INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

INDEPENDENT STATION
SWC GREENTREE BLVD. & HESPERIA RD.
VICTORVILLE, CALIFORNIA
APN 3090-331-02

LEAD AGENCY:

CITY OF VICTORVILLE
DEVELOPMENT DEPARTMENT, PLANNING DIVISION
14343 CIVIC DRIVE
VICTORVILLE, CALIFORNIA 92393

REPORT PREPARED BY:

BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING
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JUNE 25, 2025
VICT 006

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MITIGATED NEGATIVE DECLARATION

PROJECT NAME: Independent Station (Green Tree Blvd. & Hesperia Rd.) Independent Station

PROJECT APPLICANT: The Applicant for the proposed project is Ahmad Ghaderi, A & S Engineering, Inc. 28405 Sand Canyon Road, Suite "B" Canyon Country, California 91387

PROJECT LOCATION: The proposed project site is located at the southwest corner of Green Tree Boulevard and Hesperia Road in the City of Victorville, California 92301. The corresponding Assessor Parcel Number (APN) is 3090-331-02. The project site is located in Township 5 North, Range 4 West, Section 27, of the United States Geological Survey (USGS) 7 ½ Minute Hesperia, California Quadrangle, 1956. The project site's latitude and longitude is 34°49'90.70"N;-117°29'32.94"W.

CITY AND COUNTY: City of Victorville, San Bernardino County.

PROJECT: The City of Victorville is reviewing an application to construct and operate a commercial center on a 1.44-acre property located on the southwest corner of Green Tree Boulevard and Hesperia Road. The new development would include a 5,785 square foot convenience store, a 1,733 square foot drive through carwash tunnel, and a fueling area with 8 dispensers and 16 fueling positions. The fueling area would be covered by a canopy with the dimensions being approximately 117-feet by 36-feet. One 20,000 gallon underground storage tank (UST) for 87-octane gasoline and a second UST 24,000 gallon split tank would contain diesel and 91-octane gasoline would be installed to the west of the fueling area. Access to the project site would be provided by driveway connections with the south side of Green Tree Boulevard and the west side of Hesperia Road. A total of 30 parking spaces would be provided including 26 standard stalls, 2 EV stalls, and 2 ADA spaces. Landscaping would be provided along the Green Tree Boulevard and Hesperia Road frontages, and in the parking area.

EVALUATION FORMAT: The attached initial study is prepared in accordance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of the attached Initial Study was guided by Section 15063 of the State CEQA Guidelines. The project was evaluated based on its effect on 21 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist includes a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact

Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

No Impact: No impacts are identified or anticipated, and no mitigation measures are required.

Less than Significant Impact: No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less than Significant Impact with Mitigation: Possible significant adverse impacts have been identified or anticipated and mitigation measures are required as a condition of the project's approval to reduce these impacts to a level below significance.

Potentially Significant Impact: Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below indicate where there is least one impact where mitigation is warranted in the attached Initial Study.

✖ Aesthetics	☐ Agriculture & Forestry Resources	✖ Air Quality
✖ Biological Resources	✖ Cultural Resources	☐ Energy
✖ Geology & Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology & Water Quality	☐ Land Use & Planning	☐ Mineral Resources
✖ Noise	☐ Population & Housing	☐ Public Services
☐ Recreation	✖ Transportation & Traffic	✖ Tribal Cultural Resources
☐ Utilities & Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation, the following finding is made:

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

Signature _____ Date _____

The project is also described in greater detail in the attached Initial Study. .

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APPENDIX E – TRAFFIC IMPACT ANALYSIS

SECTION 1. INTRODUCTION

1.1 OVERVIEW OF THE PROPOSED PROJECT

This Initial Study analyzes the environmental impacts associated with the construction and operation of a commercial center on a 1.44-acre property located on the southwest corner of Green Tree Boulevard and Hesperia Road. The new development would include a 5,785 square foot convenience store, a 1,733 square foot drive through carwash tunnel, and a fueling area with 8 dispensers and 16 fueling positions. The fueling area would be covered by a canopy with the dimensions being approximately 117-feet by 36-feet. One 20,000 gallon underground storage tank (UST) for 87-octane gasoline and a second UST 24,000 gallon split tank would contain diesel and 91-octane gasoline, would be installed to the west of the fueling area. Access to the project site would be provided by driveway connections with the south side of Green Tree Boulevard and the west side of Hesperia Road. A total of 30 parking spaces would be provided including 26 standard stalls, 2 EV stalls, and 2 ADA spaces. Landscaping would be provided along the Green Tree Boulevard and Hesperia Road frontages and in the parking area.[1]

1.2 PURPOSE OF THIS INITIAL STUDY

The City of Victorville is the designated *Lead Agency,* and as such, the City will be responsible for the project's environmental review. Section 21067 of California Environmental Quality Act (CEQA) defines a Lead Agency as the public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect on the environment.[2] As part of the proposed project's environmental review, the City of Victorville has authorized the preparation of this Initial Study.[3] The primary purpose of CEQA is to ensure that decision-makers and the public understand the environmental implications of a specific action or project. An additional purpose of this Initial Study is to ascertain whether the proposed project will have the potential for significant adverse impacts on the environment once it is implemented. Pursuant to the CEQA Guidelines, additional purposes of this Initial Study include the following:

- To provide the City of Victorville with information to use as the basis for deciding whether to prepare an environmental impact report (EIR), mitigated negative declaration, or negative declaration for a project;
- To facilitate the project's environmental assessment early in the design and development of the proposed project;
- To eliminate unnecessary EIRs; and,
- To determine the nature and extent of any impacts associated with the proposed project.

Although this Initial Study was prepared with consultant support, the analysis, conclusions, and findings made as part of its preparation fully represent the independent judgment and position of the City of Victorville in its capacity as the Lead Agency. The City determined, as part of this Initial Study's preparation, that a Mitigated Negative Declaration is the appropriate environmental document for the proposed project's CEQA review. Certain projects or actions may also require oversight approvals or permits from other public agencies. These other agencies are referred to as *Responsible Agencies* and *Trustee Agencies*, pursuant to Sections 15381 and 15386 of the State CEQA

[1] A&S Engineering, Inc. *Independent Station. SWC of Green Tree Blvd. and Hesperia Rd.* September 13, 2022.

[2] California, State of. *California Public Resources Code. Division 13, Chapter 2.5. Definitions*. as Amended 2001. §21067.
[3] Ibid. (CEQA Guidelines) §15050.

Guidelines.[4] This Initial Study and Mitigated Negative Declaration will be forwarded to the State of California Office of Planning Research (the State Clearinghouse). A 30-day public review period will be provided to allow these entities and other interested parties to comment on the proposed project and the findings of this Initial Study.[5] Questions and/or comments should be submitted to the following contact person:

City of Victorville Development Department, Planning Division
14343 Civic Drive
Victorville, California 92323

1.3 INITIAL STUDY'S ORGANIZATION

The following annotated outline summarizes the contents of this Initial Study:

- *Section 1 Introduction* provides the procedural context surrounding this Initial Study's preparation and insight into its composition.
- *Section 2 Project Description* provides an overview of the existing environment as it relates to the project area and describes the proposed project's physical and operational characteristics.
- *Section 3 Environmental Analysis* includes an analysis of potential impacts associated with the construction and the subsequent operation of the proposed project.
- *Section 4 Conclusions* summarizes the findings of the analysis.
- *Section 5 References* identifies the sources used in the preparation of this Initial Study.

[4] California, State of. Public Resources Code Division 13. *The California Environmental Quality Act. Chapter 2.5, Section 21067, and Section 21069.* 2000.
[5] California, State of. Public Resources Code Division 13. *The California Environmental Quality Act. Chapter 2.6, Section 2109(b).* 2000.

SECTION 2. PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The proposed project site is located in the southwestern portion of the City of Victorville. The City of Victorville is located in the southwestern portion of San Bernardino County in the southwestern Mojave Desert physiographic subregion. This physiographic subregion is more commonly referred to as either the "Victor Valley" or the "High Desert" due to its approximate elevation of 2,900 feet above sea level. The Victor Valley is separated from the more populated areas of coastal Southern California by the San Bernardino and San Gabriel mountains. The City of Victorville is bounded on the north by unincorporated San Bernardino County (Oro Grande); on the east by Apple Valley and unincorporated San Bernardino County (Bell Mountain); on the south by the City of Hesperia and unincorporated San Bernardino County (Oak Hills); and on the west by the City of Adelanto and unincorporated San Bernardino County (Baldy Mesa).[6] Regional access to the City of Victorville is provided by three area highways: the Mojave Freeway (Interstate 15), extending in a southwest to northeast orientation through the center of the City; U.S. Highway 395, traversing the western portion of the City in a northwest to southeast orientation; and Palmdale Road (SR-18) (State Route 18), which traverses the southern portion of the City in an east to west orientation.[7] The location of Victorville, in a regional context, is shown in Exhibit 1. A citywide map is provided in Exhibit 2.

The proposed project site is located at the southwest corner of Green Tree Boulevard and Hesperia Road in the City of Victorville, California 92301. The corresponding Assessor Parcel Number (APN) is 3090-331-02. The project site is located in Township 5 North, Range 4 West, Section 27, of the United States Geological Survey (USGS) 7 ½ Minute Hesperia, California Quadrangle, 1956. The project site's latitude and longitude is 34°49'90.70"N;-117°29'32.94"W. A local vicinity map is provided in Exhibit 3. An aerial photograph of the site and the surrounding area is provided in Exhibit 4.

2.2 ENVIRONMENTAL SETTING

The proposed project site is located on a 1.44-acre parcel that is currently vacant. The project site is currently zoned *C-2 (General Commercial)* and the corresponding General Plan designation is *Commercial*. The site is approximately 882 meters above sea level and contains some rolling landscape. The vegetation community present on site supports a moderately disturbed desert scrub habitat encompassing mainly native plants and some non-native grasses. Land uses and development located in the vicinity of the proposed project are outlined below:

- *North of the project site:* Green Tree Boulevard extends along the project site's northern side with a commercial center located further north. The Zoning designation is *C-2 (General Commercial)* and the corresponding General Plan designation is *Commercial*.
- *East of the project site:* Hesperia Road extends along the project site's east side. Vacant disturbed land is located further east. The Zoning designation is *C-2 (General Commercial)* and the corresponding General Plan designation is *Commercial*.

[6] Blodgett Baylosis Environmental Planning. 2022.

[7] Google Earth. Website accessed August 4, 2022.

- *South of the project site:* Vacant disturbed land abuts the site's southern side. The Zoning designation is *C-2 (General Commercial)* and the corresponding General Plan designation is *Commercial*.[8]
- *West of the project site:* A vacant C-2 zoned property is located directly to the west of the project site. Large lot residential development extends further west along the project site's west side. The Zoning designation is *R-1 (Single-Family)* and the corresponding General Plan designation is *Low Density Residential*.[9]

2.3 PHYSICAL CHARACTERISTICS OF THE PROPOSED PROJECT

The proposed project would consist of the following elements:

- *Site Plan*. The project involves the construction and operation of a commercial center on a property located on the southwest corner of Green Tree Boulevard and Hesperia Road. The new development would include a 5,785 square foot convenience store, a 1,733 square foot drive through carwash tunnel, and a fueling area with 8 dispensers and 16 fueling positions. [10]
- *Convenience Store*. The project involves the construction and operation of a 5,785 square foot convenience store. The new building would be a single story with a maximum height of 35-feet. The main entrances would be located on the north and east-facing elevations. The convenience store would include the cashier's area, sales and display area, and a food display area, and restrooms.[11]
- *Carwash*. The project involves the construction and operation of a 1,733 square foot automated drive through carwash tunnel. The dimensions of the carwash tunnel would be approximately 328-feet by 17-feet. Access to the carwash tunnel would be facilitated by a drive-through lane that would accommodate up to four vehicles before the automated control box.
- *Fueling Area*. A total of eight fuel dispensers would be located in the southern portion of the site, under a canopy. A total of sixteen fueling positions would be provided. The fuel dispensing area will be located under an 18-foot-tall canopy. The fueling area would be covered by a canopy with the dimensions being approximately 117-feet by 36-feet. One 20,000 gallon underground storage tank (UST) for 87-octane gasoline and a second UST 24,000 gallon split tank would contain diesel and 91-octane gasoline would be installed to the west of the fueling area.
- *Access and Parking*. Access to the project site would be provided by driveway connections with the south side of Green Tree Boulevard and the west side of Hesperia Road. A total of 30 parking spaces would be provided including 26 standard stalls, 2 EV stalls, and 2 ADA spaces. Landscaping would be provided along the Green Tree Boulevard and Hesperia Road frontages, and in the parking area.[12]
- *Landscaping and Signage*. A total of 13,172 square feet (21% of the site area) of landscaping will be provided. A new sign will be installed on the project site's northeast corner.[13]

The proposed project's site plan is illustrated in Exhibit 2-5.

[8] Google Maps and City of Victorville Zoning Map. Website accessed on April 14, 2023.

[9] Ibid.

[10] A&S Engineering, Inc. *Independent Station. SWC of Green Tree Blvd. and Hesperia Rd.* September 13, 2022.

[11] Ibid.

[12] Ibid.

[13] A&S Engineering, Inc. *Independent Station. SWC of Green Tree Blvd. and Hesperia Rd.* September 13, 2022.

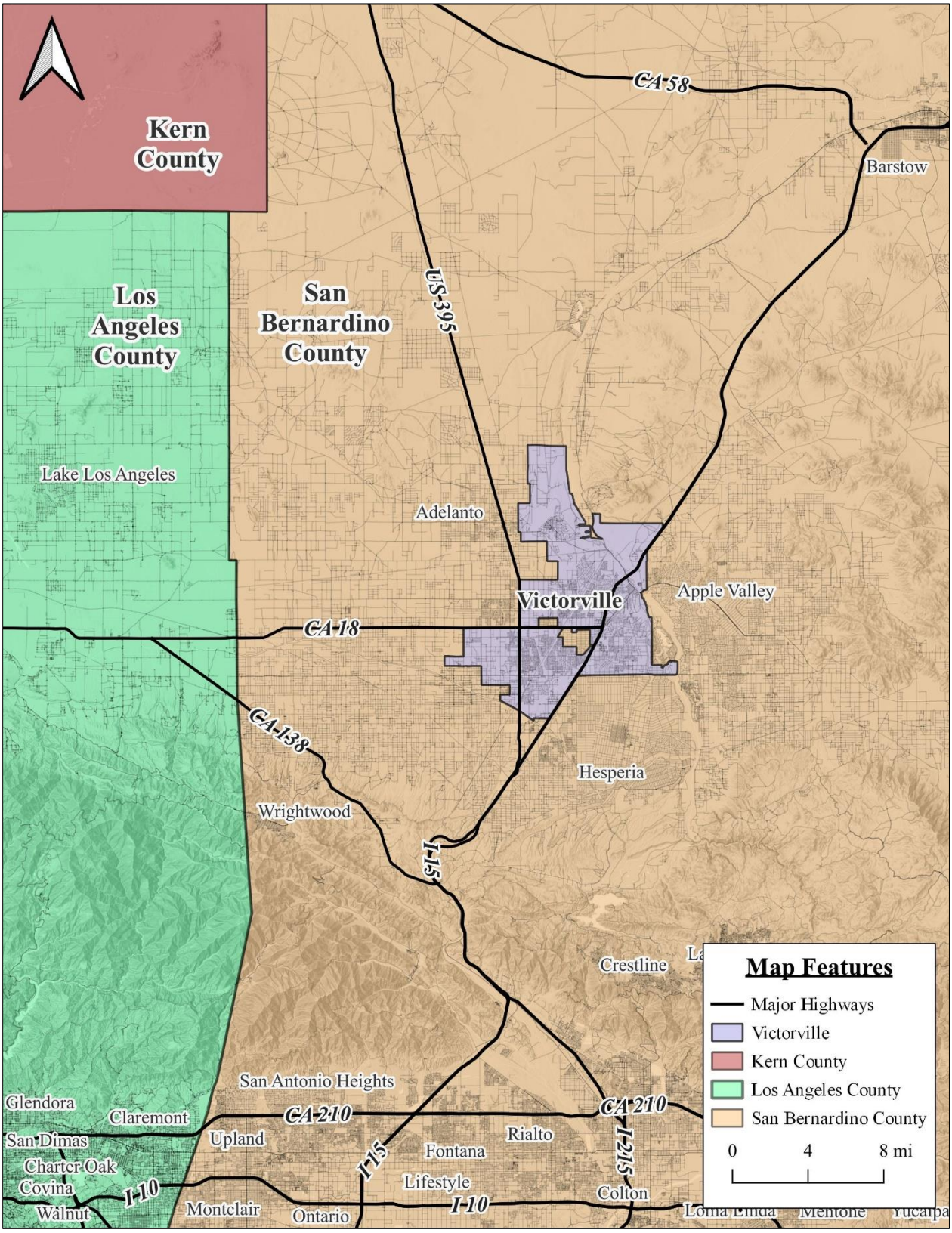

EXHIBIT 2-1 REGIONAL MAP

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

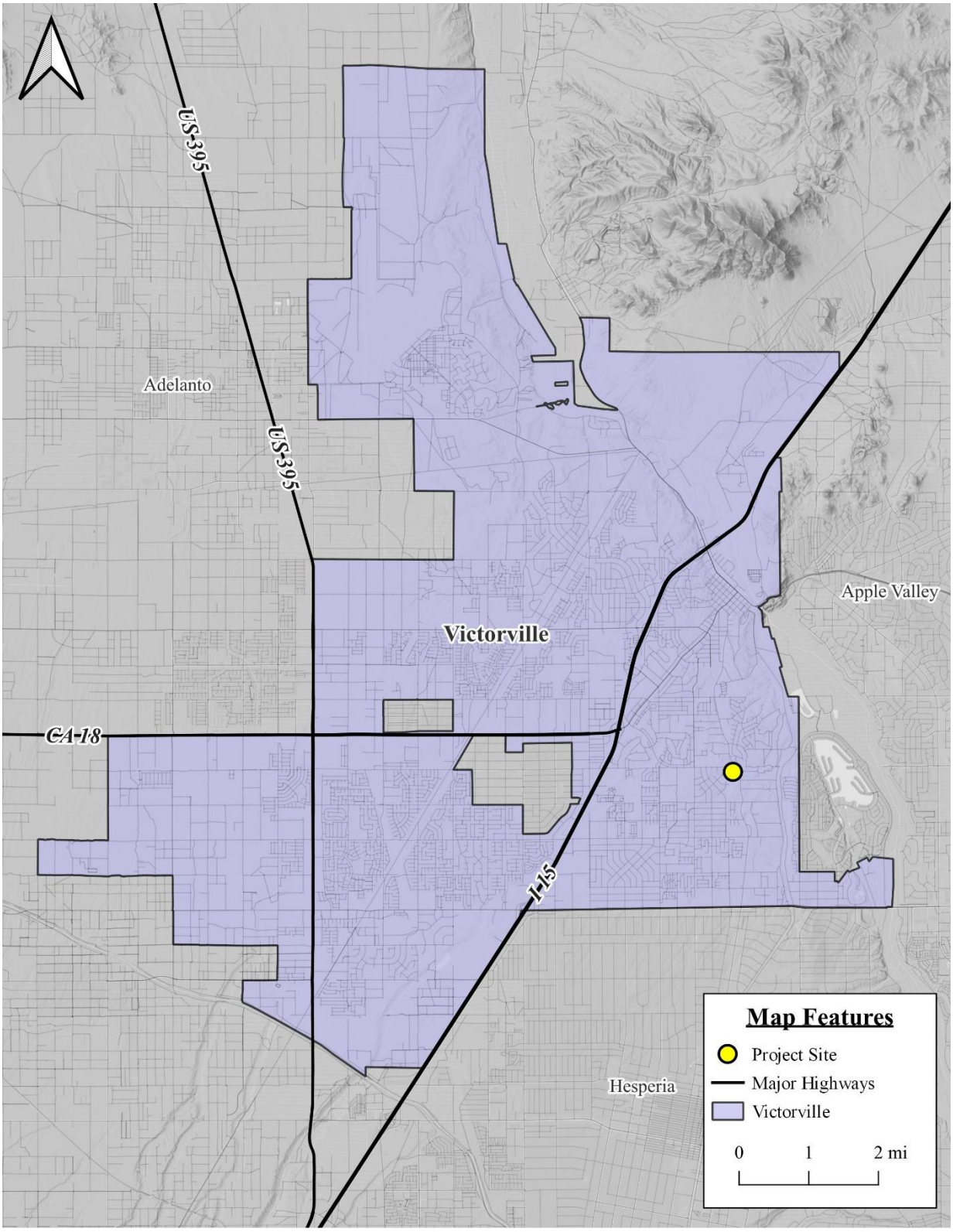

EXHIBIT 2-2 CITYWIDE MAP

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

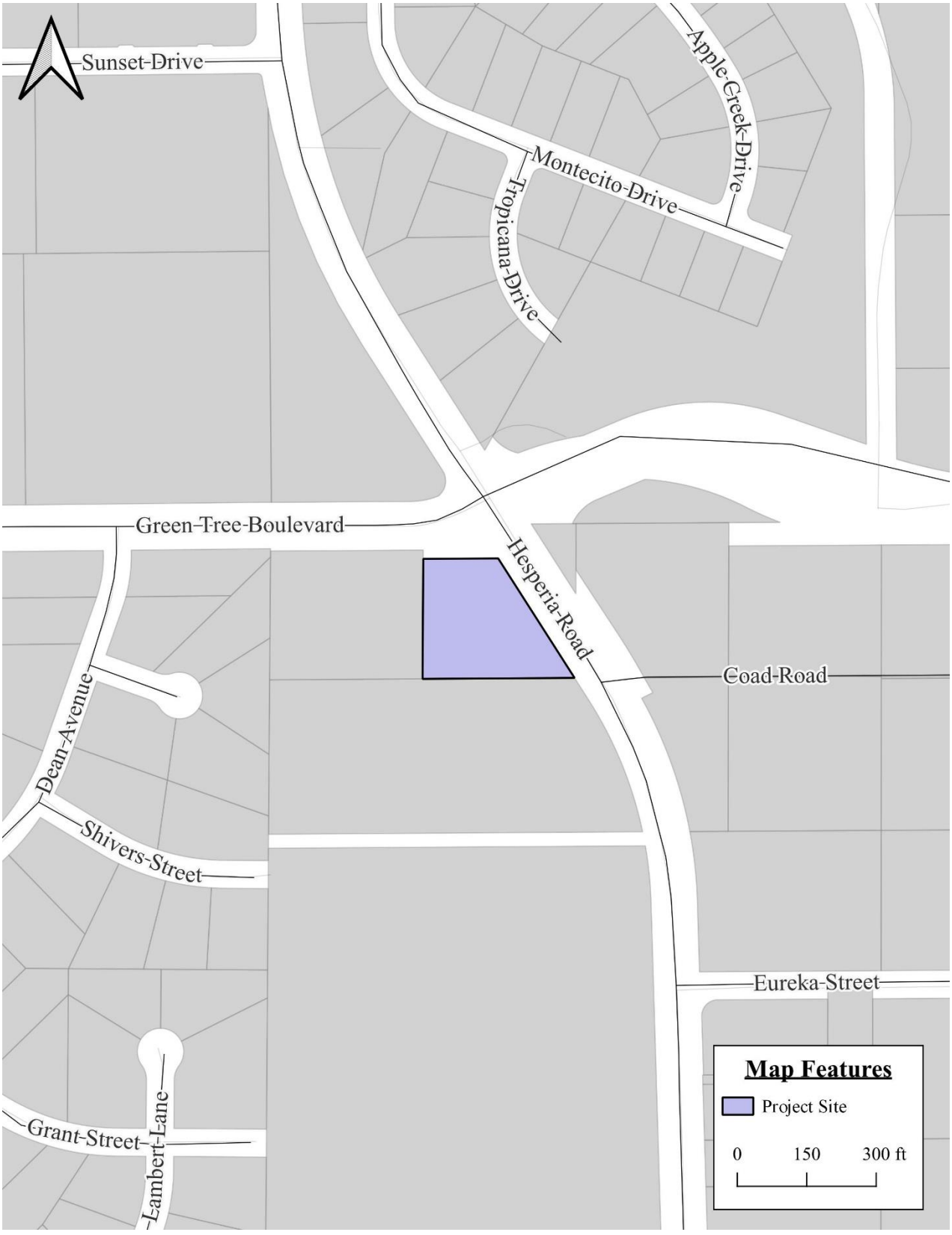

EXHIBIT 2-3 LOCAL MAP

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

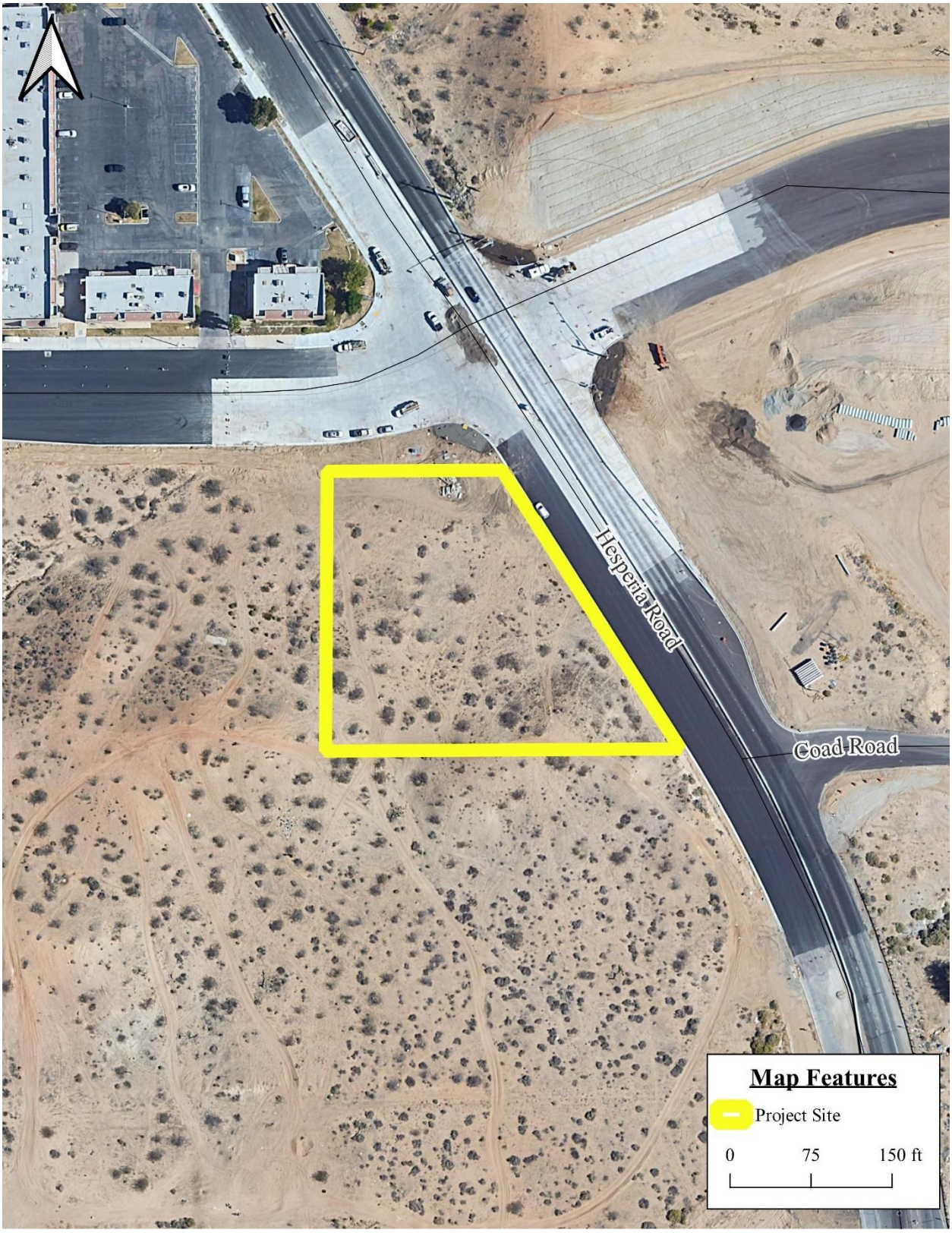

EXHIBIT 2-4 AERIAL IMAGE OF PROJECT SITE

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

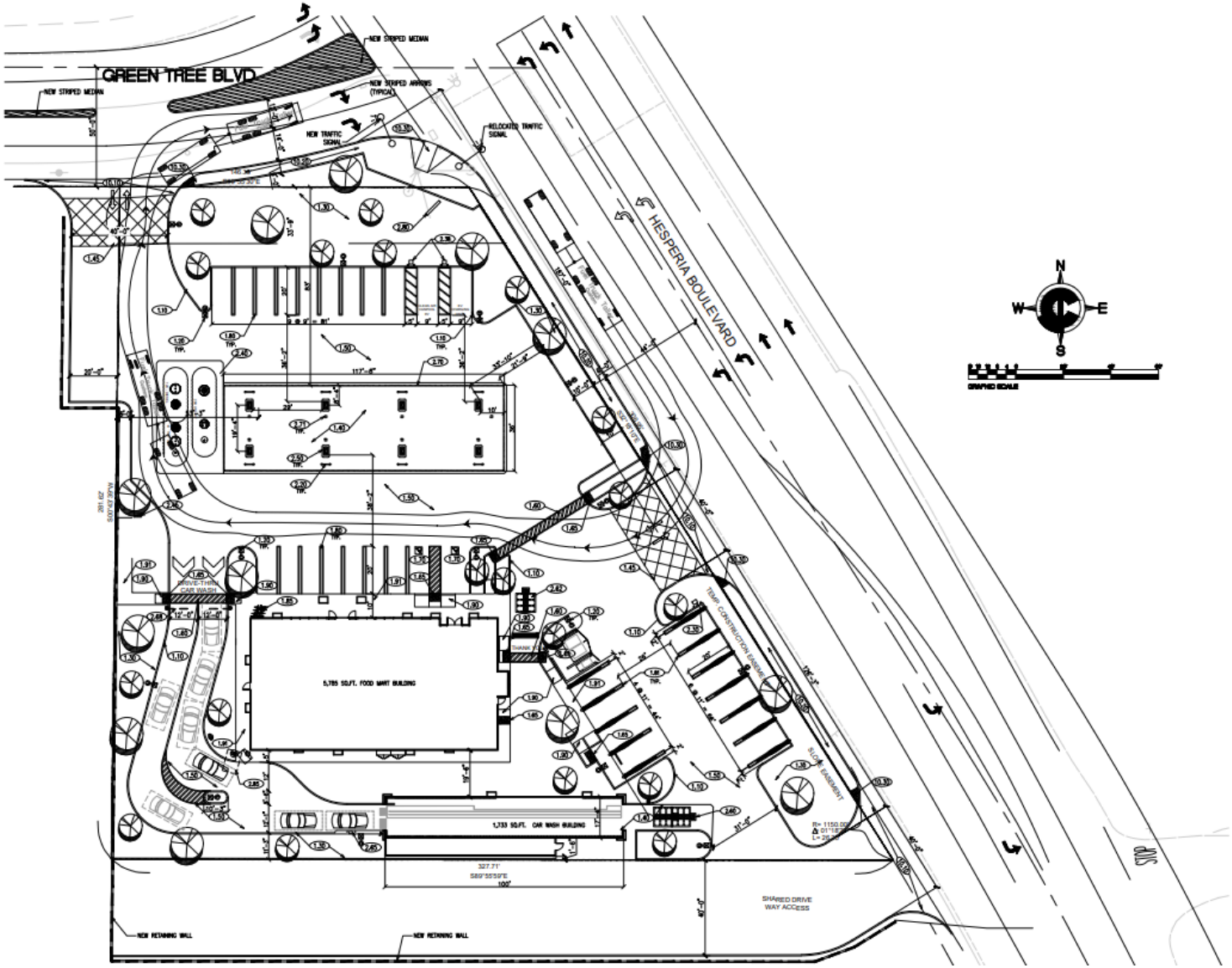

EXHIBIT 2-5 SITE PLAN OF PROJECT SITE

SOURCE: A & S ENGINEERING, INC.

2.4 OPERATIONAL CHARACTERISTICS OF THE PROPOSED PROJECT

The proposed project's anticipated hours of operation will be seven days a week, 24 hours a day. The proposed highway commercial use is anticipated to employ approximately 2 to 3 persons per shift.

2.5 CONSTRUCTION CHARACTERISTICS

The construction for the current proposed project is assumed to commence in January 2025 and would take approximately five months to complete.[14] The key construction phases are outlined in the paragraphs that follow.

- *Grading and Site Preparation Phases*. The project site would be graded and ready for construction. During this phase, the building footings, utility lines, and other underground infrastructure would be installed. The typical heavy equipment used during this construction phase would include graders, bulldozers, offroad trucks, back-hoes, and trenching equipment. These phases would require one month to complete.

- *Building Phase*. The new buildings would be constructed during this phase. The typical heavy equipment used during this construction phase would include offroad trucks, cranes, and fork-lifts. This phase will take approximately three months to complete.

- *Paving, Landscaping, and Finishing Phases*. The typical heavy equipment used during these phases would include trucks, backhoes, rollers, pavers, and trenching equipment. The site will be paved during this phase. This phase will take approximately one month to complete.

2.6 DISCRETIONARY ACTIONS

A Discretionary Action is an action taken by a government agency (for this project, the government agency is the City of Victorville) that calls for an exercise of judgment in deciding whether to approve a project. The following discretionary approvals are required:

- The approval of a Conditional Use Permit for the operation of the fueling station and a drive through carwash;
- The approval of a Conditional Use Permit for the sales of alcohol for off-site consumption; and,
- Approval of the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP).

[14] Ibid.

SECTION 3. ENVIRONMENTAL ANALYSIS

3.1 AESTHETICS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project have a substantial adverse effect on a scenic vista?				✕
B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.				✕
C. Would the project, in nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				✕
D. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		✕		

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on aesthetics if it results in any of the following:

- The proposed project would have an adverse effect on a scenic vista, except as provided in PRC Sec. 21099.
- The proposed project would have an adverse effect on scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
- The proposed project would substantially degrade the existing visual character or quality of public views of the site and its surroundings (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality. or,
- The proposed project would, except as provided in Public Resources Code Section 21099, create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The evaluation of aesthetics and aesthetic impacts is generally subjective, and it typically requires the identification of key visual features in the area and their importance. The characterization of aesthetic impacts involves establishing the existing visual characteristics including visual resources and scenic vistas that are unique to the area. Visual resources are determined by identifying existing landforms (e.g., topography and grading), views (e.g., scenic resources such as natural features or urban characteristics), and existing light and glare characteristics (e.g., nighttime illumination). Changes to the existing aesthetic environment associated with the proposed project's

implementation are identified and *qualitatively* evaluated based on the proposed modifications to the existing setting and the viewers' sensitivity.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project have a substantial adverse effect on a scenic vista? ● No Impact*

The proposed project involves the construction and operation of a commercial center on a 1.44-acre property located on the southwest corner of Green Tree Boulevard and Hesperia Road. The new development would include a 5,785 square foot convenience store, a 1,733 square foot drive through carwash tunnel, and a fueling area with 8 dispensers and 16 fueling positions. The fueling area would be covered by a canopy with the dimensions being approximately 117-feet by 36-feet. Landscaping would be provided along the Green Tree Boulevard and Hesperia Road frontages, and in the parking area.[15] The dominant scenic views from the project site include the views of the San Bernardino and San Gabriel Mountains, located 20 miles south, southwest, and southeast of the site. In addition, local views are already dominated by neighboring development. Views from the mountains will not be obstructed as the maximum height provided on the project site will not exceed a single level. Once operational, views of the aforementioned mountains will continue to be visible from the public right-of-way. *As a result, no impacts will occur.*

B. *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway ● No Impact.*

According to the California Department of Transportation, none of the streets located adjacent to the proposed project site are designated scenic highways and there are no state or county designated scenic highways in the vicinity of the project site.[16] There are no officially designated highways located near the City. The nearest highways that are eligible for designation as a scenic highways include SR-2 (from SR-210 to SR-138), located 11 miles southwest of the City; SR-58 (from SR-14 to I-15), located 20 miles north of the City; SR-138 (from SR-2 to SR-18), located 13 miles south of the City; SR-173 (from SR-138 to SR-18), located 15 miles southeast of the City; and, SR-247 (from SR-62 to I-15), located 23 miles east of the City. The viewsheds pertaining to Victorville are comprised primarily of undeveloped desert land, the Mojave River, and distant views of the mountains. The site would not qualify as undeveloped desert land since it is disturbed due to vehicular activity and is currently zoned as General Commercial (C-2). The site is also located near developed properties. The proposed site does not contain any sensitive habitats or rock outcroppings. Lastly, the project site does not contain any buildings listed in the State or National Register. *As a result, no impacts will occur.*

[15] A&S Engineering, Inc. *Independent Station. SWC of Green Tree Blvd. and Hesperia Rd.* September 13, 2022.

[16] California Department of Transportation. *Official Designated Scenic Highways.*

C. *Would the project, in nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? ● No Impact*

There are no protected views in the vicinity of the project site. In addition, the City does not have any zoning regulations or other regulations governing scenic quality other than the development standards to which the new building will conform to, such as the gas station canopies being architecturally consistent and compatible with the design of the building to be constructed.[17] *As a result, no impacts will occur.*

D. *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? ● Less than Significant Impact with Mitigation*

The proposed project would potentially expose single-family residential land use located to the west and northeast of the site to potential daytime or nighttime light trespass. Project-related sources of nighttime light would include parking area lighting, building area exterior lights, signage, security lighting, and vehicular headlights. The City of Victorville Municipal Code contains design guidelines that indirectly regulate the aesthetic quality of new development with respect to structures, signs, walls, landscaping, street widths, and street lighting. The project will be in conformance with Victorville Municipal Code Section 16-3.10.060. Nevertheless, the following mitigation measure would be required to address potential light and glare impacts:

- All light fixtures (including portable fixtures) shall be oriented downward and away from sensitive receptors in conformance with Municipal Code Section 16-3.10.060. Lighting shall consist of the minimal wattage necessary to provide safety at the construction site. A construction lighting plan shall be submitted to the City of Victorville Development Department for review concurrent with Grading Permit application.

As a result, the impact will be less than significant with mitigation.

MITIGATION MEASURES

Nevertheless, the following mitigation measure would be required to address potential light and glare impacts:

AES MITIGATION #1. All light fixtures (including portable fixtures) shall be oriented downward and away from sensitive receptors in conformance with Municipal Code Section 16-3.10.060. Lighting shall consist of the minimal wattage necessary to provide safety at the construction site. A construction lighting plan shall be submitted to the City of Victorville Development Department for review concurrent with Grading Permit application.

[17] Municode. Victorville, CA. Sec.16-3.10.060-Design Guidelines. Website Accessed August 8,2022.

3.2 AGRICULTURE & FORESTRY RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses?				✖
B. Would the project conflict with existing zoning for agricultural uses, or a Williamson Act Contract?				✖
C. Would the project **c**onflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				✖
D. Would the project result in the loss of forest land or conversion of forest land to a non-forest use?				✖
E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to a non-forest use?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on agriculture and forestry resources if it results in any of the following:

- The proposed project would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.
- The proposed project would conflict with existing zoning for agricultural use, or a Williamson Act contract.
- The proposed project would conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)).
- The proposed project would result in the loss of forest land or conversion of forest land to non-forest use.
- The proposed project would involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

The California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) was established in 1982 to track changes in agricultural land use and to help preserve areas of Important Farmland. It divides the

state's land into eight categories of land use designation based on soil quality and existing agriculture uses to produce maps and statistical data. These maps and data are used to help preserve productive farmland and to analyze impacts on farmland. Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance are all Important Farmland and are collectively referred to as Important Farmland in this analysis. The highest rated Important Farmland is Prime Farmland. The California Land Conservation Act of 1965, or the Williamson Act, allows a city or county government to preserve agricultural land or open space through contracts with landowners. The County has areas that are currently agriculture preserves under contract with San Bernardino County through the Williamson Act of 1965. Contracts last 10 years and are automatically renewed unless a notice of nonrenewal is issued.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses? ● No Impact.*

According to the California Department of Conservation, the project site does not contain any areas of Farmland of Statewide Importance, and no agricultural uses are located onsite or adjacent to the property. The implementation of the proposed project would not involve the conversion of any prime farmland, unique farmland, or farmland of statewide importance to urban uses. *As a result, no impacts will occur.*[18]

B. *Would the project conflict with existing zoning for agricultural uses, or a Williamson Act Contract? ● No Impact.*

The project site is currently zoned as *C-2 (General Commercial)*. The property is currently vacant though it has been disturbed. There are no agricultural uses located within the site that would be affected by the project's implementation. According to the California Department of Conservation Division of Land Resource Protection, the project site is not subject to a Williamson Act Contract.[19] *As a result, no impacts will occur.*

C. *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? ● No Impact.*

As previously mentioned, the existing project site is vacant though it has been disturbed. There are no forest lands or timberlands located within or adjacent to the site. Furthermore, the site's existing zoning designation does not contemplate forest land or timberland uses. *As a result, no impacts will occur.*

D. *Would the project result in the loss of forest land or conversion of forest land to a non-forest use? ● No Impact.*

No forest lands are located within the project site. The proposed use will be restricted to the site and will not affect any land under the jurisdiction of the Bureau of Land Management (BLM). No loss or conversion of forest lands to

[18] California Department of Conservation, Division of Land Resource Protection, Farmland Mapping, and Monitoring Program. *California Important Farmland Finder*.
[19] California Department of Conservation. *State of California Williamson Act Contract Land*. ftp://ftp.consrv.ca.gov/pub/dlrp/WA/2012%20Statewide%20Map/WA_2012_8x11.pdf.

urban uses will result from the proposed project's implementation. *As a result, no impacts would occur.*

E. *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to a non-forest use? ● No Impact.*

The project would not involve the disruption or damage of the existing environment that would result in a loss of farmland to nonagricultural use or conversion of forest land to non-forest use because the project site is currently vacant and does not contain any significant vegetation. No farmland conversion impacts would occur with the implementation of the proposed project. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis of agricultural and forestry resources indicated that no impact on these resources would occur as part of the proposed project's implementation. As a result, no mitigation is required.

3.3 AIR QUALITY

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project conflict with or obstruct implementation of the applicable air quality plan?				✖
B. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?		✖		
C. Would the project expose sensitive receptors to substantial pollutant concentrations?			✖	
D. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✖	

The air quality and greenhouse gas study is included in Appendix A.

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on air quality if it results in any of the following:

- The proposed project would conflict with or obstruct implementation of the applicable air quality plan.
- The proposed project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

- The proposed project would expose sensitive receptors to substantial pollutant concentrations.
- The proposed project would result in other emissions (such as those leading to odors adversely affecting a substantial number of people.

The Mojave Desert Air Quality Management District (MDAQMD) has established quantitative thresholds for short-term (construction) emissions and long-term (operational) emissions for the criteria pollutants listed below. Projects in the Mojave Desert Air Basin (MDAB) generating construction and operational-related emissions that exceed any of the following emissions thresholds are considered to be significant under CEQA.

- *Ozone (O_3)* is a nearly colorless gas that irritates the lungs, and damages materials and vegetation. Ozone is formed a by photochemical reaction (when nitrogen dioxide is broken down by sunlight).
- *Carbon Monoxide (CO)* is a colorless, odorless toxic gas that interferes with the transfer of oxygen to the brain and is produced by the incomplete combustion of carbon-containing fuels emitted as vehicle exhaust. The threshold is 548 pounds per day of carbon monoxide (CO).
- *Nitrogen Oxide (NO_x)* is a yellowish-brown gas, which at high levels can cause breathing difficulties. NO_x is formed when nitric oxide (a pollutant from burning processes) combines with oxygen. The daily threshold is 137 pounds per day of nitrogen oxide (NO_x).
- *Sulfur Dioxide* (SO_2) is a colorless, pungent gas formed primarily by the combustion of sulfur-containing fossil fuels. Health effects include acute respiratory symptoms. The daily threshold is 137 pounds per day of sulfur oxides (SO_x).
- *PM_{10} and $PM_{2.5}$* refers to particulate matter less than ten microns and two and one-half microns in diameter, respectively. Particulates of this size cause a greater health risk than larger-sized particles since fine particles can more easily cause irritation. The daily threshold is 82 pounds per day of PM_{10} and 65 pounds per day of $PM_{2.5}$.
- *Reactive Organic Gasses (ROG)* refers to organic chemicals that, with the interaction of sunlight photochemical reactions may lead to the creation of "smog." The daily threshold is 137 pounds per day of ROG.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project conflict with or obstruct implementation of the applicable air quality plan? ● No Impact.*

Air quality impacts may occur during the construction or operation of a project, and may come from stationary (e.g., industrial processes, generators), mobile (e.g., automobiles, trucks), or area (e.g., residential water heaters) sources. The city is located within the Mojave Desert Air Basin (MDAB) and is under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The MDAB is an assemblage of mountain ranges interspersed with long broad valleys that often contain dry lakes. The MDAB is separated from the southern California coastal and central California valley regions by mountains (highest elevation approximately 10,000 feet). The Antelope Valley is bordered in the northwest by the Tehachapi Mountains and in the south by the San Gabriel Mountains. The adjacent Mojave Desert is bordered in the southwest by the San Bernardino Mountains.[20] Projects that are consistent with the projections of employment and population forecasts identified in the Regional Transportation

[20] Mojave Desert Air Quality Management District (MDAQMD). *California Environmental Quality Act (CEQA) and Federal Conformity Guidelines*. Report dated August 2016.

Plan/Sustainable Communities Strategy (RTP/SCS) prepared by SCAG are considered consistent with the MDAQMP growth projections since the RTP/SCS forms the basis of the land use and transportation control portions of the MDAQMP. According to the Growth Forecast Appendix prepared by SCAG for the 2016-2045 RTP/SCS, the City of Victorville employment will increase from 41,200 in 2016 to 61,200 in 2045, an increase of 20,000 new employees through the year 2045.[21] The proposed project's employment will be significantly less than this figure. The proposed highway commercial use is anticipated to employ approximately 2 to 3 persons per shift. Therefore, the proposed project is not in conflict with the growth projections established for the City by SCAG. The project's construction emissions would be below the thresholds of significance established by the MDAQMD (the project's daily construction emissions are summarized in Table 3-1). In addition, the proposed project's long- term (operational) airborne emissions will be below levels that the MDAQMD considers to be a significant impact (refer to Table 3-2). *As a result, no impacts will occur.*

B. *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? ● Less than Significant Impact with Mitigation.*

According to the MDAQMD, any project is significant if it triggers or exceeds the daily emissions threshold identified previously (and noted at the bottom of Tables 3-1 and 3-2). In general, a project will have the potential for a significant air quality impact if any of the following are met:

- Generates total emissions (direct and indirect) that exceeds the MDAQMD thresholds (the proposed project emissions are less than the thresholds as indicated in Tables 3-1 and 3-2);
- Results in a violation of any ambient air quality standard when added to the local background (the proposed project will not result, in any violation of these standards);
- Does not conform with the applicable attainment or maintenance plan(s) (the proposed project is in conformance with the City's Zoning and General Plan); and,
- Exposes sensitive receptors to substantial pollutant concentrations, including those resulting in a cancer risk greater than or equal to 10 in a million and/or a Hazard Index (HI) (non-cancerous) greater than or equal to 1 (the proposed project will not expose sensitive receptors to substantial pollutant concentrations nor is the site located near any sensitive receptors).

The proposed project's construction and operation will not lead to a violation of the above-mentioned criteria. As shown in Table 3-1, daily construction emissions will not exceed the MDAQMD significance thresholds.

Table 3-1 Estimated Daily Construction Emissions

Construction Phase	ROG	NOx	CO	SO2	PM10	PM2.5
Maximum Daily Emissions	7.76	5.65	11.2	0.02	5.94	3.08
Daily Thresholds	137	137	548	137	82	65
Significant Impact?	No	No	No	No	No	No

Source: CalEEMod V.2022.1.1.14

[21] Southern California Association of Governments. *Regional Transportation Plan/Sustainable Communities Strategy 2016-2040. Demographics & Growth Forecast.* April 2016.

Long-term emissions refer to those air quality impacts that would occur once the proposed project has been constructed and is operational. These impacts would continue over the operational life of the project. The two main sources of operational emissions include mobile emissions and area emissions related to off-site electrical generation. The analysis of long-term operational impacts summarized in Table 3-2 also used the CalEEMod V.2022.1.1.14 computer model. The analysis summarized in Table 3-2 indicates that the operational (long-term) emissions will be below the MDAQMD daily emissions thresholds.

Table 3-2 Estimated Operational Emissions in lbs./day

Emission Source	ROG	NOx	CO	SO2	PM10	PM2.5
Total (lbs./day)	13.4	11.5	96.6	0.21	17.1	4.45
Daily Thresholds	137	137	548	137	82	65
Significant Impact?	No	No	No	No	No	No

Source: CalEEMod V.2022.1.1.14

The analysis presented in Tables 3-1 and 3-2 reflect projected emissions that are typically higher during the summer months and represent a worse-case scenario. As indicated in Tables 3-1 and 3-2, the impacts are considered to be less than significant. Nevertheless, the following mitigation measures have been incorporated herein to further reduce the potential air quality impacts to levels that are less than significant.

- The Applicant shall prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project;
- The Applicant shall ensure that signage, compliant with Rule 403 Attachment, is erected at each project site entrance not later than the commencement of construction.
- The Applicant shall ensure the use of a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.
- All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.
- All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related track out onto paved surfaces and clean any project-related track out within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.

The aforementioned mitigation measures would reduce the potential air quality impacts to levels that are less than significant.

C. *Would the project expose sensitive receptors to substantial pollutant concentrations? ● Less than Significant Impact.*

According to the MDAQMD, residences, schools, daycare centers, playgrounds, and medical facilities are considered sensitive receptor land uses. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor land use must be evaluated: 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. Due to the nature of the proposed use and its proximity to the nearest sensitive receptor (residential housing), approximately 200 feet to the west of the proposed gas station, mitigation must be enforced to ensure that pollutant exposure remains less than significant. Sensitive receptors are shown in Exhibit 3-1.

In 2022, the California Air Resources Board (CARB) released the Gasoline Service Station Industrywide Risk Assessment Technical Guidance report which provides emission factors for loading, breathing, fueling, spillage, and hose permeation. According to estimates from the project description, the project would potentially have a fuel throughput of 1,825,000 gallons of fuel per year or 5,000 gallons per day. Based on this throughput estimate, the proposed project is anticipated to emit an additional 0.23 pounds per day of VOC. Thus, the total daily VOC emissions from operational emissions estimated by CalEEMod as well as VOCs from gasoline dispensing would be 13.42 pounds per day (13.2 pounds per day + 0.23 pounds per day), and the result would still be below the 137 pounds per day limit set by MDAQMD. Therefore, the impact of any additional VOCs from the storage, transfer, and dispensing of gasoline is considered less than significant. In addition, the MDAQMD indicates that there is a potentially significant impact if a project would result in a substantial pollutant concentration that would result in a cancer risk equal to or exceeding 10 chances in one million or have a Hazard Index (HI) that is greater than or equal to 1.0. The proposed project's maximum cancer risk is 1.97 chances per million, the chronic HI is 0.03, and the acute HI is 0.38, which are all well below the thresholds (refer to Appendix A). *As a result, the impact will be less than significant.*

D. *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? ● Less than Significant Impact.*

Gasoline contains almost 150 chemicals, including benzene, which has a "sweet smell", according to the U.S. Agency for Toxic Substances and Disease Registry (ATSDR). The smell of benzene is so potent that a person can begin to smell this odor 0.25 parts of gasoline per million parts of air (ppm). The most common exposure to gasoline at the gasoline dispensing facility occurs by breathing vapors when filling a car's fuel tank. Both gas station infrastructure and vehicles visiting gas stations are sources of emissions at gas stations. However, this the most common routine sources of odor-related sources are associated with the following activities: fuel dispensing, spillage, and hose permeation. Beginning in 1988, odors and other emissions from gas stations were significantly reduced due to air quality regulations requiring reformulated gasoline and emission control technology. Data from CARB's statewide ambient air monitoring network shows that concentrations of benzene, the most toxic of the gas station emissions, have decreased by approximately 90 percent since 1989. State and federal vapor recovery regulations that address gasoline and gas stations are listed below:

- In 1988, the Benzene Airborne Toxic Control Measure42 required all existing and new gas stations with annual throughput43 greater than 480,000 gallons to install vapor recovery systems44 by 1991.

- In 2001, the Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities (CP-201)46 required enhanced vapor recovery (EVR) systems to be phased in for existing gas stations in state ozone nonattainment areas47 and new stations statewide. CARB certification procedures have been used to specify performance standards for gas station vapor recovery systems since 1975.
- In 2003, California's Phase 3 Reformulated Gasoline (CaRFG Phase 3) Regulations lowered Reid Vapor Pressure requirements on gas used in motor vehicles below the national standard.
- In 2015, specifications for Enhanced Conventional (ECO) Nozzles were approved for non-retail gas stations.
- In 2018, CARB approved specifications for Enhanced ORVR Vehicle-Recognition (EOR) nozzles for gas stations with vapor assist control systems.
- In 2018, CARB approved amendments to specifications for fill pipes and openings of motor vehicle fuel tanks.

The MDAQCD has also adopted and is implementing *Rule 402, Nuisance*. This rule is intended to prevent the discharge of pollutant emissions from an emissions source that results in a public nuisance. Specifically, this rule prohibits any person from discharging quantities of air contaminants or other material from any source such that it would result in an injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public. Additionally, the discharge of air contaminants would also be prohibited where it would endanger the comfort, repose, health, or safety of any number of persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property. This rule does not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals. The future uses within the proposed project site would be required to adhere to the rules governing nuisance odors. *As a result, the impacts would be less than significant.*

MITIGATION MEASURES

The following mitigation measures have been incorporated herein to further reduce the potential air quality impacts to levels that are less than significant.

AIR MITIGATION #1. The Applicant shall prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project;

AIR MITIGATION #2. The Applicant shall ensure that signage, compliant with Rule 403 Attachment, is erected at each project site entrance not later than the commencement of construction.

AIR MITIGATION #3. The Applicant shall ensure the use of a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.

AIR MITIGATION #4. All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.

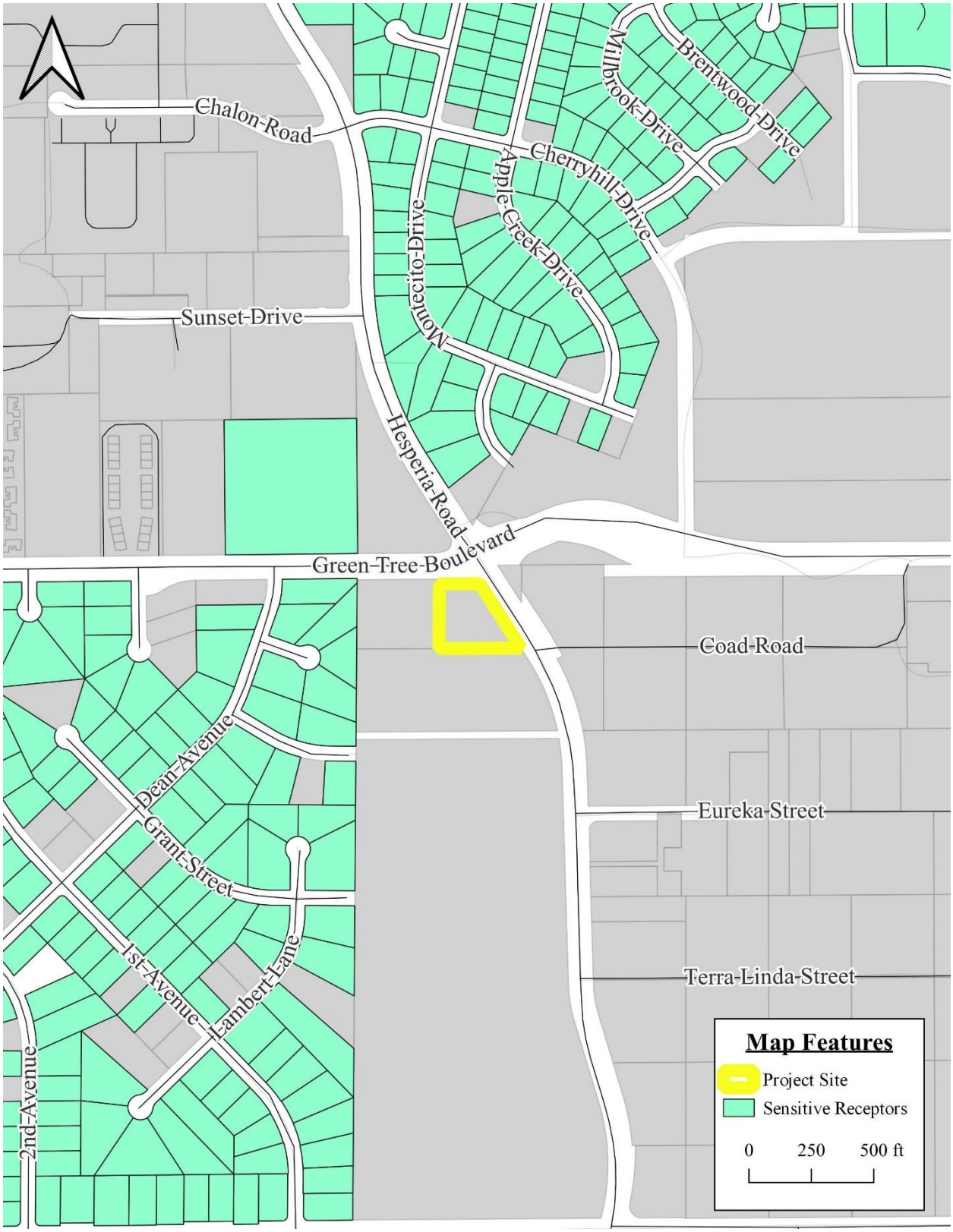

EXHIBIT 3-1 AIR QUALITY SENSITIVE RECEPTORS MAP

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

AIR MITIGATION #5. All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related track out onto paved surfaces and clean any project-related track out within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.

3.4 BIOLOGICAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		✖		
B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				✖
C. Would the project have a substantial adverse effect on State or Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✖
D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				✖
E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✖		
F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✖

The biological resources study is included in Appendix B.

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on biological resources if it results in any of the following:

- The proposed project would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

- The proposed project would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.
- The proposed project would 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.
- The proposed project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.
- The proposed project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- The proposed project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Sensitive biological resources include a variety of plant and animal species that are specialized and endemic to a particular habitat type. Due to loss of habitat, some of these species have been designated by either, or both, the federal and state government resource agencies as threatened or endangered. Species listed as threatened include those whose numbers have dropped to such low levels and/or whose populations are so isolated that the continuation of the species could be jeopardized. Endangered species are those with such limited numbers or subject to such extreme circumstances that they are considered in imminent danger of extinction. Other government agencies and resource organizations also identify sensitive species, those that are naturally rare and that have been locally depleted and put at risk by human activities. While not in imminent danger of jeopardy or extinction, sensitive species are considered vulnerable and can become candidates for future listing as threatened or endangered.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ● Less than Significant Impact with Mitigation.*

The vegetation community present on site supports a moderately disturbed desert scrub habitat encompassing mainly native plants and some non-native grasses. The site is dominated by creosote bush (Larrea tridentata), rubber rabbitbrush (Ericameria nauseosa), silver cholla (Cylindropuntia echinocarpa), indian rice grass (Oryzopsis hymenoides), Nevada jointfir (Ephedra nevadensis), common stork's bill (Erodium cicutarium), shortpod mustard (Hirschfeldia cana), and cheatgrass (Bromus tectorum). The site supports a variety of wildlife, with many of them being birds. No mammals were observed during the site visit. However, the California ground squirrel (Otospermophilus beecheyi) and desert cottontails (Sylvilagus audubonii) are common in the region. Although not seen, coyote signs were also observed on site, this included scat and tracks throughout the property. Other mammals that are expected to occur include the antelope ground squirrel (Ammospermophilus leucurus) and black-tailed jackrabbit (Lepus californium). Birds observed included common ravens (Corvus corax), house finch (Carpodacus mexicanus), northern mockingbird (Mimus polyglottos), mourning dove (Zenaida macroura), California gull (Larus californicus) and rock pigeon (Columba livia). Section 5.0 provides a more detailed discussion

of the various species observed during the surveys. No reptiles observed during the field investigation due to the temperature, however the three which include the side-blotched lizard (Uta stansburiana), western whiptail (Aspidoscelis tigris), and the western fence lizard (Sceloporus occidentalis) are very common in the area. In addition, no sensitive habitats (e.g., sensitive species, critical habitats, etc.) have been documented in the immediate area according to the CNDDB (2023) and none were observed during the field investigations.[22]

The site has been found to support minimal amount of wildlife, with majority being birds. No mammals were observed during the investigation California ground squirrel (Otospermophilus beecheyi), antelope ground squirrel (Ammospermophilus leucurus), jack rabbit (Lepus californicus) and cottontail rabbit (Sylvilagus) are very common in the region and are expected to be prominent in the surrounding area.[23] No reptiles were observed during the field investigations, although common reptiles that are expected to inhabit the site include western fence lizard (*Sceloporus occidentalis*), western whiptail lizard (*Cnemidophorus occidentalis*) and common side-blotched lizard (*Uta stansburiana*). Table 4-1 in the Biological Study (refer to Appendix B) provides a compendium of wildlife species.[24] Meandering transects were walked throughout the site and in the surrounding area (i.e., the zone of influence) at a pace that allowed for careful documentation of the plant and animal present on the site. All plants observed were identified in the field and wildlife was identified through visual observations and/or by vocalizations. Field notes were recorded regarding native plant assemblages, wildlife sign, and human effects in order to determine the presence or absence of suitable tortoise foraging habitat. If tortoises are found to inhabit the site in the future, a Section 10(a) incidental take permit from the USFWS and a Section 2081 permit from CDFW will be required to mitigate impacts to the species. The survey focused on the following species:

- *Mohave Tui Chub:* The Mohave Tui Chub is a federally and state endangered species that is fully protected. The site is located within the documented Hesperia quad habitat according to CNDDB (2023). There are only three populations of Mohave tui chub, with a fourth population having been recently introduced to the Mojave river. The site, however, does not contain or is connected to the Mojave River, and no Mohave tui chub will occur on site.
- *Mohave Ground Squirrel:* The Mohave ground squirrel is a California state threatened species that have a short, flat, furred, white, underside tail, uniformly brown (with no spots or stripes). They inhabit open desert scrub, alkali desert scrub, and annual grasslands on sandy to gravelly surfaces in the Mojave Desert. Occupiable burrows were found on the site, but no Mohave ground squirrels were detected. It is the opinion of RCA Associates, Inc. that the habitat is not prime Mohave ground squirrel habitat and is very unlikely to support populations of the species based on the following criteria, that there have been two recent sightings, within 20 years of the species in the Hesperia quadrangle.
- *Booth's Evening-Primrose:* The Booth's evening primrose is a California threatened annual plant species that thrives in arid areas, and has hairy reddish-green stems, mottled foliage, with smaller flowers which have either white, red, or yellowish petals. The flower's optimal preferred habitat includes Joshua tree and pinyon/juniper woodland that have sandy flats and steep loose slopes. Although the site contains some sandy areas, it is the opinion of RCA Associates, Inc. that the habitat is not prime habitat for the Booth's evening primrose given the lack of recent sightings, and little sandy areas occurring on the site.
- *Sensitive Plants:* There are two plant species that have been documented in the Hesperia quad, the short-joint beavertail cactus and white-pygmy-poppy. In recent years, only the short-joint beavertail has been

[22] RCA Associates, Inc. *General Biological Resources Assessments Victorville San Bernardino County. APN 3090-331-02*. Report dated March 16, 2023.
[23] Ibid.
[24] Ibid.

seen within the Hesperia quad, while the white pygmy-poppy has not been observed for over 20 years. The site currently supports no suitable habitat for the two species, and none were observed on site during the March 7, 2023, field investigations. These species are not expected to occur on the site in the foreseeable future based on the length of time they have not been observed in the area and lack of suitable habitat, and therefore the project is not expected to impact any sensitive species.

- *Sensitive Wildlife:* Within the Hesperia Quad, seven species are listed as Species of Special Concern. These are the yellow warbler, burrowing owl, pallid bat, long-eared owl, coast horned lizard, Le Conte's thrasher, and gray vireo. The property does not contain suitable habitat for any of the said species. No physical sign or observations occurred during the March field investigations for the Le Conte's thrasher. The site does not contain suitable burrows for burrowing owls but no owl sign (i.e., scat, whitewash, castings, feathers) were observed during the field surveys. The Crotch's bumble bee (Bombus crotchii) is found between San Diego and Redding in a variety of habitats including open grasslands, shrublands, chaparral, desert margins including Joshua tree and creosote scrub, and semi-urban settings. It is near endemic to California, with only a few records from Nevada and Mexico. Crotch's bumblebee nests underground, often in abandoned rodent dens. It is a nonmigratory species of bumblebee. A petition was submitted by the Xerces society, Defenders of Wildlife, and the Center for Food Safety to the California Fish and Game Commission in October 2018 to list Crotch's bumblebee and three others as endangered under the California Endangered Species Act.

Future development of the site will have minimal impact on the general biological resources present on site. The site is expected to support a variety of wildlife species which will be impacted by development activities. Those species with limited mobility (i.e., small mammals and reptiles) will experience increases in mortality during the construction phase. However, more mobile species (i.e., birds, large mammals) will be displaced into adjacent areas and will likely experience minimal impacts. Therefore, loss of about 1.44-acres of a moderately disturbed desert scrub habitat is not expected to have a significant cumulative impact on the overall biological resources in the region given the presence of similar habitat throughout the surrounding area. No sensitive habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were observed on the site during the field investigations. Future development activities include grading the property and removing vegetation from the approximate 1.44-acre parcel; however, cumulative impacts to the general biological resources (plants and animals) on site are expected to be negligible. This assumption is based on the suitable habitat located in the surrounding areas of the region. In addition, future development activities are not expected to have any impact on any State or Federal listed or State special status plant or animal species. As discussed above, the site does not support any desert tortoises. In addition, burrowing owls do not inhabit the site and are not expected to be impacted given the absence of any active burrows. Some mitigation measures that may be considered are:

- Regardless of the time of year, a pre-construction survey shall be performed to verify absence of nesting birds. A qualified biologist shall conduct the pre-activity survey within the project area (including access routes) and a 500-foot buffer surrounding the Project areas, no more than three (3) days prior to the initiation of project activities, including, but not limited to clearing, grubbing, and/or rough grading to prevent impacts to birds and their nests. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified biologist shall make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If nesting bird activity is present, a no disturbance buffer zone shall be established by the qualified biologist to be marked on the ground around each nest. The buffer shall be a minimum of 500 feet for raptors and 300 feet for songbirds, unless a smaller buffer is specifically determined by a qualified biologist familiar with the nesting phenology

of the nesting species. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Active nest(s) and an established buffer distance(s) shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance. If there is no nesting activity, then no further action is needed for this measure. Appropriate survey methods and timeframes shall be established, to ensure that chances of detecting the target species are maximized. In the event that listed species, such as the desert tortoise, are encountered, authorization from the USFWS and CDFW must be obtained. If nesting birds are detected, avoidance measures shall be implemented to ensure that nests are not disturbed until after young have fledged. Pre-construction surveys shall encompass all areas within the potential footprint of disturbance for the project, as well as a reasonable buffer around these areas.

- Focused plant surveys for all special status plant species that have the potential to occur on the site. If focused plant surveys are considered, surveys should be performed during the blooming season (April - June) to determine the potential environmental effects of the proposed projects on special status plants and sensitive natural communities following recommended protocols by the Department of Fish and Wildlife.

If any other sensitive species are observed on the property during future activities, CDFW and USFWS (as applicable) should be contacted to discuss specific mitigation measures which may be required for the individual species. CDFW and USFWS are the only agencies which can grant authorization for the "take" of any sensitive species and can approve the implementation of any applicable mitigation measures. *The aforementioned mitigation will reduce the impacts to levels that are less than significant.*

B. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ● No Impact.*

According to the United States Fish and Wildlife Service and the results of the site visits, there are no wetland or migratory bird nesting areas located within the project site.[25] In addition, there is no riparian habitat located on-site or in the surrounding areas.[18] No offsite wetland or migratory bird nesting areas will be affected by the proposed development since all development will be confined to the project site. *As a result, no impacts are anticipated.*

C. *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? ● No Impact.*

No wetland areas or riparian habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were observed on the site during the field investigations.[26] The project site is currently zoned as *C-2 (General Commercial)*. The property is currently vacant though it has been disturbed. *As a result, no impacts are anticipated.*

[25] United States Fish and Wildlife Service. *National Wetlands Inventory*.
[26] RCA Associates, Inc. *General Biological Resources Assessments Victorville San Bernardino County. APN 3090-331-02*. Report dated March 16, 2023.

D. *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? ● No Impact.*

The site's utility as a habitat and a migration corridor is constrained by the presence of an adjacent roadways and the development that is present in the neighboring areas. *As a result, no impacts are anticipated.*

E. *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ● Less than Significant Impact with Mitigation.*

The City of Victorville enforces Title 8, Division 9 of San Bernardino County Code, which requires that every Joshua Tree proposed for removal be inspected by the city to assure the Joshua tree is not a "specimen" class tree requiring preservation and transplantation. Joshua trees occur throughout the Mojave Desert in Southern California and are typically found at an elevation of 1,200 to 5,400 feet. The California Department of Fish and Wildlife consider Joshua tree woodlands as areas that support relatively high species diversity and as such are considered to be a sensitive desert community. Joshua trees are also considered a significant resource under the California Environmental Quality Act (CEQA) and are included in the Desert Plant Protection Act, Food, and Agricultural Code (80001 – 80006). There is one Joshua tree on the site. A total of zero (0) Joshua trees are suitable for relocation/transplanting based on the nine factors. Joshua trees deemed suitable for transplanting should be relocated/transplanted on-site, which is the preferable option, or to an off-site area approved by the City of Victorville. Those Joshua trees that are not suitable for relocation/transplanting due to size, health of the tree, presence of damage, excessive branches, excessive leaning, clonal, and exposed roots should be disposed of as per City requirements. There was a total of five (5) Joshua trees located outside of the project boundary that fall within the 300-foot buffers which will be used to assess impacts to the species as a whole.[27] The City of Victorville's Municipal Code (13.33) instructs to follow the County of San Bernardino's ordinance (88.01.060), which requires preservation of Joshua trees given their importance in the desert community.

The California Fish and Game Commission (Commission) designated the western Joshua tree as a candidate for listing under the California Endangered Species Act (CESA) in October 2020. This action afforded the western Joshua tree the same CESA protections as listed species, which means that removal of the desert trees was subject to fines and criminal penalties unless authorized by a "take" permit issued by the CDFW. Such permits were difficult to obtain, and when issued would authorize removal only in limited circumstances. The new law which became effective July 1, 2023, streamlines the western Joshua Tree take permit process and broadens the purposes for which a permit may be issued. A western Joshua tree may now be removed for any purpose, so long as a permit is obtained and the removal is fully mitigated, or alternatively, an in-lieu mitigation fee is paid.

The Western Joshua Tree Conservation Act (WJTCA) was enacted in July 2023. The WJTCA prohibits the importation, export, take, possession, purchase, or sale of any western Joshua tree in California unless authorized by CDFW. The Act authorizes CDFW to issue permits for the incidental take of one or more western Joshua trees if the permittee meets certain conditions. Permittees may pay specified fees in lieu of conducting mitigation activities.

[27] RCA Associates, Inc. *Protected Plant Preservation Plan Victorville San Bernardino County. APN 3090-331-02*. Report dated March 16, 2023.

The act also authorizes CDFW to issue permits for the removal of dead western Joshua trees and the trimming of live western Joshua trees under certain circumstances. Pursuant to the WJTCA, CDFW may enter into an agreement with any county or city to delegate limited authority to permit the taking of a western Joshua tree associated with developing single-family residences, multifamily residences, accessory structures, and public works projects. CDFW may similarly enter into an agreement with any county or city to delegate limited authority to permit the removal of dead western Joshua trees and the trimming of live western Joshua trees.

Under the act, all in-lieu fees collected will be deposited into the Western Joshua Tree Conservation Fund for appropriation to CDFW solely for the purposes of acquiring, conserving, and managing western Joshua tree conservation lands and completing other activities to conserve the western Joshua tree. If implementation of the proposed project should result in impacts to, or removal of any of the western Joshua trees occurring onsite, mitigation will be required at $300 per tree to be paid into the western Joshua tree mitigation fund. The following mitigation measures will be required to address the potential Joshua Tree impacts:

- Prior to construction, the project proponent is required to obtain an Incidental Take Permit (ITP) through CDFW for the take of any Joshua tree. Per Section 1927.4 of the WJTCA, CDFW may authorize, by permit, the taking of a western Joshua tree if all of the following conditions are met: (1) The permittee submits to CDFW for its approval a census of all western Joshua trees on the project site, including photographs, that categorize the trees according to the following size classes: a. Less than one meter in height. b. One meter or greater but less than five meters in height. c. Five meters or greater in height. (2) The permittee avoids and minimizes impacts to, and the taking of, the western Joshua tree to the maximum extent practicable. Minimization may include trimming, encroachment on root systems, relocation, or other actions that result in detrimental but nonlethal impacts to western Joshua tree. (3) The permittee mitigates all impacts to, and taking of, the western Joshua tree. In lieu of completing the mitigation on its own, the permittee may elect to pay mitigation fees. (4) CDFW may require the permittee to relocate the western Joshua trees. The City of Victorville falls within an area of the WJTCA which qualifies for reduced Mitigation Fees for impacts to western Joshua trees (Fish and Wildlife Code, Section 1927). The reduced Mitigation Fees are as follows [Fish and Wildlife Code, Section 1927.3 (d)]: 1.Trees 5 meters of greater in height - $1,000; 2. Trees 1 meter or greater but less than 5 meters in height - $200; 3. Trees less than 1 meter in height - $150. Each western Joshua tree stem or trunk arising from the ground shall be considered an individual tree requiring mitigation, regardless of proximity to any other western Joshua tree stem of trunk. Mitigation is required of all trees, regardless of whether they are dead or alive. It is recommended that specific Joshua tree mitigation measures or determination of in-lieu fees be addressed through consultation with CDFW.

With the implementation of the above mitigation, the impacts will be less than significant.

F. *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ● No Impact.*

The proposed project's implementation would not conflict with the provisions of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plans. *As a result, no impacts are anticipated.*

MITIGATION MEASURES

Future development activities include grading the property and removing vegetation from the approximate 1.44-acre parcel; however, cumulative impacts to the general biological resources (plants and animals) on site are expected to be negligible. This assumption is based on the suitable habitat located in the surrounding areas of the region. In addition, future development activities are not expected to have any impact on any State or Federal listed or State special status plant or animal species. As discussed above, the site does not support any desert tortoises. In addition, burrowing owls do not inhabit the site and are not expected to be impacted given the absence of any active burrows. Some mitigation measures that may be considered are:

BIO MITIGATION #1. Regardless of the time of year, a pre-construction survey shall be performed to verify absence of nesting birds. A qualified biologist shall conduct the pre-activity survey within the Project areas (including access routes) and a 500-foot buffer surrounding the Project areas, no more than three (3) days prior to the initiation of project activities, including, but not limited to clearing, grubbing, and/or rough grading to prevent impacts to birds and their nests. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified biologist shall make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If nesting bird activity is present, a no disturbance buffer zone shall be established by the qualified biologist to be marked on the ground around each nest. The buffer shall be a minimum of 500 feet for raptors and 300 feet for songbirds, unless a smaller buffer is specifically determined by a qualified biologist familiar with the nesting phenology of the nesting species. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Active nest(s) and an established buffer distance(s) shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance. If there is no nesting activity, then no further action is needed for this measure. Appropriate survey methods and timeframes shall be established, to ensure that chances of detecting the target species are maximized. In the event that listed species, such as the desert tortoise, are encountered, authorization from the USFWS and CDFW must be obtained. If nesting birds are detected, avoidance measures shall be implemented to ensure that nests are not disturbed until after young have fledged. Pre-construction surveys shall encompass all areas within the potential footprint of disturbance for the project, as well as a reasonable buffer around these areas.

BIO MITIGATION 2. Focused plant surveys for all special status plant species that have the potential to occur on the site. If focused plant surveys are considered, surveys should be performed during the blooming season (April - June) to determine the potential environmental effects of the proposed projects on special status plants and sensitive natural communities following recommended protocols by the Department of Fish and Wildlife.

The following mitigation measures will be required to address the potential Joshua Tree impacts:

BIO MITIGATION 3. Prior to construction, the project proponent is required to obtain an Incidental Take Permit (ITP) through CDFW for the take of any Joshua tree. Per Section 1927.4 of the WJTCA, CDFW may authorize, by permit, the taking of a western Joshua tree if all of the following conditions are met: (1) The permittee submits to CDFW for its approval a census of all western Joshua trees on the project site, including photographs, that categorize the trees according to the following size classes: a. Less than one meter in height. b. One meter or greater but less than five meters in height. c. Five meters or greater in height. (2) The permittee avoids and minimizes impacts to, and the taking of, the western Joshua tree to the maximum extent practicable. Minimization may include trimming, encroachment on root systems, relocation, or other actions

that result in detrimental but nonlethal impacts to western Joshua tree. (3) The permittee mitigates all impacts to, and taking of, the western Joshua tree. In lieu of completing the mitigation on its own, the permittee may elect to pay mitigation fees. (4) CDFW may require the permittee to relocate the western Joshua trees. The City of Victorville falls within an area of the WJTCA which qualifies for reduced Mitigation Fees for impacts to western Joshua trees (Fish and Wildlife Code, Section 1927). The reduced Mitigation Fees are as follows [Fish and Wildlife Code, Section 1927.3 (d)]: 1.Trees 5 meters of greater in height - $1,000; 2. Trees 1 meter or greater but less than 5 meters in height - $200; 3. Trees less than 1 meter in height - $150. Each western Joshua tree stem or trunk arising from the ground shall be considered an individual tree requiring mitigation, regardless of proximity to any other western Joshua tree stem of trunk. Mitigation is required of all trees, regardless of whether they are dead or alive. It is recommended that specific Joshua tree mitigation measures or determination of in-lieu fees be addressed through consultation with CDFW.

3.5 CULTURAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project cause substantial adverse change in the significance of a historical resource pursuant to §15064.5?				✖
B. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		✖		
C. Would the project disturb any human remains, including those interred outside of dedicated cemeteries?			✖	

The cultural resources study is included in Appendix C.

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on cultural resources if it results in any of the following:

- The proposed project would cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5.
- The proposed project would cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.
- The proposed project would disturb any human remains, including those interred outside of formal cemeteries.

Historic structures and sites are defined by local, State, and Federal criteria. A site or structure may be historically significant if it is locally protected through a General Plan or historic preservation ordinance. In addition, a site or structure may be historically significant according to State or Federal criteria even if the locality does not recognize such significance. To be considered eligible for the National Register, a property's significance may be determined if the property is associated with events, activities, or developments that were important in the past, with the lives

of people who were important in the past, or represents significant architectural, landscape, or engineering elements. Specific criteria include the following:

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

Ordinarily, properties that have achieved significance within the past 50 years are not considered eligible for the National Register. However, such properties *will qualify* if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- A religious property deriving primary significance from architectural or artistic distinction or historical importance;
- Districts, sites, buildings, structures, and objects that are associated with events that have made a significant contribution to the broad patterns of our history;
- A building or structure removed from its original location that is significant for architectural value, or which is the surviving structure is associated with a historic person or event;
- A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building associated with his or her productive life;
- A cemetery that derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events;
- A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived;
- A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or,
- A property achieving significance within the past 50 years if it is of exceptional importance.[28]

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? ● No Impact.*

Historic structures and sites are defined by local, State, and Federal criteria. A site or structure may be historically significant if it is locally protected through a General Plan or historic preservation ordinance. In addition, a site or structure may be historically significant according to State or Federal criteria even if the locality does not recognize

[28] U. S. Department of the Interior, National Park Service. National Register of Historic Places. http://nrhp.focus.nps.gov. 2010.

such significance. To be considered eligible for the National Register, a property's significance may be determined if the property is associated with events, activities, or developments that were important in the past, with the lives of people who were important in the past, or represents significant architectural, landscape, or engineering elements. Specific criteria include the following:

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

Ordinarily, properties that have achieved significance within the past 50 years are not considered eligible for the National Register. However, such properties *will qualify* if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- A religious property deriving primary significance from architectural or artistic distinction or historical importance;
- Districts, sites, buildings, structures, and objects that are associated with events that have made a significant contribution to the broad patterns of our history;
- A building or structure removed from its original location that is significant for architectural value, or which is the surviving structure is associated with a historic person or event;
- A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building associated with his or her productive life;
- A cemetery that derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events;
- A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived;
- A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or,
- A property achieving significance within the past 50 years if it is of exceptional importance.[29]

The State has established *California Historical Landmarks* that include sites, buildings, features, or events that are of statewide significance and have anthropological, cultural, military, political, architectural, economic, scientific, or technical, religious, experimental, or other value. *California Points of Historical Interest* has a similar definition, except they are deemed of local significance. A cultural report conducted by BCR Consulting LLC, attached as an Appendix, found that artifacts with significant value were not found on the project site and its vicinity. A search was

[29] U. S. Department of the Interior, National Park Service. National Register of Historic Places. http://nrhp.focus.nps.gov. 2010.

also done of the National Register of Historic Places and the list of California Historical Resources was conducted, and it was determined that no historic resources were listed within the City of Victorville.[30]

BCR conducted a Cultural Resources study, attached as Appendix C. The proposed project will not affect any structures or historical resources listed on the National or State Register or those identified as being eligible for listing on the National or State Register. The project site is not present on the list of historic resources identified by the State Office of Historic Preservation (SHPO).[31] The proposed project will be limited to the project site and will not affect any structures or historical resources listed on the National or State Register or those identified as being eligible for listing on the National or State Register. Furthermore, the project site is not present on the list of historic resources identified by the State Office of Historic Preservation (SHPO).[22] The proposed project site is located on a 1.44-acre parcel that is currently vacant. The vegetation community present on site supports a moderately disturbed desert scrub habitat encompassing mainly native plants and some non-native grasses. The project site and the surrounding areas do not have any historical or cultural significance. The project's implementation will not impact any Federal, State, or locally designated historic resources. *As a result, no impacts will occur.*

B. *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? ● Less than Significant Impact with Mitigation.*

The prehistoric cultural setting of the Mojave Desert has been organized into many chronological frameworks (see Warren and Crabtree 1986; Bettinger and Taylor 1974; Lanning 1963; Hunt 1960; Wallace 1958, 1962, 1977; Wallace and Taylor 1978; Campbell and Campbell 1935), although there is no definitive sequence for the region. The difficulties in establishing cultural chronologies for the Mojave are a function of its enormous size and number of archaeological excavations conducted there. Moreover, throughout prehistory many groups have occupied the Mojave and their territories often overlap spatially and chronologically resulting in mixed artifact deposits. Due to dry climate and capricious geological processes, these artifacts rarely become integrated in-situ. Lacking a milieu hospitable to the preservation of cultural midden, Mojave chronologies have relied upon temporally diagnostic artifacts, such as projectile points, or upon the presence/absence of other temporal indicators, such as groundstone. Such methods are instructive but can be limited by prehistoric occupants' concurrent use of different artifact styles, or by artifact re-use or re-sharpening, as well as researchers' mistaken diagnosis, and other factors.[32]

- *Paleoindian (12,000 to 10,000 BP) and Lake Mojave (10,000 to 7,000 BP) Periods.* Climatic warming characterizes the transition from the Paleoindian Period to the Lake Mojave Period. This transition also marks the end of Pleistocene Epoch and ushers in the Holocene. The Paleoindian Period has been loosely defined by isolated fluted (such as Clovis) projectile points, dated by their association with similar artifacts discovered in-situ in the Great Plains. Some fluted bifaces have been associated with fossil remains of Rancholabrean mammals approximately dated to ca. 13,300-10,800 BP near China Lake in the northern Mojave Desert.
- *The Lake Mojave Period* has been associated with cultural adaptations to moist conditions, and resource allocation pointing to more lacustrine environments than previously. Artifacts that characterize this period include stemmed points, flake and core scrapers, choppers, hammerstones, and crescentics. Projectile points associated with the period include the Silver Lake and Lake Mojave styles. Lake Mojave sites

[30] U. S. Department of the Interior, National Park Service. National Register of Historic Places. Secondary Source: California State Parks, Office of Historic Preservation. *Listed California Historical Resources.* Website accessed August 20, 2022.
[31] California Department of Parks and Recreation. *California Historical Resources*. Website accessed on August 20, 2022.
[32] BCR Consulting LLC, *Vask Gas Station Project Cultural Resources Assessment*. October 11, 2022

commonly occur on shorelines of Pleistocene lakes and streams, where geological surfaces of that epoch have been identified.

- *The Pinto Period* has been largely characterized by desiccation of the Mojave. As formerly rich lacustrine environments began to disappear, the artifact record reveals more sporadic occupation of the Mojave, indicating occupants' recession to the more hospitable fringes. Pinto Period sites are rare and are characterized by surface manifestations that usually lack significant in-situ remains. Artifacts from this era include Pinto projectile points and a flake industry similar to the Lake Mojave tool complex, though use of Pinto projectile points as an index artifact for the era has been disputed. Milling stones have also occasionally been associated with sites of this period.
- *Gypsum Period. (4,000 to 1,500 BP).* A temporary return to moister conditions during the Gypsum Period is postulated to have encouraged technological diversification afforded by the relative abundance of resources. Lacustrine environments reappear and begin to be exploited during this era. Concurrently a more diverse artifact assemblage reflects intensified reliance on plant resources. The new artifacts include milling stones, mortars, pestles, and a proliferation of Humboldt Concave Base, Gypsum Cave, Elko Eared, and Elko Corner-notched dart points. Other artifacts include leaf-shaped projectile points, rectangular-based knives, drills, large scraper planes, choppers, hammer stones, shaft straighteners, incised stone pendants, and drilled slate tubes. The bow and arrow appear around 2,000 BP, evidenced by the presence of a smaller type of projectile point, the Rose Spring point.
- *Saratoga Springs Period (1,500 to 800 BP).* During the Saratoga Springs Period regional cultural diversifications of Gypsum Period developments are evident within the Mojave. Basketmaker III (Anasazi) pottery appears during this period and has been associated with turquoise mining in the eastern Mojave Desert. Influences from Patayan/Yuman assemblages are apparent in the southern Mojave and include buff and brown wares often associated with Cottonwood and Desert Side-notched projectile points. Obsidian became more commonly used throughout the Mojave and characteristic artifacts of the period include milling stones, mortars, pestles, ceramics, and ornamental and ritual objects. More structured settlement patterns are evidenced by the presence of large villages, and three types of identifiable archaeological sites (major habitation, temporary camps, and processing stations) emerge. Diversity of resource exploitation continues to expand, indicating a much more generalized, somewhat less mobile subsistence strategy.
- *Shoshonean Period (800 BP to Contact).* The Shoshonean period is the first to benefit from contact-era ethnography as well as be subject to its inherent biases. Interviews of living informants allowed anthropologists to match artifact assemblages and particular traditions with linguistic groups and plot them geographically. During the Shoshonean Period continued diversification of site assemblages and reduced Anasazi influence both coincide with the expansion of Numic (Uto-Aztecan language family) speakers across the Great Basin, Takic (Uto-Aztecan language family) speakers into southern California, and the Hopi across the Southwest. Hunting and gathering continued to diversify, and the diagnostic arrow points include desert side-notch and cottonwood triangular. Ceramics continue to proliferate, though are more common in the southern Mojave during this period. Trade routes have become well established across the Mojave, particularly the Mojave Trail, which transported goods and news across the desert via the Mojave River, to the west of the current project. Trade in the western Mojave was more closely related to coastal groups than others.

The Uto-Aztecan "Serrano" people occupied the western Mojave Desert periphery. Kroeber (1925) applied the generic term "Serrano" to four groups, each with distinct territories: the Kitanemuk, Tataviam, Vanyume, and Serrano. Only one group, in the San Bernardino Mountains and West-Central Mojave Desert, ethnically claims the

term Serrano. Bean and Smith (1978) indicate that the Vanyume, an obscure Takic population, was found along the Mojave River at the time of Spanish contact. The Kitanemuk lived to the north and west, while the Tataviam lived to the west. the Serrano lived mainly to the south (Bean and Smith 1978). All may have used the western Mojave area seasonally. Historical records are unclear concerning precise territory and village locations. It is doubtful that any group, except the Vanyume, actually lived in the region for several seasons yearly.

BCR completed an archaeological records search using SCCIC records of California State University, Fullerton for the current project. This archival research reviewed the status of all recorded historic and prehistoric cultural resources, and survey and excavation reports completed within the project site boundaries and within a 0.5-mile radius of it. Additional resources reviewed included the National Register of Historic Places (National Register), the California Register, the Built Environmental Resource Directory (BERD), and documents and inventories published by the California Office of Historic Preservation. These include the lists of California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and the Inventory of Historic Structures.[33] An intensive-level cultural resources field survey of the project site was conducted on March 10, 2023. The survey was conducted by walking parallel transects spaced approximately 15 meters apart across the project site. Digital photographs were taken at various points within the project site. Data from the South Central Coastal Information Center (SCCIC) revealed that 14 previous cultural resource studies have taken place resulting in five cultural resources identified within the 0.5-mile research radius. The project site has not been subject to previous cultural resources assessment and no cultural resources have been previously identified within its boundaries.[34] Based on these results, no significant impact related to historical resources is anticipated and no further investigations are recommended for the proposed project unless: the proposed project is changed to include areas that have not been subject to this cultural resource assessment or if cultural materials are encountered during project activities.[35]

The following mitigation measures were requested by the Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN, also known as San Manuel Band of Mission Indians):

- Monitoring and Treatment Plan Monitoring and Treatment Plan that is reflective of the project mitigation ("Cultural Resources" and "Tribal Cultural Resources") shall be completed by the archaeologist and submitted to the Lead Agency for dissemination to the Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN, also known as San Manuel Band of Mission Indians). Once all parties review and approve the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring and Treatment 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.
- Due to the heightened cultural sensitivity of the proposed project area, an archaeological monitor with at least 3 years of regional experience in archaeology shall be present for all ground-disturbing activities that occur within the proposed project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). A sufficient number of archaeological monitors shall be present each work day to ensure that simultaneously occurring ground disturbing

[33] BCR Consultants, Inc. *Independent Station Project, Cultural Resources Assessment*. April 11, 2023.
[34] Ibid.
[35] Ibid.

activities receive thorough levels of monitoring coverage.

Adherence to mitigation, the impact will be less than significant.

C. *Would the project disturb any human remains, including those interred outside of dedicated cemeteries? ● Less than Significant Impact.*

There are no dedicated cemeteries located in the vicinity of the project site. The proposed project will be restricted to the project site and therefore will not affect any dedicated cemeteries in the vicinity. Notwithstanding, the following standard condition is mandated by the California Code of Regulations (CCR) Section 15064.5(b)(4):

> "A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of a historical resource. The lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures."

Additionally, Section 5097.98 of the Public Resources Code states:

> "In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with (b) Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning the investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission."

As a result, the impact will be less than significant with the aforementioned standard condition.

MITIGATION MEASURES

The following mitigation measures were requested by the Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN, also known as San Manuel Band of Mission Indians):

CUL MITIGATION #1. Monitoring and Treatment Plan Monitoring and Treatment Plan that is reflective of the project mitigation ("Cultural Resources" and "Tribal Cultural Resources") shall be completed by the archaeologist and submitted to the Lead Agency for dissemination to the Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN, also known as San Manuel Band of Mission Indians). Once all parties review and approve the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring and Treatment 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.

CUL MITIGATION #2. *(*Archaeological Monitoring). Due to the heightened cultural sensitivity of the proposed project area, an archaeological monitor with at least 3 years of regional experience in archaeology shall be present for all ground-disturbing activities that occur within the proposed project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). A sufficient number of archaeological monitors shall be present each work day to ensure that simultaneously occurring ground disturbing activities receive thorough levels of monitoring coverage.

3.6 ENERGY

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?			✖	
B. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			✖	

The computer worksheets used to calculate energy use are included in Appendix D.

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on energy resources if it results in any of the following:

- The proposed project would result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during the proposed project's construction or operation.
- The proposed project would conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

Energy and natural gas consumption were estimated using default energy intensities by building type in CalEEMod. In addition, it was assumed the new buildings would be constructed pursuant to the 2022 CALGreen standards, which was considered in the CalEEMod inputs.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation? ● Less than Significant Impact.*

Southern California Edison (SCE) provides electricity to the project site. Currently, the existing site is vacant and does not use electricity. Therefore, the proposed project would cause a permanent increase in demand for electricity when compared to existing conditions. The increased demand is expected to be sufficiently served by the existing SCE electrical facilities. the proposed project is anticipated to consume 265.5 KWH on a daily basis. The proposed project is located within the service area of the Southwest Gas Company. According to the worksheets provided in Appendix D, the proposed project is anticipated to consume 726.7 cubic feet of natural gas on a daily basis.

The proposed project would represent an insignificant percentage of the overall demand in the region. The proposed project would be constructed pursuant to the 2022 energy conservation standards of Title 24; therefore, no significant impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation are anticipated and no mitigation measures are recommended. The proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. *As a result, the impacts will be less than significant.*

B. *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency? ● Less Than Significant Impact.*

On January 12, 2010, the State Building Standards Commission adopted updates to the California Green Building Standards Code which became effective on January 1, 2011. The California Code of Regulations (CCR) Title 24, Part 11: California Green Building Standards (Title 24) became effective to aid efforts to reduce GHG emissions associated with energy consumption. Title 24 now requires that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.

The proposed project will be required to conform to all pertinent energy conservation requirements. While the proposed project would be a privately owned commercial use, the implementation of similar programs would prove effective in reducing potential energy consumption. The proposed project will be required to comply with all pertinent Title 24 requirements along with other Low Impact Development (LID) requirements. In addition, the proposed project would be in conformance with Victorville's General Plan 2030: Resource Element. Both of these plans support energy conservation energy consumption and GHG emissions to become a more sustainable community and to meet the goals of AB 32. *As a result, the impacts will be less than significant.*

MITIGATION MEASURES

The analysis determined that the proposed project would not result in any significant impacts with respect to energy. As a result, no mitigation would be required.

3.7 GEOLOGY & SOILS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project directly or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death?			✖	
i). Would the project, directly or indirectly, cause rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; Refer to Division of Mines and Geology Special Publication 42.				✖
ii). Would the project, directly or indirectly cause strong seismic ground shaking?			✖	
iii). Would the project, directly or indirectly cause seismic-related ground failure, including liquefaction.				✖
iv). Would the project, directly or indirectly cause landslides?				✖
B. Would the project result in substantial soil erosion or the loss of topsoil?			✖	
C. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			✖	
D. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			✖	
E. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✖
F. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✖		

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on geology and soils if it results in any of the following:

- The proposed project would, directly or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42); strong seismic ground shaking; seismic-related ground failure, including liquefaction; and, landslides?
- The proposed project would result in substantial soil erosion or the loss of topsoil.

- The proposed project would be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.
- The proposed project would be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.
- The proposed project would have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.
- The proposed project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

The proposed project's potential seismic and soils risk was evaluated in terms of the site's proximity to earthquake faults and unstable soils.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project, directly or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death?*

The City of Victorville is reviewing an application to construct and operate a commercial center on a 1.44-acre property located on the southwest corner of Green Tree Boulevard and Hesperia Road. The new development would include a 5,785 square foot convenience store, a 1,733 square foot drive through carwash tunnel, and a fueling area with 8 dispensers and 16 fueling positions. The fueling area would be covered by a canopy with the dimensions being approximately 117-feet by 36-feet.

i). *Would the project, directly or indirectly, cause rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; Refer to Division of Mines and Geology Special Publication 42. ● No Impact*

The City of Victorville is located in a seismically active region. Earthquakes from several active and potentially active faults in the Southern California region could affect the proposed project site. In 1972, the Alquist-Priolo Earthquake Zoning Act was passed in response to the damage sustained in the 1971 San Fernando Earthquake. The Alquist-Priolo Earthquake Fault Zoning Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The City of Victorville is not on the list.[36] The nearest fault to the project site is the Helendale Fault, which is located approximately 18 miles northeast of the City. *Therefore, no impacts will occur.*

ii). *Would the project, directly or indirectly, cause strong seismic ground shaking? ●Less than Significant Impact.*

The new development would include a 5,785 square foot convenience store, a 1,733 square foot drive through carwash tunnel, and a fueling area with 8 dispensers and 16 fueling positions. The fueling area would be covered by

[36] California Department of Conservation. *Table 4, Cities and Counties Affected by Alquist Priolo Earthquake Fault Zones as of January 2010.*

a canopy with the dimensions being approximately 117-feet by 36-feet. The effects of ground motion on structures are difficult to predict and depend on a variety of factors including the intensity of the quake, the distance from the epicenter to the site, the composition of soils and bedrock, building design, and other building characteristics. Based on these factors, ground shaking can result in minimal to significant damage. In general, peak ground accelerations and seismic intensity values decrease with increasing distance from the earthquake. Local conditions, such as soft soils, shallow ground water, and the presence of ridge tops, could amplify the effects of seismic waves and result in higher localized accelerations. The Uniform Building Code, California Building Code, and Unreinforced Masonry Law are the primary tools used by agencies to ensure seismic safety in structures. The City requires all new buildings to utilize reinforced masonry, as well as comply with the Uniform Building Code (UBC), which is expected to enable the proposed structures to resist major earthquakes without collapsing, although some structural damage could occur. The proposed new buildings would be a single level and consist largely of modular construction and would not be overly susceptible to strong ground motion. The new development would also be required to conform to the most current Building Code requirements. *As a result, the impacts will be less than significant.*

iii). *Would the project, directly or indirectly, cause seismic-related ground failure, including liquefaction? ●No Impact.*

According to the United States Geological Survey, liquefaction is the process by which water-saturated sediment temporarily loses strength and acts as a fluid. The potential for liquefaction generally occurs during strong ground shaking within granular loose sediments where the groundwater is usually less than 50 feet below the ground surface. As groundwater is anticipated to lie greater than 50 feet beneath the site and the site is underlain by relatively dense alluvial materials.[37] Therefore, the risk for liquefaction is no greater on-site than it is for the region. The project site is not located within a liquefaction zone.[38] *As a result, no impacts will occur.*

iv). *Would the project, directly or indirectly cause landslides? ● No Impact.*

According to the United States Geological Survey, a landslide is defined as the movement of a mass of rock, debris, or earth down a slope. The project site slopes gently to the northeast.[39] A*s a result, no impacts will occur.*

B. *Would the project result in substantial soil erosion or the loss of topsoil? ● Less than Significant Impact.*

The University of California, Davis SoilWeb database was consulted to determine the nature of the soils that underlie the project site. According to the University of California, Davis SoilWeb database, the property is underlain by soils of various associations including Cajon sand, Helendale, and Kimberlina. Slopes range from 2 to 5 percent.[40] The proposed development will be located in the central portion of the City of Victorville. The project's contractors will be required to adhere to specific requirements that govern wind and water erosion during site preparation and construction activities. Following development, the project site would be paved over and landscaped. The project's construction will not result in soil erosion with adherence to those development requirements that restrict stormwater runoff (and the resulting erosion) and require soil stabilization. In addition, stormwater discharges from construction activities that disturb one or more acres, or smaller sites disturbing less than one acre that are

[37] LOR Geotechnical Group Inc. Preliminary Geotechnical and Infiltration Feasibility Investigation Proposed Retail Development. October 26, 2022.
[38] San Bernardino County. *Multi-Jurisdictional Hazard Mitigation Plan* - July 13, 2017.
[39] LOR Geotechnical Group Inc. Preliminary Geotechnical and Infiltration Feasibility Investigation Proposed Retail Development. October 26, 2022.
[40] UC Davis. *SoilWeb*. Website accessed August 4, 2022.

part of a common plan of development or sale, are regulated under the National Pollutant Discharge Elimination System (NPDES) stormwater permitting program. Prior to initiating construction, contractors must obtain coverage under an NPDES permit, which is administered by the State. In order to obtain an NPDES permit, the project Applicant must prepare a Stormwater Pollution Prevention Plan (SWPPP). The use of these construction BMPs identified in the mandatory SWPPP will prevent soil erosion and the discharge of sediment into the local storm drains during the project's construction phase. *As a result, the impacts will be less than significant.*

C. *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? ● Less than Significant Impact.*

The proposed project's construction will not result in soil erosion since the project's contractors must implement the construction BMPs identified in the mandatory SWPPP. The BMPs will minimize soil erosion and the discharge of sediment off-site. Additionally, the project site is not located within an area that could be subject to landslides or liquefaction.[41] The soils that underlie the project site provide a dense, high-strength soil layer to distribute the foundation loads over the underlying soils. Soils that exhibit certain shrink-swell characteristics become sticky when wet and expand according to the moisture content present at the time. Since the soils have a low shrink-swell potential, lateral spreading resulting from an influx of groundwater is slim. The likelihood of lateral spreading will be further reduced since the project's implementation will not require grading and excavation that would extend to depths required to encounter groundwater. Moreover, the project will not result in the direct extraction of groundwater. *As a result, the potential impacts will be less than significant.*

D. *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? ● Less than Significant Impact.*

The University of California, Davis SoilWeb database was consulted to determine the nature of the soils that underlie the project site. According to the University of California, Davis SoilWeb database, the property is underlain by soils of various associations including Cajon sand, Helendale, and Kimberlina soils.[42] According to the U.S. Department of Agriculture, these soils are acceptable for the development of commercial buildings.[43] *As a result, the potential impacts will be less than significant.*

E. *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water? ● No Impact.*

The proposed project would utilize existing sewer connections located on Green Tree Boulevard or Hesperia Boulevard. No septic tanks will be used as part of the proposed project's implementation. *As a result, no impacts will occur.*

F. *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? ● Less Than Significant Impact with Mitigation*

[41] United States Department of Agriculture, Soil Conservation Service. *Soil Survey of Riverside California – Palm Spring Area*. Report dated 1978.
[42] Ibid.
[43] United States Department of Agriculture. Natural Resources Conservation Service. Website accessed August 22, 2022.

The surface deposits in the proposed project area are composed entirely of younger Quaternary Alluvium. This younger Quaternary Alluvium is unlikely to contain significant vertebrate fossils, at least in the uppermost layers. The closest fossil vertebrate locality is LACM 7786, between Victorville and the former George Air Force Base. This locality produced a fossil specimen of meadow vole, *Microtus*. The next closest vertebrate fossil locality from these deposits is LACM 1219, west of Spring Valley Lake, which produced a specimen of fossil camel, *Camelops*. Additionally, on the western side of the Mojave River below the bluffs, an otherwise unrecorded specimen of mammoth was collected in 1961 from older Quaternary Alluvium deposits. The following mitigation measures included in Section 3.5, would also address the potential for the discovery of paleontological resources that may be encountered during ground disturbance. These measures are listed below:

- Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Victorville that a qualified archaeologist/paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.
- The archaeologist/paleontologist monitor shall conduct full-time monitoring during grading and excavation operations in undisturbed, very old alluvial fan sediments at or below four (4) feet below ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The archaeologist/paleontologist monitor shall be empowered to temporarily halt or divert equipment to allow of removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by qualified archaeologist/paleontologist personnel to have a low potential to contain or yield fossil resources.

MITIGATION MEASURES

Two mitigation measures (*CUL MITIGATION 1* and *CUL MITIGATION 2*) included in Section 3.5, would also address the potential for the discovery of paleontological resources that may be encountered during ground disturbance. These measures are listed below:

GEO MITIGATION #1. Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Victorville that a qualified archaeologist/paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.

GEO MITIGATION #2. The archaeologist/paleontologist monitor shall conduct full-time monitoring during grading and excavation operations in undisturbed, very old alluvial fan sediments at or below four (4) feet below ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The archaeologist/paleontologist monitor shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by qualified archaeologist/paleontologist personnel to have a low potential to contain or yield fossil resources.

3.8 GREENHOUSE GAS EMISSIONS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✖	
B. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✖	

The air quality and greenhouse gas study is included in Appendix A.

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on greenhouse gas emissions if it results in any of the following:

- The proposed project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- The proposed project would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Examples of GHG that are produced both by natural and industrial processes include carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). The accumulation of GHG in the atmosphere regulates the earth's temperature. Without these natural GHG, the Earth's surface would be about 61°F cooler. However, emissions from fossil fuel combustion have elevated the concentrations of GHG in the atmosphere to above natural levels. These man-made GHG will have the effect of warming atmospheric temperatures with the attendant impacts of changes in the global climate, increased sea levels, and changes to the worldwide biome. The major GHG that influence global warming are described below.

- *Water Vapor*. Water vapor is the most abundant GHG present in the atmosphere. While water vapor is not considered a pollutant, while it remains in the atmosphere it maintains a climate necessary for life. Changes in the atmospheric concentration of water vapor is directly related to the warming of the atmosphere rather than a direct result of industrialization. As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity can be higher (in essence, the air is able to "hold" more water when it is warmer), leading to more water vapor in the atmosphere. As a GHG, the higher concentration of water vapor is then able to absorb more thermal indirect energy radiated from the Earth, thus further warming the atmosphere. When water vapor increases in the atmosphere, more of it will eventually also condense into clouds, which are more able to reflect incoming solar radiation. This will allow less energy to reach the Earth's surface thereby affecting surface temperatures.
- *Carbon Dioxide (CO_2)*. The natural production and absorption of CO_2 is achieved through the terrestrial biosphere and the ocean. Manmade sources of CO_2 include the burning coal, oil, natural gas, and wood. Since the industrial revolution began in the mid-1700's, these activities have increased the atmospheric

concentrations of CO_2. Prior to the industrial revolution, concentrations were fairly stable at 280 parts per million (ppm). The International Panel on Climate Change (IPCC Fifth Assessment Report, 2014) Emissions of CO_2 from fossil fuel combustion and industrial processes contributed about 78% of the total GHG emissions increase from 1970 to 2010, with a similar percentage contribution for the increase during the period 2000 to 2010.

- *Methane (CH_4).* CH_4 is an extremely effective absorber of radiation, although its atmospheric concentration is less than that of CO_2. Methane's lifetime in the atmosphere is brief (10 to 12 years), compared to some other GHGs (such as CO_2, N_2O, and Chlorofluorocarbons (CFCs). CH_4 has both natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants). Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of methane. Other human-related sources of methane production include fossil-fuel combustion and biomass burning.
- *Nitrous Oxide (N_2O).* Concentrations of N_2O also began to increase at the beginning of the industrial revolution. In 1998, the global concentration of this GHG was documented at 314 parts per billion (ppb). N_2O is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is also commonly used as an aerosol spray propellant.
- *Chlorofluorocarbons (CFC).* CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane (C_2H_6) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the Earth's surface). CFCs have no natural source but were first synthesized in 1928. It was used for refrigerants, aerosol propellants, and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and in 1989 the European Community agreed to ban CFCs by 2000 and subsequent treaties banned CFCs worldwide by 2010. This effort was extremely successful, and the levels of the major CFCs are now remaining level or declining. However, their long atmospheric lifetimes mean that some of the CFCs will remain in the atmosphere for over 100 years.
- *Hydrofluorocarbons (HFC).* HFCs are synthetic man-made chemicals that are used as a substitute for CFCs. Out of all the GHGs, they are one of three groups with the highest global warming potential. The HFCs with the largest measured atmospheric abundances are (in order), HFC-23 (CHF_3), HFC-134a (CF_3CH_2F), and HFC-152a (CH_3CHF_2). Prior to 1990, the only significant emissions were HFC-23. HFC-134a use is increasing due to its use as a refrigerant. Concentrations of HFC-23 and HFC-134a in the atmosphere are now about 10 parts per trillion (ppt) each. Concentrations of HFC-152a are about 1 ppt. HFCs are manmade and used for applications such as automobile air conditioners and refrigerants.
- *Perfluorocarbons (PFC).* PFCs have stable molecular structures and do not break down through the chemical processes in the lower atmosphere. High-energy ultraviolet rays about 60 kilometers above Earth's surface are able to destroy the compounds. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF_4) and hexafluoroethane (C_2F_6). Concentrations of CF_4 in the atmosphere are over 70 ppt. The two main sources of PFCs are primary aluminum production and semiconductor manufacturing.
- *Sulfur Hexafluoride (SF_6).* SF_6 is an inorganic, odorless, colorless, nontoxic, nonflammable gas. SF_6 has the highest global warming potential of any gas evaluated; 23,900 times that of CO_2. Concentrations in the

1990s where about 4 ppt. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

The MDAQMD mass emissions threshold is 10,000 MTCO2e per year.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ● Less than Significant Impact.*

The State of California requires CEQA documents to include an evaluation of greenhouse gas (GHG) emissions or gases that trap heat in the atmosphere. GHG emissions are emitted by both natural processes and human activities. Examples of GHG that are produced both by natural and industrial processes include carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). Carbon dioxide equivalent, or CO_2E, is a term that is used for describing different greenhouses gases in a common and collective unit. The computer program developed for the South Coast Air Quality Management District, (CalEEMod) was used to calculate the greenhouse gas emissions and these worksheets are included in Appendix A. Table 3-4 shows GHG emissions and evaluates emissions against MDAQMD significance thresholds. The MDAQMD established the 10,000 MTCO2 threshold for commercial land uses. As indicated in Table 3-3, the operational CO2E is 4,253.71 metric tons per year which is well below the threshold.

Table 3-3 Greenhouse Gas Emissions

Source	GHG Emissions (pounds/day)				Annual MTCO2E
	CO2	CH4	N2O	CO2E	
Long-Term (Operational) Emissions	21,356	1.43	0.94	23,308	4,253.71
Short-Term (Construction) Emissions	1,381	0.05	0.02	1,387	253.13
Significance Threshold Per Year					**10,000**

In Table 3-3, the operational CO2E is 23,308 pounds per day or 4,253.71 MTCO2E per year, which is well below the threshold. This figure does not take into account the implementation of *low impact development* (LID) requirements (drought tolerant landscaping, water efficient appliances, and energy efficient appliances) and compliance to Transportation Demand Management (TDM) requirements. *As a result, the potential impacts would be less than significant.*

B. *Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases? ● Less than Significant Impact.*

The San Bernardino County Transit Authority (SBCTA) authorized the preparation of a county-wide Regional Greenhouse Gas Reduction Plan. This plan was completed and finalized in March of 2014. The plan contains multiple reduction measures that would be effective in reducing GHG emissions throughout the SBCTA region. The lack of development in the immediate area may preclude residents from obtaining employment or commercial services within City boundaries, thus compelling residents to travel outside of City boundaries for employment and commercial services. According to the Citywide inventory completed for this planning effort, the primary sources of GHG emissions in Victorville are on-road transportation (52%), building energy (40%), and waste (6%).

Emissions are projected to increase by 20% from 2016 to 2030 and by 42% from 2016 to 2045 due to economic and population growth. In 2016, Victorville had per capita emissions of 7.2 MTCO2e, which is lower than the region's average per capita emissions of 7.5 MTCO2e. The City Collaborates with the SBCTA Greenhouse Gas Reduction Plan that was recently updated in 2021. The City Collaborates with the SBCTA Greenhouse Gas Reduction Plan that was recently updated in 2021. A GHG Screening Table was used to evaluate this project and is recommended by the GHG Reduction Plan to identify relevant mitigation. This section summarizes key general plan policies that support the City of Victorville's GHG reduction measures or would contribute to GHG reductions and sustainable practices in the City. All policies listed below are from the Victorville 2008 General Plan.

- (Energy Efficiency) 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 NO_X water heaters. This implementation measure is consistent with the proposed project.
- (Energy Efficiency) Implementation Measure 7.2.1.1: Incorporate green building principles and practices, to the extent practicable and financially feasible, into the design, development, and operation of all City owned facilities. This implementation measure is consistent with the proposed project though the new development is privately owned.
- (Lighting Efficiency) Implementation Measure 7.2.1.1: Incorporate green building principles and practices, to the extent practicable and financially feasible, into the design, development, and operation of all City owned facilities. This implementation measure is consistent with the proposed project though the new development is privately owned.
- (Lighting Efficiency) Implementation Measure 7.2.1.10: Incandescent lighting is discouraged for all new construction; all City facilities should replace incandescent lighting with CF or LED lighting unless light fixture does not exist for particular use. This implementation measure is consistent with the proposed project though the new development is privately owned.
- (Renewable Energy) Implementation Measure 7.1.1.3: Establish a photovoltaic target and require new construction to contribute to that target. This implementation measure is consistent with the proposed project. The use of solar panels is encouraged.
- Implementation Measure 7.1.1.4: Require all new commercial or industrial development to generate electricity on site to maximum extent feasible. This implementation measure is consistent with the proposed project.
- (Solar Energy) Implementation Measure 7.1.1.4: Require all new commercial or industrial development to generate electricity on site to maximum extent feasible. This implementation measure is consistent with the proposed project.
- (Renewable Energy) Implementation Measure 7.1.1.4: Require all new commercial or industrial development to generate electricity on site to maximum extent feasible. This implementation measure is consistent with the proposed project.
- (Water Efficient Landscaping) Policy 1.1.1: Require water conservation measures in the design of new development and major redevelopment, for both public and private projects, such as low water consuming indoor plumbing devices and use of xerophytic landscape materials that require minimal irrigation. This implementation measure is consistent with the proposed project.

The project would not involve or require any variance from an adopted plan, policy, or regulation governing GHG

emissions. This project would not adversely affect the implementation of those policies. *As a result, the impacts would be less than significant.*

MITIGATION MEASURES

The analysis of potential impacts related to greenhouse gas emissions indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation in that no GHG thresholds would be exceeded. As a result, no mitigation measures would be required.

3.9 HAZARDS & HAZARDOUS MATERIALS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✖	
B. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✖	
C. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✖	
D. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✖
E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				✖
F. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✖
G. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on hazards and hazardous materials if it results in any of the following:

- The proposed project would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- The proposed project would create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the

environment.

- The proposed project would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- The proposed project would be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.
- The proposed project would result in a safety hazard or excessive noise for people residing or working in the project area 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.
- The proposed project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- The proposed project would expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Hazardous materials refer generally to hazardous substances that exhibit corrosive, poisonous, flammable, and/or reactive properties and have the potential to harm human health and/or the environment. Hazardous materials are used in a wide variety of products (household cleaners, industrial solvents, paint, pesticides, etc.) and in the manufacturing of products (e.g., electronics, newspapers, plastic products). Hazardous materials can include petroleum, natural gas, synthetic gas, acutely toxic chemicals, and other toxic chemicals that are used in agriculture, commercial, and industrial uses; businesses; hospitals; and households. Accidental releases of hazardous materials can occur from a variety of causes, including highway incidents, warehouse fires, train derailments, shipping accidents, and industrial incidents.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ● Less than Significant Impact.*

The proposed project would involve the construction and operation of a commercial center on a 1.44-acre property located on the southwest corner of Green Tree Boulevard and Hesperia Road. The new development would include a 5,785 square foot convenience store, a 1,733 square foot drive through carwash tunnel, and a fueling area with 8 dispensers and 16 fueling positions. The fueling area would be covered by a canopy with the dimensions being approximately 117-feet by 36-feet. One 20,000 gallon underground storage tank (UST) for 87-octane gasoline and a second UST 24,000 gallon split tank would contain diesel and 91-octane gasoline would be installed to the west of the fueling area. The project's construction would require the use of diesel fuel to power the construction equipment. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phase include, but are not limited to, gasoline, solvents, architectural coatings, and equipment lubricants. These products are strictly controlled and regulated and in the event of any spill, cleanup activities would be required to adhere to all pertinent protocols pertaining to Victorville Municipal code 10.30.200.[44] The project's construction would require the use of diesel fuel to power the construction equipment. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phase

[44] Municode. Victorville, CA. Chapter 10.30.200- Construction Projects. Website Accessed October 7,2022.

include, but are not limited to, gasoline, solvents, architectural coatings, and equipment lubricants. These products are strictly controlled and regulated and in the event of any spill, cleanup activities would be required to adhere to all pertinent protocols.

As indicated in Subsection D, the project site is not listed in either the CalEPA's Cortese List or the Envirostor database. Underground storage tanks (USTs) are provided. The proposed use of the project site will also require frequent transportation of gas and diesel to be stored into the UST tanks which will also be strictly controlled and regulated in accordance with Victorville Municipal Code 10.30.170 to reduce pollutant urban runoff.[45] *The impacts will be less than significant*.

B. *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? ● Less than Significant Impact.*

The project's construction would require the use of diesel fuel to power the construction equipment. The gasoline and diesel fuels would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phase include, but are not limited to, gasoline, solvents, architectural coatings, and equipment lubricants. There will also be frequent incoming transportation of gas and diesel fuel to be stored in the USTS on the project site. These products are strictly controlled and regulated and in the event of any spill, cleanup activities would be required to adhere to all pertinent protocols pertaining to the city's code of ordinance as mentioned in subsection A. The Applicant will be required to prepare a safety and hazard mitigation plan that indicates those protocols that must be adhered to in the event of an accident. This plan will be reviewed and approved by the City prior to the issuance of the Occupancy Permit. As a result, the likelihood of encountering contamination or other environmental concerns is remote. *The impacts will be less than significant*.

C. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ● Less than Significant Impact.*

The nearest school to the project site is 2,850 feet northeast of the project site (Green Tree East Leadership Academy). The project's construction would require the use of diesel fuel to power the construction equipment. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phase include, but are not limited to, gasoline, solvents, architectural coatings, and equipment lubricants. These products are strictly controlled and regulated and in the event of any spill, cleanup activities would be required to adhere to all pertinent protocols. The Applicant will be required to prepare a safety and hazard mitigation plan that indicates those protocols that must be adhered to in the event of an accident. This plan will be reviewed and approved by the City prior to the issuance of the Occupancy Permit. As indicated in Subsection D, the project site is not listed in either the CalEPA's Cortese List or the Envirostor database. Underground storage tanks (USTs) will be provided. The chemicals that will be transported and stored on-site are regulated by the US EPA and the CalEPA. No schools are located within 0.25 miles of the project site. *As a result, less than significant impact will occur*.

[45] Municode. Victorville, CA. Chapter 10.30.170-Reduction of pollutants in urban runoff. Website Accessed October 7,2022.

D. *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? ● No Impact.*

Government Code Section 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List. The Cortese List is a planning document used by the State and other local agencies to comply with CEQA requirements that require the provision of information regarding the location of hazardous materials release sites. A search was conducted through the California Department of Toxic Substances Control Envirostor website to identify whether the project site is listed in the database as a Cortese site. The project site is not identified as a Cortese site.[46] *As a result, no impacts will occur.*

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 a public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? ● No Impact.*

The project site is not located within an airport land use plan and is not located within two miles of a public airport or public use airport.[47] The nearest airport to the site is the Southern California Logistics Airport is located approximately 7.5 miles northwest of the project site.[48] The project will not introduce a structure that will interfere with the approach and take off airplanes utilizing any regional airports. *As a result, no impacts will occur.*

F. *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ● No Impact.*

At no time will any adjacent street be completely closed to traffic during the proposed project's construction. In addition, all construction staging must occur on-site. *As a result, no impacts are associated with the proposed project's implementation.*

G. *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? ● No Impact.*

The project site is located in a developing area and the adjacent properties directly north and west of the project site are developed. The project site is not located within a "moderate fire hazard severity zone" and Local Responsibility Area (LRA).[49] *As a result, no impacts will result.*

MITIGATION MEASURES

[46] CalEPA. *DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List).* *http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm*.
[47] Toll-Free Airline. *San Bernardino County Public and Private Airports, California.* http://www.tollfreeairline.com/california/SanBernardino.htm.
[48] Google Maps. Website accessed December 22, 2022.
[49] CalFire. *Very High Fire Hazard Severity Zone Map for SW San Bernardino County.* http://frap.fire.ca.gov/webdata/maps/san_bernardino_sw/

The analysis of potential impacts related to hazards and hazardous materials indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures would be required.

3.10 HYDROLOGY & WATER QUALITY

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?			✖	
B. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✖	
C. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner or,			✖	
i). Would the project result in substantial erosion or siltation on- or off-site;			✖	
ii). Would the project substantially increase the rate or amount of surface runoff in a manner in which would result in flooding on- or off-site.			✖	
iii). Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			✖	
iv). Would the project impede or redirect flood flows?			✖	
D. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?				✖
E. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on hydrology and water quality if it results in any of the following:

- The proposed project would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.
- The proposed project would substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.
- The proposed project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the

rate or amount of surface runoff in a manner which would result in flooding on- or offsite; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or, impede or redirect flood flows.

- The proposed project would risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones.
- The proposed project would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? ● Less than Significant Impact.*

The project Applicant will be required to adhere to Chapter 10.30.210 - Erosion and Sediment Control, of the municipal code that regulates erosion and sediment control. In addition, stormwater discharges from construction activities that disturb one or more acres, or smaller sites disturbing less than one acre that are part of a common plan of development or sale, are regulated under the National Pollutant Discharge Elimination System (NPDES) stormwater permitting program. *As a result, the impacts will be less than significant.*

B. *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? ● Less than Significant Impact.*

No new direct construction-related impacts to groundwater supplies, or groundwater recharge activities would occur as part of the proposed project's implementation. Water used to control fugitive dust will be transported to the site via truck. No direct groundwater extraction would occur. Furthermore, the construction and post-construction BMPs will address contaminants of concern from excess runoff, thereby preventing the contamination of local groundwater. As a result, there would be no direct groundwater withdrawals associated with the proposed project's implementation. *As a result, the impacts will be less than significant.*

C. *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces? ● Less than Significant Impact.*

As mentioned in subsection B, the proposed project's location will be restricted to the proposed project site and will not alter the course of any stream or river that would lead to on- or off-site siltation or erosion. The site would be designed so the proposed hardscape surfaces (the building and paved areas) would consist of about 76% of the project site. USTs are installed under the project site and would not impede or alter any existing drainage patterns and will not contribute to runoff water that would exceed the capacity of existing or planned stormwater drainage systems. *As a result, the impacts will be less than significant.*

i). *Would the project result in a substantial erosion or siltation on- or off-site; ● Less than Significant Impact.*

The project applicant will be required to abide by Victorville's City Ordinance Chapter 10.30.210 that requires all applicants for projects involving construction activities, regardless of size, to submit an erosion and sediment control plan ("ESCP") to the city for review and approval as mentioned in subsection A. *As a result, the impact will be less than significant.*

ii). *Would the project substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite ● Less than Significant Impact.*

The project's construction and operation will be restricted to the designated project site and the project will not increase the amount of any stream or river that would lead to on- or off-site siltation or erosion. Once implemented, the proposed project will change the site's drainage characteristics. Predevelopment, the entire site is covered over in earth and pervious surfaces. Following development, the majority of the site, with the exception of the landscaped areas consisting of 13,173 square feet, will be covered over in impervious surfaces. The project applicant will be required to abide by Victorville's City Ordinance Chapter 10.30.210 that requires all applicants for projects involving construction activities, regardless of size, to submit an erosion and sediment control plan ("ESCP") to the city for review and approval as mentioned in subsection A. *As a result, the impacts will be less than significant.*

iii). *Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; ● Less than Significant Impact.*

The project's construction would be restricted to the site and would not alter the course of any stream or channel or river that would lead to on- or off-site siltation or erosion. The proposed improvements would be in compliance with City standards. *As a result, the impacts will be less than significant.*

iv). *Would the project impede or redirect flood flows? ● Less than Significant Impact.*

The proposed project is situated in a Zone X flood zone, an area of minimal flood hazard.[50] The nearest flood zone, the Mojave river, is situated approximately 1.8 miles to the southeast and the project's construction and operation will be restricted to the project site. *As a result, the impacts will be less than significant.*

D. *In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation? ● No Impact.*

According to the Federal Emergency Management Agency (FEMA) flood insurance maps obtained for the City of Victorville, the proposed project site is not located within a Flood Hazard zone.[51] The proposed project site is not located in an area that is subject to inundation by seiche or tsunami. In addition, the project site is located inland approximately 65 miles from the Pacific Ocean and the project site would not be exposed to the effects of a tsunami.[52] *As a result, no impacts are anticipated.*

[50] Federal Emergency Management Agency. *Flood Insurance Rate Mapping Program*. 2022.

[51] Federal Emergency Management Agency. *Flood Insurance Rate Mapping Program*. 2022.

[52] Google Earth. Website accessed December 23, 2022.

E. *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? ● No Impact.*

The proposed project is required to be in compliance with Chapter 10.30.210 of the City of Victorville Municipal Code. This section requires new developments to comply with all pertinent storm water runoff requirements. In addition, the project's operation would not interfere with any groundwater management or recharge plan because there are no active groundwater management recharge activities on-site or in the vicinity. *As a result, no impacts are anticipated.*

MITIGATION MEASURES

As indicated previously, hydrological characteristics will not substantially change as a result of the proposed project. As a result, no mitigation is required.

3.11 LAND USE PLANNING

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project physically divide an established community?				✖
B. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			✖	

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, acting as Lead Agency, a project may be deemed to have a significant adverse impact on mineral resources if it results in any of the following:

- The proposed project would physically divide an established community.
- The proposed project would cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project physically divide an established community? ● No Impact.*

The proposed project site is located on a 1.44-acre parcel that is currently vacant. The project site is currently zoned *C-2 (General Commercial)* and the corresponding General Plan designation is *Commercial*. The site is approximately 882 meters above sea level and contains some rolling landscape. The vegetation community present on site supports a moderately disturbed desert scrub habitat encompassing mainly native plants and some non-native grasses. Land uses and development located in the vicinity of the proposed project are outlined below:

- *North of the project site:* Green Tree Boulevard extends along the project site's northern side with a commercial center located further north. The Zoning designation is *C-2 (General Commercial)* and the corresponding General Plan designation is *Commercial.*
- *East of the project site:* Hesperia Road extends along the project site's east side. Vacant disturbed land is located further east. The Zoning designation is *C-2 (General Commercial)* and the corresponding General Plan designation is *Commercial.*
- *South of the project site:* Vacant disturbed land abuts the site's southern side. The Zoning designation is *C-2 (General Commercial)* and the corresponding General Plan designation is *Commercial*.[53]
- *West of the project site:* Immediately west of the project site is an undeveloped property that is zoned for commercial development (C-2). Large lot residential development extends further west along the project site's west side. The Zoning designation is *R-1 (Single-Family)* and the corresponding General Plan designation is *Low Density Residential.*[54]

The granting of the requested entitlements and subsequent construction of the proposed project would not result in any expansion of the use beyond the current boundaries. As a result, the project would not lead to any division of an existing established neighborhood. *As a result, no impacts will occur.*

B. *Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? ● Less than Significant Impact.*

The proposed project site is currently zoned *C-2 (General Commercial)* and the corresponding General Plan designation is *Commercial*. The proposed project is within a C-2 (General Commercial) zoning designation and will not conflict with any land use plan. The land use designation for the site and the surrounding area are shown in Exhibit 3-2. The proposed use is permitted within the C-2 zone district. The C-2 (General Commercial) zoning district is intended to provide suitable locations and lands for various commercial activities, primarily of a retail nature, and for various types of service, office, and commercial activities. The general commercial district is consistent with the commercial land use designation of the General Plan. This district accommodates most commercial activities that are neighborhood, community, and regional in scale. For the C-2 Zone, the following standards would apply:

- *Maximum Lot Coverage* is 60%. The project's maximum lot coverage would be 12%.
- *Minimum Lot Size* is 10,000 square feet. The project site's lot size is 62,726 square feet.
- *Minimum Lot Width* is 75 feet. The project site's lot width is 145 feet.
- *Minimum Setback* is 10-feet. The project site's front and side yard setbacks are 33.75 feet.
- *Maximum Building Height* is 45-feet. The project's maximum building height is a single-level or 25 feet.

[53] Google Maps and City of Victorville Zoning Map. Website accessed on April 14, 2023.

[54] Ibid.

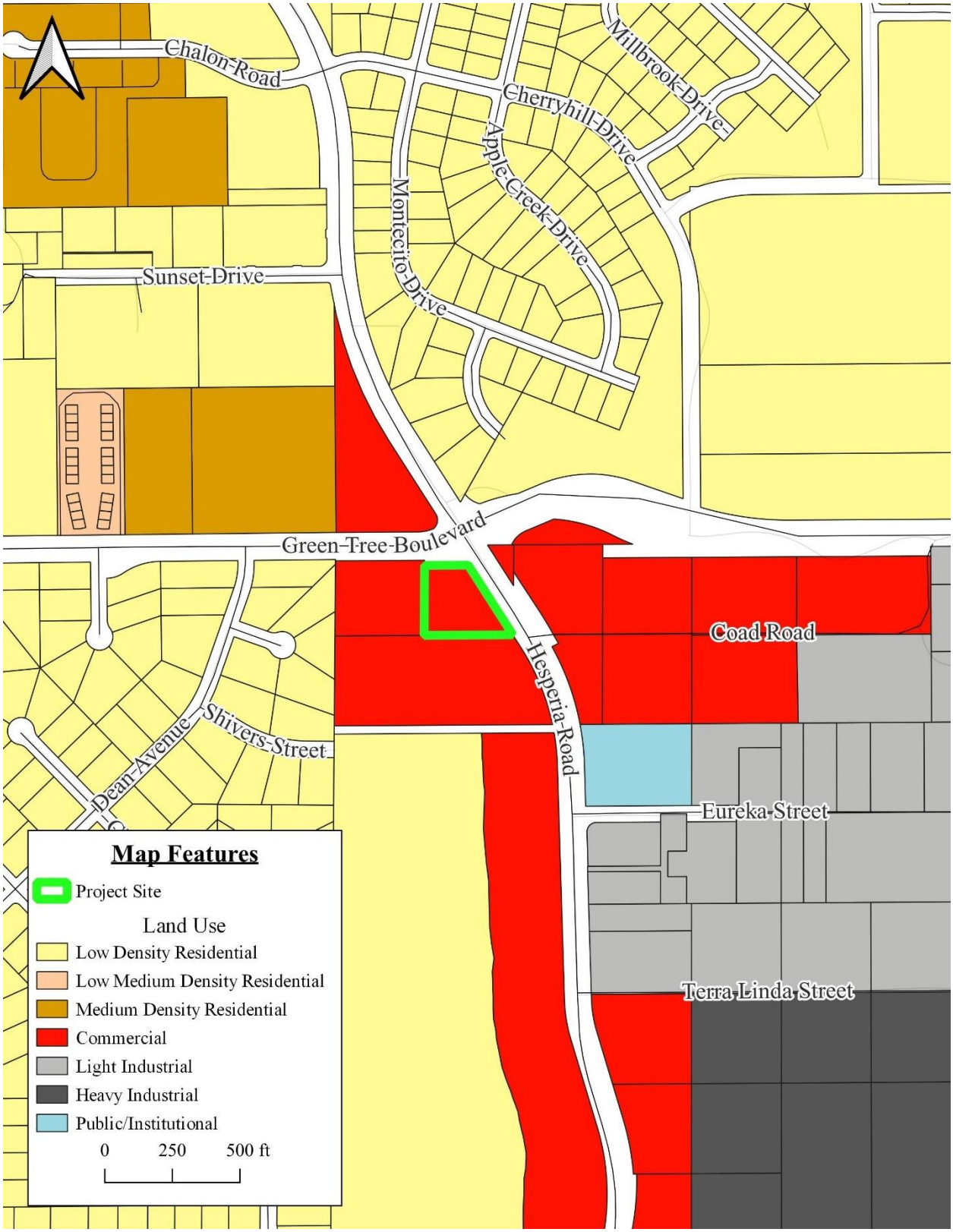

EXHIBIT 3-2 LAND USE MAP

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

Pursuant to Section 16-3.07.010 (Permitted and Conditional Land Uses-all zoning districts), fully automated carwashes are conditionally permitted only in the C-1 zone district and prohibited in the C-2 zone district. Self - serve car washes are only conditionally permitted in the C-1 zone district. Finally, full service car washes are only permitted in C-2 zone district. In other words, full service carwashes are permitted in the C-2 zone district. Gasoline stations and convenience stores are conditionally permitted in both the C-1 and the C-2 zones. The following discretionary approvals are required: the approval of a Conditional Use Permit for the operation of the fueling station and a drive through carwash; and the approval of a Conditional Use Permit for the sales of alcohol for off-site consumption. *As a result, the impacts would be less than significant*.

MITIGATION MEASURES

The analysis determined that no impacts on land use and planning would result upon the implementation of the proposed project. As a result, no mitigation measures are required.

3.12 MINERAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✖
B. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, acting as Lead Agency, a project may be deemed to have a significant adverse impact on mineral resources if it results in any of the following:

- The proposed project would physically divide an established community.
- The proposed project would cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

The Surface Mining and Reclamation Act of 1975 (SMARA) has developed mineral land classification maps and reports to assist in the protection and development of mineral resources. According to the SMARA, the following four mineral land use classifications are identified:

- *Mineral Resource Zone 1 (MRZ-1):* This land use classification refers to areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- *Mineral Resource Zone 2 (MRZ-2):* This land use classification refers to areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists.

- *Mineral Resource Zone 3 (MRZ-3):* This land use classification refers to areas where the significance of mineral deposits cannot be evaluated from the available data. Hilly or mountainous areas underlain by sedimentary, metamorphic, or igneous rock types and lowland areas underlain by alluvial wash or fan material are often included in this category. Additional information about the quality of material in these areas could either upgrade the classification to MRZ-2 or downgrade it to MRZ-1.
- *Mineral Resource Zone 4 (MRZ-4):* This land use classification refers to areas where available information is inadequate for assignment to any other mineral resource zone.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? ● No Impact.*

A review of California Division of Oil, Gas, and Geothermal Resources well finder indicates that there are no wells on-site or located in the vicinity of the project site.[55] The project site is not located in a Significant Mineral Aggregate Resource Area (SMARA) nor is it located in an area with active mineral extraction activities. A review of California Division of Oil, Gas, and Geothermal Resources well finder indicates that there are no wells located in the vicinity of the project site.[56] The project site is located within Mineral Resource Zone (MRZ-3A), which means there may be significant mineral resources present.[57] As indicated previously, the site is undeveloped and there are no active mineral extraction activities occurring on-site or in the adjacent properties. *As a result, no impacts will occur.*

B. *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? ● No Impact.*

As previously mentioned, no mineral, oil, or energy extraction and/or generation activities are located within the project site. Moreover, the proposed project will not interfere with any resource extraction activity. *As a result, no impacts will occur.*

MITIGATION MEASURES

The analysis of potential impacts related to mineral resources indicated that no significant adverse impacts would result from the approval of the proposed project and its subsequent implementation. As a result, no mitigation measures are required.

[55] California, State of. Department of Conservation. California *Oil, Gas, and Geothermal Resources Well Finder*. https://maps.conservation.ca.gov/doggr/wellfinder/#openModal/-117.41448/34.56284/14.
[56] California, State of. Department of Conservation. California *Oil, Gas, and Geothermal Resources Well Finder*. https://maps.conservation.ca.gov/doggr/wellfinder/#openModal/-117.41448/34.56284/14

[57] California Department of Conservation. *Mineral Land Classification Map for the Victorville Quadrangle*. Map accessed August 21, 2022.

3.13 NOISE

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		✖		
B. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?		✖		
C. For a project located within the vicinity of a private airstrip or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on noise if it results in any of the following:

- The proposed project would result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- The proposed project would result in the generation of excessive ground borne vibration or ground borne noise levels.
- For a proposed project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Noise levels may be described using a number of methods designed to evaluate the "loudness" of a particular noise. The most commonly used unit for measuring the level of sound is the decibel (dB). Zero on the decibel scale represents the lowest limit of sound that can be heard by humans. The eardrum may rupture at 140 dB. In general, an increase of between 3.0 dB and 5.0 dB in the ambient noise level is considered to represent the threshold for human sensitivity. Noise level increases of 3.0 dB or less are not generally perceptible to persons with average hearing abilities. The most commonly used unit for measuring the level of sound is the decibel (dB). Zero on the decibel scale represents the lowest limit of sound that can be heard by humans.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? ● Less than Significant Impact with Mitigation.*

The primary sources of noise in the Victorville planning area are freeways and roadways, railroad traffic, SCLA aircraft operations, and stationary sources, Future sources of noise generated on-site will include noise from vehicles traveling to and from the project and noise emanating from back-up alarms, building equipment noise (air conditioning units, and other equipment), and other noises typically associated with commercial development. The most commonly used unit for measuring the level of sound is the decibel (dB). Zero on the decibel scale represents the lowest limit of sound that can be heard by humans. The eardrum may rupture at 140 dB. In general, an increase of between 3.0 dB and 5.0 dB in the ambient noise level is considered to represent the threshold for human sensitivity. In other words, increases in ambient noise levels of 3.0 dB or less are not generally perceptible to persons with average hearing abilities.[58] Noise associated with common activities is noted in Exhibit 3-3. The City of Victorville Noise Control Ordinance includes the following requirements with respect to noise exposure and control:

- *13.01.050 - Noise levels prohibited.* Noise levels shall not exceed the ambient noise levels in Section 13.01.040 by the following dB(A) levels for the cumulative period of time specified: Less than 5dB(A) for a cumulative period of more than thirty minutes in any hour; Less than 10 dB(A) for a cumulative period of more than fifteen minutes in any hour; Less than 15 dB(A) for a cumulative period of more than five minutes in any hour; Less than 20 dB(A) for a cumulative period of more than one minute in any hour; 20 dB(A) or more for any period of time.
- *13.01.060 - Noise source exemptions*. The following activities shall be exempted from the provisions of this chapter: All mechanical devices, apparatus or equipment used, related to, or connected with emergency machinery, vehicle, or work. The provisions of this regulation shall not preclude the construction, operation, maintenance and repairs of equipment, apparatus or facilities of park and recreation projects, public works projects or essential public works services and facilities, including those utilities subject to the regulatory jurisdiction of the California Public Utilities Commission. Activities conducted on the grounds of any elementary, intermediate, or secondary school or college. Outdoor gatherings, public dances and shows, provided said events are conducted pursuant to a permit as required by this code. Activities conducted in public parks and public playgrounds, provided said events are conducted pursuant to a permit as required by this code. The operation of the Southern California Logistics Airport. Construction activity on private properties that are determined by the director of building and safety to be essential to the completion of a project.
- *13.01.070 - Notice and penalties.* Any person violating any of the provisions or failing to comply with the requirements of this chapter, is guilty of a civil penalty, punishable in accordance with Chapter 1.05. In addition, in the discretion of the city attorney and based upon the specific facts and circumstances presented to him or her, any such violation may be charged as an infraction subject to the penalties contained in Section 1.04.010.

[58] Bugliarello, et. al. *The Impact of Noise Pollution,* Chapter 127, 1975.

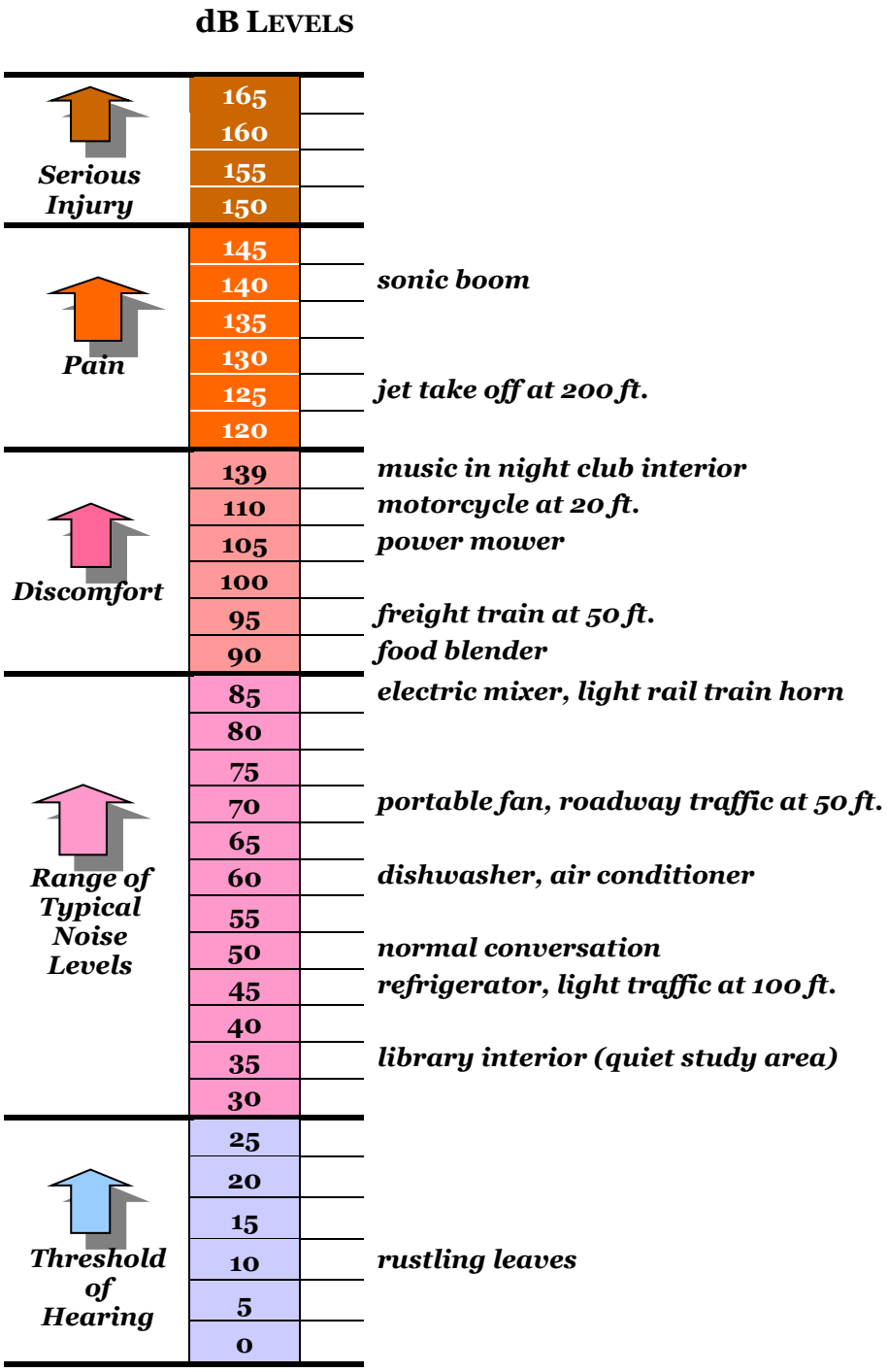

EXHIBIT 3-3 TYPICAL NOISE SOURCES AND LOUDNESS SCALE

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

The only short-term construction noise will be limited to the grading during the site preparation phases and the erection of the new buildings. Nevertheless, the following mitigation will be required in order to further reduce construction and operational noise:

- The Applicant must ensure that the contractors use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise.
- Loitering in the parking areas with attendant loud noise (radios, car noise, etc.) will not be permitted.

Adherence to the aforementioned mitigation measures will reduce the potential noise impacts to levels that are less than significant.

B. *Would the project result in generation of excessive groundborne vibration or groundborne noise levels? ● Less than Significant Impact with Mitigation.*

The construction of the proposed project will result in the generation of vibration and noise, though the vibrations and noise generated during the project's construction will not adversely impact the nearby residential sensitive receptors. The background vibration velocity level in residential areas is usually around 50 vibration velocity level (VdB). The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity of 75 VdB is the approximately dividing line between barely perceptible and distinctly perceptible levels for many people. Sources within buildings such as operation of mechanical equipment, movement of people, or the slamming of doors causes most perceptible indoor vibration. Construction activities may result in varying degrees of ground vibration, depending on the types of equipment, the characteristics of the soil, and the age and construction of nearby buildings. The operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Ground vibrations associated with construction activities using modern construction methods and equipment rarely reach the levels that result in damage to nearby buildings though vibration related to construction activities may be discernible in areas located near the construction site. A possible exception is in older buildings where special care must be taken to avoid damage. Table 3-4 summarizes the levels of vibration and the usual effect on people and buildings.

Table 3-4 Common Effects of Construction Vibration

Peak Particle Velocity (in/sec)	Effects on Humans	Effects on Buildings
<0.005	Imperceptible	No effect on buildings
0.005 to 0.015	Barely perceptible	No effect on buildings
0.02 to 0.05	Level at which continuous vibrations begin to annoy occupants of nearby buildings	No effect on buildings
0.1 to 0.5	Vibrations considered unacceptable for persons exposed to continuous or long-term vibration.	Minimal potential for damage to weak or sensitive structures
0.5 to 1.0	Vibrations considered bothersome by most people, tolerable if short-term in length	Threshold at which there is a risk of architectural damage to buildings with plastered ceilings and walls. Some risk to ancient monuments and ruins.
>3.0	Vibration is unpleasant	Potential for architectural damage and possible minor structural damage

Source: U.S. Department of Transportation

Typical levels from vibration generally do not have the potential for any structural damage. Some construction activities, such as pile driving and blasting, can produce vibration levels that may have the potential to damage some vibration sensitive structures if performed within 50 to 100 feet of the structure. The reason that normal construction vibration does not result in structural damage has to do with several issues, including the frequency vibration and magnitude of construction related vibration. Unlike earthquakes, which produce vibration at very low frequencies and have a high potential for structural damage, most construction vibration is in the mid- to upper- frequency range, and therefore, have a lower potential for structural damage. Various types of construction equipment have been measured under a wide variety of construction activities with an average of source levels reported in terms of velocity levels as shown in Table 3-4. Although the table gives one level for each piece of equipment, it should be noted that there is a considerable variation in reported ground vibration levels from construction activities. The data in Table 3-4 does provide a reasonable estimate for a wide range of soil conditions. Based on Transit Noise and Vibration Impact Assessment (FTA, May 2006), a vibration level of 102 VdB (vibration decibels, or 0.5 inches per second [in/sec]) (FTA, May 2006) is considered safe and would not result in any construction vibration damage. Strict adherence to the mitigation provided below will reduce the number of units and residents potentially affected by ground-borne vibration generated by empty haul trucks:

- Construction vehicles will be prohibited from travelling on local streets in the residential areas. All construction vehicles must travel on either Green Tree Boulevard or Hesperia Road to access the site.

Adherence to the above-mentioned mitigation will reduce potential vibration impacts to levels that are less than significant. Once operational, the proposed project will not generate excessive ground-borne noise. The project will be required to adhere to all pertinent City noise control regulations. In addition, the cumulative traffic associated with the proposed project will not be great enough to result in a measurable or perceptible increase in traffic noise (it typically requires a doubling of traffic volumes to increase the ambient noise levels to 3.0 dBA or greater).

Once in operation, the proposed project would not significantly raise ground borne noise levels. Slight increases in ground-borne noise levels could occur during the construction phase. The limited duration of construction activities and the City's construction-related noise control requirements will further reduce the potential impacts. *In addition, the above required mitigation measures will reduce the impacts to levels that are less than significant.*

C. *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? ● No Impact.*

The project site is not located within an airport land use plan and is not located within two miles of a public airport or private airport. The project site is located approximately 7.5 miles north of the Southern California Logistics Airport. The proposed use is not considered to be a sensitive receptor. As a result, the proposed project will not expose people residing or working in the project area to excessive noise levels related to airport uses. *As a result, no impacts will occur.*

MITIGATION MEASURES

The following mitigation will be required in order to further reduce construction noise:

NOI MITIGATION #1. The Applicant must ensure that the contractors use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise.

To ensure the project's potential noise impacts are mitigated, the following mitigation measures must be implemented:

NOI MITIGATION #2. Loitering in the parking areas with attendant loud noise (radios, car noise, etc.) will not be permitted.

Strict adherence to the mitigation provided below will reduce the number of units and residents potentially affected by ground-borne vibration generated by construction vehicles:

NOI MITIGATION #3. Construction vehicles will be prohibited from travelling on local streets in the residential areas. All construction vehicles must travel on either Green Tree Boulevard or Hesperia Road to access the site.

3.14 POPULATION & HOUSING

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				✖
B. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on population and housing if it results in any of the following:

- The proposed project would induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).

- The proposed project would displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? ● No Impact.*

Growth-inducing impacts are generally associated with the provision of urban services to an undeveloped or rural area. Growth-inducing impacts include the following:

- *New development in an area presently undeveloped and economic factors which may influence development*. The site is currently vacant. Land uses surrounding the property on the north are designated as Commercial.

- *Extension of roadways and other transportation facilities*. Future roadway and infrastructure connections will serve the proposed project site only.

- *Extension of infrastructure and other improvements*. The installation of any new utility lines will not lead to subsequent offsite development since these utility connections will serve the site only. At present, existing water sewer connections will need to be extended to serve the project site. The project's potential utility impacts are analyzed in Section 3.19.

- *Major off-site public projects (treatment plants, etc.)*. The project's increase in demand for utility services can be accommodated without the construction or expansion of landfills, water treatment plants, or wastewater treatment plants. The project's potential utility impacts are further analyzed in Section 3.19.

- *The removal of housing requiring replacement housing elsewhere*. The site does not contain any housing units. As a result, no replacement housing will be required.

- *Additional population growth leading to increased demand for goods and services*. The project will result in an increase in employment which can be accommodated by the local labor market but will not result in a change in population growth.

- *Short-term growth-inducing impacts related to the project's construction*. The project would result in temporary employment during the construction phase.

The proposed project will utilize existing roadways and infrastructure. The newly established roads and existing utility lines will serve the project site only and will not extend into undeveloped areas. The proposed project would not result in any unplanned growth. *As a result, no impacts will result.*

B. *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? ● No Impact.*

The project site and the adjacent parcels have a General Plan and zoning designations of General Commercial. No housing units would be permitted, and none will be displaced as a result of the proposed project's implementation. *As a result, no impacts will result.*

MITIGATION MEASURES

The analysis of potential population and housing impacts indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

3.15 PUBLIC SERVICES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
i). Would the project result in substantial adverse physical impacts associated with Fire protection?			✖	
ii). Would the project result in substantial adverse physical impacts associated with Police protection?			✖	
iii). Would the project result in substantial adverse physical impacts associated with Schools?			✖	
iv). Would the project result in substantial adverse physical impacts associated with Parks?			✖	
v). Would the project result in substantial adverse physical impacts associated with Other public facilities?			✖	

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on public services if it results in any of the following:

- The proposed project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: fire protection, police protection, schools, parks or other public facilities.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:*

The proposed project involves the construction and operation of a commercial center on a 1.44-acre property located on the southwest corner of Green Tree Boulevard and Hesperia Road. The new development would include a 5,785 square foot convenience store, a 1,733 square foot drive through carwash tunnel, and a fueling area with 8 dispensers and 16 fueling positions. The fueling area would be covered by a canopy with the dimensions being approximately 117-feet by 36-feet. One 20,000 gallon

underground storage tank (UST) for 87-octane gasoline and a second UST 24,000 gallon split tank would contain diesel and 91-octane gasoline would be installed to the west of the fueling area. Access to the project site would be provided by driveway connections with the south side of Green Tree Boulevard and the west side of Hesperia Road.

i). *Would the project have fire protection? Less than Significant Impact.*

The City of Victorville is served by the Victorville Fire Department that operates out of five stations. The Department operates a fleet of four Medic Engines, one medic truck, and one Medic squad. The staff consists of 51 firefighting personnel. The proposed project will be required to conform to all fire protection and prevention requirements, including, but not limited to, building setbacks, emergency access, and fire flow (or the flow rate of water that is available for extinguishing fires). The proposed project would only place an incremental demand on fire services since the project will be constructed with strict adherence to all pertinent building and fire codes. In addition, the proposed project would be required to implement all pertinent Fire Code Standards including the installation of fire hydrants and sprinkler systems inside the buildings. Furthermore, the project will be reviewed by City Fire officials to ensure adequate fire service and safety as a result of project implementation. *As a result, the impacts will be less than significant.*

ii). *Would the project have police protection? Less than Significant Impact.*

Law enforcement services within the City are provided by the San Bernardino County Sheriff's Department which serves the community from one station located 2.2 miles to the northwest of the project site. The staff of the Victorville Police Department operates a Gang detail, Traffic detail, Multiple Enforcement Team, School Resource Officers, CPS/APS officers, and a Reserve Deputy unit. The Victorville Police Department is responsible for providing public safety services to a geographical area of over 74 square miles and to a population of approximately 135,000 residents. The proposed project will also be required to comply with the County and City security requirements. The development could place additional demands on law enforcement services due to the nature of the project. The proposed project's use (gas station and convenience store) may result in an increased potential for armed robberies. As a result, the following conditions of approval would reduce potential law enforcement service impacts.

- A security plan must be submitted to the City and/or Sheriff's Department prior to issuance of any occupancy permits. The Plan must clearly outline the business hours of operation, business opening/closing procedures, a description of the facility's alarm equipment, the location and placement of CCTV cameras, types of signage required (e.g., "No Loitering", "No After hours Parking", "No On-site Consumption of Alcohol", etc.); employee security protocols, and other security devices and measures.
- Exterior lighting (i.e., for internal drive aisles, parking areas, and the drive-thru) shall be illuminated in a manner meeting the approval of the Sheriff's Department.
- Landscape plantings shall be designed to permit unobstructed visual access to the project site.

The aforementioned standard conditions of approval would reduce the potential impacts. *As a result, the impacts will be less than significant.*

iii). *Would the project be near schools? Less than Significant Impact.*

The nearest school to the project site is 2,900 feet to the northeast (the Green Tree Learning Academy). Due to the nature of the proposed project, no direct enrollment impacts regarding school services will occur. The proposed project will not directly increase the demand for school services. The proposed development will be required to pay school impact fees. *As a result, the impacts will be less than significant.*

iv). *Would the project be near parks? Less than Significant Impact.*

The nearest park to the project site is Doris Davies Park located approximately 1.0 mile to the northwest. The proposed project will not result in any local increase in residential development (directly or indirectly) that could potentially impact the local recreational facilities. *As a result, the impacts will be less than significant.*

v). *Would the project have other public facilities? Less than Significant Impact.*

The proposed project will not create direct local population growth that could potentially create demand for other governmental service. No housing units will be displaced or constructed as part of the proposed project's implementation. *As a result, the impacts will be less than significant.*

MITIGATION MEASURES

The analysis of public service impacts indicated that no significant adverse impacts are anticipated, for the public service issues. In addition, the operating standards of Section 16-3.07.020 (a) of the Victorville Municipal Code (VMC) will also be included as Conditions of Approval for this project. These Code requirements would further augment the aforementioned mitigation.

3.16 RECREATION

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✖
B. Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on recreation if it results in any of the following:

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

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? ● No Impact.*

Due to the commercial nature of the proposed project, no significant increase in the use of City parks and recreational facilities is anticipated to occur. No parks are located adjacent to the site. The nearest public park is Doris Davies Park located approximately 1.0 mile to the northwest of the project site. The proposed project would not result in any improvements that would potentially significantly physically alter any public park facilities and services. *As a result, no impacts would occur*.

B. *Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? ● No Impact.*

As previously indicated, the implementation of the proposed project would not affect any existing parks and recreational facilities in the City. No such facilities are located adjacent to the project site. *As a result, no impacts would occur*.

MITIGATION MEASURES

The analysis of potential impacts related to parks and recreation indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation measures are required.

3.17 TRANSPORTATION

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?			✖	
B. Would the project conflict or be inconsistent with CEQA Guidelines §15064.3 subdivision (b)?			✖	
C. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✖	
D. Would the project result in inadequate emergency access?				✖

The traffic study is included in Appendix E.

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on transportation and circulation if it results in any of the following:

- The proposed project would conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.
- The proposed project would conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).
- The proposed project would substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- The proposed project would result in inadequate emergency access.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? ● Less than Significant Impact.*

The project site is located on the southwest corner of Green Tree Boulevard and Hesperia Road. Regional access to the site is provided by the I-15 Barstow Freeway. The I-15 Freeway is located approximately 2 miles west of the project site. The I-15 Freeway runs in the north-south direction and can be accessed via I-215 and I-40 Freeways. Local access to the project vicinity is provided by the following roadways:

- *Green Tree Boulevard* is a four-lane undivided roadway west of Hesperia Road, and a three-lane undivided roadway east of Hesperia Road. Parking is prohibited on both sides of the street. The posted speed limit is 50 miles per hour in the project vicinity and the street is oriented in the east-west direction. Green Tree Boulevard is classified as a Super Arterial roadway in the City of Victorville Circulation Map.

- *Hesperia Road* is a four-lane undivided roadway with two lanes in each direction . Parking is prohibited on both sides of the roadway. The posted speed limit is 50 miles per hour. The street is oriented in the north-south direction. Hesperia Road is classified as a Super Arterial roadway in the City of Victorville Circulation Map.

- *3rd Avenue/Rodeo Drive* is a two-lane undivided roadway with one lane in each direction. Parking is prohibited on both sides of the roadway. The posted speed limit is 40 miles per hour. The street is oriented in the north-south direction. 3rd Avenue is classified as an Arterial roadway in the City of Victorville Circulation Map.

- *Ridgecrest Road* is a three-lane undivided roadway with two lanes in the northbound direction, and one lane in the southbound direction. Parking is prohibited on both sides of the roadway. The posted speed limit is 35 miles per hour. The street is oriented in the north-south direction. Ridgecrest Road is classified as an Arterial roadway in the City of Victorville Circulation Map.

- *Nisqualli Road* is a four-lane undivided roadway with two lanes in each direction. Parking is prohibited on both sides of the roadway. The posted speed limit is 45 miles per hour. The street is oriented in the east-west direction. Nisqualli Road is classified as an Arterial roadway in the City of Victorville Circulation Map.

The new development would include a 5,785 square foot convenience store, a 1,733 square foot drive through carwash tunnel, and a fueling area with 8 dispensers and 16 fueling positions. The fueling area would be covered by a canopy with the dimensions being approximately 117-feet by 36-feet. One 20,000 gallon underground storage tank (UST) for 87-octane gasoline and a second UST 24,000 gallon split tank would contain diesel and 91-octane gasoline would be installed to the west of the fueling area. Access to the project site would be provided by driveway connections with the south side of Green Tree Boulevard and the west side of Hesperia Road. The trip generation rates for the site were obtained from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition. Land use categories for estimating trips include Convenience Market/Gas Station and automated carwash include the ITE Land Use Category 945 and 948. Pass-by factors for the Super Convenience Market/Gas Station and automated carwash were obtained from the City of Victorville Staff. A reduction in trips of 10% for internal capture is assumed for the development. Table 3-5 summarizes the estimated trip generation for the proposed project.

Table 3-5 Summary of Project Trip Generation

Land Use	ITE Code	Unit	Trip Generation Rates[1]					
			AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Con. Store/Gasoline Station – GFA (5.5-10k)	945	Fuel. Pos.	15.80	15.80	31.60	13.45	13.45	26.90
Automated Car Wash	948	KSF	--	--	--	7.10	7.10	14.20
Land Use	**Quantity**	**Unit**	**Trip Generation Estimates**					
			AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Convenience Store/Gasoline Station - GFA (5.5-10k)	16	Fuel. Pos.	253	253	506	215	215	430
Pass-by Trips (50% AM, 45% PM)[2]			-127	-127	-254	-97	-97	-194
Automated Car Wash	1.733	KSF	--	--	--	12	12	24
Total Proposed Trips			**126**	**126**	**252**	**130**	**130**	**260**

[1] Source: Institution of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition
[2] Source: City of Victorville Staff

The project would be on an average weekday and during the AM (7-9 AM) and PM (4-6 PM) peak hours. As presented in Table 3-5, the proposed project is estimated to generate 252 primary AM peak hour, and 260 primary PM peak hour trips. The City of Victorville adopted Resolution No. 20-031 which adopted local VMT threshold guidelines for analyzing development projects pursuant to CEQA. Projects that will not require a VMT analysis can be screened using either the daily vehicle trips generated by project or the project's land use type. For this project, land use was used for the screening. The proposed project is a commercial development totaling 5,785 square feet. The threshold for commercial development is 122,000 square feet. The project is, therefore, in compliance with Section 15064.3. *As a result, the impacts are less than significant.*

B. *Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b)? ● Less than Significant Impact.*

CEQA Guidelines Section 15064.3 subdivision (b)(2) focuses on impacts that result from certain transportation projects. The proposed project is not a transportation project. As a result, no impacts on this issue will result. CEQA Guidelines Section 15064.3 subdivision (b)(3) and (b)(4) focuses on the evaluation of a project's VMT. The City of Victorville is regulated by the regional congestion management plan which dictates a level of service grade for roadways not a calculation of vehicle miles traveled as noted by CEQA Section 15064.3. The City of Victorville adopted Resolution No. 20-031 which adopted local VMT threshold guidelines for analyzing development projects pursuant to CEQA. Projects that will not require a VMT analysis can be screened using either the daily vehicle trips generated by project or the project's land use type. For this project, land use was used for the screening. The proposed project is a commercial development totaling 5,785 square feet. The threshold for commercial development is 122,000 square feet. The project is, therefore, in compliance with Section 15064.3. *As a result, the impacts are less than significant.*

C. *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ● Less than Significant Impact.*

Access to the project site would be provided by driveway connections with the south side of Green Tree Boulevard and the west side of Hesperia Road. A total of 30 parking spaces would be provided including 26 standard stalls, 2 EV stalls, and 2 ADA spaces. Landscaping would be provided along the Green Tree Boulevard and Hesperia Road frontages, and in the parking area. The proposed project would not expose future drivers to dangerous intersections or sharp curves and the proposed project will not introduce incompatible equipment or vehicles to the adjacent roads. *As a result, the potential impacts will be less than significant.*

D. *Would the project result in inadequate emergency access? ● No Impact.*

The proposed project would not affect emergency access to any adjacent parcels. At no time during construction would adjacent streets be completely closed to traffic. All construction staging must occur on-site. *As a result, no impacts would occur.*

MITIGATION MEASURES

Based on City of Victorville Standards and criteria noted earlier in the report, the following intersections operate at a deficient LOS: #1 Green Tree Boulevard at Hesperia Road and #3 Green Tree Boulevard at Ridgecrest Boulevard Implementation of the following mitigation strategies would alleviate deficiencies.

TRA MITIGATION 1– Green Tree Boulevard at Hesperia Road · Opening Year 2024: Adjust signal timing to provide longer left-turn phases for all left-turns to accommodate demand. · Future Year 2034: Adjust signal timing to provide longer left-turn phases for all left-turns to accommodate demand.

TRA MITIGATION 2. Green Tree Boulevard at Ridgecrest Boulevard · Future Year 2034: Add dedicated eastbound right-turn lane and implement right-turn overlap phasing for the same approach.

With the identified mitigation applied, both study intersections operate at an acceptable LOS for all identified scenarios.

3.18 TRIBAL CULTURAL RESOURCES

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:		✖		
i) Would the project have listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				✖
ii). Would the project have resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code Section 5024.1 In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American.		✖		

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on tribal cultural resources if it results in any of the following:

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

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is: ● Less than Significant Impact with Mitigation.*

A Tribal Resource is defined in Public Resources Code section 21074 and includes the following:

- A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

The proposed project site is located on recognized Vanyume land.[59] The Vanyume tribe's nation ranges from the eastern Mojave Desert to Victorville and is considered to be subgroup of the larger Serrano Nation.[60] The site is also within an area of the City that has been disturbed due to adjacent development and there is a limited likelihood that artifacts would be encountered. The proposed project's construction would involve shallow excavation for the installation of building footings, utility lines, two USTs, and other underground infrastructure. Ground disturbance would involve grading and earth-clearing activities for the installation of the grass and landscaping and other on-site improvements. In addition, the proposed project area is not located within an area that is typically associated with habitation sites, foraging areas, ceremonial sites, or burials. Nevertheless, mitigation was provided in the previous subsection. *With the implementation of the*

[59] Vanyume. Native Land. https://native-land.ca/maps/territories/vanyume/. Website Accessed October 10, 2022.
[60] Vanyume. Antelope Valley Indian Museum. http://www.avim.parks.ca.gov/people/ph_vanyume.shtml . Website Accessed October 10, 2022.

mitigation measure found in subsection B of Cultural Resources, impacts would be reduced to levels that would be less than significant.

i). *Would the listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), ● No Impact.*

Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following: included or determined to be eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources as defined in subdivision (k) of Section 5020.1. The project site is not listed in the Register. *As a result, no impacts would occur.*

ii). *Would the project have a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code Section 5024.1 In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe? ● Less than Significant Impact with Mitigation.*

A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe. A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "non-unique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms to the criteria of subdivision (a). *As a result, there will be a less than significant impact with mitigation.*

MITIGATION MEASURES

The following mitigation measures are required as a means to reduce potential tribal cultural resources impacts to levels that are less than significant:

TCR MITIGATION #1. Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Victorville that a qualified archaeologist/paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.

TCR MITIGATION #2. The archaeologist/paleontologist monitor shall conduct full-time monitoring during grading and excavation operations in undisturbed, very old alluvial fan sediments at or below four (4) feet below ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The archaeologist/paleontologist monitor shall be empowered to temporarily halt or divert equipment to allow of removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by qualified archaeologist/paleontologist personnel to have a low potential to contain or yield fossil resources.

TCR MITIGATION 3. Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and

vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage, such as the San Bernardino County Museum in San Bernardino, California, is required for significant discoveries. The archaeologist/paleontologist must have a written repository agreement in hand prior to initiation of mitigation activities.

TCR MITIGATION 4. A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Victorville prior to final building.

3.19 UTILITIES AND SERVICE SYSTEMS

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			✖	
B. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?			✖	
C. Would the project result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✖	
D. Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			✖	
E. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				✖

THRESHOLDS OF SIGNIFICANCE AND METHODOLOGY

According to Appendix G of the CEQA Guidelines, a project may be deemed to have a significant adverse impact on utilities if it results in any of the following:

- The proposed project would require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.
- The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.
- The proposed project would result in a determination by the wastewater treatment provider which serves or may serve the proposed project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

- The proposed project would generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.
- The proposed project would negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals.
- The proposed project would comply with Federal, State, and local management and reduction statutes and regulations related to solid waste.

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project 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? ● Less than Significant Impact.*

There are no existing water or wastewater treatment plants, electric power plants, telecommunications facilities, natural gas facilities, or stormwater drainage infrastructure located on-site. Therefore, the project's implementation will not require the relocation of any of the aforementioned facilities. The project site is currently undeveloped and has existing electrical, sewer and water connections adjacent to the project site. The proposed project's connection can be adequately handled by the existing infrastructure. *As a result, the impacts will be less than significant*.

B. *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? ● Less than Significant Impact.*

The project site and the surrounding area is under the jurisdiction of the Mojave Water Agency (MWA). The MWA has four contracts and is entitled to 85,800 acre-feet cumulative per year of supplemental water from the California Water Project (CWP or California Aqueduct) along with another 4,000 acre-feet in January 2020. The original 50,800 acre-feet entitlement of the CWP has been available for 50+ years and the MWA has purchased additional water transfers (first of several from Dudley Ranch) on March 26, 1996, which increased the entitlement by 25,000 acre-feet yearly. Only 7,257 acre-feet per year has been committed to the Morongo Basin, leaving 82,543 acre-feet available to provide "Supplement/Make Up Water" under MWA's jurisdiction in 2020. The anticipated water demand (1,075.7 gallons/day) for the proposed project is summarized in Table 3-6, The applicant will need a letter from the Victorville Water Department (VWD) in order to ensure water can be served to the site. The proposed project will be required to implement all pertinent water conservation measures. *As a result, the impacts will be less than significant*.

Table 3-6 Projected Water Consumption

Project Element	Consumption Rate	Project Consumption
Specialty Retail Commercial (5,785 sq. ft.)	0.15 gals./day/sq. ft.	867.8 gals. /day
Carwash (1,733 sq. ft.)	0.12 gals. /day/sq. ft.	249.5 gals. /day
Total		1,075.7 gals. /day

Source: Blodgett Baylosis Environmental Planning

C. *Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? ● Less than Significant Impact.*

Table 3-7 indicates the proposed projects anticipated effluent generation rate. With the implementation of the City's Capital Improvement Program & Sewer Master Plan System, as well as the Victor Valley Waste Water Reclamation Authority (VVWRA), it is anticipated that the impacts of this project will be minimal. Additionally, if applicable, the proposed development will pay associated development impact fees to the City and/or the SCLA fund the ongoing maintenance and expansion/construction of treatment facilities. Therefore, the SCLA should have adequate capacity to serve the projects projected demand in addition to the provider's existing commitments in conjunction with associated fees and existing plans, as applicable and as needed. *As a result, the impacts will be less than significant.*

Table 3-7 Projected Effluent Generation

Project Element	Generation Rate	Project Generation
Specialty Retail Commercial (5,785 sq. ft.)	0.10 gals. /day/sq. ft.	578.5 gals. /day
Carwash (1,733 sq. ft.)	0.08 gals. /day/sq. ft.	138.6 gals. /day
Total		717.1 gals. /day

Source: Blodgett Baylosis Environmental Planning

D. *Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? ● Less than Significant Impact.*

Table 3-8 indicates the proposed projects anticipated solid waste generation rate. The City of Victorville utilizes the Victorville Landfill for solid waste disposal. This landfill is operated by the Solid Waste Management Division of the San Bernardino County Public Works Department in accordance with a Waste Disposal Agreement between the City and the County. The Victorville landfill currently operates on 67-acres of a total 491-acre property with a capacity of 1,180 tons per day. With a planned expansion, as summarized in a Joint Technical Document prepared by the Solid Waste Management Division, the overall capacity will rise to 3,000 tons per day by expanding from a 67-acre operation to an approximately 341-acre operation. The planned expansion and additional daily acceptance capabilities, as well as the required construction waste management plan enforced during construction will accommodate the proposed solid waste generation. *As a result, the impacts will be less than significant.*

Table 3-8 Projected Solid Waste Generation

Project Element	Generation Rate	Project Generation
Specialty Retail Commercial (5,785 sq. ft.)	42 lbs./day/1,000 sq. ft.	243 lbs./day
Carwash (1,733 sq. ft.)	42 lbs./day/1,000 sq. ft.	72.8 lbs./day
Total		315.8 lbs./day

Source: Blodgett Baylosis Environmental Planning

E. *Would the project comply with Federal, State, and local management and reduction statutes and regulations related to solid waste? ● No Impact.*

The proposed project, like all other development in Victorville and San Bernardino County, will be required to adhere to City and County ordinances with respect to waste reduction and recycling. *As a result, no impacts would occur.*

MITIGATION MEASURES

The analysis of utilities impacts indicated that no significant adverse impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation is required.

3.20 WILDFIRE

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?				✖
B. Would the project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				✖
C. Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				✖
D. Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				✖

ANALYSIS OF ENVIRONMENTAL IMPACTS

A. *Would the project substantially impair an adopted emergency response plan or emergency evacuation plan? ● No Impact.*

Surface streets that would be improved as part of the proposed project's construction would serve the project site and the adjacent area. Furthermore, the proposed project would not involve the closure or alteration of any existing evacuation routes that would be important in the event of a wildfire. At no time during construction will adjacent streets be completely closed to traffic. All construction staging must occur on-site. *As a result, no impacts will occur.*

B. *Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? ● No Impact.*

The project site is located in the midst of an urbanized zoned area. The proposed project may be exposed to particulate emissions generated by wildland fires in the mountains (the site is located approximately 20 miles northeast and northwest of the San Gabriel and San Bernardino Mountains). However, the potential impacts would not be exclusive to the project site since criteria pollutant emissions from wildland fires may affect the entire City as well as the surrounding cities and unincorporated county areas. *As a result, no impacts will occur.*

C. *Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? ● No Impact.*

The project site is not located in an area that is classified as a moderate fire risk severity within a Local Responsibility Area (LRA), and therefore will not require the installation of specialized infrastructure such as fire roads, fuel breaks, or emergency water sources. *As a result, no impacts will occur.*

D. *Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? ● No Impact.*

There is limited risk from wildfire within the project site or the surrounding area given the project site's distance from any area that may be subject to a wildfire event. In addition, the site is not located within a moderate fire risk and local responsibility area. The proposed project site is located within an area classified as built-up with development directly north of the site. Therefore, the project will not expose future employees to flooding or landslides facilitated by runoff flowing down barren and charred slopes. *As a result, no impacts will occur.*

MITIGATION MEASURES

The analysis of wildfire impacts indicated that less than significant impacts would result from the proposed project's approval and subsequent implementation. As a result, no mitigation is required.

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

Environmental Issue Areas Examined	Potentially Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
A. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				✖
B. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				✖
C. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				✖

The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this environmental assessment:

A. The proposed project *will not* have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. As indicated in Section 3.1 through 3.20, the proposed project will not result in any significant unmitigable environmental impacts.

B. The proposed project *will not* have impacts that are individually limited, but cumulatively considerable. The environmental impacts will not lead to a cumulatively significant impact on any of the issues analyzed herein.

C. The proposed project *will not* have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. As indicated in Section 3.1 through 3.20, the proposed project will not result in any significant unmitigable environmental impacts.

SECTION 4. CONCLUSIONS

4.1 FINDINGS

The Initial Study determined that the proposed project is not expected to have significant adverse environmental impacts. The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this Initial Study:

- The proposed project *will not* have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare or threatened species or eliminate important examples of the major periods of California history or prehistory.
- The proposed project *will not* have impacts that are individually limited, but cumulatively considerable.
- The proposed project *will not* have environmental effects which will cause substantially adverse effects on human beings, either directly or indirectly.

4.2 MITIGATION MONITORING

In addition, pursuant to Section 21081(a) of the Public Resources Code, findings must be adopted by the decision-maker coincidental to the approval of a Negative Declaration. These findings shall be incorporated as part of the decision-maker's findings of fact, in response to AB-3180 and in compliance with the requirements of the Public Resources Code. In accordance with the requirements of Section 21081(a) and 21081.6 of the Public Resources Code, the City of Victorville can make the following finding that a mitigation monitoring and reporting program will be required.

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SECTION 5. REFERENCES

5.1 PREPARERS

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5.2 REFERENCES

The references that were consulted have been identified using footnotes.

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