition. Under this alternative, impacts would be less than the Project because the property would not be disturbed compared to the permanent disturbance that would occur as the result of the Project’s proposed development. Accordingly, although the Project would result in less than significant impacts associated with biological resources, the No Project/No Development Alternative would eliminate the Project’s potential impacts to Jurisdictional waters and special-status wildlife and plant species, including burrowing owl, Joshua trees, Mohave ground squirrel, and nesting migratory birds, and no mitigation would be required.

Cultural Resources

No known historic resources, archaeological resources, cultural resources, or human remains were identified as occurring within the Project site under existing conditions. Based upon cultural resources studies performed for the Project site, there does not appear to be any potential to encounter surface archaeological deposits within the Project site. Given the presence of previously identified archaeological resources within the Project vicinity, there is a potential for the Project site or off-site improvement areas to contain unidentified subsurface archaeological resources. The No Project/No Development Alternative would avoid impacts associated with unearthing previously undiscovered archaeological resources during the Project’s grading operations; therefore, this alternative has no potential to impact archaeological resources that may

exist in undisturbed soils beneath the ground surface. Accordingly, although the Project would result in less than significant impacts associated with cultural resources, this alternative would have no impact related to cultural resources.

Energy

Under the No Project/No Development Alternative, the Project site would remain vacant and undeveloped; therefore, the site would not require any additional near-term or long-term energy resources. Accordingly, although the Project would result in less than significant impacts associated with energy, the No Project/No Development Alternative would have no impact related to energy use.

Geology and Soils

The No Project/No Development Alternative would result in no grading of the property; therefore, no impacts to geology or soils would occur. No known paleontological resources were identified as occurring within the Project site under existing conditions. However, the Pleistocene alluvium of the ancestral Mojave River can be considered to have a high potential to yield paleontological resources. The No Project/No Development Alternative would avoid potential impacts associated with unearthing previously undiscovered paleontological resources during the Project's grading operations; therefore, this alternative has no potential to impact subsurface resources that may exist in undisturbed soils beneath the ground surface. Accordingly, this alternative would eliminate the Project's potential paleontological resource impacts and no mitigation would be required.

Greenhouse Gas Emissions

Under the No Project/No Development Alternative, no development would occur on the Project Site; therefore, there would be no potential sources of near-term or long-term GHG emissions. Selection of this alternative would eliminate all of the Project's near- and long-term effects associated with GHG emissions and no impacts associated with GHG emissions would occur under this alternative; therefore, this alternative would eliminate the Project's significant and unavoidable GHG emissions impacts. Although selection of the No Project/No Development Alternative would prevent the Project site from new development, it would not necessarily prevent the Project or another project of its nature from being developed in another location in response to the demand for an industrial use within the region. As such, it is possible that selection of the No Project/No Development Alternative would merely displace the Project's GHG emissions to another location in the MDAB resulting in the same or greater environmental effects related to GHG emissions.

Hazards and Hazardous Materials

Because no development would occur under the No Project/No Development Alternative, no impacts related to hazards or hazardous materials would occur. Project impacts were determined to be less than significant related to hazards and hazardous materials, including those associated with the routine transportation, storage, and use of common household chemicals during the operation of the Project. Similarly, this alternative would have no hazardous materials impacts and no mitigation would be required.

Hydrology and Water Quality

The No Project/No Development Alternative would result in no grading or development of the property; therefore, no impacts to hydrology or water quality would occur. However, no drainage improvements or water quality features would be installed, and runoff would continue to flow south across the site to the drain channel as it does under existing conditions. Additionally, development of the Project would increase impervious surface coverage on the Project site, which would, in turn, reduce the amount of water

percolating down into the groundwater sub-basin that underlies the Project site. However, since no water quality features would be constructed to treat runoff under this alternative, water quality impacts, including erosion and sedimentation, would be greater under this alternative. Accordingly, this alternative would result in greater impacts associated with hydrology and water quality when compared to the Project.

Land Use and Planning

The No Project/No Development Alternative would not result in any new development that would indirectly result in environmental impacts due to a conflict with an existing land use plan. However, this alternative would not help to implement the land uses assumed in the General Plan and would not help to meet substantial and unmet regional demands for this type of building space consistent with Southern California Association of Governments' (SCAG's) Connect SoCal. Therefore, implementation of this alternative would result in less than significant impacts related to land use and planning and similar impacts as the Project.

Noise

Because no development would occur on the Project site under this alternative, no new sources of stationary noise and no new traffic trips would be generated; therefore, the No Project/No Development Alternative would not contribute to the less than significant incremental increase in area-wide noise levels that would occur under the Project. Selection of this alternative would eliminate all of the Project's significant and unavoidable near- and long-term effects associated with noise and no impacts associated with noise generation would occur under this alternative.

Transportation

Under the No Project/No Development Alternative, no new development would occur on the Project site and no traffic would be generated at the Project site. Therefore, this alternative would have no impacts related to vehicle miles traveled or access. Although the Project would have less than significant impacts, implementation of this alternative would result in no impacts associated with transportation.

Tribal Cultural Resources

There is potential that resources could be encountered during ground-disturbing construction activities in native soils. The No Project/No Development Alternative would leave the Project site in its existing condition; no additional grading or disturbance of native soil would occur. As such, this alternative would not result in impacts to undiscovered tribal cultural resources. Accordingly, implementation of this alternative would have no impacts related to tribal cultural resources.

Utilities and Service Systems

The Project site does not generate any need for utilities under the existing condition, including domestic water, wastewater treatment, or solid waste disposal; therefore, the implementation of this alternative would avoid the increases in the demand for utility services that would be generated by the Project. Although the Project would have less than significant impacts, implementation of this alternative would result in no impacts associated with utilities and service systems.

Conclusion

Avoid or Substantially Lessen the Significant Impacts of the Project

The No Project/No Development Alternative would result in no physical environmental impacts to the Project site. All less than significant impacts of the Project would be eliminated or lessened by the selection of the

No Project/No Development Alternative. However, this alternative would not receive benefit from the stormwater drainage and expanded water and sewer lines the Project proposes. Impacts related to land use and planning would be similar to the proposed Project.

Attainment of Project Objectives

The No Project/No Development Alternative would fail to meet all of the Project's objectives, as described in Subsection 6.1.1.

6.3.2 Reduced Intensity Alternative

The Reduced Intensity Alternative would consider the development of the Project site with a 20% reduction in building square footage to reduce vehicle and truck trips and significant impacts associated with greenhouse gas emissions and noise. Under this alternative, a total of 877,840 square feet of industrial uses would be constructed, resulting in a reduction of 219,460 square feet from the proposed building. Although the proposed building would be reduced, the development impact area would generally remain the same as the Project. This alternative would generate approximately 520 employees.⁴⁵ Access to the site would be similar to the Project with a proportional reduction in the number of parking spaces.

Air Quality

The Reduced Intensity Alternative would have a reduced amount of building square footage. As such, the Reduced Intensity Alternative would reduce the number of vehicle trips and associated VMT by 20%, which is calculated based on square footage. Therefore, implementation of the Reduced Intensity Alternative would result in 20% less impacts from construction and operational-related air quality that would occur from implementation of the Project. Under the Project, the Project would result in less than significant impacts with no need for mitigation measures. The Reduced Intensity Alternative would result in a further reduction of emissions and the impacts would still be less than significant with no need for mitigation.

Biological Resources

The Reduced Intensity Alternative would continue to cover the same impact area as the Project site. Impacts to Jurisdictional waters and special-status wildlife and plant species, including burrowing owl, Joshua trees, and nesting migratory birds would continue to occur and mitigation measures would be implemented to reduce impacts to such resources to a less than significant level. Therefore, impacts would be similar compared to the Project.

Cultural Resources

The Reduced Intensity Alternative would have the same impact area and no known historic resources, archaeological resources, cultural resources, or human remains were identified as occurring within the Project site and off-site improvement areas under existing conditions. Given the presence of previously identified archaeological resources within the Project vicinity, there is a potential for the off-site improvement areas to contain unidentified subsurface archaeological resources. Like the Project, mitigation measures would be required to reduce potential impacts to less than significant. Therefore, impacts to cultural resources from the Reduced Intensity Alternative would be similar to those associated with the Project.

⁴⁵ Vehicle Miles Traveled (VMT) Analysis – Mojave 68 Warehouse, Victorville, CA, General Technologies and Solutions, December 5, 2022

Energy

Under the Reduced Intensity Alternative, the total building square footage would be reduced and building energy demand would also be reduced by approximately 20% due to a proportional decrease in building energy consumption and fuel from the reduction in vehicle trips. Additionally, the reduction in vehicle trips associated with this alternative would reduce fuel consumption. Construction and operational activities associated with this alternative would have reduced energy demand compared to the Project. Impacts would remain less than significant.

Geology and Soils

Grading and development of the Project site would still occur under the Reduced Intensity Alternative, and therefore, impacts to geology and soils would be similar to those that would be generated from the Project. This alternative would result in a similar potential to impact undiscovered paleontological resources during grading, as the Project. However, like the Project, mitigation measures would be required to reduce potential impacts to less than significant. Therefore, impacts to paleontological resources from the Reduced Intensity Alternative would be similar to those associated with the Project.

Greenhouse Gas Emissions

The Reduced Intensity Alternative would have a reduced amount of building square footage. As such, the Reduced Intensity Alternative would also decrease vehicle trips by 20%, which is calculated based on square footage. Therefore, implementation of the Reduced Intensity Alternative would result in 20% less impacts from Project related GHG emissions that would occur from implementation of the Project. The Project results in less than significant impacts. The Alternative would also result in further reduced GHG emissions, which would also result in less than significant impacts, similar to the Project.

Hazards and Hazardous Materials

The Reduced Intensity Alternative would develop the Project site for the same uses, and therefore the same type of hazardous materials typically used for construction and operation of the Project would be used under the Reduced Intensity Alternative. The use and storage of hazardous materials would be regulated by the same federal, state, and local laws and permitting requirements as would occur with the Project. There were no identified contaminated soils on the Project site; therefore, construction activities would not involve the transport of contaminated soils. Similar to the Project, this alternative would result in less than significant impacts related to hazards and hazardous materials.

Hydrology and Water Quality

The Reduced Intensity Alternative would reduce the total building square footage; however, the area of impervious surfaces would be similar compared to the Project. Therefore, this alternative would result in similar runoff and potential for impacts to drainage, erosion, and water quality. Like the Project, this alternative would introduce new sources of water pollutants from construction and operation activities. Additionally, this alternative would be required to include storm drain facility improvements, source control, site design, and treatment control BMPs. Therefore, the Reduced Intensity Alternative would result in similar impacts to hydrology and water quality as the Project and would be less than significant.

Land Use and Planning

The Reduced Intensity Alternative would not require a General Plan amendment and zone change to implement the development, similar to the Project. This Alternative would have the same type of consistency with the SCAG's Connect SoCal policies, the City's General Plan and Municipal Code. Therefore, the Reduced

Intensity Alternative would result in a less than significant impact related to land use and planning like the Project.

Noise

Construction and operation noise impacts would be reduced under the Reduced Intensity Alternative because this alternative would decrease the building size by 219,460 square feet. Although construction of this alternative would generate the same peak noise volumes and similar type and volume of construction noise as the Project, the length of time of construction and the associated noise would be marginally shorter. Operational noise would also be reduced under this alternative as traffic-generated and stationary noise sources would decrease in relation to the reduction in industrial warehousing square footage. However, noise impacts from the Reduced Intensity Alternative would remain less than significant, similar to the Project.

Transportation

Construction and operation-related vehicle truck trips would be reduced under the Reduced Intensity Alternative and would decrease by approximately 20%. Trip generation is based on land uses and its associated square footage. This would result in a corresponding decrease in overall VMT and proportional decrease in employees. As a result, the Reduced Intensity Alternative would have less impacts as compared to the Project and impacts would be less than significant.

Tribal Cultural Resources

The Reduced Intensity Alternative would result in a similar potential to adversely affect any tribal cultural resources on the Project site as the Project. However, like the Project, mitigation measures would be required to reduce potential impacts to less than significant. Therefore, impacts that could occur by the Reduced Intensity Alternative would be similar to those associated with the Project.

Utilities and Service Systems

The Reduced Intensity Alternative would reduce the total building square footage by 219,460 square feet. This would reduce the number of employees on the Project site and the demand for utilities and service systems. The water and wastewater generation rates are based on the number of employees and square footage. Therefore, the demand for regional water supplies and generation of wastewater would be approximately 20% less than the Project. Thus, the impacts related to water supplies and wastewater would be less than from the implementation of the proposed Project. Similarly, solid waste generation would be less than and require less landfill capacity than the Project. However, the impacts on water, sewer, and solid waste disposal are less than significant for the Project. Impacts to utilities and service system would be less under this alternative than the Project, but the impacts for both the alternative and Project are less than significant.

Conclusion

Avoid or Substantially Lessen the Significant Impacts of the Project

The Reduced Intensity Alternative would result in reduced impacts related to air quality, energy, greenhouse gas emissions, noise, and utilities and service systems due to the reduction in square footage and associated vehicular trips. However, the Project had less than significant impacts and implementation of this alternative would also result in less than significant impacts. Impacts related to biological resources, cultural resources, geology and soils, hazardous and hazardous materials, hydrology and water quality, land use and planning, transportation, and tribal cultural resources would be similar to the Project.

Attainment of Project Objectives

As described in Subsection 6.1.1, This alternative would only partially meet Objective 1: To efficiently develop a vacant and underutilized property with industrial uses, consistent with the property’s zoning and land use, to help meet the substantial and unmet regional demands for goods movement facilities consistent with the Southern California Association of Governments’ 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (SCAG, 2020) and Objective 2: To establish new business to the City of Victorville and thereby provide a more equal jobs to housing balance in the City of Victorville that will reduce the need for members of the local workforce to commute outside the area for employment.

6.4 Environmentally Superior Alternative

CEQA Guidelines §15126.6(e)(2) requires identification of an environmentally superior alternative if the proposed Project has significant impacts that cannot be mitigated to a less-than significant level. The environmentally superior alternative is the alternative that best avoids or lessens any significant and unavoidable effects of the proposed project, even if the alternative would impede, to some degree, the attainment of some of the project objectives. The No Project Alternative is considered the overall environmentally superior alternative because implementation of the proposed Project would not occur; therefore, no significant impacts related to historic resources and land use policy conflicts would occur. If the No Project Alternative is environmentally superior, CEQA requires selection of the “environmentally superior alternative other than the No Project/No Development Alternative” from among the other alternatives evaluated.

The Reduced Intensity Alternative is environmentally superior to the Project. As shown in Figure 6-1, the Reduced Intensity Alternative would have less impacts under six of the environmental topical areas. The reduction in impacts is due to the fact that the use would have reduced vehicular trips, which would result in a reduction in operational-related impacts, including air quality, GHG emissions, energy, and noise impacts. However, this alternative would not eliminate the Project’s significant unavoidable impacts related to air quality, GHG emissions, and transportation. Additionally, the Reduced Intensity Alternative would not meet one of the Project objectives and would only partially meet most of the Project’s objectives.

Figure 6-1 Comparison of Alternatives to the Project

Impact Area	Project	No Project/ No Development	Reduced Intensity
Air Quality			
Construction	LTS	No Impact (less)	LTS (less)
Operation	LTS	No Impact (less)	LTS (less)
Biological Resources	LTS/M	No Impact (less)	LTS/M (similar)
Cultural Resources	LTS/M	No Impact (less)	LTS/M (similar)
Energy	LTS	No Impact (less)	LTS (less)
Geology and Soils	LTS/M	No Impact (less)	LTS/M (similar)
GHG Emissions	LTS	No Impact (less)*	LTS (less)
Hazards and Hazardous Materials	LTS	No Impact (less)	LTS (similar)
Hydrology and Water Quality	LTS	No Impact (greater)	LTS (similar)
Land Use and Planning	LTS	LTS (similar)	LTS (similar)
Noise			
Construction	LTS	No Impact (less)	LTS (less)
On-site Operations	LTS	No Impact (less)	LTS (less)
Off-site Traffic-Related	LTS	No Impact (less)*	LTS (less)
Transportation	LTS	No Impact (less)	LTS (similar)
Tribal Cultural Resources	LTS/M	No Impact (less)	LTS/M (similar)
Utilities and Service Systems	LTS	No Impact (less)	LTS (less)

Significant; LTS/M = Less than Significant with Mitigation; SU = Significant and Unavoidable.

Comparison of Alternatives to the Project (cont.)

Project Objectives	No Project/ No Development	Reduced Intensity
1. To efficiently develop a vacant and underutilized property with industrial uses, consistent with the property's zoning and land use, to help meet the substantial and unmet regional demands for goods movement facilities consistent with the Southern California Association of Governments' 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (SCAG, 2020) and Objective	Not met	Partially met
2 To establish new business to the City of Victorville and thereby provide a more equal jobs to housing balance in the City of Victorville that will reduce the need for members of the local workforce to commute outside the area for employment.	Not met	Partially met
3 To develop an industrial building along a City-established truck route that is in proximity to I-15 and U.S. Highway 395 that can be used as part of the region's goods movement network.	Not met	Met
4 To develop a use that maximizes energy conservation measures that are sustainable and consistent with Smart Growth principles.	Not met	Met
5 To develop a vacant property that has access to available infrastructure, including roads and utilities.	Not met	Met

7.0 References

7.1 Persons Contributing to EIR Preparation

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Ellen Smith, Wood Environmental
Matt Fraychineaud, Wood Environmental
Garrett Readler, Kier + Wright
James M. Daisa, David Evans and Associates
Rawad Hani, General Technologies and Solutions
Water Systems Consulting, Inc

7.2 Documents Appended to This EIR

- A-1: Mojave 68 Project, Air Quality Analysis, KPC EHS Consultants, LLC, December 2022
- A-2: Mojave 68 Mobile Source Health Risk Assessment, Urban Crossroads, January 11, 2023
- A-3: Mojave 68 Greenhouse Gas Impact Analysis, KPC EHS Consultants, February 2023
- A-4: EmFac2021 v1.0.2 Emissions Inventory Data
- B-1: Biological Resources Assessment for an Approximate 68-Acre Project Site Located within Assessor Parcel Numbers 3128-621-02, -03, -04, -05, and -06 in the City of Victorville, San Bernardino County, California, ELMT Consulting, January 9, 2023
- B-2: Joshua Tree Survey of a 68.8-acre lot on the NE C/O Mesa Linda Ave., and Mojave Dr., CalPacific Sciences, November 11, 2022

- B-3 Focused Desert Tortoise Protocol Presence/Absence Survey for Proposed Commercial/Industrial Warehouse 68 Acres; APN #s 3128-612-02,-03,-04,-05, and -06 in the City of Victorville, prepared by Nexus Environmental LLC, May 24, 2023
- B-4 Focused Burrowing Owl Protocol Survey, Nexus Environmental LLC, June 23, 2023
- B-5 California Department of Fish and Game Mohave Ground Squirrel Guideline Survey Report, Randel Wildlife Consulting, Inc., June 2023
- B-6 Aquatic Resources Delineation Report Mojave 68 Project San Bernardino County, California, Huffman-Broadway Group, Inc., June 2023
- C Historical/Archaeological Resources Survey Report Mojave 68 Warehouse Project, CRM Tech, January 19, 2023
- D Preliminary Geotechnical Evaluation, Proposed Industrial Development, Northwest of the Intersection of Mojave Drive & Onyx Road, Victorville, California, LGC Geotechnical, October 19, 2022
- E Phase 1 Environmental Site Assessment, Wood Environment & Infrastructure Solutions, Inc., September 14, 2022
- F-1 Preliminary Hydrology Study for Mojave 68 Warehouse, Mojave Road and Mesa Linda Avenue, Kier + Wright, January 2023
- F-2 Mojave River Watershed Preliminary Water Quality Management Plan, for Mojave 68, Kier + Wright, January 2023
- G Mojave Drive Warehouse Noise and Vibration Analysis, prepared by Urban Crossroads, February 15, 2023
- H-1 Scoping Agreement for Focused Traffic Impact Analysis and Vehicle Miles Traveled Screening for Proposed Industrial Warehouse Site Located at Northeast Corner of Mojave Drive and Mesa Linda Avenue in Victorville, David Evans and Associates, January 12, 2023
- H-2 Vehicle Miles Traveled (VMT) Analysis – Mojave 68 Warehouse, Victorville, CA, General Technologies and Solutions, December 5, 2022
- I Water Supply Assessment for EWTR22-00598, Water Systems Consulting, Inc, December 2022
- J NOP and NOP Comments

7.3 Other References

7.4 Persons Consulted/Written or Verbal Communication