

PLANNING COMMISSION

ATTACHMENT E

Final Environmental Impact Report &
Mitigation Monitoring Program



Mojave 68 Project

Final Environmental Impact Report

Site Plan No. PLAN22-00023

Tentative Parcel Map Amendment No. PLAN22-00023



Lead Agency

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October 23, 2023

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1. Introduction

1.1 INTRODUCTION

This Final Environmental Impact Report (FEIR) has been prepared per the California Environmental Quality Act (CEQA) as amended (Public Resources Code §§ 21000 et seq.) and CEQA Guidelines (California Code of Regulations §§ 15000 et seq.).

According to the CEQA Guidelines, Section 15132, the FEIR shall consist of:

- The Draft Environmental Impact Report (DEIR) or a revision of the DEIR.
- Comments and recommendations received on the DEIR either verbatim or in summary.
- A list of persons, organizations, and public agencies commenting on the DEIR.
- The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- Any other information added by the Lead Agency.

This document contains responses to comments received on the DEIR for the Mojave 68 Project during the public review period, which began on August 18, 2023, and closed on October 2, 2023. This document has been prepared per CEQA and the CEQA Guidelines and represents the independent judgment of the City of Victorville, serving as the Lead Agency. This document and the circulated DEIR comprise the FEIR, per CEQA Guidelines, Section 15132.

1.2 CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

CEQA Guidelines Section 15204(a) outlines parameters for submitting comments and reminds persons and public agencies that the focus of review and comment of DEIRs should be:

“... on the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible. ...CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”

CEQA Guidelines Section 15204(c) further advises, “Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. According to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.” Section 15204(d) states, “Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.” Section 15204(e) states, “This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or the lead agency to reject comments not focused as recommended by this section.”

Per CEQA, Public Resources Code Section 21092.5, copies of the written responses to public agencies will be forwarded to those agencies at least 10 days before certifying the environmental impact report. The responses will be forwarded with copies of this FEIR, as permitted by CEQA, and will conform to the legal standards established for response to comments on DEIRs.

2. Response to Comments

2.1 INTRODUCTION

Section 15088 of the CEQA Guidelines requires the Lead Agency (City of Victorville) to evaluate comments on environmental issues received from public agencies and interested parties who reviewed the DEIR and prepare written responses.

This section provides all written comments received on the DEIR and the City of Victorville's responses to each comment. Comment letters and specific comments are given letters and numbers for reference purposes. Changes to the DEIR text are shown in **bold underlined text** for additions and ~~strikeout~~ for deletions.

The following is a list of agencies and persons that submitted comments on the DEIR during the public review period.

Comment Letter	Commenter	Date of Comment
A	Blum, Collins, & Ho LLP	October 2, 2023
B	SWAPE (Attachment to Letter A)	September 29, 2023

LETTER A

BLUM, COLLINS & HO LLP

ATTORNEYS AT LAW
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October 2, 2023

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VIA EMAIL TO:
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SUBJECT: COMMENTS ON MOJAVE 68 EIR (SCH NO. 2023030145)

Dear Mr. Clark,

Thank you for the opportunity to comment on the Environmental Impact Report (EIR) for the proposed Mojave 68 Project. Please accept and consider these comments on behalf of Golden State Environmental Justice Alliance. Also, Golden State Environmental Justice Alliance formally requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

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1.0 Summary

The project proposes the construction and operation of one 1,097,300 square foot (sf) industrial building on an approximately 66.4 acre vacant site. The building includes 877,800 sf of high-cube transload warehouse area and 219,500 sf of high-cube cold storage warehouse area for a total of 1,057,300 sf of building area dedicated to warehousing uses. Approximately 40,000 sf of building area is dedicated to office space. The building is configured as a cross-dock fulfillment center with truck/trailer dock doors on two sides of the building. There are 93 truck/trailer loading dock doors on the west side of the building and 94 truck/trailer loading dock doors on the east side of the building for a total of 187 truck/trailer loading dock doors. The site plan also includes 726 truck/trailer parking stalls and 458 passenger car parking stalls.

A-2

3.0 Project Description

The EIR does not include a floor plan, detailed site plan, or a detailed grading plan. The basic components of a Planning Application include a detailed site plan, floor plan, conceptual grading

A-3

plan, written narrative, and detailed elevations. Additionally, the site plan provided in Figure 3-7 has been edited to remove pertinent information from public view. For example, it does not provide any detailed information such as earthwork quantity notes, floor area ratio calculation, or analysis with development standard requirements. Providing the grading plan and earthwork quantity notes is vital as the EIR states that “site excavation is anticipated to balance on site and no import or export is required,” and there is no method for the public to verify this claim. Verification of the import/export materials is vital as it directly informs the quantity of necessary truck hauling trips due to soil import/export during the grading phase of construction. A revised EIR must be prepared to include wholly accurate and adequate detailed project site plan, floor plan, grading plan, elevations, and project narrative for public review.

A-3
Cont.

4.3 Air Quality, 4.6 Energy and 4.8 Greenhouse Gas Emissions

Please refer to attachments from SWAPE for a complete technical commentary and analysis.

A-4

The EIR does not include for analysis relevant environmental justice issues in reviewing potential impacts, including cumulative impacts from the proposed project. This is especially significant as the surrounding community is highly burdened by pollution. According to CalEnviroScreen 4.0¹, CalEPA’s screening tool that ranks each census tract in the state for pollution and socioeconomic vulnerability, the proposed project’s census tract (6071009110) ranks worse than 57% of the rest of the state in overall pollution burden and the associated negative health impacts on the census tract population. The proposed project’s census tract and surrounding community, including residences adjacent to the south and Gus Franklin Jr. Elementary School, Melva Davis Academy of Excellence (Middle School), and West Creek Elementary School to the northeast bears the impact of multiple sources of pollution and is more polluted than average on several pollution indicators measured by CalEnviroScreen. For example, the project census tract ranks in the 85th percentile for ozone burden, which is typically attributed to heavy truck and vehicular activity in the area. Ozone can cause lung irritation, inflammation, and worsening of existing chronic health conditions, even at low levels of exposure².

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The census tract also ranks in the 76th percentile for solid waste facility impacts and 69th percentile for cleanup site impacts. Solid waste facilities can expose people to hazardous chemicals, release toxic gases into the air (even after these facilities are closed), and chemicals can leach into soil

¹ CalEnviroScreen 4.0 <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>

² OEHHA Ozone <https://oehha.ca.gov/calenviroscreen/indicator/air-quality-ozone>

around the facility and pose a health risk to nearby populations³. Chemicals in the buildings, soil, or water at cleanup sites can move into nearby communities through the air or movement of water⁴.

The census tract ranks above average in several areas that impact water quality. The census tract ranks in the 51st percentile for impaired waters. Water pollution can harm wildlife habitats and change the number and types of plants and animals in the environment⁵. When fish and shellfish are contaminated, people who eat them can be exposed to toxic substances⁶. The census tract also ranks in the 30th percentile for contaminated drinking water and 45th percentile for groundwater threats. Poor communities and people in rural areas are exposed to contaminants in their drinking water more often than people in other parts of the state⁷. People who live near contaminated groundwater may be exposed to chemicals moving from the soil into the air inside their homes⁸.

Further, the census tract is a diverse community including 51% Hispanic, 21% African-American and 6% Asian-American residents, whom are especially vulnerable to the impacts of pollution. The community has a high rate of low educational attainment, meaning 65% of the census tract over age 25 has not attained a high school diploma, which is an indication that they may lack health insurance or access to medical care. The community has a high rate of poverty, meaning 67% of the households in the census tract have a total income before taxes that is less than the poverty level. Income can affect health when people cannot afford healthy living and working conditions, nutritious food and necessary medical care⁹. Poor communities are often located in areas with high levels of pollution¹⁰. Poverty can cause stress that weakens the immune system and causes people to become ill from pollution¹¹. Living in poverty is also an indication that residents may lack health insurance or access to medical care. Medical care is vital for this census tract as it ranks in the 87th percentile for incidence of cardiovascular disease and 85th percentile for incidence of asthma. The community also has a high rate of linguistic isolation, meaning 35% of the census tract speaks little to no English and faces further inequities as a result.

Additionally, the census tracts adjacent to the project site (6071009905 (east), 6071009904 (east), and 6071009116 (north)) are identified as SB 535 Disadvantaged Communities¹². This indicates

³ OEHHA Solid Waste Facilities <https://oehha.ca.gov/calenviroscreen/indicator/solid-waste-sites-and-facilities>

⁴ OEHHA Cleanup Sites <https://oehha.ca.gov/calenviroscreen/indicator/cleanup-sites>

⁵ OEHHA Impaired Waters <https://oehha.ca.gov/calenviroscreen/indicator/impaired-water-bodies>

⁶ Ibid.

⁷ OEHHA Contaminated Drinking Water <https://oehha.ca.gov/calenviroscreen/drinking-water>

⁸ OEHHA Groundwater Threats <https://oehha.ca.gov/calenviroscreen/indicator/groundwater-threats>

⁹ OEHHA Poverty <https://oehha.ca.gov/calenviroscreen/indicator/poverty>

¹⁰ Ibid.

¹¹ Ibid.

¹² OEHHA SB 535 Census Tracts <https://oehha.ca.gov/calenviroscreen/sb535>

that cumulative impacts of development and environmental impacts in the City are disproportionately impacting these communities. The EIR does not discuss that the project site and surrounding area are disadvantaged communities and does not utilize this information in its analysis. The negative environmental, health, and quality of life impacts of the warehousing and logistics industry in the City have become distinctly inequitable. The severity of impacts particularly on these Disadvantaged Communities must be included for analysis as part of a revised EIR.

A-5
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California's Building Energy Code Compliance Software (CBECC) is the State's only approved energy compliance modeling software for non-residential buildings in compliance with Title 24¹³. CalEEMod is not listed as an approved software. The CalEEMod-based modeling in the EIR and appendices does not comply with the 2022 Building Energy Efficiency Standards and under-reports the project's significant Energy impacts and fuel consumption to the public and decision makers. Since the EIR did not accurately or adequately model the energy impacts in compliance with Title 24, a finding of significance must be made. A revised EIR with modeling using the approved software (CBECC) must be circulated for public review in order to adequately analyze the project's significant environmental impacts. This is vital as the EIR utilizes CalEEMod as a source in its methodology and analysis, which is clearly not the approved software.

A-6

4.8 Hazards and Hazardous Materials

The EIR states that, "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)." However, the FAA Aeronautical Study is not attached as an appendix to the EIR. Also, an Initial Study was not completed for the project. The EIR has excluded the FAA Aeronautical Study from public review, which does not comply with CEQA's requirements for adequate informational documents and meaningful disclosure (CEQA § 15121 and 21003(b)). Incorporation by reference (CEQA § 15150 (f)) is not appropriate as the FAA Aeronautical Study contributes directly to analysis of the problem at hand. The EIR must be revised and recirculated to include the FAA Aeronautical Study as an attachment for public review in order to provide an accurate environmental analysis and be an adequate informational document.

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¹³ California Energy Commission 2022 Energy Code Compliance Software
<https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency-1>

4.10 Land Use and Planning

The EIR states that “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.” The City Council adopted updated chapters of the General Plan at their December 20, 2022 Public Hearing, including the Land Use Element, Safety Element, and Housing Element. The EIR is misleading to the public and decision makers by analyzing the project in accordance with the 2008 versions of the Land Use Element, Safety Element, and Housing Element while updated versions exist. This is notably egregious as the City Council adopted the General Plan Update on December 20, 2022, and the NOP for this EIR was not published until March 3, 2023, more than 60 days after adoption of the updated documents. The EIR does not provide any substantial or meaningful evidence to support the claim that the project does not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. A revised EIR must be prepared to provide a consistency analysis with all of the most updated versions of the General Plan objectives, goals, policies, and actions, including but not limited to the following:

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1. EJ Objective I: Reduce Pollution Exposure and Improve Air Quality
2. Policy EJ-A.1: Create land use patterns that encourage people to walk, bicycle, or use public transit to reduce emissions from mobile sources.
3. EJ Strategy B: Mitigate the Impacts of Pollution and Separate Pollution Sources from Sensitive Land Uses.
4. EJ-B.2: Require setbacks and vegetative barriers within City rights-of-way between new industrial developments and sensitive land uses, such as residential areas in the City.
5. EJ-B.3: Improve tree canopy and promote green infrastructure development in disadvantaged communities.
6. Policy EJ-F.3: Encourage new developments to include a healthy food supply or edible garden, or to be located within a quarter to half-mile of a healthy food supply, where feasible and appropriate.
7. EJ Objective VI: Reduce Exposure to Climate Hazards
8. Safety Element Objective 1.4: Prevent loss of life, serious injury, and significant damage to structures critical facilities due to aircraft mishap at the Southern California Logistics Airport (SCLA).

9. Safety Element Policy 1.4.1: Fully implement the land use policies and regulatory provisions of the SCLA Specific Plan.
10. Safety Element Policy 1.4.2: Avoid conflicts with the Comprehensive Land Use Compatibility Plan (CLUP) for SCLA.
11. Safety Element Implementation Measure 3.1.1.1: Ensure future projects consider climate change impacts and climate adaptation solutions in planning, design, and construction requirements.
12. Safety Element Objective 3.2. Protect health and safety of the community and minimize the risk of loss of life, injury, and social and economic dislocations as a result of climate change.
13. Land Use Element Goal 1: A balanced land use pattern to accommodate Victorville's future housing, commerce, industry, recreation and open space, education, employment, social, and health needs.
14. Land Use Element Policy LU-A.2: Encourage the development of local-serving commercial uses in proximity to adjacent residential neighborhoods to serve the day-to-day needs of Victorville's residents.
15. Land Use Element Policy LU-B.1: Ensure that industrial land use designations accommodate a variety of traditional, innovative, and creative industrial land uses, including manufacturing, warehousing and distribution, aviation/airport, technological land uses, with standards and incentives that enable Victorville to attract new jobs and revenues without compromising the environment or negatively impacting quality of life.
16. Land Use Element Policy LU-B.2: Provide an appropriate amount of industrially designated land to ensure longterm opportunities for a range of employment options that support a diverse economy and provide well-paying job opportunities.
17. Land Use Element Policy LU-B.3: Promote the development of small-scale and artisan manufacturing uses that support entrepreneurship.
18. LU-E-4: Ensure that new development contributes its fair share toward the establishment and maintenance of parks, bikeways and recreational trails, and recreational facilities and provides integrated pedestrian and bicycle linkages to the City's bicycle/trails network.
19. LU-E-5: Encourage new developments to incorporate plazas and other flexible outdoor spaces that provide opportunities for gathering, outdoor dining, pop-up retail, and music venues. Incorporate amenities such as shade structures, shade trees, seating, and community art.
20. LU Objective H: Promote land use and development patterns, policies, and practices that are sustainable and consistent with Smart Growth principles, conserve natural resources, and reduce pollution and GHG emissions. Policies:

A-8
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21. LU-H.1: Coordinate the land use and mobility plans and policies to reduce vehicle miles traveled (VMT) and emphasize walking, biking, use of transit, and other types of low-emission, local-use modes of transportation as viable and affordable alternatives to the use of the personal automobile.
22. LU-H.3: Incorporate sustainable and Smart Growth principles in all new developments and when updating existing developments to the extent possible, to minimize adverse impacts of development on air quality, traffic, open space, water quality, energy, and other resources and optimize walkability, quality of life, and community vitality.
23. LU-H.4: Encourage new industrial development to use best available control technology to limit GHG emissions from stationary sources.
24. LU-H.5: Ensure that development projects are designed to divert waste from landfills to the extent possible, such as providing adequate space to accommodate sufficient storage for recycling, green waste, and food waste (as appropriate).
25. LU-H.6: Incentivize new buildings to maximize energy conservation designs to promote passive solar energy generation, natural ventilation, effective use of daylight, and onsite electricity generation.
26. LU-J.3: Encourage the incorporation of healthy community design principles in all new private and public development.
27. LU Objective K: Ensure that equity and environmental justice are considered when making and implementing land use policies.
28. LU-K.3: Ensure that the housing, transportation, health, education, and social needs of vulnerable populations (e.g., the economically disadvantaged, racial and ethnic minorities, the elderly, the homeless, and those with chronic health conditions) are considered in land use policies and decision-making.
29. LU-M.6: Implement the objectives, strategies, and policies in the Environmental Justice Element to further promote equity and environmental justice when making and implementing land use policies.
30. LU Objective M: Continue to protect the public's safety by evaluating land use and environmental constraints prior to development and requiring that projects mitigate potential negative environmental and safety impacts.
31. LU-M.2: Implement goals, objectives, and policies in the Safety Element to protect persons and property from potential safety hazards.
32. LU-M.3: Emphasize public safety considerations for existing and proposed public and private projects, including lighting, keeping vegetation trimmed (e.g., keeping tree canopies trimmed up and shrubs trimmed low for improved visibility), and require the incorporation of CPTED

A-8
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(Crime Prevention Through Environmental Design) safety design techniques in all new and renovated developments.

33. LU-M.4: Incorporate methods to provide shade and help mitigate heat impacts in public and private development and facilities to the extent possible.
34. LU-M.5: Require land uses and developments to be sited and designed to mitigate potential health and safety impacts related to odors, dust, noise, chemicals, hazardous materials and wastes, and other negative externalities on adjacent uses, with special consideration for sensitive receptors (e.g., hospitals, schools, daycare facilities, senior housing and convalescent facilities, etc.) and vulnerable populations.
35. LU-M.6: Ensure that future development in areas impacted by aircraft operations is consistent with the Comprehensive Land Use Compatibility Plan (CLUP) for the Southern California Logistics Airport (SCLA).
36. LU-M.8: Improve the climate resiliency and energy efficiency of new and existing buildings, site design, and public infrastructure and develop adaptation strategies for areas vulnerable to climate change-related impacts.
37. LU-N.5: Ensure that new development is sensitive to natural features, including washes, views of the mountains, and surrounding desert areas and preserves and protects Joshua trees.
38. LU Objective O: Protect existing development from intrusion by new incompatible land uses.
39. LU-O.2: Require that new development in higher-density and intensity centers and corridors provide appropriate transitions in the scale and massing and that building height and bulk are sensitive to the physical and visual character of lower density adjoining neighborhoods.
40. LU-O.3: Require developments to mitigate impacts on adjacent residential uses, such as making sure the uses and scale are compatible, installing vegetation and/or block walls at property lines, using setbacks, and ensuring site and building design mitigates potential noise generation.
41. LU-O.4: Utilize vegetation to help mitigate the impact of air pollution, including windborn pollution and particulates. Require the installation of trees and/or vegetative buffers along the property lines of new development that is between existing areas of incompatible uses, and in and near activity areas where people gather.
42. Circulation Element Goal #1: Good Mobility - Provide a safe, efficient transportation system that enhances mobility for local residents and businesses, and facilitates regional travel for automobiles and trucks.
43. Circulation Element Objective 1.1: Provide sufficient traffic carrying capacity at intersections throughout the roadway network, to achieve level of service performance standards.

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44. Circulation Element Policy 1.1.1: Maintain LOS “D” or better at intersections (as defined in the most current version of the Highway Capacity Manual), except in certain high activity areas designated by the Planning Commission, where a LOS E is acceptable.
45. Circulation Element Implementation Measure 1.1.1.1: Assess traffic impacts of significant new development and redevelopment projects to determine whether the projects would cause affected intersections to operate at deficient levels of service or would substantially worsen the LOS at already deficient LOS. A threshold for determination of what classes of projects trigger a traffic impact analysis or traffic study shall be established by the City Engineer.
46. Circulation Element Policy 1.1.2: If a development project would worsen an intersection peak hour LOS to E or worse, it is considered a significant impact that must be mitigated. If a development project would worsen an already deficient intersection by two percent or more, it is considered a significant impact that must be mitigated.
47. Circulation Element Policy 1.1.3: Require new development and redevelopment projects to bear responsibility for traffic system improvements necessary to mitigate the project’s significant impacts at affected intersections, concurrently with construction of such projects.
48. Circulation Element Objective 1.2: Achieve and maintain mobility goals set forth in countywide CMP, on local CMP segments.
49. Circulation Element Policy 1.2.1: Support and cooperate with all aspects of the countywide CMP for maintaining levels of service for CMP segments located in the Planning Area.
50. Circulation Element Implementation Measure 1.2.1.1: The City will be responsible for requiring, reviewing and approving traffic impact analyses and traffic studies for all applicable private and public projects, in accordance with CMP standards for these studies.
51. Noise Element Goal #2: Noise Control. Manage the affects of noise emissions to help ensure reduction of adverse affects on the community.
52. Noise Element Objective 2.1: Ensure existing and future noise sources are properly attenuated.
53. Noise Element Policy 2.1.1: Continue to implement acceptable standards for noise for various land uses throughout the City.
54. Noise Element Implementation Measure 2.1.1.5: Continue to restrict noise and require mitigation measures for any noise-emitting construction equipment or activity.

A-8
Cont

Table LUE-3: 2045 Land Use Element Build-Out Projections of the City’s General Plan Land Use Element¹⁴ projects the development intensity, including the maximum amount of dwelling units and employment square footage for each land use designation. The Light Industrial designation lists 8,805,000 square feet of buildings at General Plan buildout. The proposed project is 1,097,300 square feet, which is approximately 12.5% of the General Plan buildout analysis. The EIR has not

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¹⁴ Victorville 2045 Land Use Element
<https://www.victorvilleca.gov/home/showpublisheddocument/13695/638168861150530000>

provided any analysis of this information and whether the proposed project in combination with cumulative development exceeds the projected buildout scenario. For example, recent industrial projects including Site Plan Review PLAN22-00014 (815,420 sf) combined with the proposed project totals 1,912,720 square feet, which is approximately 21.7% of the General Plan buildout analysis accounted for by only two projects. A revised EIR must be prepared to include this analysis in order to provide an adequate and accurate environmental document.

A-9
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Table 4.10-2 SCAG Connect SoCal Goal Consistency Analysis provides a misleading and erroneous consistency analysis with SCAG's 2020-2045 Connect SoCal RTP/SCS. Due to errors in modeling and modeling without supporting evidence (as noted throughout this comment letter and attachments) the proposed project significant potential for inconsistency with Goal 5 to reduce greenhouse gas emissions and improve air quality, Goal 6 to support healthy and equitable communities, and Goal 7 to adapt to a changing climate. A revised EIR must be prepared to include a finding of significance due to these inconsistencies with SCAG's 2020-2045 Connect SoCal RTP/SCS.

A-10

4.12 Transportation

The VMT analysis utilizes flawed employment estimates in its methodology. Appendix H2: VMT Analysis states that the "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." Table 1 notes that the SCAG's Employment Density Study concludes that warehousing generates 1 employee per 2,111 square feet of building area. This is erroneous and also does not account for the proposed 40,000 square feet of office area within the proposed project building.

A-11

SCAG's Employment Density Study provides the following applicable employment generation rates for San Bernardino County:

Warehouse: 1 employee per 1,195 square feet
Office: 1 employee per 697 square feet

Applying these ratios results in the following calculation:
Warehouse: $1,057,300 \text{ sf} / 1,195 \text{ sf} = 885 \text{ employees}$
Office : $40,000 \text{ sf} / 697 \text{ sf} = 58 \text{ employees}$
Total: 943 employees

Utilizing the correctly applied SCAG Employment Density Study ratios and accounting for all proposed onsite uses, the proposed project will generate 943 employees. The EIR must be revised to accurately and adequately analyze the employment generation of all onsite uses and utilize the correctly applied methodology in all portions of environmental analysis, including VMT and Transportation.

A-11
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Further, the VMT analysis has not analyzed the project's truck/trailer/delivery van activity. A revised EIR must be prepared to include all truck/trailer/delivery van activity for quantified VMT analysis. The operational nature of industrial/warehouse uses involves high rates of truck/trailer/delivery van VMT due to traveling from large import hubs to regional distribution centers to smaller industrial parks and then to their final delivery destinations. Once employees arrive at the warehouse for work, they will conduct their jobs by driving truck/trailer/delivery vans across the region as part of the daily operations as a transload facility, which will drastically increase project-generated VMT. The project's truck/trailer and delivery van activity is unable to utilize public transit or active transportation and it is misleading to the public and decision makers to exclude this activity from VMT analysis. A revised EIR must be prepared to reflect a quantified VMT analysis that includes all truck/trailer and delivery van activity.

A-12

The EIR has not adequately analyzed the project's potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses; or the project's potential to result in inadequate emergency access. The EIR has not provided any exhibits depicting the available truck/trailer turning radius at the intersection of the project driveways to determine if there is enough space available to accommodate heavy truck maneuvering. Further, there are no exhibits providing on-site analysis regarding available space on the property to accommodate heavy truck maneuvering. There are also no exhibits depicting emergency vehicle access. Notably, the EIR states that, "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," but the City's review is not included as part of the EIR. This does not comply with CEQA's requirements for adequate informational documents and meaningful disclosure (CEQA § 15121 and 21003(b)). Incorporation by reference (CEQA § 15150 (f)) is not appropriate as the City's review contributes directly to analysis of the problem at hand. The EIR must be revised and recirculated to include the City's review as an attachment for public review in order to provide an accurate environmental analysis and be an adequate informational document.

A-13

The EIR also states that, "the City will review all future Project construction drawings to ensure that adequate emergency access is maintained along public streets during construction activities," which is deferred mitigation to after the CEQA public review process. Deferring this

environmental analysis required by CEQA to the construction permitting phase is improper mitigation, deferred mitigation, and does not comply with CEQA's requirement for meaningful disclosure and adequate informational documents. The EIR must be revised with this analysis in order to provide an adequate and accurate environmental analysis.

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5.2 Significant Irreversible Environmental Changes and 5.3 Growth Inducing Impacts

The EIR relies upon erroneous Energy modeling to determine that the project will meet sustainability requirements. As noted above, the EIR did not model the project's energy consumption in compliance with Title 24 modeling software. Further, the EIR states here that "the Project is required by law to comply with the California Building Standards Code which would minimize the Project's demand for nonrenewable resources," which is not relevant to the proposed project and its own contribution to significant irreversible environmental changes. The EIR must be revised to include a finding of significance due to the an inaccurate and erroneous analysis regarding the project's Air Quality, Greenhouse Gas, and Energy impacts.

A-14

The EIR does not adequately discuss or and analyze the commitment of resources is not consistent with regional and local growth forecasts. As noted below, the project represents a significant amount of growth in the City and in tandem with only seven other recent industrial projects account for a significant amount of the City's employment growth over 29 years. The EIR must also include a cumulative analysis discussion here to demonstrate the impact of the proposed project in a cumulative setting.

The EIR utilizes uncertain and misleading language to support its conclusion that the project will not have growth inducing impacts. The EIR states 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 resident populations represent direct forms of growth for the City, which may increase the need for new housing in the Victorville area." However, the EIR does not state whether these workers are interested in or qualified for work in the industrial sector. Without this meaningful evidence, the proposed project will relying on the entire labor force within the SCAG region (which includes Ventura, Los Angeles, Orange, Riverside, San Bernardino, and Imperial counties) to fill the project's construction and operational jobs will increase VMT and emissions during all phases of construction and operations and a revised EIR must be prepared to account for longer worker trip distances.

A-15

This is vital as the VMT analysis alleges that the project generated VMT per worker is only 4.1 VMT less than the Citywide General Plan Buildout scenario. For example, Victorville is

approximately 120 miles from Coachella, 32 miles from Barstow, and 94 miles from Baker while the VMT analysis only assumed a 25.0 mile trip for employees. The revised EIR must also include a construction worker employment analysis must also be included to adequately and accurately analyze all potentially significant environmental impacts.

A-15
Cont

5.4.3 Impacts Considered Not Significant: Population and Housing

The EIR utilizes uncertain language and does not provide any meaningful analysis or supporting evidence to substantiate the conclusion that there will be no significant impacts to population and housing. For example, the EIR states that “it is *anticipated* that the *majority* of new jobs would be filled by workers who already reside in the City and that the Project would not attract a *significant* amount of new residents to the City.” The EIR does not provide any discussion of the City’s unemployed population in terms of qualification for and/or interest in work in the industrial sector. The EIR does not provide any demographic and geographic information on the location of qualified workers to fill these positions. A construction worker employment analysis must also be included to adequately and accurately analyze all potentially significant environmental impacts.

A-16

The EIR has not accurately provided a calculation of the project’s operational employees that accounts for all onsite uses, including proposed office areas. The EIR mischaracterizes the employment generation rates in SCAG’s Employment Density Study¹⁵ by stating that “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.” This information is inaccurate and results in an unduly low employment generation estimate for the proposed project. SCAG’s Employment Density Study provides the following applicable employment generation rates for San Bernardino County:

Warehouse: 1 employee per 1,195 square feet
Office: 1 employee per 697 square feet

Applying these ratios results in the following calculation:
Warehouse: 1,057,300 sf / 1,195 sf = 885 employees
Office : 40,000 sf / 697 sf = 58 employees
Total: 943 employees

Utilizing the correctly applied SCAG Employment Density Study ratios and accounting for all proposed onsite uses, the proposed project will generate 943 employees. The EIR utilizes uncertain

¹⁵ SCAG Employment Density Study
<http://www.mwccog.org/file.aspx?A=QTITR24POOOUIw5mPNzK8F4d8jdJe4LF9Exj6IXOU%3D>

and misleading language which does not provide any meaningful analysis of the project's population and employment generation. In order to comply with CEQA's requirements for meaningful disclosure, a revised EIR must be prepared to provide an accurate estimate of employees generated by all uses of the proposed project. It must also provide demographic and geographic information on the location of qualified workers to fill these positions.

SCAG's Connect SoCal Demographics and Growth Forecast¹⁶ notes that the City will add 20,000 jobs between 2016 - 2045. Utilizing the correctly applied SCAG employment generation calculation of 943 employees, the project represents 4.7% of the City's employment growth from 2016 - 2045. A single project accounting for this amount of the projected employment and/or population over 29 years represents a significant amount of growth. A revised EIR must be prepared to include this analysis and also provide a cumulative analysis discussion of projects approved since 2016 and projects "in the pipeline" to determine if the project will exceed SCAG's employment and/or population growth forecast for the City. For example, other cumulative recent industrial projects^{17, 18} such as Ottawa Business Center (996,194 sf warehouse), ADMN21-00162 (476,233 sf warehouse), ADMN21-00059 (461,278 sf warehouse), PLAN21-00013 (1,330,000 sf warehouse), PLAN18-00036 (200,000 sf warehouse addition to existing building), PLAN22-00014 (815,470 sf warehouse) and the proposed project would generate a total of 4,561,005 sf of warehousing space and 3,842 employees. This is 19.2% of the City's employment growth forecast over 29 years accounted for by only seven recent industrial projects. This total increases exponentially when commercial development activity is added to the industrial activity. The EIR must be revised to include this information for analysis and also include a cumulative development analysis of projects approved since 2016 and projects "in the pipeline" to determine if the proposed project exceeds the General Plan growth estimates and/or SCAG's growth forecasts.

A-16
Cont

6.0 Alternatives

The EIR is required to evaluate a reasonable range of alternatives to the proposed project which will avoid or substantially lessen any of the significant effects of the project (CEQA § 15126.6.) The alternatives chosen for analysis include the CEQA required "No Project" alternative and only one other - Reduced Intensity Alternative. The EIR does not evaluate a reasonable range of

A-17

¹⁶ SCAG Connect SoCal Demographics and Growth Forecast adopted September 3, 2020
https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_demographics-and-growth-forecast.pdf?1606001579

¹⁷ Victorville 2021 Development Activity Report

<https://www.victorvilleca.gov/home/showpublisheddocument/11683/638029773534200000>

¹⁸ Victorville 2018 Development Activity Report

<https://www.victorvilleca.gov/home/showpublisheddocument/11677/638029773529470000>

alternatives as only one alternative beyond the required No Project alternative is analyzed. The EIR must be revised to include analysis of a reasonable range of alternatives and foster informed decision making (CEQA § 15126.6). This could include alternatives such as development of the site with a mixed-use project that provides affordable housing and local-serving commercial uses that may reduce VMT, GHG emissions, and improve Air Quality.

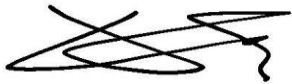
A-17
Cont

Conclusion

For the foregoing reasons, GSEJA believes the EIR is flawed and a revised EIR must be prepared for the proposed project and circulated for public review. Golden State Environmental Justice Alliance requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

A-18

Sincerely,

A handwritten signature in black ink, appearing to be "Gary Ho", with a stylized, overlapping loop structure.

Gary Ho
Blum, Collins & Ho LLP

Attachment: SWAPE Analysis

LETTER B



Technical Consultation, Data Analysis and
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September 29, 2023

Gary Ho
Blum, Collins & Ho LLP
707 Wilshire Blvd, Ste. 4880
Los Angeles, CA 90017

Subject: Comments on the Mojave 68 Project (SCH No. 2023030145)

Dear Mr. Ho,

We have reviewed the June 2023 Draft Environmental Impact Report ("DEIR") for the Mojave 68 Project ("Project") located in the City of Victorville ("City"). The Project proposes to construct 1,097,300-square-feet ("SF") of industrial space including 40,000-SF of office space, 726 trailer parking stalls, and 458 auto parking stalls on the 66.4-acre site.

B-1

Our review concludes that the DEIR fails to adequately evaluate the Project's air quality and health risk impacts. As a result, emissions and health risk impacts associated with construction and operation of the proposed Project may be underestimated and inadequately addressed. A revised Environmental Impact Report ("EIR") should be prepared to adequately assess and mitigate the potential air quality and health risk impacts that the project may have on the environment.

Air Quality

Unsubstantiated Input Parameters Used to Estimate Project Emissions

The DEIR's air quality analysis relies on emissions calculated with the California Emissions Estimator Model ("CalEEMod") Version 2020.4.0 (Appendix A-1, p. 25).¹ CalEEMod provides recommended default values based on site-specific information, such as land use type, meteorological data, total lot acreage, project type and typical equipment associated with project type. If more specific project information is known, the user can change the default values and input project-specific values, but the California Environmental Quality Act ("CEQA") requires that such changes be justified by substantial evidence.

B-2

¹ "CalEEMod User's Guide Version 2020.4.0." California Air Pollution Control Officers Association (CAPCOA), May 2021, available at: <https://www.aqmd.gov/caleemod/user's-guide>.

Once all of the values are inputted into the model, the Project's construction and operational emissions are calculated, and "output files" are generated. These output files disclose which parameters are used in calculating the Project's air pollutant emissions by identifying any changes to default values. Justifications are provided for each altered value.

B-2
Cont

When reviewing the Project's CalEEMod output files, provided in the Air Quality Impact Analysis (AQ Analysis) and Greenhouse Gas Impact Analysis ("GHG Analysis") as Appendix A-1 and Appendix A-3 to the DEIR, respectively, we found that several model inputs were not consistent with information disclosed in the DEIR. As a result, the Project's construction and operational emissions may be underestimated. A revised EIR should be prepared to include an updated air quality analysis that adequately evaluates the impacts that construction and operation of the Project will have on local and regional air quality.

Unsubstantiated Reductions to Architectural Coating Emission Factors

Review of the CalEEMod output files demonstrates that the "Victorville-IPG Mojave 68 Project" model includes several reductions to the default architectural coating emission factors (see excerpt below) (Appendix A-1, pp. 45, 75, 105; Appendix A-3, pp. 41, 71, 101).

Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	EF_Nonresidential_Exterior	250.00	50.00
tblArchitecturalCoating	EF_Nonresidential_Interior	250.00	50.00
tblArchitecturalCoating	EF_Parking	250.00	50.00
tblArchitecturalCoating	EF_Residential_Exterior	250.00	50.00
tblArchitecturalCoating	EF_Residential_Interior	250.00	50.00

B-3

As demonstrated above, the nonresidential and residential interior and exterior architectural coating emission factors are reduced from their default values of 250- to 50-grams per liter ("g/L"). The parking architectural coating emission factor is also reduced from the default value of 250- to 50-g/L. As previously mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.² According to the "User Entered Comments & Non-Default Data" table, the justification provided for these changes says:

"VOC per MDAQMD Rules" (Appendix A-1, pp. 44, 74, 104; Appendix A-3, pp. 40, 70, 100).

Furthermore, the DEIR states:

"As stated above, the Project also would be required to comply with MDAQMD Rule 1113 (Architectural Coatings)" (p. 4.2-18).

However, the reductions to the architectural coating emission factors remain unsubstantiated as we cannot verify the accuracy of the revised factors based on MDAQMD Rule 1113 alone. The MDAQMD Rule 1113 Table of Standards provides the required volatile organic compounds ("VOC") limits (grams of

² "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, available at: <https://www.aqmd.gov/caleemod/user-s-guide>, p. 1, 14.

VOC per liter of coating) for 57 different coating categories.³ The VOC limits for each coating varies from a minimum value of 50 g/L to a maximum value of 730 g/L. As such, we cannot verify that MDAQMD Rule 1113 substantiates reductions to the default coating values without more information regarding what category of coating would be used. As the DEIR fails to explicitly require the use of a specific type of coating, we are unable to verify the revised emission factors assumed in the model.

B-3
Cont

These unsubstantiated reductions present an issue, as CalEEMod uses the architectural coating emission factors to calculate the Project's VOC emissions.⁴ By including unsubstantiated reductions to the default architectural coating emission factors, the model may underestimate the Project's construction-related VOC emissions and should not be relied upon to determine Project significance.

Unsubstantiated Changes to Individual Construction Phase Lengths

Review of the CalEEMod output files demonstrates that the "Victorville-IPG Mojave 68 Project" model includes changes to the default individual construction phase lengths (see excerpt below) (Appendix A-1, pp. 45, 75, 105; Appendix A-3, pp. 41, 71, 101).

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	75.00	51.00
tblConstructionPhase	NumDays	740.00	201.00
tblConstructionPhase	NumDays	55.00	86.00
tblConstructionPhase	NumDays	55.00	86.00

B-4

As a result of these changes, the model includes the following construction schedule (see excerpt below) (Appendix A-1, pp. 51, 52, 81, 82, 112, 113; Appendix A-3, pp. 41, 71, 101):

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days
1	Site Preparation	Site Preparation	9/1/2023	10/12/2023	5	30
2	Grading	Grading	10/13/2023	12/23/2023	5	51
3	Building Construction	Building Construction	12/23/2023	9/30/2024	5	201
4	Paving	Paving	6/1/2024	9/30/2024	5	86
5	Architectural Coating	Architectural Coating	6/1/2024	9/30/2024	5	86

As you can see in the excerpt above, the grading phase is decreased by 32%, from the default value of 75 to 51 days; the building construction phase is decreased by 71%, from the default value of 740 to 201 days; the paving phase is increased by 56%, from the default value of 55 to 86 days; and the architectural coating phase is increased by 56%, from the default value of 55 to 86 days. As previously

³ "Rule 1113 Architectural Coatings." MDAQMD, October 2020, *available at*: <https://www.mdaqmd.ca.gov/home/showpublisheddocument/8480/637393276806270000>, p. 1113-28 – 1113-29, Table 1.

⁴ "CalEEMod User's Guide Version 2020.4.0." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at*: <https://www.aqmd.gov/caleemod/user's-guide>, p. 36, 42.

mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.⁵ According to the "User Entered Comments & Non-Default Data" table, the justification provided for these changes is:

"No demolition phase; schedule per applicant" (Appendix A-1, pp. 44, 74, 104; Appendix A-3, pp. 40, 70, 100).

Regarding the Project's anticipated construction duration, the DEIR states:

"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" (p. 3-8).

Furthermore, the DEIR provides the following construction phase durations (see excerpt below) (p. 4.2-10; Table 4.2-4):

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

However, the changes to the individual construction phase lengths remain unsubstantiated. While the DEIR justifies a total length of Project construction of 12 months, the DEIR fails to provide a source for the DEIR individual construction phase lengths. Until a proper source for the table is provided, the model should have included proportionately altered individual phase lengths to match the proposed construction duration of 12 months.⁶

The construction schedule included in the model presents an issue, as the construction emissions are improperly spread out over a longer period of time for some phases, but not for others. According to the CalEEMod User's Guide, each construction phase is associated with different emissions activities (see excerpt below).⁷

⁵ "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, available at: <https://www.aqmd.gov/caleemod/user's-guide>, p. 1, 14.

⁶ See Attachment A for proportionately altered construction schedule.

⁷ "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, available at: <https://www.aqmd.gov/caleemod/user's-guide>, p. 32.

Demolition involves removing buildings or structures.

Site Preparation involves clearing vegetation (grubbing and tree/stump removal) and removing stones and other unwanted material or debris prior to grading.

Grading involves the cut and fill of land to ensure that the proper base and slope is created for the foundation.

Building Construction involves the construction of the foundation, structures and buildings.

Architectural Coating involves the application of coatings to both the interior and exterior of buildings or structures, the painting of parking lot or parking garage striping, associated signage and curbs, and the painting of the walls or other components such as stair railings inside parking structures.

Paving involves the laying of concrete or asphalt such as in parking lots, roads, driveways, or sidewalks.

B-4
Cont

By disproportionately altering and extending some of the individual construction phase lengths without proper justification, the model assumes there are a greater number of days to complete the construction activities required by the prolonged phases. As a result, there will be less construction activities required per day and, consequently, less pollutants emitted per day. Until we are able to verify the revised construction schedule, the model may underestimate the peak daily emissions associated with some phases of construction and should not be relied upon to determine Project significance.

Unsubstantiated Changes to Operational Off-Road Equipment Fuel Type

Review of the CalEEMod output files demonstrates that the “Victorville-IPG Mojave 68 Project” model includes changes to the default operational off-road equipment input parameters (see excerpt below) (Appendix A-1, pp. 47, 77, 107; Appendix A-3, pp. 43, 73, 103).

Table Name	Column Name	Default Value	New Value
tblOperationalOffRoadEquipment	OperFuelType	Diesel	Electrical
tblOperationalOffRoadEquipment	OperFuelType	Diesel	CNG
tblOperationalOffRoadEquipment	OperOffRoadEquipmentNumber	0.00	120.00
tblOperationalOffRoadEquipment	OperOffRoadEquipmentNumber	0.00	4.00

B-5

As such, the model includes 120 electrical forklifts and 4 compressed natural gas (“CNG”) forklifts that would each operate for 8 hours per day (see excerpt below) (Appendix A-1, pp. 72, 102, 139; Appendix A-3, pp. 68, 98, 135).

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
Forklifts	120	8.00	365	89	0.20	Electrical
Tractors/Loaders/Backhoes	4	8.00	365	97	0.37	CNG

As previously mentioned, the CalEEMod User’s Guide requires any changes to model defaults be justified.⁸ According to the “User Entered Comments and Non-Default Data” table, the justification provided for the inclusion of operational off-road equipment is:

⁸ “CalEEMod User’s Guide.” California Air Pollution Control Officers Association (CAPCOA), May 2021, available at: <https://www.aqmd.gov/caleemod/user-s-guide>, p. 1, 14.

“Forklifts / Pallet jacks - for interior movement of goods (electric) Yard dogs (T/L/B) for trailer movement modeled as CNG - no diesel” (Appendix A-1, pp. 45, 75, 105; Appendix A-3, pp. 41, 71, 101).

However, these changes remain unsubstantiated as the DEIR fails to mention operational off-road equipment fuel types whatsoever, or explicitly require non-diesel fuel in a formal mitigation measure. This is incorrect, as the CalEEMod User’s Guide states that all changes must be substantiated (see excerpt below):

“CalEEMod was also designed to allow the user to change the defaults to reflect site- or project-specific information, when available, provided that the information is supported by substantial evidence as required by CEQA.”⁹

As such, until the DEIR provides a justification for these changes, we are unable to verify the revised off-road construction equipment types and unit amounts as included in the model.

These unsubstantiated changes present an issue, as CalEEMod uses the off-road equipment unit amounts to calculate the emissions associated with off-road construction equipment.¹⁰ By including unsubstantiated changes to the default off-road construction equipment unit amounts, the model may underestimate the Project’s construction-related emissions and should not be relied upon to determine Project significance.

Incorrect Application of Operational Area-Related Mitigation Measure

Review of the CalEEMod output files demonstrates that “Victorville-IPG Mojave 68 Project” model includes the following area-related operational mitigation measures (see excerpt below) (Appendix A-1, pp. 69, 99, 133; Appendix A-3, pp. 65, 95, 129).

6.1 Mitigation Measures Area

Use Low VOC Paint - Non-Residential Interior
Use Low VOC Paint - Non-Residential Exterior
No Hearths Installed
Use Low VOC Cleaning Supplies

As previously mentioned, the CalEEMod User’s Guide requires any changes to model defaults be justified.¹¹ According to the “User Entered Comments & Non-Default Data” table, the justification provided for the inclusion of these area-related operational mitigation measures is:

⁹ “CalEEMod User’s Guide.” California Air Pollution Control Officers Association (CAPCOA), May 2021, available at: <https://www.aqmd.gov/caleemod/user-s-guide>, p. 13, 14.

¹⁰ “CalEEMod User’s Guide.” CAPCOA, November 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 32

¹¹ “CalEEMod User’s Guide.” California Air Pollution Control Officers Association (CAPCOA), May 2021, available at: <https://www.aqmd.gov/caleemod/user-s-guide>, p. 1, 14.

“Coatings Mitigation VOC 10g/L Low VOC cleaning supplies if available” (Appendix A-1, pp. 45, 75, 105; Appendix A-3, pp. 41, 71, 101).

However, the inclusion of the above-mentioned operational mitigation measures remains unsubstantiated, as none of them are incorporated as formal mitigation measures. This is incorrect as, according to the AEP *CEQA Portal Topic Paper*:

“While not ‘mitigation’, a good practice is to include those project design feature(s) that address environmental impacts in the mitigation monitoring and reporting program (MMRP). Often the MMRP is all that accompanies building and construction plans through the permit process. If the design features are not listed as important to addressing an environmental impact, it is easy for someone not involved in the original environmental process to approve a change to the project that could eliminate one or more of the design features without understanding the resulting environmental impact.”¹²

B-6
Cont

As demonstrated above, project design features that are not formally included in the mitigation monitoring and reporting program (“MMRP”) may be eliminated from the Project’s design altogether. Furthermore, the DEIR fails to mention the use of low VOC paint or cleaning supplies whatsoever. As a result, the model may underestimate the Project’s area-related operational emissions and should not be relied upon to determine Project significance.

Incorrect Application of Construction Mitigation Measure

Review of the CalEEMod output files demonstrates that the “Victorville-IPG Mojave 68 Project” model includes the following construction-related mitigation measures (see excerpt below) (Appendix A-1, pp. 53, 83, 114; Appendix A-3, pp. 49, 79, 110).

3.1 Mitigation Measures Construction

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

Clean Paved Roads

B-7

As a result, the model includes a clean paved road particulate matter (“PM”) reduction of 20% (see excerpt below) (Appendix A-1, pp. 47, 77, 107; Appendix A-3, pp. 41, 71, 101).

Table Name	Column Name	Default Value	New Value
tblConstDustMitigation	CleanPavedRoadPercentReduction	0	20

¹² “CEQA Portal Topic Paper Mitigation Measures.” AEP, February 2020, available at: <https://ceqaportal.org/tp/CEQA%20Mitigation%202020.pdf>, p. 6.

As previously mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.¹³ According to the "User Entered Comments & Non-Default Data" table, the justification provided for these inclusions is:

"Construction mitigation for fugitive dust" (Appendix A-1, pp. 45, 75, 105; Appendix A-3, pp. 41, 71, 101).

Regarding fugitive dust, the DEIR states:

"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)" (p. 4.2-19).

However, the inclusion of the above-mentioned construction-related mitigation measures remains unsubstantiated. Regarding fugitive dust on unpaved roads, MDAQMD Rule 403 states:

"The requirements of this section only apply if the USEPA makes a finding, as evidenced by publication in the Federal Register, that there has been a violation of the PM₁₀ National Ambient Air Quality Standard (NAAQS) within MDAQMD boundaries.

(1) Contingent Requirements

(a) Cities, Towns, and the County of San Bernardino shall:

- (i) Stabilize sufficient Unpaved Roads to generate at least 2,267 tons per year of fugitive PM₁₀ emission reductions. Stabilize sufficient Unpaved Roads to generate at least 2,267 tons per year of fugitive PM₁₀ emission reductions."¹⁴

As discussed above, in the case of a violation of PM₁₀ standards, MDAQMD Rule 403 requires the stabilization of unpaved roads. However, MDAQMD Rule 403 does not mention anything specific to a 20% reduction in PM dust emissions. As MDAQMD Rule 403 does not explicitly state that the implementation of "Clean Paved Roads" would result in a 20% reduction to PM dust emissions, the model should not assume that this will occur. Therefore, the model may underestimate the Project's construction-related emissions and should not be relied upon to determine Project significance.

Updated Analysis Indicates a Potentially Significant Air Quality Impact

In an effort to more accurately estimate the Project's emissions we prepared an updated CalEEMod model, using the Project-specific information provided by the DEIR. In our updated model, we omitted the unsubstantiated changes to the architectural coating emission factors, operational off road

¹³ "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, available at: <https://www.aqmd.gov/caleemod/user's-guide>, p. 2, 9

¹⁴ "Rule 403. Fugitive Dust Control." Mojave Desert Air Quality Management District (MDAQMD), October 2020, available at: <https://www.mdaqmd.ca.gov/home/showpublisheddocument/8482/637393282546170000>, p. 403-21.

equipment fuel types, and operational area-related and construction mitigation measures; additionally, we proportionately altered the construction phase lengths to match the total construction duration of 12 months.¹⁵

Our updated analysis estimates that the VOC emissions associated with Project construction exceed the applicable MDAQMD threshold of 137 pounds per day ("lbs/day"), as referenced by the DEIR (p. 4.2-20, Table 4.2-7) (see table below).

SWAPE Criteria Air Pollutant Emissions	
Construction	VOC (lbs/day)
DEIR	67.1
SWAPE	1,618.9
% Increase	2,313%
MDAQMD Threshold	137
<i>Exceeds?</i>	Yes

As demonstrated above, construction-related ROG emissions, as estimated by SWAPE, increase by approximately 2,313% and exceed the applicable MDAQMD significance threshold. Our updated modeling demonstrates that the Project would result in a potentially significant air quality impact that was not previously identified or addressed by the DEIR. As a result, a revised EIR should be prepared to adequately assess and mitigate the potential air quality impacts that the Project may have on the environment.

Diesel Particulate Matter Emissions Inadequately Evaluated

The DEIR concludes that the proposed Project would result in a less-than-significant health risk impact based on a quantified construction and operational health risk assessment ("HRA"), as detailed in the Mobile Source Health Risk Assessment ("HRA Report"), provided as Appendix A-2 to the DEIR. Specifically, the HRA Report estimates that the maximum cancer risk posed to nearby, existing residential sensitive receptors associated with construction and operation would be 2.05 and 1.09 in one million, respectively, which would not exceed the MDAQMD significance threshold of 10 in one million (p. 3, Table ES-1, Table ES-2).

¹⁵ See Attachment A for updated CalEEMod model.

TABLE ES-1: SUMMARY OF CONSTRUCTION CANCER AND NON-CANCER RISKS

Time Period	Location	Maximum Lifetime Cancer Risk (Risk per Million)	Significance Threshold (Risk per Million)	Exceeds Significance Threshold
1.08 Year Exposure	Maximum Exposed Sensitive Receptor	2.05	10	NO
Time Period	Location	Maximum Hazard Index	Significance Threshold	Exceeds Significance Threshold
Annual Average	Maximum Exposed Sensitive Receptor	≤0.01	1.0	NO

TABLE ES-2: SUMMARY OF OPERATIONAL CANCER AND NON-CANCER RISKS

Time Period	Location	Maximum Lifetime Cancer Risk (Risk per Million)	Significance Threshold (Risk per Million)	Exceeds Significance Threshold
30 Year Exposure	Maximum Exposed Sensitive Receptor	1.09	10	NO

B-9
Cont

However, the DEIR's evaluation of the Project's potential health risk impacts, as well as the subsequent less-than-significant impact conclusion, is incorrect for two reasons.

First, the DEIR's HRAs are unreliable, as they rely upon emissions estimates from a flawed air model, as discussed above in the section titled "Unsubstantiated Input Parameters Used to Estimate Project Emissions." As such, the HRAs are based on potentially underestimated DPM concentrations to calculate the health risk associated with Project construction. As a result, the DEIR's HRAs and resulting cancer risk should not be relied upon to determine Project significance.

Second, further review of the HRA Report demonstrates that the HRAs may fail to include Age Sensitivity Factors ("ASFs"). Regarding ASFs, OEHHA guidance states:

"Studies have shown that young animals are more sensitive than adult animals to exposure to many carcinogens (OEHHA, 2009). Therefore, OEHHA developed age sensitivity factors (ASFs) to take into account the increased sensitivity to carcinogens during early-in-life exposure (Table 8.3). These factors were developed and described in detail in OEHHA (2009). In the absence of chemical-specific data, OEHHA recommends a default ASF of 10 for the third trimester to age 2 years, and an ASF of 3 for ages 2 through 15 years to account for potential increased sensitivity to carcinogens during childhood."

However, while the HRA Report includes ASFs in their exposure assumption tables, the equation to produce carcinogenic risk estimates, as shown below, is incorrect and underestimated (p. 19, 20).

$$DOSE_{air} = (C_{air} \times [BR/BW] \times A \times EF) \times (1 \times 10^{-6})$$

Where:

$DOSE_{air}$	=	chronic daily intake (mg/kg/day)
C_{air}	=	concentration of contaminant in air (ug/m ³)
$[BR/BW]$ BW-day)	=	daily breathing rate normalized to body weight (L/kg
A	=	inhalation absorption factor
EF	=	exposure frequency (days/365 days)
BW	=	body weight (kg)
1×10^{-6}	=	conversion factors (ug to mg, L to m ³)
$RISK_{air}$	=	$DOSE_{air} \times CPF \times ED/AT$

Where:

$DOSE_{air}$	=	chronic daily intake (mg/kg/day)
CPF	=	cancer potency factor
ED	=	number of years within particular age group
AT	=	averaging time

Instead, the HRA Report should have used the following equation that includes ASFs:

$$Cancer\ Risk_{AIR} = Dose_{AIR} \times CPF \times ASF \times FAH \times \frac{ED}{AT}$$

By potentially failing to include ASF values in the carcinogenic risk estimate equation, the DEIR's HRA underestimates the cancer risk posed to nearby, existing sensitive receptors as a result of Project construction and operation. As such, an EIR should be prepared to include an updated analysis correctly accounting for ASF values.

Mitigation

Feasible Mitigation Measures Available to Reduce Emissions

Our analysis demonstrates that the Project would result in potentially significant air quality impacts that should be mitigated further. In an effort to reduce emissions, the Project should consider the implementation of the following mitigation measures found in the California Department of Justice Warehouse Project Best Practices document.¹⁶

¹⁶ "Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act." State of California Department of Justice, September 2022, available at: <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>, p. 8 – 10.

- Requiring off-road construction equipment to be hybrid electric-diesel or zero emission, where available, and all diesel-fueled off-road construction equipment to be equipped with CARB Tier IV-compliant engines or better, and including this requirement in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities.
- Prohibiting off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day.
- Using electric-powered hand tools, forklifts, and pressure washers, and providing electrical hook ups to the power grid rather than use of diesel-fueled generators to supply their power.
- Designating an area in the construction site where electric-powered construction vehicles and equipment can charge.
- Limiting the amount of daily grading disturbance area.
- Prohibiting grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area.
- Forbidding idling of heavy equipment for more than three minutes.
- Keeping onsite and furnishing to the lead agency or other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications.
- Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts.
- Using paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L.
- Providing information on transit and ridesharing programs and services to construction employees.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations for construction employees.
- Requiring all heavy-duty vehicles engaged in drayage to or from the project site to be zero-emission beginning in 2030.
- Requiring all on-site motorized operational equipment, such as forklifts and yard trucks, to be zero-emission with the necessary charging or fueling stations provided.
- Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.
- Forbidding trucks from idling for more than three minutes and requiring operators to turn off engines when not in use.
- Posting 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, the local air district, and the building manager.
- Installing solar photovoltaic systems on the project site of a specified electrical generation capacity that is equal to or greater than the building’s projected energy needs, including all electrical chargers.

B-10
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- Designing all project building roofs to accommodate the maximum future coverage of solar panels and installing the maximum solar power generation capacity feasible.
- Constructing zero-emission truck charging/fueling stations proportional to the number of dock doors at the project.
- Running conduit to designated locations for future electric truck charging stations.
- Unless the owner of the facility records a covenant on the title of the underlying property ensuring that the property cannot be used to provide refrigerated warehouse space, constructing electric plugs for electric transport refrigeration units at every dock door and requiring truck operators with transport refrigeration units to use the electric plugs when at loading docks.
- Oversizing electrical rooms by 25 percent or providing a secondary electrical room to accommodate future expansion of electric vehicle charging capability.
- Constructing and maintaining electric light-duty vehicle charging stations proportional to the number of employee parking spaces (for example, requiring at least 10% of all employee parking spaces to be equipped with electric vehicle charging stations of at least Level 2 charging performance)
- Running conduit to an additional proportion of employee parking spaces for a future increase in the number of electric light-duty charging stations.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, air filtration systems at sensitive receptors within a certain radius of facility for the life of the project.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the affected community by providing information that can be used to improve air quality or avoid exposure to unhealthy air.
- Requiring all stand-by emergency generators to be powered by a non-diesel fuel.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- Requiring 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.
- Meeting CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking.
- Designing to LEED green building certification standards.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations.
- Posting signs at every truck exit driveway providing directional information to the truck route.
- Improving and maintaining vegetation and tree canopy for residents in and around the project area.

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- Requiring 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 require 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.
- Requiring tenants to enroll in the United States Environmental Protection Agency's SmartWay program, and requiring tenants who own, operate, or hire trucking carriers with more than 100 trucks to use carriers that are SmartWay carriers.
- Providing tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets.

These measures offer a cost-effective, feasible way to incorporate lower-emitting design features into the proposed Project, which subsequently reduce emissions released during Project construction and operation.

As it is policy of the State that eligible renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045, we emphasize the applicability of incorporating solar power system into the Project design. Until the feasibility of incorporating on-site renewable energy production is considered, the Project should not be approved.

A revised EIR should be prepared to include all feasible mitigation measures, as well as include updated air quality analysis to ensure that the necessary mitigation measures are implemented to reduce emissions to below thresholds. The revised EIR should also demonstrate a commitment to the implementation of these measures prior to Project approval, to ensure that the Project's significant emissions are reduced to the maximum extent possible.

Disclaimer

SWAPE has received limited discovery regarding this project. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

Sincerely,



Matt Hagemann, P.G., C.Hg.

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Cont

B-11

A handwritten signature in blue ink that reads "Paul Rosenfeld". The signature is written in a cursive, flowing style.

Paul E. Rosenfeld, Ph.D.

Attachment A: Updated Construction Schedule

Attachment B: Updated CalEEMod Output Files

Attachment C: Matt Hagemann CV

Attachment D: Paul Rosenfeld CV

Comment A.1: This comment is submitted on behalf of the Golden State Environmental Justice Alliance (GSEJA). Additionally, it states that GSEJA requests to be notified regarding any subsequent environmental documents, public notices, and public hearings for the Project.

Response A.1: GSEJA will be added to the notification list and will be notified of any subsequent environmental documents, public notices, and public hearings regarding the proposed Project. The comment is introductory and does not raise a specific issue with the adequacy of the Draft EIR or raise any other CEQA issue. Therefore, no further response is required or provided.

Comment A.2: This comment provides a summary of the Project description for the Project.

Response A.2: The commenter has accurately described the Project. The comment is introductory and does not raise a specific issue with the adequacy of the Draft EIR or raise any other CEQA issue. Therefore, no further response is required.

Comment A3. This comment states that the EIR does not include floor plans, detailed site plans, elevations, or conceptual grading plans, which does not comply with CEQA's requirements for adequate informational documents or meaningful disclosure.

Response A3: According to CEQA Guidelines Section 15124, the project description “should not supply extensive detail beyond that needed for the evaluation and review of the environmental impact”. As described within EIR Section 3.0, *Project Description*, details are described concerning use, site acreage, building square footage, and proposed infrastructure such as street improvements, water lines, sewer lines, and storm drainage improvements. As such, the level of detail needed for the evaluation of the Project by the public and decision-makers and for the review of the Project’s environmental impacts is adequate and extensively detailed figures are not needed. In addition, the Notice of Availability for the EIR provided information on where plans were available for viewing in person or on the Internet. As such, detailed plans and elevations for all buildings are not required to be attached to the EIR and a general description of the Project and conceptual plans are allowed.

Comment A4: This comment makes reference to attachments from SWAPE for 4.3 Air Quality, 4.6 Energy, and 4.8 Greenhouse Gas Emissions.

Response A4. The commenter is referred to Responses B1 through B11 for responses to the attachment from SWAPE. The comment is introductory and does not raise a specific issue with the adequacy of the EIR or raise any other CEQA issue. Therefore, no further response is required.

Comment A5: This comment states that the EIR does not include relevant environmental justice issues in reviewing potential impacts, including cumulative impacts from the proposed project, and that the proposed project's census tract (6071009110) is highly burdened in comparison to the rest of the state overall in pollution burden as measured by CalEnviroScreen.

Response A5: The Office of Environmental Health Hazard Assessment (OEHHA) developed CalEnviroScreen as part of CalEPA’s environmental justice program. CalEnviroScreen is being used to identify communities that face multiple burdens of pollution and socioeconomic disadvantage. This information helps CalEPA to prioritize its work in the state’s most burdened communities. As it applies to CEQA, CalEPA advises:

- The CalEnviroScreen Tool scoring results are not directly applicable to the cumulative impacts analysis required under CEQA.
- Information provided by this tool cannot be used as a substitute for an analysis of the cumulative impacts of any specific project for which an environmental review is required by CEQA.
- The tool assesses environmental factors and effects on a regional or communitywide basis and cannot be used in place of performing an analysis of the potentially significant impacts of any specific project.
- A Lead Agency under CEQA must determine independently whether a proposed project's impacts may be significant under CEQA based on the evidence before it, using its discretion and judgment. The tool's results are not a substitute for this required analysis.
- This tool considers some social, health, and economic factors that may not be relevant when analyzing CEQA.
- The tool's output should not be used as a focused risk assessment of a given community or site. It cannot predict or quantify specific health risks or effects associated with cumulative exposures identified for a given community or individual.

Because CalEnviroScreen is not intended to be used for CEQA purposes, a discussion of the score results is not required.

Comment A6: The comment states that the CalEEMod-based modeling in Appendix A does not comply with the 2022 Building Energy Efficiency Standards and under-reports the project's significant Energy impacts and fuel consumption to the public and decision-makers and that the EIR must model the energy impacts in compliance with using the approved software (CBECC).

Response A6: The CBECC Software is not an assessment tool for determining energy use such as electric and natural gas during the operations of a project. The CBECC Software is a Title 24 compliance tool that is used during the design phase by the architectural team, especially for Mechanical, Electrical, and Plumbing (MEP) engineering and design. In addition, CalEEMod utilizes widely accepted methodologies for estimating emissions combined with default data that can be used when site-specific information is not available. Sources of these methodologies and default data include but are not limited to the United States Environmental Protection Agency (USEPA) AP-42 emission factors, California Air Resources Board (CARB) vehicle emission models, studies commissioned by California agencies such as the California Energy Commission (CEC) and CalRecycle.

Comment A7: The comment states that the FAA aeronautical study is not attached as an appendix to the EIR and that an Initial Study was not completed for the project as stated in the EIR.

Response A7: The discussion of an FAA aeronautical study and an Initial Study was included in the EIR because of a typographical error and will be deleted as shown in Section 3. *Revisions to the DEIR.* Additionally, as detailed in Section 4.8.13, *Hazards and Hazardous Materials*, 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. The proposed building height of 55 feet is significantly below the height restrictions contained in the SCLA Airport Plan and allowed by the FAA. As such, an FAA aeronautical was not required.

Comment A8: The comment states that the City Council adopted updated chapters of the General Plan at their December 20, 2022, Public Hearing, including the Land Use Element, Safety Element, and Housing Element, and that the EIR is misleading to the public and decision-makers by analyzing the project per the 2008 versions of the Land Use Element, Safety Element, and Housing Element while updated versions exist.

Response A8: As stated in the *Final Program Environmental Impact Report City of Victorville General Plan Update, September 2022*, "...The update to the Land Use Element has been completed per the City's vision as expressed through the Victorville General Plan 2030, which presents the broad goals and strategies necessary to achieve the community's vision (City of Victorville 2008). The Victorville General Plan 2030 is a blueprint for community leaders, City staff, and the community that plans and addresses the broad range of issues associated with the City's development."¹ Therefore, the EIR includes an analysis of the 2008 General Plan Policies because they serve as a foundational component of the Updated Land Use Element and Safety Element. As such, it is appropriate to include an analysis of consistency with the 2008 General Plan Policies because many policies still apply and provide context. In many cases, the updated General Plan policies either, renumber, clarify, or augment the 2008 General Plan policies.

The Updated General Plan policies for the Land Use Element and Safety Element were inadvertently left out of Table 4.10-1. However, as demonstrated throughout the EIR, the Updated Policies were considered in analyzing impacts because the application of the Updated Policies was inherently included within the regulatory framework used to analyze each environmental topic in the EIR.

Notwithstanding, as shown in the Section 3, *Revisions to the Draft EIR*, Table 4.10.-1, *Project Consistency with City General Plan*, has been revised to show the relationship between the 2008 General Plan Policies and the Updated General Plan Policies. As demonstrated in Table 4.10-1, some policies have only been renumbered, and some policies have been augmented with more descriptive language reflecting current practices. Overall, the revisions do not represent new information as defined by CEQA Guidelines Section 15188.5 nor is a new significant impact identified.

Comment A9: The comment states whether the proposed project in combination with cumulative development exceeds the projected General Plan buildout scenario. It states that the Light Industrial designation lists 8,805,000 square feet of buildings at the General Plan buildout. The proposed project is 1,097,300 square feet, which is approximately 12.5% of the General Plan buildout analysis.

Response A9: In each Subsection of Section 4.0, the existing conditions of 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

¹ Draft PEIR, City of Victorville General Plan Update, September 2022, p. 2-3.

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.” Additionally, although the project may represent 12.5% of the buildout for the Light Industrial land use category, overall, it only represents approximately 2.8% of the buildout of the non-residential land uses in the City which generates employment. Because the project is not requesting a General Plan Amendment or Zone Change to increase acreage or building square footage, it is within the growth projections contained in the General Plan.

Comment A10: The EIR does not provide a consistency analysis with SCAG’s 2020-2045 Connect SoCal RTP/SCS and further states that the proposed project has significant potential for inconsistency with Goal 5 to reduce greenhouse gas emissions and improve air quality, Goal 6 to support healthy and equitable communities, and Goal 7 to adapt to a changing climate.

Response A10: The comment is incorrect. Table 4.10-2. SCAG Connect SoCal Goal Consistency Analysis provides a consistency analysis. As demonstrated in Table 4.10-2, the Project is consistent with all goals, including Goals 5, 6, and 7.

Comment A11: The comment states that the VMT analysis underestimates the number of employees because it did not use a ratio of 1 employee per 1,195 square feet and 1 employee per 697 square feet of office use and cites SCAG’s “Employment Density Study Summary Report – dated October 31, 2001” as the basis for this determination. Based on the VMT analysis, the Project is estimated to generate 520 employees while the commenter estimates that the project would generate 943 employees.

Response A11: According to SCAG’s *Employment Density Study*, Tables II-A and II-B provide final employment density factors, presented as square feet of building space per employee, for ten major land use categories. Table II-A provides the density factors based on the median employees per acre and median FARs. Table II-B provides the density factors based on a weighted average of employees per acre and a weighted average of FARs. The data used for the Project’s VMT analysis is based on Table II-A which identifies a ratio of 1 employee per 2,111 square feet (median method). The comment is based on Table II-B which identifies a ratio of 1 employee per 1,195 square feet (average method). Both tables provide employment density factors for each county in the SCAG region and the entire SCAG region as a whole either method is suitable for use in analyzing VMT.

Comment A-12. The VMT analysis has not analyzed the project’s truck/trailer/delivery van activity.

Response A12: The VMT analysis was properly conducted. The City of Victorville’s VMT analysis guidelines, as established in the City’s Traffic Impact Analysis (TIA) Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment, are consistent with the requirements established by CEQA Guidelines Section 15064.3 to evaluate a project’s transportation impacts using automobile VMT as the metric.

Comment A13: The EIR has not analyzed the project’s potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or the project’s potential to result in inadequate emergency access.

Response A13: The commenter referred to Figures 3-1, 3-2, 3-3, 3-4, 3-5, 3-7, and 3-11 for a description of the site access and emergency vehicle access and Section 4.12, *Transportation* for details. 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 Site Plan (Site Plan No. PLAN22-00023) (and determined that no hazardous transportation design features would be introduced by the Project. Additionally, as part of the building permit process, construction drawings will be reviewed to ensure that emergency access will not be obstructed.

***Comment A-14.** The EIR relies upon erroneous Energy modeling to determine that the project will meet sustainability requirements. As noted above, the EIR did not model the project's energy consumption in compliance with Title 24 modeling software. Further, the EIR states here that "the Project is required by law to comply with the California Building Standards Code which would minimize the Project's demand for nonrenewable resources," which is not relevant to the proposed project and its contribution to significant irreversible environmental changes.*

Response A14. Refer to Response A-6.

***Comment A15:** The comment states that EIR does not adequately discuss or analyze the commitment of resources and is not consistent with regional and local growth forecasts. It further states that the project represents a significant amount of growth and that new employees and new resident populations represent direct forms of growth for the City, which may increase the need for new housing in the Victorville area.*

Response A15. Please refer to Response A-9. Additionally, as discussed in the City of Victorville, Draft Section 2.4.1.2, Proposed Buildout, in Chapter 2, Project Description, the Planning Area population will increase to 231,861 residents by 2045, an increase of 84,168 people compared to the 2020 Planning Area population. The project is designated as Light Industrial (LI) and is consistent with the growth assumptions identified in the *General Plan Table LUE-3: 2045 Land Use Element Buildout Projections* accommodating for continued growth expected in the region and is not necessarily inducing said growth. The project identifies where development may occur and is a plan to accommodate future projected growth and development in the City. While the project will provide for accommodating future growth projections, it does not, in and of itself, serve to induce future growth in the City beyond what is currently projected.²

***Comment A-16:** The EIR utilizes uncertain language and does not provide any meaningful analysis or supporting evidence to substantiate the conclusion that there will be no significant impacts on population and housing. The comment states that SCAG's Connect SoCal Demographics and Growth Forecast notes that the City will add 20,000 jobs between 2016 - 2045. Utilizing the correctly applied SCAG employment generation calculation of 943 employees, the project represents 4.7% of the City's employment growth from 2016 - 2045. A single project accounting for this amount of the projected employment and/or population over 29 years represents a significant amount of growth. It further states that the project, considered with seven recent industrial projects, accounts for 19.2% of the City's employment growth.*

Response A16: The most recent available (August 2023) unemployment data for the City of Victorville indicated an unemployment rate of 7.30%, with a long-term average of 9.06%.³ Based on this and the information and statistics contained in the City's General Plan 2021-2029 Housing Element, there is an adequate local industrial sector workforce such that there would not be significant impacts on population

² Draft PEIR, September 2022 City of Victorville General Plan Update, p. 4-4.

³ Bureau of Labor Statistics, Metropolitan Area Employment and Unemployment, August 2023.

and housing. Furthermore, the specific demographic and geographical information requested by the commenter (precise locations of where qualified workers reside) does not exist at this level of detail.

***Comment A-17:** The alternatives chosen for analysis include the CEQA-required “No Project” alternative and only one other - Reduced Intensity Alternative. The EIR does not evaluate a reasonable range of alternatives as only one alternative beyond the required No Project alternative is analyzed. The EIR must be revised to include an analysis of a reasonable range of alternatives and foster informed decision-making (CEQA § 15126.6). This could include alternatives such as the development of the site with a mixed-use project that provides affordable housing and local-serving commercial uses that may reduce VMT, and GHG emissions, and improve Air Quality.*

Response A17: CEQA Guidelines §15126.6(a) requires an EIR to provide an evaluation of a “reasonable range” of alternatives to a project. As discussed in Section 4.0, *Environmental Analysis*, The Project will not result in any significant and unavoidable impacts; therefore, the alternative scenarios are presented for informational purposes only and to promote informed decision-making.

***Comment A18:** The comment states that the EIR is flawed and a revised EIR must be prepared for the proposed project and circulated for public review. Golden State Environmental Justice Alliance requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.*

Response A18: This is a general comment and does not identify specific issues other than general assertions of inadequacy. As discussed in the response to the comments above, the City disagrees that the EIR is flawed and that a revised EIR must be prepared. As requested, GSEJA will send notifications to the address listed.

***Comment B-1: Introductory Statement:** We have reviewed the June 2023 Draft Environmental Impact Report (“DEIR”) for the Mojave 68 Project (“Project”) located in the City of Victorville (“City”). The Project proposes to construct 1,097,300 square feet (“SF”) of industrial space including 40,000 SF of office space, 726 trailer parking stalls, and 458 auto parking stalls on the 66.4-acre site. Our review concludes that the DEIR fails to adequately evaluate the Project’s air quality and health risk impacts. As a result, emissions and health risk impacts associated with the construction and operation of the proposed Project may be underestimated and inadequately addressed. A revised Environmental Impact Report (“EIR”) should be prepared to adequately assess and mitigate the potential air quality and health risk impacts that the project may have on the environment.*

Response This is a general introductory comment and does not identify specific issues other than general assertions of inadequacy. As a result, no specific response is required.

***Comment B-2: Unsubstantiated Input Parameters Used to Estimate Project Emissions:** The commentor describes the use of CalEEMod and the default values, including that specific project information be used to change defaults. The commenter further states that CEQA requires any changes to the CalEEMod defaults to be justified by substantial evidence. The commenter then continues to describe how CalEEMOD data and values are input and repeats the process of changes to defaults and justifying any altered values. The commentor concludes with: When reviewing the Project’s CalEEMod output files, provided in the Air Quality Impact Analysis (AQ*

Analysis) and Greenhouse Gas Impact Analysis (“GHG Analysis”) as Appendix A-1 and Appendix A-3 to the DEIR, respectively, we found that several model inputs were not consistent with information disclosed in the DEIR. As a result, the Project’s construction and operational emissions may be underestimated. A revised EIR should be prepared to include an updated air quality analysis that adequately evaluates the impacts that the construction and operation of the Project will have on local and regional air quality.

Response B-2: This is a general comment on CalEEMOD default values and does not identify specific issues other than general assertions of inadequacy. As a result, no specific response is required.

***Comment B-3: Unsubstantiated Reductions to Architectural Coating Emission Factors:** The commenter discusses that default values were changed for architectural coatings from 250 g/L down to 50 g/L and such reductions were unsubstantiated. The Commenter concludes with the statement: These unsubstantiated reductions present an issue, as CalEEMod uses the architectural coating emission factors to calculate the Project’s VOC emissions.⁴ By including unsubstantiated reductions to the default architectural coating emission factors, the model may underestimate the Project’s construction-related VOC emissions and should not be relied upon to determine Project significance.*

Response The commenter intimates through the introduction of the 730 g/L VOC limit that the use of the 50 and 100 g/L values is incorrect. The commenter fails to identify that there is only one coating category with the 730 g/L limit, that being in the Shellacs Category for clear shellac. The next highest limit also in the Shellacs Category is for opaque shellacs at 550 g/L. Shellacs are not a coating that would be used in an industrial-type building such as a warehouse. Additionally, many of the other higher-limit coating categories are for specialty coatings that would not be utilized in the proposed project’s construction.

The Project’s original Air Quality Analysis was performed using CalEEMod 2020.4.0, however, the analysis was rerun using the latest approved version CalEEMod 2022.1.1.6. The current version of CalEEMod has the most up-to-date architectural coatings default values of 50 g/l for Non-Residential Exterior VOC and 100 g/L VOC for Parking Paint. The emissions presented in Table 3.4-3 Construction Emissions Summary (Without Mitigation) are based on CalEEMod 2022.1.1.6 default values, therefore no “unsubstantiated reductions” were used in the Project construction-related VOC emissions to determine significance and the commenter conclusions are based on inadequate interpretation of the architectural coatings Rules and default values. Therefore, the EIR’s analysis is adequate as presented.

***Comment B-4: Unsubstantiated Changes to Individual Construction Phase Lengths:** The commenter describes that defaults for the Project’s AQ analysis were reduced or lengthened for various project phases without proper justification. The commenter concludes by stating: By disproportionately altering and extending some of the individual construction phase lengths without proper justification, the model assumes there are a greater number of days to complete the construction activities required by the prolonged phases. As a result, there will be fewer construction activities required per day and, consequently, fewer pollutants emitted per day. Until we can verify the revised construction schedule, the model may underestimate the peak*

daily emissions associated with some phases of construction and should not be relied upon to determine Project significance.

Response B-4: As indicated in the remarks in the CalEEMod datasheets the construction schedule was changed from default values based on experience with similar projects of this size and scope by the applicant's professional and engineering staff. Additionally, the Project schedule used in the emissions modeling includes an overlap of the Building Construction, Paving, and Architectural Coasting phases which increases the amount of VOC emissions during this timeframe. The Project Applicant represents "experts" in estimating construction activities for the project based on their experience with similar projects and their need to estimate construction activities, such as duration of construction and equipment needed, for budgeting. Substantial evidence is defined in the CEQA statute to mean "facts, reasonable assumptions predicated on facts, and expert opinion supported by facts" (14 CCR 15384(b)). Because assumptions provided by the Project Applicant and their team represent an expert opinion supported by facts, these assumptions constitute substantial evidence under CEQA that can be used to estimate project-generated emissions more accurately.

Therefore, the use of project-specific data in CalEEMod is appropriate and fully in line with the CalEEMod User's Guide, and the EIR's analysis is based on substantial evidence and is adequate as presented.

Comment B-5: Unsubstantiated Changes to Operational Off-Road Equipment Fuel Type: The commenter describes changes to default values for operational off-road equipment and asserts that the EIR inadequately addressed the use and fuel type of the off-road equipment.

Response B-5: The AQ Analysis states that On-site Equipment emissions from the operational off-road equipment were based on the South Coast Air Quality Management District's (SCAQMD) study on high-cube warehouses with based pallet jacks and forklifts on 0.12 units per 1,000 square feet of building areas, therefore, the 120 forklifts and pallet jacks operating at 8 hours a day for 365 days per year. The SCAQMD is regarded as an "expert resource" and as discussed in response B-4 the SCAQMD data represents an expert opinion supported by facts, these assumptions constitute substantial evidence under CEQA that can be used to estimate project-generated emissions more accurately.

Asserts that the change in defaults to the CalEEMod fuel type for the operational off-road equipment inadequately addresses the potential emissions impacts of the equipment. The commenter, however, fails to point out that CalEEMod does not provide equipment types for yard trucks and does not provide separate equipment types addressing the sizes and use of forklifts. As previously pointed out in response B-3 the Project emissions were updated using the latest approved version CalEEMod 2022.1.1.6. To model yard trucks the CalEEMod tractor/loader/backhoe at 200 HP was selected using diesel fuel and forklifts/pallet jacks were modeled as electric per industry standards for warehouse use. The default CalEEMod forklift using a diesel engine is more suited for construction use and not interior or operational use.

Therefore, the use of project-specific data in CalEEMod is appropriate and fully in line with the CalEEMod User's Guide, and the EIR's analysis is based on substantial evidence and is adequate as presented.

Comment B-6: Incorrect Application of Operational Area-Related Mitigation Measure: The commenter discusses the selection of operational area mitigation including Low VOC paint and Low VOC cleaning supplies.

Response B-6: The commenter incorrectly insinuates that the conclusions in the AQ Analysis and EIR for Operational emissions are based on mitigated values. Mitigation was selected when modeling, however, mitigated emissions levels were not used in the evaluation of the Project's AQ or GHG impacts.

The AQ/GHG Analysis and the EIR do not use the CalEEMod Mitigated Values to determine the level of significance for the Project's construction or operational emissions. The values used are from the Unmitigated CalEEMOD emissions. The conclusions in the AQ section for operational emissions impacts remain the same – i.e, the Project Air Quality Impacts for ROG (VOC), NO_x, CO, Sox, PM₁₀, and PM_{2.5} during construction and operations will be less than significant because the MDAQMD Threshold will not be exceeded.

Therefore, the use of project-specific data in CalEEMod is appropriate and fully in line with the CalEEMod User's Guide, and the EIR's analysis is based on substantial evidence and is adequate as presented.

Comment B-7: Incorrect Application of Construction Mitigation Measure: The commenter discusses the selection of construction mitigation cleaning paved roads to reduce particulate matter emissions.

Response B-7: The commenter incorrectly insinuates that the conclusions in the AQ Analysis and EIR for Construction emissions are based on mitigated values. Mitigation was selected when modeling, however, mitigated emissions levels were not used in the evaluation of the Project's AQ or GHG impacts.

The AQ/GHG Analysis and the EIR do not use the CalEEMod Mitigated Values to determine the level of significance for the Project's construction or operational emissions. The values used are from the Unmitigated CalEEMod emissions. as indicated in the CalEEMod Construction Emissions Summary (Without Mitigation) Table. The conclusions in the AQ section for construction emissions impacts remain the same – i.e, the Project Air Quality Impacts for ROG (VOC), NO_x, CO, Sox, PM₁₀, and PM_{2.5} during construction and operations will be less than significant because the MDAQMD Threshold will not be exceeded.

Therefore, the use of project-specific data in CalEEMod is appropriate and fully in line with the CalEEMod User's Guide, and the EIR's analysis is based on substantial evidence and is adequate as presented.

Comment B-8: Updated Analysis Indicates a Potentially Significant Air Quality Impact: The commenter indicates that they have prepared their analysis of the Project using CalEEMod version 2020.4.0 and as such that the result of their analysis is that the VOC emissions for construction would exceed the MDAQMD Threshold of 137 pounds per day at 1,618.9 pounds per day. The commenter concludes: “As demonstrated above, construction-related ROG emissions, as estimated by SWAPE, increase by approximately 2,313% and exceed the applicable MDAQMD significance threshold. Our updated modeling demonstrates that the Project would result in a potentially significant air quality impact that was not previously identified or addressed by the DEIR. As a result, a revised EIR should be prepared to adequately assess and mitigate the potential air quality impacts that the Project may have on the environment.”

Response B-8: The commenter in their emissions analysis uses the older version of CalEEMOD 2020.4.0 and includes changes to defaults for construction phase schedules, total acres of grading, and hauling trips.

The commentor fails to use the latest version of CalEEMod 2022.1.1.6 or newer in the analysis and as previously discussed in response B-3 erroneously applies the incorrect VOC factor of 250 g/L which is 5 times greater than the current default value and requirements under MDAQMD Coatings Rules.

Even with the changes the commenter has made to the Project emissions analysis, there are no emissions that exceed the MDAQMD Thresholds of Significance except for ROG/VOC due to their incorrect application of the VOC emissions rates and arbitrarily reducing the paving and architectural schedule durations. Additionally, the Project schedule used in the emissions modeling by the commenter does not include an overlap of the Building Construction, Paving, and Architectural Coasting phases.

Therefore, as previously discussed in responses B-3 through B-7 the use of project-specific data in CalEEMod is appropriate and fully in line with the CalEEMod User’s Guide, and the EIR’s analysis is based on substantial evidence and is adequate as presented.

Comment B-9: Diesel Particulate Matter Emissions Inadequately Evaluated: The comment states that the potential health risk impacts and less than significant impact conclusion were incorrect and indicates the analysis did not include Age Sensitivity Factors in the formulas used for the calculations and relied on emissions rates from the AQ Analysis. The commenter provided the formula that they stated should have been used in the analysis.

Response B-9: The adequacy of the AQ Analysis is discussed in responses B-3 through B-8.

The commentor states that the HRA Report “may fail to include Age Sensitivity Factors (“ASFs”)” and does not identify specific issues other than general assertions of inadequacy. The commenter does not include specific information or data to show the inadequacy of the health risk assessment.

The commenter states that the HRA includes ASFs in the exposure assumption tables, however, the commenter believes that the equation (formula) used to determine the carcinogenic risk estimates is incorrect and understated. The commenter speculates that the equation used by the HRA does not use the ASFs however they fail to provide specifics as to how they reached that conclusion. Two (2) equations are used to determine the carcinogenic risk in the HRA the first equation provides the Dose_{air} result which is then used in the second equation to determine the Risk_{air} which is the carcinogenic risk value. The Dose_{air} equation uses inputs from the exposure assumption tables (2-6 through 2-8) which would include the ASFs. The HRA used guidance from CARB and the California Environmental Protection Agency, The Office of Environmental Health Hazard Assessment (OEHHA) recommends a refinement to the standard point estimate approach when alternate human body weights and breathing rates are utilized to assess risk for susceptible subpopulations such as children.

Therefore, the HRA provides for ASF values, and the EIR's analysis is based on regulatory guidance and is adequate as presented.

Comment B-10: Feasible Mitigation Measures Available to Reduce Emissions: The comment includes the cut and pasted entire list of mitigation measures from the Department of Justice Warehouse Project Best Practices document and SCAG's 2020 RTP/SCS PEIR's Air Quality Project Level Mitigation Measures ("PMM-AQ-1") table.

Response B-10: This comment recommends mitigation measures related to the Project's construction and operational activity. The EIR Air Quality impacts would be less than significant levels without mitigation. As such, none of the mitigation measures recommended by the commenter are required since there would be no nexus to require mitigation.

As discussed previously, the EIR's Air Quality emissions analysis is technically sound and based on substantial evidence and is in compliance with MDAQMD Rules. After estimating emissions using the project-specific data, the proposed project's construction and operational air quality emissions would be less than significant when compared to the thresholds established by the MDAQMD. Therefore, the EIR's analysis is adequate as provided and air quality impacts would remain unchanged. Section 15126.4 (a)(3) of CEQA Guidelines states that mitigation measures are not required for effects that are not found to be significant. Therefore, because the project would not result in significant environmental impacts, no further mitigation is required per 15126.4 (a)(3) of CEQA Guidelines. As such, the EIR is adequate as provided and no revisions are required.

Comment B-11: Disclaimer: The comment provides a disclaimer regarding limited knowledge of the Project and the limits of SWAPE's analysis.

Response: B-11 The comment does not address any inadequacies of the EIR, and no further response is required.

3. Revisions to the Draft EIR

3.1 INTRODUCTION

This section contains revisions to the DEIR based upon (1) additional or revised information required to prepare a response to a specific comment; (2) applicable updated information that was not available at the time of DEIR publication; and/or (3) typographical errors. This section also includes additional mitigation measures, if needed, to fully respond to commenter concerns as well as provide additional clarification to mitigation requirements included in the DEIR. The provision of additional mitigation measures does not alter any impact significance conclusions as disclosed in the DEIR. Changes made to the DEIR are identified here in ~~strikeout text~~ to indicate deletions and in **bold underlined text** to signify additions.

3.2 DEIR REVISIONS IN RESPONSE TO COMMENTS and ERRATA

The following text has been revised in response to comments received on the DEIR, to clarify, and to correct typographical errors. The revisions in this section address all the required changes to the DEIR. None of the changes constitute significant new information that requires recirculation of the DEIR for further public comment under CEQA Guidelines Section 15088.5.

Page 4.8-13, Section 4.8, *Hazards and Hazardous Materials*, Threshold 4.8 (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? The following text has been revised in response to Comment A-7.

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). According 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 a en route 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.-~~

Page 4.10-5, Section 4.10, Land Use and Planning, Table 4.10-1, Project Consistency with City General Plan. The following text has been revised in response to Comment A-8.

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 **and the updated policies for the Land Use and Safety Element contained in the 2045 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 to avoid or mitigate 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
<u>04 ENVIRONMENTAL JUSTICE ELEMENT</u>	
<u>EJ-B.2: Require setbacks and vegetative barriers within City rights-of-way between new industrial developments and sensitive land uses, such as residential areas in the City.</u>	<u>Consistent. A 41-foot-wide landscaped setback is located along Mojave Drive between the project site and the residences on the south side of Mojave Drive. Additionally, 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. The truck loading areas 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.</u>
<u>05 LAND USE ELEMENT</u>	
Policy O.1: Ensure that the integrity of each land use district is maintained	<u>Consistent.</u> 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.
Policy I.1. <u>LU-F.5: Encourage the development of land uses and Plan and manage expansion of the City's infrastructure to support the growth of businesses and commerce.</u>	<u>Consistent.</u> 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 A.2: Encourage development that does not conflict with or adversely affect other existing or potential developments. <u>LU-B-6: Prohibit the development of manufacturing uses that operate in a manner or use materials that may impose a danger on adjacent uses or are harmful to the environment.</u>	<u>Consistent.</u> 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. Although the tenant for the building is not yet known, the Project is designed in accordance with 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. <u>Refer to Project Design Features AQ-1 to AQ-25. The Project would not result in any significant impacts to sensitive receptors or result in any land use incompatibilities and will comply with Title 24 efficiency requirements.</u>

Policy	Consistency Analysis
<u>LU-H.3: Incorporate sustainable and Smart Growth principles in all new developments and when updating existing developments to the extent possible, to minimize adverse impacts of development on air quality, traffic, open space, water quality, energy, and other resources and optimize walkability, quality of life, and community vitality.</u>	<u>Consistent. As required by Mitigation Measure GHG-1, the project shall implement the Greenhouse Gas Emissions Screening Table Review Measures (GHG Screening Table Measures) providing for a minimum of 100 points per the City's Greenhouse Gas Emissions Screening Table Review form. Additionally, the project includes design features that will 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-19) and achieve certification of compliance or demonstrate equivalency with LEED green building standards (PDF AQ-20).</u>
<u>LU-H.6: Incentivize new buildings to maximize energy conservation designs to promote passive solar energy generation, natural ventilation, effective use of daylight, and onsite electricity generation.</u>	<u>Consistent. Implementation of General Plan Policy 7.1.1: Support development of solar, hybrid, wind, and other alternative energy generation will ensure consistency with this policy.</u>
<u>LU-H.8: Support water-efficient landscaping (xeriscaping) in all publicly owned and maintained landscaping projects and encourage the use of xeriscaping for all private developments.</u>	<u>Consistent. Implementation Measure 7.2.2.2: Require drought-tolerant landscaping in all City public developments, including buildings, parks, and street rights-of-way, and Implementation Measure 7.2.1.3: Require drought-tolerant landscaping in all new private developments, will ensure consistency with this policy.</u>
<u>LU-M.5: Require land uses and developments to be sited and designed to mitigate potential health and safety impacts related to odors, dust, noise, chemicals, hazardous materials and wastes, and other negative externalities on adjacent uses, with special consideration for sensitive receptors (e.g., hospitals, schools, daycare facilities, senior housing, and convalescent facilities, etc.) and vulnerable populations.</u>	<u>Consistent. The project is located within the Light Industrial land use designation and is zoned M-1 (Light Manufacturing). As regulated by the Victorville Municipal Code, 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.</u>
<u>LU-M.8: Improve the climate resiliency and energy efficiency of new and existing buildings, site design, and public infrastructure and develop adaptation strategies for areas vulnerable to climate change-related impacts.</u>	<u>Consistent. 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.</u>
Policy N.1: <u>LU-N.1: Promote high standards of building design, site planning, landscaping and hardscaping, and signage that reflect the character of Victorville and strengthen the City's economic vitality.</u>	<u>Consistent. The Project's architectural design integrates various colors and relief features to reduce massing. The earth-tone-themed building is meant to complement 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>.</u>

Policy	Consistency Analysis
<p><u>LU-N.5: Ensure that new development is sensitive to natural features, including washes, views of the mountains, and surrounding desert areas, and preserves and protects Joshua trees.</u></p>	<p><u>Consistent. As detailed in Section 4.1, <i>Aesthetics</i>, the project would comply with the City's development standards governing scenic quality and the project and its vicinity are not identified as a scenic resource, nor would the development of the Project obstruct any scenic resource because none exist.</u></p> <p><u>As required by Mitigation Measure 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 the 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 the 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.</u></p>
<p><u>LU-O.3: Require developments to mitigate impacts on adjacent residential uses, such as making sure the uses and scale are compatible, installing vegetation and/or block walls at property lines, using setbacks, and ensuring site and building design mitigate potential noise generation.</u></p>	<p><u>Consistent. Refer to the analysis for Policy EJ-B-2.</u></p>
<p><u>LU-O.4: Utilize vegetation to help mitigate the impact of air pollution, including windborne pollution and particulates. Require the installation of trees and/or vegetative buffers along the property lines of new development that is between existing areas of incompatible uses, and in and near activity areas where people gather.</u></p>	<p><u>Consistent. Refer to the analysis for Policy EL-B-2.</u></p>
<p><u>08 RESOURCE ELEMENT</u></p>	
<p>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</p>	<p><u>Consistent. As detailed in Section 4.9, <i>Hydrology and Water Quality</i>, the Project includes a Water Quality Management Plan that is consistent with the requirements (see Appendix F-2).</u></p>

Policy	Consistency Analysis
<u>Policy 4.1.1: Encourage development (sic) natural habitat that supports rare, threatened, or endangered plants and wildlife (i.e., “sensitive” species), or require restoration of the same type of impacted habitat within an existing, planned, or potential conservation area.</u>	<u>Consistent. As detailed in Section 4.3, <i>Biological Resources</i>, Threshold 4.3 (a), with the implementation of Mitigation Measures BIO=1 through BIO-10, impacts are less than significant.</u>
Policy 5.1.1: Determine the presence/absence of and consider impacts on 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 is 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 the 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 on unknown resources that 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. As Section 4.5, <i>Air Quality</i>, 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. As detailed in Section 4.5, <i>Energy</i>, and Section 4.7, <i>Greenhouse Gas Emissions</i>, 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.
<u>09 NOISE ELEMENT</u>	
<u>Policy 1.1.2: Continue to ensure that there is no conflict or inconsistency between the operation of the Southern California Logistics Airport and future land uses within the Planning Area.</u>	<u>Consistent. As detailed in Section 4.11, Noise, Threshold 4.13 (c), 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 Pages 3-13 of the SCLA Comprehensive Land Use Plan, the Project’s warehouse land use is considered a <i>normally acceptable</i> land use. Therefore, since the Project site falls within the</u>

Policy	Consistency Analysis
	<u>normally acceptable 65 dBA CNEL contour boundaries of SCLA, no further analysis is required.</u>
10 SAFETY ELEMENT	
Policy 1.2.1: Require an adequate assessment of site-specific geologic hazards and required mitigation measures before granting discretionary approval for a land use plan, development project, or public infrastructure plan or project.	Consistent. Discussed in Section 4.6, Geology and Soils, a site-specific study of geologic hazards and required mitigation measures which are located in this DEIR, 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 end user is not known at this time. If 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) 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 hazardous material, regardless of the amount handled by the business.
<u>Policy 1.4.2: Avoid conflicts with the Comprehensive Land Use Compatibility Plan (CLUP) for SCLA</u>	<u>Consistent. As detailed in Section 4.8-Hazards and Hazardous Materials. Threshold 4.8 (e), the project is consistent with the Land Use Compatibility Noise and Safety Standards found in Table 3A, Land Use Compatibility Standards, Southern California Logistics Airport Environs.</u>
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

Policy	Consistency Analysis
	<p>primarily served by Fire Station 312 which is located approximately 2.4 miles east of the Project site.</p> <p>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.</p> <p>In addition, the Project plans were routed to the Fire Department for review and comment on the impacts of 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 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, the Sheriff's Department's 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.</p> <p>Therefore, no significant adverse impacts on 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. As 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 can pump additional groundwater to meet demands. A Water Quality Management Plan (WQMP) has also been prepared, which is provided in Appendix F-2.</p>

The following mi changes are made to clarify language or correct typographical errors:

Page 12. Executive Summary

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	<u>Potentially significant prior to incorporating mitigation measures.</u>

Page 4.3-16, Threshold 4.3(c)

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		✓		

Level of Significance

Implementation of the above-described mitigation measures would reduce the potentially significant impact 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 **on state or federally protected wetlands** to less than significant.

Page 4.13-3:

However, the ~~SMBM~~ **YSMN** requested that Mitigation Measures TCR-1 and TCR-2 be made a part of the project/permit/plan conditions to protect unidentified resources.

- MMRP: Recommend omitting MM AIR-2 since this was a general plan EIR mitigation measure (and it has already been complied with for the project).
- MMRP: MMs BIO-1 through BIO-10, CUL-1, CUL-3, GEO-1, GHG-1, and TCR-1 through TCR-2 should be added for Utilities and Service systems.

Threshold 4.14 (a). Would the Project:	Significant and Unavoidable	Less Than Significant 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 stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?		✓	✓	

Level of Significance

Impacts would be less than significant. ~~Impacts would be less than significant.~~ **Potentially Significant**

Mitigation Measures

~~No additional mitigation measures are needed.~~ **MMs BIO-1 through BIO-10, CUL-1, CUL-3, GEO-1, GHG-1, and TCR-1 through TCR-2 apply.**

Level of Significance After Mitigation

Impacts would be less than significant.

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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 not 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. A 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.

Page 6-4

Aesthetics

The No Project/No Development Alternative would avoid impacts on scenic vistas, scenic resources within a state scenic highway, conflict with applicable zoning and other regulations governing scenic quality, and light and glare. Accordingly, all the Project's impacts would be avoided under this alternative because no construction and operational activities would occur at the Project site. No impacts associated with aesthetics would occur under this alternative.

Page 6-5

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 industrial use within the region. As such, it is possible that the 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.

Page 6-6

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.~~

Page 6-7

Aesthetics

The Reduced Intensity Alternative would have a less than significant impact on scenic vistas, no impact on scenic resources within a state scenic highway, would not conflict with applicable zoning and other regulations governing scenic quality, and a less than significant impact from light and glare through compliance with the City's lighting requirements. Accordingly, less than significant impacts associated with aesthetics would occur under this alternative.

Page 6-9, Section 6.4, 2nd paragraph.

incorrectly references "the Project's significant unavoidable impacts related to air quality, GHG emissions, and transportation". No such S/U impacts will occur under the Project.

The Reduced Intensity Alternative is environmentally superior to the Project. As shown in Figure 6-1, the Reduced Intensity Alternative would have less impact under ~~six~~ **five** of the environmental topical areas. The reduction in impacts is because 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~~ **partially** meet ~~one~~ two of the Project objectives and would ~~only partially~~ meet ~~most~~ **three** of the Project's objectives.

Cover

~~City Review Draft~~

Mojave 68 Project

Draft Environmental Impact Report

Site Plan No. PLAN22-00023

Tentative Parcel Map Amendment No. PLAN22-00023

Headers

~~Draft~~ **Draft** Environmental Impact Report
Mojave 68 Project – SCH No. 2023030145

~~City Review Draft~~

Mitigation Monitoring Reporting Program

Project Name: Mojave 68 Project

Date: August 18, 2023

Project Manager: Travis Clark, Senior Planner

Project Description: 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

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. 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.

Throughout this *Mitigation Monitoring and Reporting Program*, reference is made to the following.

- ***Plans, Policies, or Programs (PPP)*** – These include existing regulatory requirements such as plans, policies, or programs applied to the Project based on the basis of federal, state, or local law currently in place which effectively reduce environmental impacts.
- ***Mitigation Measures (MM)*** – These measures include requirements that are imposed where the impact analysis determines that implementation of the proposed Project would result in significant impacts; mitigation measures are proposed in accordance with the requirements of CEQA.

Any applicable Plans, Policies, or Programs (PPP) were assumed and accounted for in the assessment of impacts for each issue area. Mitigation Measures were formulated only for those issue areas where the results of the impact analysis identified significant impacts. All three types of measures described above will be required to be implemented as part of the Project.

Mitigation Measure (MM) Project Design Feature (PDF)	Responsibility For Implementation	Time Frame/Milestone	Verified By (signature/date required)
Aesthetics			
Not applicable			
Air Quality			
MM 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.	Project Applicant	Prior to grading permit issuance	
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, SCAQMD, 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.			

Mitigation Measure (MM) Project Design Feature (PDF)	Responsibility For Implementation	Time Frame/Milestone	Verified By (signature/date required)
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.			

Mitigation Measure (MM) Project Design Feature (PDF)	Responsibility For Implementation	Time Frame/Milestone	Verified By (signature/date required)
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.			

Mitigation Measure (MM) Project Design Feature (PDF)	Responsibility For Implementation	Time Frame/Milestone	Verified By (signature/date required)
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.			
Biological Resources			
MM 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.	Project Applicant	Prior to grading permit issuance	
MM 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.,	Project Applicant	Prior to grading permit issuance	

Mitigation Measure (MM) Project Design Feature (PDF)	Responsibility For Implementation	Time Frame/Milestone	Verified By (signature/date required)
<p>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>	Project Applicant	Prior to grading permit issuance	
<p>MM 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>	Project Applicant	Prior to grading permit issuance	
<p>MM 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</p>	Project Applicant	Prior to grading permit issuance	

Mitigation Measure (MM) Project Design Feature (PDF)	Responsibility For Implementation	Time Frame/Milestone	Verified By (signature/date required)
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.			
MM 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.	Project Applicant	Prior to grading permit issuance	
MM 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.	Project Applicant	Prior to grading permit issuance	
MM 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.	Project Applicant	Prior to grading permit issuance or other permits authorizing ground disturbances (e.g., vegetation	

Mitigation Measure (MM) Project Design Feature (PDF)	Responsibility For Implementation	Time Frame/Milestone	Verified By (signature/date required)
		clearing, clearing and grubbing, tree removal, site watering, equipment staging)	
MM 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.	Project Applicant	Prior to grading permit issuance	
MM 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.	Project Applicant	Prior to grading permit issuance	

Mitigation Measure (MM) Project Design Feature (PDF)	Responsibility For Implementation	Time Frame/Milestone	Verified By (signature/date required)
Cultural Resources			
MM 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.	Project Applicant	Prior to grading permit issuance, the complete text of CUL-1 shall be placed on the grading plan	
MM 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.	Project Applicant	Prior to grading permit issuance, the complete text of CUL-2 shall be placed on the grading plan	
MM 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.	Project Applicant	Prior to grading permit issuance, the complete text of CUL-3 shall be placed on the grading plan	
Energy			
None required			
Geology and Soils			
MM 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	Project Applicant	Prior to the issuance of a grading permit, the complete	

Mitigation Measure (MM) Project Design Feature (PDF)	Responsibility For Implementation	Time Frame/Milestone	Verified By (signature/date required)
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.		text of MM GEO-1 shall be placed on the grading plan.	
Greenhouse Gas Emissions			
MM 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.	Project Applicant	Prior to the issuance of a building permit	
Hazards and Hazardous Materials			
Not applicable			
Hydrology and Water Quality			
Not applicable			
Land Use and Planning			
Not applicable			
Noise			
Not applicable			
Transportation			
Not applicable			
Tribal Cultural Resources			
MM 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	Project Applicant	During ground disturbing and vegetation clearing activities	

Mitigation Measure (MM) Project Design Feature (PDF)	Responsibility For Implementation	Time Frame/Milestone	Verified By (signature/date required)
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.			
MM 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.	Project Applicant	During ground disturbing and vegetation clearing activities	
Utilities and Service Systems			
Not applicable			