California Environmental Quality Act (CEQA) Initial Study/Mitigated Negative Declaration

Luna and 395 Commercial Project

PLAN22-00039

Lead Agency

City of Victorville Development Services Department
Planning Division
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Prepared By

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Project Proponent

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February 17, 2024

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1.0 Background Information

Project Title: PLAN22-00039. Luna and 395 Commercial Project.

1. **Lead Agency Contact:**
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2. **Description of Project:** Development of a C-Store (Retail) with Quick Serve Food, eight Multiple Product Dispensers (gas station "islands"), an Express Car Wash, and a Fast-Food Restaurant totaling 19,610 square feet on an approximately 3.57-acre vacant/undeveloped building site.

3. **Project Location:** The Project site consists of ±3.57 gross acres located on the southwest corner of Luna Road and U.S. 395. The Project site is identified as Assessor Parcel Number 3096-361-09.

4. **Project Proponents' Name and Address:**
   Victorville LLC
   % United Engineering Group
   8885 Haven Avenue, Suite 195
   Rancho Cucamonga, California 91730

5. **General Plan Designation:** Vista Verde Specific Plan (SP-2-91).

6. **Zoning:** Vista Verde Specific Plan (General Commercial)

7. **Surrounding Land Uses and Setting**: The Project site is bordered on the north by Luna Road followed by single-family residences, on the south by vacant undeveloped land, on the east by U.S. 395 followed by vacant, undeveloped land, and on the west by Bella Pine Street followed by single-family residences.

8. **Other Public Agencies whose Approval is Required:**
   - Lahontan Regional Water Quality Control Board (General Construction Storm Water Permit)
   - California Department of Fish and Wildlife, Incidental Take Permit 2081 for impacts to Western Joshua Trees and a 1601 Lake and Streambed Alteration Agreement.

9. **Native American Tribal Consultation:** The City of Victorville commenced the AB 52 process by sending out consultation invitation letters to tribes previously requesting notification, pursuant to Public Resources Code §21080.3.1. The Project site is located within Serrano ancestral territory and, therefore, is of interest to the Yuhaaviatam of San Manuel Nation (YSMN). As a result, Mitigation Measures TCR-1 and TCR-2 are included in the project/permit/plan conditions.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The following environmental factors have been evaluated in this Initial Study to determine if development of the Project will result in a Significant or Potentially Significant Impact(s) to the environment that cannot be mitigated to a level of insignificance. The environmental factors checked below require mitigation measures to reduce impacts to a level of insignificance.

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

Because the environmental factors above have been mitigated to less than significant, the adoption of a Mitigated Negative Declaration is recommended. View Table 2.1 below for further information.

Determination

Based on this initial evaluation:

I find that the proposed use COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be recommended for adoption. ☐

I find that although the proposal could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project Applicant. A **MITIGATED NEGATIVE DECLARATION** will be recommended for adoption. ☒

I find that the proposal MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. ☐

I find that the proposal MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effect (s) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION, pursuant to all applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION. ☐

	City of Victorville
Signature	Lead Agency
Daisy Kawasaki, Associate Planner	
Printed Name/Title	Date

2.0 Introduction

2.1 Purpose of the Initial Study/Mitigated Negative Declaration

An Initial Study is a preliminary analysis conducted by the City of Victorville (City) to determine if a project may have a significant physical effect on the environment. The Initial Study also aids in determining what type of environmental document to prepare:

- **Negative Declaration**: If the initial study concludes that the project will not cause a significant effect on the environment, the city can prepare a Negative Declaration. (Public Resources Code §21080(c); CEQA Guidelines §15070 et seq. (negative declaration process)). A Negative Declaration is a written statement that an EIR is not required because a project will not have a significant adverse impact on the environment. (Public Resources Code §21064, §21080(c).)

- **Mitigated Negative Declaration**: The City may attach conditions to a Negative Declaration for the purpose of mitigating potential environmental effects. This is referred to as a "Mitigated Negative Declaration." (CEQA Guidelines §15070(b); Public Resources Code §21064.5) A Mitigated Negative Declaration states that revisions in the project made or agreed to by the applicant would avoid the potentially significant adverse impacts, and that there is no substantial evidence that the revised project will have a significant effect on the environment. (Public Resources Code §21064.5; CEQA Guidelines §15070(b).

- **Environmental Impact Report**: If the Initial Study determines that there are potentially significant physical effects on the environment that cannot be mitigated to a less than significant level, the city will prepare an Environmental Impact Report. Environmental Impact Reports inform the public and City decision-makers of significant environmental effects of proposed projects, identify possible ways to minimize those effects, and describe reasonable alternatives to those projects.

Based on the Initial Study prepared for the Project, it is recommended that a **Mitigated Negative Declaration** be adopted.

2.2 Environmental Impacts Requiring Mitigation

Table 2-1 lists all the Mitigation Measures contained in this ISMND document.

Table 2.1 Summary of Environmental Impacts and Mitigation Measures

Environmental Impact	Mitigation Measures (MM)
4.4 (a) Biological Resources Construction will impact 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.	**MM BIO-1.Comply with the Western Joshua Conservation Act.** Prior to the initiation of western Joshua tree removal, relocation, replanting, trimming or pruning, or any activity that may result in take of WJT on site, the Project Proponent shall obtain California Endangered Species Act (CESA) Incidental Take Permit (ITP) under Section 2081 of the CESA, or any other appropriate take authorization under CESA or the Western Joshua Tree Conservation Act (WJTCA) (Fish and Game Code §§ 1927-1927.12). The Project Applicant will adhere to measures and conditions set forth within the Incidental Take Permit, which may consist of mitigation fees, relocation, off-site conservation, a CDFW-approved mitigation bank or a combination thereof **MM BIO-2. Pre-Construction Focused Plant Survey.** A focused plant survey shall be performed for all special status plant species that have the potential to occur on the site and be performed during the blooming season (April through 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. **MM BIO-3. Burrowing Owl Pre-Construction Survey.** Prior to any ground disturbance, pre-construction surveys for Burrowing Owls on the Project site and in the surrounding area in accordance with the Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game, May 7, 2012, shall be conducted no more than 14 days prior to the beginning of Project activities, and a secondary survey must be conducted by a qualified biologist within 24 hours prior to the beginning of project construction to determine if the Project site contains suitable burrowing owl habitat or sign thereof and to avoid any potential impacts to the species. The surveys shall include 100 percent coverage of the Project site. If both surveys reveal no burrowing owls are present or sign thereof, no additional actions related to this measure are required, and a letter shall be prepared by the qualified biologist documenting the results of the survey. The letter shall be submitted to CDFW prior to construction. If occupied active burrows or sign thereof are found within the development footprint during the pre-construction clearance survey, Mitigation Measure BIO-3 shall apply. **MM BIO-4. Burrowing Owl Avoidance/Relocation.** If active burrows or signs thereof are found within the development footprint during the pre-construction clearance surveys, site-specific non-disturbance buffer zones shall be established by the qualified biologist and shall be no less than 300 feet. If determined appropriate, a smaller buffer may be established by the qualified biologist following monitoring and assessments of the Project's effects on the burrowing owls. If it is not possible to avoid active burrows, passive relocation shall be implemented if a qualified biologist has determined there are no nesting owls and/or juvenile owls are no longer dependent on the burrows. A qualified biologist, in coordination with the applicant and the City, shall prepare and submit a passive relocation program in accordance with Appendix E of the CDFW's Staff Report on Burrowing Owl Mitigation for CDFW review/approval prior to the commencement of disturbance activities onsite and proposed

Environmental Impact	Mitigation Measures (MM)
	mitigation for permanent loss of occupied burrow(s) and habitat consistent with the 2012 Staff Report on Burrowing Owl Mitigation. When a qualified biologist determines that burrowing owls are no longer occupying the Project site and passive relocation is complete, construction activities may begin. A final letter report shall be prepared by the qualified biologist documenting the results of the passive relocation. The letter shall be submitted to CDFW. **MM BIO-5. Mohave Ground Squirrel Pre-Construction Survey.** Pre-construction surveys following the Mohave Ground Squirrel Survey Guidelines, or most recent version shall be performed by a qualified biologist authorized by a Memorandum of Understanding issued by CDFW. The pre-construction surveys shall cover the Project Area and a 50-foot buffer zone. If Mohave ground squirrel presence is confirmed during the survey, the Project Proponent should obtain an ITP for Mohave ground squirrel prior to the start of Project activities. CDFW shall be notified if Mohave ground squirrel presence is confirmed during the pre-construction survey. If a Mohave ground squirrel is observed during Project activities, and the Project Proponent does not have an ITP, all work shall immediately stop, and the observation shall be immediately reported to CDFW. **MM BIO-6. Desert Tortoise Pre-Construction Survey**. A CDFW-approved biologist shall conduct pre-construction presence/absence surveys for desert tortoise during the desert tortoise active season (April to May or September to October) 48 hours prior to initiation of Project activities and after any pause in Project activities lasting 30 days or more. Desert tortoise preconstruction surveys shall be conducted in accordance with the U.S. Fish and Wildlife Service (USFWS) 2019 desert tortoise survey methodology. Pre-construction surveys shall be completed using 100-percent visual coverage for desert tortoise and their sign and shall use perpendicular survey routes within the Project site and a 50-foot buffer zone. Pre-construction surveys cannot be combined with other surveys conducted for other species while using the same personnel. Project Activities cannot start until two negative results from consecutive surveys using perpendicular survey routes for desert tortoise are documented. Results of the survey shall be submitted to CDFW prior to the start of Project activities. If the survey confirms desert tortoise absence, the CDFW-approved biologist shall ensure desert tortoise do not enter the Project area. If desert tortoise presence is confirmed during the survey, the Project Proponent shall submit to CDFW for review and approval a desert tortoise specific avoidance plan detailing the protective avoidance measures to be implemented to ensure complete avoidance of take (California Fish and Game Code §86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") to desert tortoise. If complete avoidance of desert tortoise cannot be achieved, the Project Proponent shall not undertake Project activities, and Project activities shall be postponed until appropriate authorization (i.e., California Endangered Species Act (CESA) Incidental Take Permit (ITP) under Fish and Game Code §2081) is obtained. If complete avoidance of desert tortoise is infeasible, CDFW recommends that the Project Proponent apply for a CESA ITP and prepare a site-specific Desert Tortoise Translocation Plan (Plan) that will provide details on the proposed recipient site, desert tortoise clearance surveys and relocation, definitions for Authorized Biologists and qualified desert tortoise biologists, exclusion fencing guidelines, protocols for managing desert tortoise found during active versus inactive seasons, protocols for incidental tortoise death or injury, and shall be

Environmental Impact	Mitigation Measures (MM)
	consistent with project permits and current USFWS and CDFW guidelines. The Plan shall also include a requirement for communication and coordination with the Bureau of Land Management (BLM) regarding the desert tortoise recipient site. Prior to construction, the Plan shall be subject to the review and approval of the CDFW and the USFWS. Impacts shall be offset through acquisition of compensatory land within occupied desert tortoise habitat and/or mitigation bank credit purchase from a CDFW-approved mitigation bank mitigated at a ratio determined by CDFW after Project analysis. **MM BIO-7. Worker Environmental Awareness Training:** A qualified biologist must present a biological resources information training for desert tortoise, Mohave ground squirrel, and burrowing owl prior to Project activities to all personnel who will be working within the Project site. The same instruction shall be provided for any new workers prior to their performing any work onsite. Interpretation shall be provided for any non-English speaking workers. **MM BIO-8. Deceased or Injured Tortoise Within the Project Site:** USFWS and CDFW shall be informed of any injured or deceased desert tortoise (and other special-status species) found on site (verbal notice within 24-hours and written notification within 5-days). **MM BIO-9. Species Avoidance:** If during Project activities a desert tortoise is discovered within the Project site, all activities shall immediately stop and the CDFW shall be immediately notified (within 24 hours). Coordination with respective state and federal resource agencies shall be required prior to restarting activities to determine appropriate avoidance, minimization, and mitigation measures. **MM BIO-10. Nesting Bird Pre-Construction Survey.** Regardless of the time of year, a pre-construction sweep shall be performed to verify absence of nesting birds. A qualified biologist shall conduct the pre-activity sweep within the Project areas (including access routes) and a 500-foot buffer surrounding the Project areas, within 2 hours prior to initiating Project activities. Additionally, a nesting bird survey shall be conducted by a qualified biologist no more than 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. The survey shall be conducted by a qualified biologist. Surveys shall include any potential habitat (including trees, shrubs, the ground, or nearby structures) that may be impacted by activities resulting in nest destruction or abandonment. If nesting bird activity is present, a no-disturbance buffer zone shall be established by the qualified biologist around each nest to prevent nest destruction or abandonment. If nesting bird activity is present, a no-disturbance buffer zone shall be established by the qualified biologist around each nest to prevent nest destruction and disruption of breeding or rearing behavior. 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, as confirmed by a qualified biologist. A qualified biologist shall inspect the active nest to determine whether construction activities are disturbing the nesting birds or nestlings. If the qualified biologist determines that construction activities pose a disturbance to nesting, construction work shall be

Environmental Impact	Mitigation Measures (MM)
	stopped in the area of the nest and the 'no disturbance buffer' shall be expanded. If there is no nesting activity, then no further action is needed for this measure. **MM BIO-11 Crotch's Bumble Bee Survey.** Prior to the initiation of project activities, the Project proponent must obtain a qualified biologist to conduct surveys for the candidate bumble bee species. The qualified biologist will conduct habitat mapping no less than 120 days prior to the initiation of Project activities with the submittal of a complete baseline habitat mapping report encompassing Fish and Game Code 1602 resources. Mapping will identify habitat alliances following Sawyer et al. (2009) and the report will identify species composition for each mapped alliance. If habitat mapping identifies the presence of plants (e.g., genera Antirrhinum, Phacelia, Clarkia, Cordylanthus, Dendromecon, Eschscholzia, Eriogonum Hypericum, Lantana, Lupinus, Salvia, Asclepias, Cirsium, Monardella, Keckiella, Acmispon, Euthamia, Ehrendorferia, Vicia, and/or Trichostema) or other suitable habitats, then a qualified biologist approved by CDFW shall prepare a draft survey plan and conduct surveys for Crotch's bumble bee. The survey plan will identify the timing, number, and duration of survey efforts and procedures to follow if Crotch's bumble bee is detected within the Project area. The survey methodology shall generally follow the U.S. Fish and Wildlife Service protocol for the Rusty Patched bumble bee (USFWS 2019). CDFW also recommends completing multiple surveys, coinciding with the peak bloom periods of the plants listed above. Following the completion of surveys, and no less than 30 days prior to initiation of Project activities, survey results shall be submitted to CDFW for review and comment. If Crotch's bumble bee is detected during surveys, Project activities shall not occur in any occupied habitat areas and the qualified biologist shall immediately notify CDFW. **MM BIO-12**. **Compensatory Mitigation for Waters of the State.** Prior to the issuance of a grading permit or any earth-disturbing activities within the jurisdictional waters identified in Jurisdictional Delineation Luna Road and Highway 395 Commercial/Retail Center City of Victorville, San Bernardino County, California, L&L Environmental, December 14, 2022, the Project Proponent shall obtain any required regulatory permits required by the California Department of Fish & Wildlife (CDFW),and a Section 401 Water Quality Certification from the RWQCB for temporary and/or permanent impacts to the jurisdictional area that are regulated by the CDFW and the RWQCB. Impacts shall be mitigated at 3:1, or as modified by the regulatory agencies through the permitting process.
4.5 (b) Cultural Resources Sub-surface archaeological resources may be encountered during ground disturbance.	**MM CUL-1.** In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within **TCR-1**, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to

Environmental Impact	Mitigation Measures (MM)
	provide Tribal input with regards to significance and treatment. **MM CUL 2.** If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly. **MM CUL 3**. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.
4.7 (f) Geology and Soils Subsurface paleontological resources may be encountered during ground disturbance.	**MM PALEO-1. Inadvertent Discovery** of Paleontological Resources. If paleontological resources are encountered during the implementation of the Project, ground-disturbing activities will be temporarily redirected from the vicinity of the find. A qualified paleontologist (the "Project Paleontologist") shall be retained by the developer to make an evaluation of the find. If the resource is significant, Mitigation Measure PALEO-2 shall apply. **MM PALEO-2. Paleontological Treatment Plan**. If a significant paleontological resource(s) is discovered on the property, in consultation with the Project Proponent and the City, the qualified paleontologist shall develop a plan of mitigation that shall include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation in the find a local qualified repository, and preparation of a report summarizing the find.
4.18 (b) Tribal Cultural Resources Sub-surface tribal cultural resources may be encountered during ground disturbance.	**MM TCR-1**. The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site. **MM TCR-2**. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project. Note: Yuhaaviatam of San Manuel Nation realizes that there may be additional tribes claiming cultural affiliation to the area; however, Yuhaaviatam of San Manuel Nation can only speak for itself. The Tribe has no objection if the agency, developer, and/or archaeologist wishes to consult with other tribes in addition to YSMN and if the Lead Agency wishes to revise the conditions to recognize additional tribes.

Environmental Impact	Mitigation Measures (MM)
4.19 (a) Utilities and Service Systems Construction/installation of utilities and service systems will impact Biological Resources, Cultural Resources, Noise, Paleontological Resources, and Tribal Cultural Resources.	MM BIO-1 through MM BIO-11, MM CUL-1 through MM CUL-3, MM PALEO-1, MM PALEO-2 and MM TCR -1 and MM TCR-2 described above are required.

3.0 Project Description/Environmental Setting

3.1 Project Location

The Project site consists of approximately 3.57 gross acres located at the southwest corner of Luna Road and U.S. Highway 395. APN 3096-361-09. (See Figure 3.2 – Local Area Map).

3.2 Project Description

Development of a C-Store (Retail) with Quick Serve Food, eight Multiple Product Dispensers (gas station "islands"), an Express Car Wash, and a Fast-Food Restaurant totaling 19,610 square feet on an approximately 3.57-acre vacant/undeveloped building site. The Project would include all onsite infrastructure improvements described in detail below including primary and secondary access, utilities, streets, and stormwater facilities. Eighty-seven Parking stalls will be provided for use of the retail and facilities located onsite.

3.3 Proposed Improvements

Street Access

Luna Road

Luna Road will be improved with pavement markings, curbs, gutters, and sidewalk modification, a 36-foot driveway approach, and a right-turn exit, as indicated on the Project Layout (Figure 3.3).

Bella Pine Street

Bella Pine Street will be improved with a 28-foot driveway approach and modifications to existing sidewalk as indicated on the Project Layout (Figure 3.3).

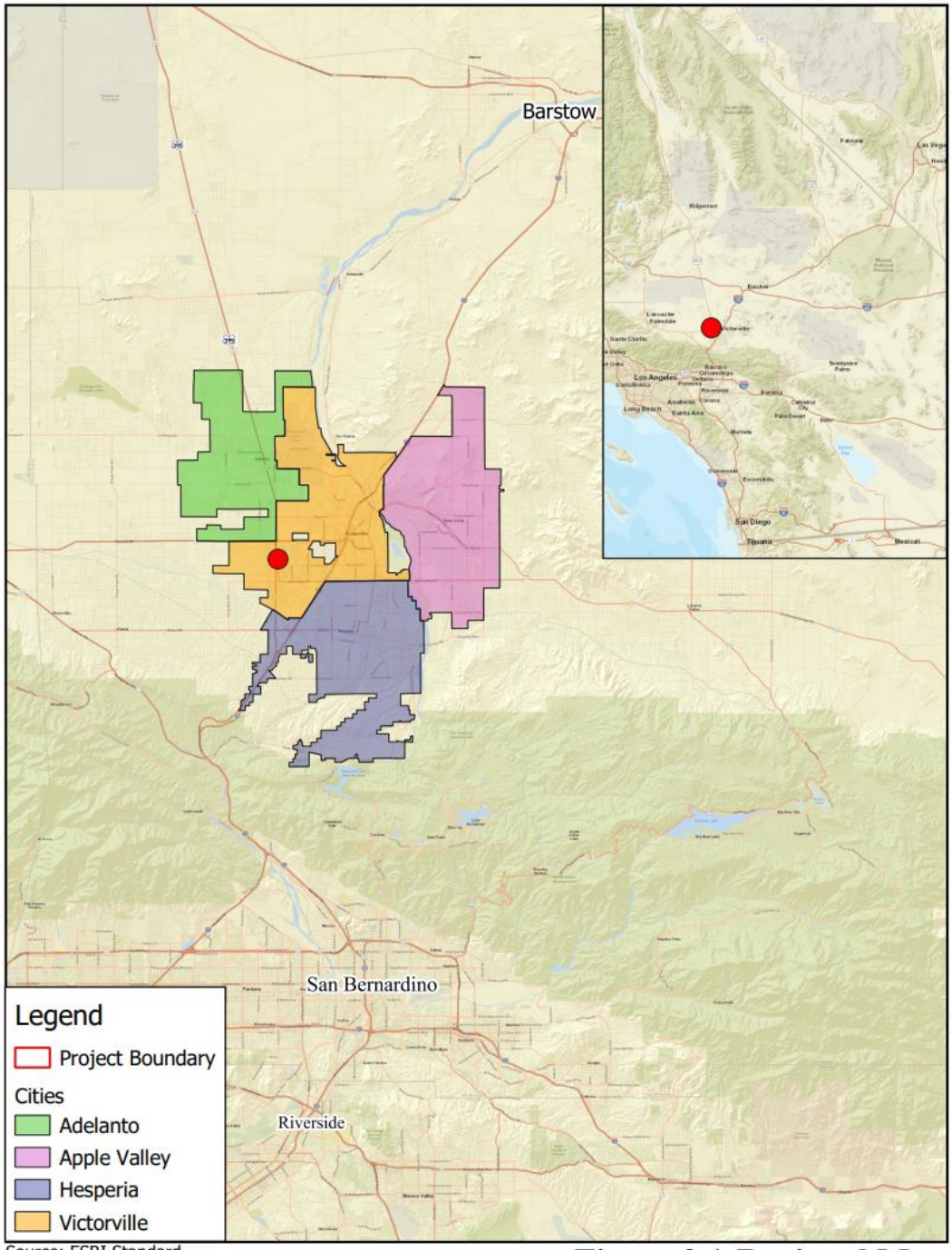
Water and Sewer Improvements

The Project will connect to the existing waterlines located under Luna Road at the perimeter of the Project site. The Project will connect to the existing sewer line located at Luna Road.

Storm Drainage Improvements

The Project would convey stormwater runoff into the City's existing flood control system along U.S. 395, parallel to the eastern property boundary (See Figure 3.4, Site Plan). The development of the site will not change area drainage patterns, impact any of the surrounding properties, or change any of the regional master plan facilities. The post-development runoff could be mitigated to be less than pre-development runoff. The Project will construct combination retention and detention basins and an underground storage system of sufficient size to handle water quality through infiltration, and flood mitigation through detention.

Figure 3.1 Regional Map



Source: ESRI Standard

Figure 3.1-Regional Map
TTM 395 and Luna

Figure 3.2 Local Area Map

Source: ESRI Standard

Figure 3.2 - Local Area Map

TTM 395 and Luna

EPC ENVIRONMENTAL CEQA

0 100 200 ft

Figure 3.3 Aerial View

Source: Bing Satellite

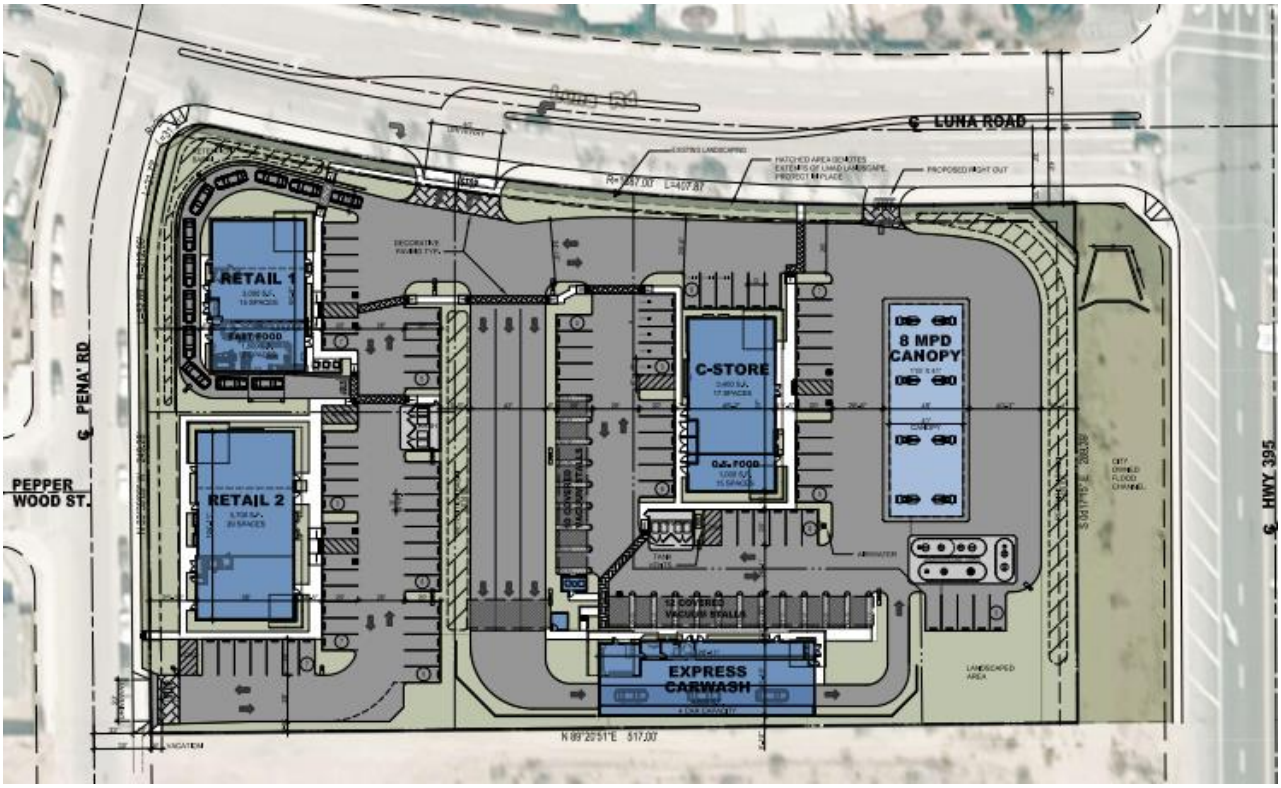
Figure 3.3 -Aerial View

TTM 395 and Luna

EPC ENVIRONMENTAL CEQA

0 50 100 ft

Figure 3.4 Site Plan



3.4 Construction and Operational Characteristics

Construction Schedule

Construction is expected to commence in 2024. The Project Proponent anticipates construction would require 226 days, or approximately 10 months. This includes site preparations, grading, building construction, paving, and architectural coating.

Operational Characteristics

The proposed commercial project would serve residents of Victorville with refueling service, a carwash, restaurants, and general retail businesses. Frequent traffic, low to moderate levels of noise, and a moderate level of artificial exterior lighting typical of a commercial business will be present on the project site. Typical operation characteristics would be employees travelling to and from the site and customers travelling to and from the site during hours of operation. The facility is expected to operate 24-hours per day and 7 days per week.

3.5 Environmental Setting

CEQA Guidelines §15125 establishes requirements for defining the environmental setting to which the environmental effects of a proposed project must be compared. The environmental setting is defined as "…the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation is published, or if no Notice of Preparation is published, at the time the environmental analysis is commenced…" (CEQA Guidelines §15125[a]). Because a Notice of Preparation was not required, the environmental setting for the Project is September 2022, which is the date that the Project's environmental analysis commenced.

The site is relatively flat but is slightly higher in the western portion and lowest in the eastern portion, which is closer to a well-defined wash. The site is undeveloped vacant land and mostly undisturbed, except for small dirt trails. The site supports a heavily disturbed desert scrub community that sparsely covers the property.

Onsite and adjacent land uses, General Plan land use designations, and zoning classifications are shown in Table 3.1.

Table 3.1 Land Uses, General Plan Land Use Designations, and Zoning Classifications

Location	Current Land Use	General Plan Land Use District	Zoning Classification
Site	Vacant undeveloped land	Specific Plan (Vista Verde)	Within the SP2-91 Specific Plan (Vista Verde); C-1 Neighborhood Retail/Service
North	Luna Road followed by single family residences	Specific Plan (Vista Verde)	SP2-91 Single family tract development within specific plan (5.5 du/ac)
South	Vacant undeveloped land.	Commercial	C-1 Neighborhood Retail/Service
East	U.S. 395 followed by vacant undeveloped land	Commercial	C-1 Neighborhood Retail/Service
West	Bella Pine Road followed by single family residences.	Specific Plan (Vista Verde)	SP2-91 Single family tract development within specific plan (5.5 du/ac)

Source: Google Earth Pro, November 28, 2023, City of Victorville -General Plan Land Use & Zoning District Map, November 28, 2023.

4.0 Environmental Analysis

The Project is evaluated based on its potential effect on 21 environmental topics. Each of the above environmental topics is analyzed by responding to a series of questions pertaining to the impact of the Project on the topic. Based on the results of the Impact Analysis, the effects of the Project are then placed in one of the following four categories, which are each followed by a summary to substantiate the factual reasons why the impact was placed in a certain category.

Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Significant or Potentially significant impact(s) have been identified or anticipated that cannot be mitigated to a level of insignificance. An Environmental Impact Report must therefore be prepared.	Potentially significant impact(s) have been identified or anticipated, but mitigation is possible to reduce impact(s) to a less than significant category. Mitigation measures must then be identified.	No "significant" impact(s) identified or anticipated. Therefore, no mitigation is necessary.	No impact(s) identified or anticipated. Therefore, no mitigation is necessary.

4.1 Aesthetics

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

Impact Analysis

According to the General Plan EIR, areas of high visual sensitivity within/adjacent to the City include the Mojave River, the rocky bluffs of the Narrows, and the Mojave Narrows Regional Park.[1] From the site, the Mojave River is located approximately 8 miles to the east, and the rocky bluffs of the Narrows and the Mojave Narrows Regional Park are located approximately 7 miles to the northeast. These areas are not visible from the Project site.

Impacts on scenic vistas are analyzed from points or corridors that are accessible to the public and that provide a view of a scenic vista. Public views and vantage points from the Project site would be from the public rights of way of Luna Road, U.S. 395, and Bella Pine Street. Development within a viewer's line of sight of scenic areas may interfere with a public view of a scenic vista, either by physically blocking or screening the vista from view or by impeding or blocking access to a formerly available viewing position. Those viewers may see the scenic areas prior to development; but would have those views blocked post-development. However, because of distance to these scenic resources and intervening development, public views of these scenic vistas would not be blocked by the Project. No mitigation would be required.

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

Impact Analysis

According to the California Department of Transportation, the Project site is not located within a State scenic highway.[2] As such, the Project would not impact scenic resources.

1 General Plan EIR, p. 5-11.
2 California Department of Transportation, State Scenic Highway Program, https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways#:~:text=The%20Department%20of%20Transportation%20(Caltrans,of%20a%20State%20Scenic%20Highway. accessed November 28, 2023.

Threshold 4.1 (c). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) If located in an Urbanized Area, conflict with applicable zoning and other regulations governing scenic quality?				✓

Impact Analysis

According to U.S. Census Bureau, the Project site is located in the Victorville Hesperia, CA Urbanized Area.[3] As such, the Project is subject to the City's applicable regulations governing scenic quality. Future construction of the structures and related improvements are subject to site plan review as required by Victorville Development Code Article 10: - Commercial Districts §16-3.01.020 (a). As part of the development plan review, the Project is required to comply with Development Code Article 10: - Commercial Districts §16-3.10.060-Design Guidelines.

With implementation of the above-referenced Development Code requirements, the Project would not conflict with applicable zoning and other regulations governing scenic quality.

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

Impact Analysis

Outdoor Lighting and Glare

The existing site is undeveloped and contains no sources of light or glare. The Project would increase the amount of light in the area by adding new sources of illumination including lighting for the proposed structures, streetlights, structure-mounted lights, illuminated and/or reflective signage material.

Outdoor lighting included in the Project will comply with the City of Victorville Development Code Section 16.3.10 (e), *Lighting:*

> *"Effective pathway lighting provides safety and direction for vehicles and pedestrians, visibility, and security for businesses, while enhancing architectural building and landscape details.*

3 United States Census Bureau, 2010 Census Urban Area Reference Maps, https://www.census.gov/geographies/reference-maps/2010/geo/2010-census-urban-areas.html accessed November 28, 2023.

Building Material Glare

Development Code §16.3.10 (e)(2), Style, requires the key exterior architectural elements consist of non-reflective materials including stucco, horizontal siding, and stone (**Error! Reference source not found.**, **Error! Reference source not found.**).

Adhering to the above requirements would ensure the Project complies with City of Victorville development standards for General Commercial uses. Thus, the Project would not adversely affect daytime or nighttime views in the area.

Figure 4.1-1 Architectural Perspective

4.2 Agriculture and Forestry Resources

Threshold 4.2 (a). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓

Impact Analysis

The Project site is undeveloped. The site has no historical use or designation as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as mapped by the State Department of Conservation Farmland Mapping and Monitoring Program.[4] As such, the development of the Project will not convert any type of farmland into a non-agricultural use.

Threshold 4.2 (b). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓

Impact Analysis

Agricultural Zoning

The current zoning classification for the site is Vista Verde Specific Plan (SP 2-91)- General Commercial. Therefore, the Project would remain consistent with existing zoning for commercial use.

Williamson Act

A Williamson Act Contract enables private landowners to voluntarily enter contracts with local governments for the purpose of establishing agricultural preserves. According to County of San Bernardino Office of the Assessor the Project site is not within an agricultural preserve.[5]

4 Source: https://databasin.org/maps/new/#datasets=b83ea1952fea44ac9fc62c60dd57fe48, accessed on November 28, 2023.

5 Source: https://sbcountyarc.org/wp-content/uploads/arcforms/NPP874-WilliamsonActParcels.pdf, accessed November 28, 2023.

Threshold 4.2 (c). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓

Impact Analysis

California Public Resources Code §12220(g) defines forest land as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

Section 4526 of the Code defines timberland as land, other than land owned by the federal government or land designated by the state as experimental forest land, that is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees.

The Project site does not contain any forest lands, timberland, or timberland zoned as Timberland Production, nor are any forest lands or timberlands located on or nearby the Project site. Because no land within the Project site is currently zoned or proposed for forestland or timberland, there is no potential to impact such zoning.

Threshold 4.2 (d). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?				✓

Impact Analysis

As noted in the response to Threshold 4.2(c) above, the Project site and surrounding properties do not contain forest lands, are not zoned for forest lands, nor are they identified as containing forest resources by the General Plan. Because forest land is not present within the Project site or in the immediate vicinity of the site, the Project has no potential to result in the loss of forest land or the conversion of forest land to non-forest use.

Threshold 4.2 (e). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				✓

Impact Analysis

As noted under Threshold 4.2 (a), the Project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as mapped by the State Department of Conservation Farmland Mapping and Monitoring Program. In addition, the site is not under agricultural production and there is no land being used primarily for agricultural purposes in the vicinity of the site.

4.3 Air Quality

Potential impacts resulting to Air Quality from the proposed Project are analyzed using:

- Air Quality/GHG Assessment, KPC EHS Consultants, LLC, February 2, 2023. Included as Appendix A.
- MDAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, February 2020, available at: https://www.mdaqmd.ca.gov/rules/overview.

Air Quality Setting

Topography and Climate

The Project site is located within the Mojave Desert portion of the Mojave Desert Air Basin (MDAB), is bordered in the southwest by the San Bernardino Mountains, separated from the San Gabriel Mountains by the Cajon Pass (4,200 feet). A lesser channel lies between the San Bernardino Mountains and the Little San Bernardino Mountains (the Morongo Valley). The MDAB is classified as a dry-hot desert (BWh), with portions classified as dry-very hot desert (BWhh), to indicate at least three months have maximum average temperatures over 100.4° F.[6]

Air Pollutants and Health Effects

Air pollutants are the amounts of foreign and/or natural substances occurring in the atmosphere that may result in adverse effects to humans, animals, vegetation, and/or materials. The air pollutants regulated by the Mojave Desert Air Quality Management District (MDAQMD) that are applicable to the Project are described below.

Carbon Monoxide (CO). A colorless, odorless gas resulting from the incomplete combustion of hydrocarbon fuels. Over 80 percent of the CO emitted in urban areas is contributed by motor vehicles. Carbon monoxide is harmful when breathed because it displaces oxygen in the blood and deprives the heart, brain, and other vital organs of oxygen.

Nitrogen Dioxide NOx). Nitrogen dioxide (NO_2) is a byproduct of fuel combustion. The principal form of nitrogen oxide produced by combustion is nitric oxide (NO), but NO reacts quickly to form NO_2, creating a mixture of NO and NO_2 commonly called NOx. NOx can irritate the eyes, nose, throat, and lungs, possibly leading to coughing, shortness of breath, tiredness, and nausea.

Particulate Matter ($PM_{2.5}$ and PM_{10}): One type of particulate matter is the soot seen in vehicle exhaust. Fine particles — less than one-tenth the diameter of a human hair — pose a serious threat to human health, as they can penetrate deep into the lungs. PM can be a primary pollutant or a secondary pollutant from hydrocarbons, nitrogen oxides, and sulfur dioxides. Diesel exhaust is a major contributor to PM pollution.

Sulfur Dioxide (SO_2). A strong-smelling, colorless gas that is formed by the combustion of fossil fuels. Power plants, which may use coal or oil high in sulfur content, can be major sources of SO_2. Sulfur dioxide irritates the skin and mucous membranes of the eyes, nose, throat, and lungs.

6 MDAQMD CEQA Guidelines, February 2020, Page 6-7.

Ozone: Ozone is formed when several gaseous pollutants react in the presence of sunlight. Most of these gases are emitted from vehicle tailpipe emissions. Ozone can reduce lung function and worsen bronchitis, emphysema, and asthma.

Volatile Organic Compounds (VOCs): VOCs contribute to the formation of smog and/or may themselves be toxic. VOCs often have an odor, including gasoline, alcohol, and the solvents used in paints. Health effects may include eye, nose, and throat irritation, headaches, loss of coordination, and nausea.

Non-attainment Designations and Classification Status

The United States Environmental Protection Agency and the California Air Resources Board have designated portions of the District non-attainment for a variety of pollutants. An "attainment" designation for an area signifies that criteria pollutant concentrations did not exceed the established standard. In contrast to attainment, a "nonattainment" designation indicates that a criteria pollutant concentration has exceeded the established standard. Table 4.3-1 shows the attainment status of criteria pollutants in the MDAB.

Table 4.3-1 Attainment Status of Criteria Pollutants in the Mojave Desert Air Basin

Criteria Pollutant	State Designation	Federal Designation
Ozone – 1-hour standard	Nonattainment	No Standard
Ozone – 8-hour standard	Nonattainment	Nonattainment
Respirable Particulate Matter (PM_{10})	Nonattainment	Nonattainment
Fine Particulate Matter ($PM_{2.5}$)	Attainment	Unclassified/Attainment
Carbon Monoxide (CO)	Attainment	Unclassified/Attainment
Nitrogen Dioxide (N0x)	Attainment	Unclassified/Attainment
Sulfur Dioxide (SO_2)	Unclassified /Attainment	Unclassified/Attainment
Lead	Attainment	Attainment

Source: California Air Resources Board, maps of federal and state designations.
https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations

As shown in Table 4.3-1 above, the MDAB is classified as Nonattainment for Ozone – 1-hour standard, Ozone – 8-hour standard, and Respirable Particulate Matter (PM_{10}).

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

Impact Analysis

The following analysis is consistent with the preferred analysis approach recommended by the MDAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines.

Conformity with Air Quality Management Plans

The Project is located within the Mojave Desert Air Basin and under the jurisdiction of the Mojave Desert Air Quality Management District. Under the Federal Clean Air Act the Mojave Desert Air Quality Management District has adopted a variety of attainment plans (i.e., Air Quality Management Plans) for a variety of non-attainment pollutants. A complete list of the various air quality management plans is available from the Mojave Desert Air Quality Management District located at 14306 Park Avenue, Victorville, CA 92392 or on their website at: https://www.mdaqmd.ca.gov/rules/overview.

The Mojave Desert Air Quality Management District is responsible for maintaining and ensuring compliance with the various Air Quality Management Plans. Conformity is determined based on the following criteria:

- Consistency Criteria 1: A project is conforming if it does not conflict with or delay implementation of any applicable attainment or maintenance plan.
- Consistency Criteria 2: A project is conforming if it complies with all applicable Mojave Desert Air Quality Management District rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s).
- Consistency Criteria 3: A project is conforming if it is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan).

Consistency with Emission Thresholds

As shown in Table 4.3-3, Construction Emissions, and Table 4.3-4, Operational Emissions below, the Project would not exceed Mojave Desert Air Quality Management District significance thresholds for any criteria pollutant during construction or during long-term operation. Accordingly, the Project's air quality emissions are less than significant.

Consistency with Control Measures

The construction contractors are required to comply with rules, regulations, and control measures to control fugitive dust from grading (Rule 403) and the application of architectural coatings during building construction (Rule 1113).

Consistency with Growth Forecasts

The Project site is designated as Specific Plan SP2-91 with a zoning of C-1 – Neighborhood Service Commercial by the General Plan Land Use & Zoning Map. This land use designation is consistent with the Project's land use plan that was used by the MDAQMD to generate the growth forecasts for the air quality plans referenced above.

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

Impact Analysis

The following provides an analysis based on the applicable regional significance thresholds established by the Mojave Desert Air Quality Management District to meet national and state air quality standards. Table 4.3-2 shows the Air Quality Significance Thresholds established by the MDAQMD.

Table 4.3-2 MDAQMD Air Quality Significance Thresholds

Pollutant	Daily Emissions (pounds/day)
Carbon Monoxide (CO)	548
Oxides of Nitrogen (NOx)	137
Volatile Organic Compounds (VOC)	137
Oxides of Sulphur (SOx)	137
Particulate Matter (PM_{10})	82
Particulate Matter ($PM_{2.5}$)	65

Source: MDAQMD CEQA Guidelines, February 2020, Table 6.

Both construction and operational emissions for the Project were estimated using the California Emissions Estimator Model (CalEEMod), which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify potential criteria pollutant emissions associated with construction and operations from a variety of land use projects. The model can be used for a variety of situations where an air quality analysis is necessary or desirable, such as California Environmental Quality Act (CEQA) documents and is authorized for use by the Mojave Desert Air Quality Management District.

Construction Emissions

Construction activities associated with the Project will result in emissions of VOC/ROG, NOx, CO, SOx, PM_{10}, and $PM_{2.5}$. Construction-related emissions are expected from the following onsite and offsite construction activities: site preparation, grading, building construction, architectural coating, and paving. Construction activities produce combustion emissions from various sources (utility engines, tenant improvements, and motor vehicles transporting the construction crew). Exhaust emissions from construction activities envisioned on site would vary daily over a 2.6-year period as construction activity levels change. The Project will be required to comply with several standard fugitive dust control measures, per MDAQMD Rule 403. The following measures were factored into CalEEMod and are based upon data provided from MDAQMD:

- Clean unpaved roads - 20% PM_{10}
- Water exposed areas 3 times per day.

Construction emissions are shown in Table 4.3-3 below.

Table 4.3-3 Construction Emissions

	Emissions (pounds per day)					
	NOx	ROG	CO	SOx	PM10	PM2.5
Maximum Daily Emissions	17.00	10.86	13.54	0.03	7.91	4.13
Regional Threshold	**137**	**137**	**548**	**137**	**82**	**65**
Exceeds Regional Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: MDAQMD and CalEEMod 2016.3.2

Operational Emissions

The Project would be operated as with a convenience store with gas pumps, express carwash, quick food service, restaurant, and retail shops. Operations emissions include stationary, mobile (transportation emissions), and area (on-going architectural coatings, consumer product use, landscaping maintenance emissions). Table 4.3-4 shows the Mojave Desert Air Quality Management District thresholds for operational emissions compared to the Project's maximum daily emissions.

Table 4.3-4 Operational Emissions

	Emissions (pounds per day)					
	NOx	ROG	CO	SOx	PM_{10}	$PM_{2.5}$
Maximum Daily Emissions	7.64	10.82	47.10	0.07	6.72	1.85
Regional Threshold	**137**	**137**	**548**	**137**	**82**	**65**
Exceeds Regional Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: MDAQMD and CalEEMod 2016.3.2 .

As shown in Table 4.3-4 above, operational-related emissions would not exceed Mojave Desert Air Quality Management District thresholds. Accordingly, the Project would not emit substantial concentrations of these pollutants during operation and would not contribute to an existing or projected air quality violation, on a direct or cumulative basis. As such, impacts are less than significant, and no mitigation measures are required.

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

Impact Analysis

A sensitive receptor is a person in the population who is particularly susceptible to health effects due to exposure to an air contaminant. The following are land uses (sensitive sites) where sensitive receptors are typically located:

- Schools, playgrounds, and childcare centers
- Long-term health care facilities
- Rehabilitation centers
- Convalescent centers
- Hospitals
- Retirement homes
- Residences

The sensitive receptors in the area of the Project site include residential to the north, west, east, and southwest, as well as the Vista Verde Elementary School to the north and Morgan Kincaid Preparatory School to the east.

The nearest sensitive receptors are residential uses located to the west and north of the Project. The properties immediately to the south are vacant and zoned for future commercial uses, U.S. 395 immediately to the east with commercial adjacent to the east side of U.S. 395, and as such the Project would be compatible with surrounding land uses.

According to the MDAQMD, CEQA, and Federal Conformity Guidelines, 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 (50,000 or more vehicles per day) within 1,000 feet;
- A dry cleaner using perchloroethylene within 500 feet; and
- A gasoline dispensing facility within 300 feet.

The Project includes a gasoline dispensing facility (gasoline service station) that is within 300 feet of residential land uses. Emissions resulting from the gasoline service station have the potential to result in toxic air contaminants (TACs) from components within the gasoline such as benzene, hexane, MTBE, toluene, and xylene. Emissions from gasoline service stations have the potential to contribute to health risk to sensitive receptors near the project site. The MDAQMD currently does not have a procedure for determining screening level health risk estimates for gasoline-dispensing operations and therefore relies on SCAQMD methodology. For purposes of this evaluation, cancer

risk estimates can be made consistent with the methodology presented in SCAQMD's Risk Assessment Procedures for Rules 1401, 1401.1 & 212, which provides screening-level risk estimates for gasoline dispensing operations. To determine the potential risk from the operation of the gasoline service station the 2022 CARB & CAPCOA Gasoline Service Station Industrywide Risk Assessment Look-up Tool Version 1.0 and SCAQMD's Risk Tool V1.105 were used to calculate the risk values.

Based on the results of the Risk Tools, it is projected that no sensitive receptors located in the residential areas in the Project vicinity will be exposed to a cancer risk of greater than 1.44 and 1.553 in 1 million, and the workers on site in the commercial uses would be exposed to a 0.36 and 0.315 in 1 million, which is less than the applicable threshold of 10 in 1 million. It should be noted that this screening-level risk estimate is very conservative and overstates rather than understates potential impacts.

The Project does not exceed the criteria listed above. As a result, impacts will be less than significant.

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

Impact Analysis

Potential odor sources associated with the Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the proposed Project's long-term operational uses.

The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations. Therefore, odors associated with the proposed Project construction and operations would be less than significant, and no mitigation is required.

4.4 Biological Resources

Analysis of biological resources is supported by the following technical reports:

- General Biological Resources Assessment, RCA Associates, Inc., June 10, 2022
- Jurisdictional Waters Delineation, L&L Environmental, December 14, 2022
- Protected Plant Preservation Plan, RCA Associates, Inc., June 10, 2022
- Western Joshua Tree Census, RCA Associates, Inc., January 31, 2024

Threshold 4.4 (a). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		✓		

Impact Analysis

Plant Species

The site supports a heavily disturbed desert scrub community that sparsely covers the property. Species present on the site included creosote bush, Asian mustard, Nevada jointfir, cheatgrass, Flatspine burr ragweed, and rubber rabbitbrush. No sensitive habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were observed on the site during the field investigations.

Table 4.4-1 Federal and State Listed Species and State Species of Special Concern

Species	Status	Presence/Absence
Short-joint beavertail	Federal: Threatened State: Threatened CNPS: 1B.2	**Not Present:** The site does not support suitable habitat for the species and no beavertail observed during field surveys.
Sagebrush loeflingia	Federal: None State: None CNPS: 2B.2	**Not Present:** The site does support minimal suitable habitat, however, no sagebrush loeflingia was observed.

Western Joshua Tree

Western Joshua tree became a candidate species under the California Endangered Species Act (CESA), effective October 9, 2020. The CESA prohibits the take and possession of any species, or any part or product of a species that is designated by the California Fish and Game Commission as an endangered, threatened, or candidate species. As a candidate species, western Joshua tree now has full protection under CESA, and any take of the species (including removal of western Joshua tree or similar actions) will require authorization under CESA.

As of July 10, 2023, the California Legislature passed and signed the Western Joshua Tree Conservation Act (WJTCA) Senate Bill 122 (SB122) into effect thus listing the WJT as a candidate endangered species. The WJTCA authorized the CDFW to oversee the permitting processes that deal with mitigation and/or removal of WJT. The removal of WJT requires a California Endangered Species Act Incidental Take Permit (CESA, ITP) or a Western Joshua Tree Conservation Act Incidental Take Permit (WJTCA, ITP).

As shown Table 4.4-2, Joshua Tree Inventory, and Figure 4.4-1 Location of Joshua Trees, there are 47 Western Joshua Trees either living or dead on the Project site.

Table 4.4-2 Joshua Tree Inventory

Tree Census	Number of Trees
Live Joshua Trees On-site	8
Number of Joshua Trees Off-site	0
Class “A” Joshua Trees	15
Class “B” Joshua Trees	32
Class “C” Joshua Trees	0
Dead Trees	39
Total	**47**

Source: Western Joshua Tree Census, (Appendix E).

Figure 4.4-1 Location of Joshua Trees

Preservation of the Joshua trees is not feasible. Therefore, the following mitigation measure is required.

Western Joshua Tree Mitigation Measure (MM)

MM BIO=1. Comply with the Western Joshua Conservation Act. Prior to the initiation of western Joshua tree removal, relocation, replanting, trimming or pruning, or any activity that may result in take of WJT on site, the Project Proponent shall obtain California Endangered Species Act (CESA) Incidental Take Permit (ITP) under Section 2081 of the CESA, or any other appropriate take authorization under CESA or the Western Joshua Tree Conservation Act (WJTCA) (Fish and Game Code §§ 1927-1927.12). The Project Applicant will adhere to measures and conditions set forth within the Incidental Take Permit, which may consist of mitigation fees, relocation, off-site conservation, a CDFW-approved mitigation bank or a combination thereof

No sensitive plant species were observed on the site during the field investigations. However, to ensure there are no sensitive plant species on the Project site at the time grading is proposed, the following mitigation measure is required.

MM BIO-2. Pre-Construction Focused Plant Survey. A focused plant survey shall be performed for all special status plant species that have the potential to occur on the site and be performed during the blooming season (April through 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.

Wildlife Species

Table 4.4-3 Presence of Candidate, Sensitive, or Special Status Plant or Wildlife Species

Species	Status	Presence/Absence
Plant Species		
Short-joint beavertail (Opuntia basilaris var. brachyclada)	Federal: None State: None CNPS: 1B.2	The site does not support suitable habitat for the species; and no beavertail were observed during field surveys.
Sagebrush loeflingia (Loeflingia squarrosa var. artemisiarum)	Federal: None State: None CNPS: 2B.2	The site does support minimal suitable habitat; however, no sagebrush loeflingia was observed.
Wildlife Species		
Desert Tortoise	Federal: Threatened State: Threatened	**Not Present:** The site is located within the known distribution of the species. An evaluation of the area and property was conducted, and no tortoises or suitable habitat was observed.

Species	Status	Presence/Absence
Loggerhead Shrike	Federal: None State: None CDFW: Species of Special Concern	**Not Present:** The site does not provide suitable habitat, and the species was not observed on site.
Yellow warbler	Federal: None State: None CDFW: Species of Special Concern	**Not Present**. Site does not support suitable habitat for the species.
Burrowing Owl	Federal: None State: None CDFW: Species of Special Concern	**Not Present/Future Presence Possible:** The site does support marginal habitat for the species; however, no owls or owl sign, or burrows were observed during field surveys.
Coast horned lizard	Federal: None State: None CDFW: Species of Special Concern	**Not Present:** Suitable habitat was found on the site however the species was not observed on site.
Mohave ground squirrel	Federal: None State: None	**Not Present:** Site supports suitable habitat for the species. The species has been identified in the area; however, species is unlikely to inhabit the site due to the very low population levels in the area and none were observed during field investigations.
Bombus crotchii Crotch bumble bee — CE		May occur; suitable habitat.

Further discussion on the species that were not present on the Project site during the field survey but may have the potential to be present in the future, is provided below.

Desert Tortoise

The site is located within the documented tortoise, a state and federal threatened species, habitat according to the California Natural Diversity Database (CNDDB) (2022). The property supports marginal habitat for the desert tortoise based on the location of the site in a semi-developed area of Victorville. No tortoises were observed within the property boundaries during the June 8, 2022, surveys. The species is not expected to move onto the site in the near future based on the absence of any potential burrows or sign, absence of any recent observations in the immediate area, and the presence of busy roadways and developments in the immediate area that may act as barriers to migration of tortoises.

Burrowing Owl

The site is located within documented burrowing owl habitat according to CNDDB (2022). No owls, burrows or signs were seen on the property during the survey, and minimal suitable habitat was observed. Burrowing owls are not expected to occur on the site due to lack of suitable vegetation and burrows.

Mojave Ground Squirrel

The Mohave ground squirrel is a California state threatened species that 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 fact that there have been no recent sightings of the species within the Baldy Mesa quadrangle.

Sagebrush Loeflingia

This plant species typically occurs in sage brush habitats, chaparral, and grassland areas and is unlikely to occur on the site given that portions of the site have been previously graded. The sagebrush was not seen during the June 2022 field surveys.

Coast Horned Lizard

Coast horned lizard have been documented in the region, with the single most recent observation in 1992 (CNDDB, 2022). The use of the site by coast horned lizards may be very infrequent given the low population levels in the region as well as the lack of any recent sightings in the immediate region according to the CNDDB (2022). No coast horned lizards were observed during the field investigations.

Crotch's Bumble Bee

Crotch's bumble bee occurs primarily in California, including the Mediterranean region, Pacific Coast, Western Desert, Great Valley, and adjacent to foothills through most of southwestern California (Williams et. al 2014). Crotch's bumble bees are generalist foragers and have been reported visiting a wide variety of flower plants. The plant families most commonly associated with Crotch's bumble bee observations or collections from California include Fabaceae, Apocynaceae, Asteraceae, Lamiaceae, Boraginaceae, and Asclepiadaceae. Crotch's bumble bee is a candidate species for listing under CESA; therefore, it receives the same legal protection afforded to endangered or threatened species under CESA according to Fish & G. Code §§ 2074.2 & 2085. If found on-site, the Project could result in harming Crotch's bumble bees, reduction in sufficient food resources such as nectar and pollen, and/or removal of nesting and overwintering sites.

Wildlife Species Mitigation Measures

As noted above, no wildlife species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulation, or by the CDFW or USFWS were detected onsite. However, both the Burrowing Owl and the Desert Tortoise are known to potentially be located within the vicinity and, due to their transient nature, have the potential to inhabit the site in the future. Additionally, the Biological Survey did not indicate that Crotch's Bumble Bee had been evaluated. Therefore, MM- BIO-11, Crotch's Bumble Bee Survey is required.

The following mitigation measures have been included to ensure any impacts remain below the threshold of significance to the Burrowing Owl and Desert Tortoise.

MM BIO-3. Burrowing Owl Pre-Construction Survey. Prior to any ground disturbance, pre-construction surveys for Burrowing Owls on the Project site and in the surrounding area in accordance with the Staff Report on Burrowing Owl Mitigation, State of California Natural Resource Agency, Department of Fish and Game, May 7, 2012, shall be conducted no more than 14 days prior to the beginning of Project activities, and a

secondary survey must be conducted by a qualified biologist within 24 hours prior to the beginning of Project construction to determine if the Project site contains suitable burrowing owl habitat or sign thereof and to avoid any potential impacts to the species. The surveys shall include 100 percent coverage of the Project site. If both surveys reveal no burrowing owls are present or sign thereof, no additional actions related to this measure are required and a letter shall be prepared by the qualified biologist documenting the results of the survey. The letter shall be submitted to CDFW prior to construction. If occupied active burrows or sign thereof are found within the development footprint during the pre-construction clearance survey, Mitigation Measure BIO-3 shall apply.

MM BIO-4. Burrowing Owl Avoidance/Relocation. If active burrows or signs thereof are found within the development footprint during the pre-construction clearance surveys, site-specific non-disturbance buffer zones shall be established by the qualified biologist and shall be no less than 300 feet. If determined appropriate, a smaller buffer may be established by the qualified biologist following monitoring and assessments of the Project's effects on the burrowing owls. If it is not possible to avoid active burrows, passive relocation shall be implemented if a qualified biologist has determined there are no nesting owls and/or juvenile owls are no longer dependent on the burrows. A qualified biologist, in coordination with the applicant and the City, shall prepare and submit a passive relocation program in accordance with Appendix E (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the CDFW's Staff Report on Burrowing Owl Mitigation for CDFW review/approval prior to the commencement of disturbance activities onsite and proposed mitigation for permanent loss of occupied burrow(s) and habitat consistent with the 2012 Staff Report on Burrowing Owl Mitigation. When a qualified biologist determines that burrowing owls are no longer occupying the Project site and passive relocation is complete, construction activities may begin. A final letter report shall be prepared by the qualified biologist documenting the results of the passive relocation. The letter shall be submitted to CDFW.

MM BIO-5. Mohave Ground Squirrel Pre-Construction Survey. Pre-construction surveys following the Mohave Ground Squirrel Survey Guidelines, or most recent version shall be performed by a qualified biologist authorized by a Memorandum of Understanding issued by CDFW. The pre-construction surveys shall cover the Project Area and a 50-foot buffer zone. If Mohave ground squirrel presence is confirmed during the survey, the Project Proponent should obtain an ITP for Mohave ground squirrel prior to the start of Project activities. CDFW shall be notified if Mohave ground squirrel presence is confirmed during the pre-construction survey. If a Mohave ground squirrel is observed during Project activities, and the Project Proponent does not have an ITP, all work shall immediately stop, and the observation shall be immediately reported to CDFW.

MM BIO-6. Desert Tortoise Pre-Construction Survey. A CDFW-approved biologist shall conduct pre-construction presence/absence surveys for desert tortoise during the desert tortoise active season (April to May or September to October) 48 hours prior to initiation of Project activities and after any pause in Project activities lasting 30 days or

more. Desert tortoise preconstruction surveys shall be conducted in accordance with the U.S. Fish and Wildlife Service (USFWS) 2019 desert tortoise survey methodology. Preconstruction surveys shall be completed using 100-percent visual coverage for desert tortoise and their sign and shall use perpendicular survey routes within the Project site and a 50-foot buffer zone. Pre-construction surveys cannot be combined with other surveys conducted for other species while using the same personnel. Project Activities cannot start until two negative results from consecutive surveys using perpendicular survey routes for desert tortoise are documented.

Results of the survey shall be submitted to CDFW prior to the start of Project activities. If the survey confirms desert tortoise absence, the CDFW approved biologist shall ensure desert tortoise do not enter the Project area.

If desert tortoise presence is confirmed during the survey, the Project Proponent shall submit to CDFW for review and approval a desert tortoise specific avoidance plan detailing the protective avoidance measures to be implemented to ensure complete avoidance of take (California Fish and Game Code §86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") to desert tortoise. If complete avoidance of desert tortoise cannot be achieved, the Project Proponent shall not undertake Project activities, and Project activities shall be postponed until appropriate authorization (i.e., California Endangered Species Act (CESA) Incidental Take Permit (ITP) under Fish and Game Code §2081) is obtained.

If complete avoidance of desert tortoise is infeasible, CDFW recommends that the Project Proponent apply for a CESA ITP and prepare a site-specific Desert Tortoise Translocation Plan (Plan) that will provide details on the proposed recipient site, desert tortoise clearance surveys and relocation, definitions for Authorized Biologists and qualified desert tortoise biologists, exclusion fencing guidelines, protocols for managing desert tortoise found during active versus inactive seasons, protocols for incidental tortoise death or injury, and shall be consistent with project permits and current USFWS and CDFW guidelines. The Plan shall also include a requirement for communication and coordination with the Bureau of Land Management (BLM) regarding the desert tortoise recipient site.

Prior to construction, the Plan shall be subject to the review and approval of the CDFW and the USFWS. Impacts shall be offset through acquisition of compensatory land within occupied desert tortoise habitat and/or mitigation bank credit purchase from a CDFW-approved mitigation bank mitigated at a ratio determined by CDFW after Project analysis.

MM BIO-7. Worker Environmental Awareness Training: A qualified biologist must present a biological resources information training for desert tortoise, Mohave ground squirrel, and burrowing owl prior to Project activities to all personnel who will be working within the Project site. The same instruction shall be provided for any new workers prior to their performing any work onsite. Interpretation shall be provided for any non-English speaking workers.

MM BIO-8. Deceased or Injured Tortoise Within the Project Site: USFWS and CDFW shall be informed of any injured or deceased desert tortoise (and other special-status species) found on site (verbal notice within 24-hours and written notification within 5-days).

MM BIO-9. Species Avoidance: If during Project activities a desert tortoise is discovered within the Project site, all activities shall immediately stop and the CDFW shall be immediately notified (within 24 hours). Coordination with respective state and federal resource agencies shall be required prior to restarting activities to determine appropriate avoidance, minimization, and mitigation measures.

MM BIO-10. Nesting Bird Pre-Construction Survey. Regardless of the time of year, a pre-construction sweep shall be performed to verify absence of nesting birds. A qualified biologist shall conduct the pre-activity sweep within the Project areas (including access routes) and a 500- foot buffer surrounding the Project areas, within 2 hours prior to initiating Project activities. Additionally, a nesting bird survey shall be conducted by a qualified biologist no more than 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.

The survey shall be conducted by a qualified biologist. Surveys shall include any potential habitat (including trees, shrubs, the ground, or nearby structures) that may be impacted by activities resulting in nest destruction or abandonment. If nesting bird activity is present, a no-disturbance buffer zone shall be established by the qualified biologist around each nest to prevent nest destruction or abandonment. If nesting bird activity is present, a no-disturbance buffer zone shall be established by the qualified biologist around each nest to prevent nest destruction and disruption of breeding or rearing behavior. 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, as confirmed by a qualified biologist. A qualified biologist shall inspect the active nest to determine whether construction activities are disturbing the nesting birds or nestlings. If the qualified biologist determines that construction activities pose a disturbance to nesting, construction work shall be stopped in the area of the nest and the 'no disturbance buffer' shall be expanded. If there is no nesting activity, then no further action is needed for this measure.

MM BIO-11. Crotch's Bumble Bee Survey. Prior to the initiation of project activities, the Project proponent must obtain a qualified biologist to conduct surveys for the candidate bumble bee species. The qualified biologist will conduct habitat mapping no less than 120 days prior to the initiation of Project activities with the submittal of a complete baseline habitat mapping report encompassing Fish and Game Code 1602 resources. Mapping will identify habitat alliances following Sawyer et al. (2009) and the report will identify species composition for each mapped alliance. If habitat mapping identifies the presence of plants (e.g., genera Antirrhinum, Phacelia, Clarkia, Cordylanthus, Dendromecon, Eschscholzia, Eriogonum Hypericum, Lantana, Lupinus, Salvia,

Asclepias, Cirsium, Monardella, Keckiella, Acmispon, Euthamia, Ehrendorferia, Vicia, and/or Trichostema) or other suitable habitats, then a qualified biologist approved by CDFW shall prepare a draft survey plan and conduct surveys for Crotch's bumble bee. The survey plan will identify the timing, number, and duration of survey efforts and procedures to follow if Crotch's bumble bee is detected within the Project area. The survey methodology shall generally follow the U.S. Fish and Wildlife Service protocol for the Rusty Patched bumble bee (USFWS 2019). CDFW also recommends completing multiple surveys, coinciding with the peak bloom periods of the plants listed above. Following the completion of surveys, and no less than 30 days prior to initiation of Project activities, survey results shall be submitted to CDFW for review and comment. If Crotch's bumble bee is detected during surveys, Project activities shall not occur in any occupied habitat areas and the qualified biologist shall immediately notify CDFW.

Threshold 4.4 (b). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?		✓		

Impact Analysis

During the Jurisdictional Waters Delineation L&L Environmental found jurisdictional "waters of the state" present within the Project site. "Waters of the state" means any surface water or groundwater, including saline waters, within the boundaries of the state (Water Code §13050[e]). Drainages that connect to downstream flows are also jurisdictional. California Code of Regulations §1.72 defines "Waters" as a body of water that flows at least periodically or intermittently, has a bed or channel that has banks, supports fish or other aquatic life Including surface/subsurface flow that supports, or has supported riparian vegetation.

MM-BIO-12 Compensatory Mitigation for Waters of the State as noted in Threshold 4.4(c) shall apply.

Threshold 4.4 (c). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		✓		

Impact Analysis

Prior to the field survey potential for jurisdictional features to occur onsite is assessed via aerial photography, topographic mapping, soil types, trends to hydric conditions, area hydrology, and USFWS wetlands inventory mapping. Finally, condition of area drainages is forecast based on available rainfall data. Online data sources include USFWS, WebSoil, GlobeXplorer, Google Earth, 2016 Arid West Regional Wetland Plant List, Natural Resources Conservation Service, FEMA, University of California at Davis, Agriculture and Natural Resources, California Soil Resources Lab, U.S. Department of the Interior Geological Survey, and the following web pages:

- http://wetland-plants.usace.army.mil/nwpl_static/v33/home/home.html
- http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx
- https://www.fws.gov/wetlands/Data/Mapper.html
- https://viewer.nationalmap.gov/basic/
- https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=ca
- https://msc.fema.gov/portal/search

During the field survey L&L found jurisdictional "waters of the state" present within the Project site (Figure 4.4-2). "Waters of the state" means any surface water or groundwater, including saline waters, within the boundaries of the state (Water Code §13050[e]). Drainages that connect to downstream flows are also jurisdictional. California Code of Regulations §1.72 defines "Stream" as a body of water that flows at least periodically or intermittently, has a bed or channel that has banks, supports fish or other aquatic life, including surface/subsurface flow that supports or has supported riparian vegetation. CDFW Streambeds are also present. CDFW Streambeds are governed by the California Department of Fish and Game Code under Section 1602, which requires any person, state or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following:

- Divert or obstruct the natural flow of any river, stream, or lake,
- Change the bed, channel, or bank of any river, stream, or lake,
- Use material from any river, stream, or lake, or
- Deposit or dispose of material into any river, stream, or lake.

Streambed 1 is primarily located on a parcel adjacent to the Project site on a City-owned land parcel with a portion of the streambed entering onto the Project site. The average width of Streambed 1 measures 9.375 feet. Drainage 1 is 613 square feet. The streambed is ephemeral in nature and

contains water only during or for a short period following rainfall. Streambed 1 is unvegetated and disturbed. Clear beds and banks are moderately present within the drainage. Jurisdictional area within planned impact areas totals 613 square feet (0.014 acres).

Project Impacts

CDFW resources total 613 square feet (0.014 acres). Onsite Project-related impacts are 613 square feet (0.014 acres). An additional 555 square feet (0.012 acres) will be impacted on the adjacent City of Victorville land parcel by the Project development.

The following mitigation measure is required to mitigate impacts to "waters of the state."

MM BIO-11. Compensatory Mitigation for Waters of the State. Prior to the issuance of a grading permit or any earth-disturbing activities within the jurisdictional waters identified in Jurisdictional Delineation, Luna Road and Highway 395 Commercial/Retail Center City of Victorville, San Bernardino County, California, L&L Environmental, December 14, 2022, the Project Proponent shall obtain any required regulatory permits required by the California Department of Fish & Wildlife (CDFW),and a Section 401 Water Quality Certification from the RWQCB for temporary and/or permanent impacts to the jurisdictional area that are regulated by the CDFW and the RWQCB. Impacts shall be mitigated for no net loss or as modified by the regulatory agencies through the permitting process.

Wetlands are not present within the Project site. Wetland areas within or adjacent to features are regulated by the State of California where they exhibit any one of the three parameters (water modified soils, facultative vegetation, or surface or subsurface water). Federal Waters of the U.S. were not found within the Project site, as they are currently defined by the U.S. Army Corps of Engineers, because the drainage feature lacks connectivity or nexus with the Pacific Ocean.

Threshold 4.4 (d). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		✓		

Impact Analysis

The Project site is bordered by Luna Road, U.S. 395, Bella Pine Street, and undeveloped land to the south. The Project does not serve as a wildlife travel route (see above comment), crossing, or regional movement corridor between large open space habitats.

However, the site supports limited nesting opportunities for common migratory bird species. All migratory bird species, whether listed or not, also receive protection under the Migratory Bird

Treaty Act (MBTA) of 1918[7] and Section 3503 of the California Fish and Game Code. The MBTA prohibits individuals to kill, take, possess, or sell any migratory bird, or bird parts (including nests and eggs) except per regulations prescribed by the Secretary of the Department (16 U.S. Code 7034). California Fish and Game Code Section 3503 prohibits individuals to take possessing, or needlessly destroying the nest or eggs of any bird[8].

Therefore, if vegetation is to be removed during the nesting season, a pre-construction nesting bird survey shall be conducted, and avoidance measures are taken to ensure that no take of birds or their nests will occur per Mitigation Measure BIO-10.

7 United States Fish and Wildlife Service, Migratory Bird Treaty Act, Available at: https://www.fws.gov/birds/policies-and-regulations/laws-legislations/migratory-bird-treaty-act.php

8 California Code, Fish and Game Code- FGC § 3503. https://codes.findlaw.com/ca/fish-and-game-code/fgc-sect-3503/#:~:text=It%20is%20unlawful%20to%20take,any%20regulation%20made%20pursuant%20thereto.&text=FindLaw%20Codes%20may%20not%20reflect,the%20law%20in%20your%20jurisdiction.

Figure 4.4-2 Waters of the State

Threshold 4.4 (e). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✓		

Impact Analysis

Other than Western Joshua Trees, which is discussed under Threshold 4.4 (a), there are no other trees on the Project site.

MM-BIO- 1 and MM-BIO-2 shall apply.

Threshold 4.4 (f). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

Impact Analysis

According to the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife, there are no habitat conservation plans that encompass the Project site.

4.5 Cultural Resources

Cultural resource analysis for this project is contained in the Cultural Resources Assessment, BCR Consulting, LLC, July 21, 2022. Appendix F.

Threshold 4.5 (a). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?				✓

Impact Analysis

As part of the Cultural Resources Assessment a records search results revealed that 10 previous cultural resources studies have taken place, and six cultural resources have been identified within the 0.5-mile research radius. One of the previous studies (SB-3020) assessed a portion of the Project site, and no cultural resources were identified within its boundaries. No cultural resources of any kind (including historic-period or prehistoric archaeological resources, or historic-period architectural resources) were identified during the field survey. Therefore, 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 the cultural resources assessment;
- Cultural materials are encountered during Project activities.

The current study attempted to determine whether significant archaeological deposits were present on the proposed Project site. Although none were yielded during the records search and field survey, ground-disturbing activities have the potential to reveal buried deposits not observed on the surface. Prior to the initiation of ground-disturbing activities, field personnel should be alerted to the possibility of buried prehistoric or historic cultural deposits. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find should cease and a qualified archaeologist should be retained to assess the significance of the find. The qualified archaeologist shall have the authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing on the California Register or the National Register of Historic Places (National Register), plans for the treatment, evaluation, and mitigation of impacts to the find will need to be developed. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:

- historic-period artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects;
- historic-period structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements;

- prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates;
- groundstone artifacts, including mortars, pestles, and grinding slabs;
- dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone, groundstone, and fire affected rocks;
- human remains.

Threshold 4.5 (b). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?		✓		

Impact Analysis

BCR Consulting conducted a cultural resources assessment for this project including records search and field survey. No archaeological resources (including historic-period or prehistoric archaeological resources, or historic-period architectural resources) were identified. Therefore, pursuant to CEQA Guidelines §15064, the Project is not anticipated to cause a substantial adverse change in the significance of an archaeological resource. Impacts on archaeological resources are not anticipated. However, ground-disturbing activities have the potential to reveal buried deposits not observed on the surface. Therefore, the project includes measures below to ensure the project does not result in adverse impacts on significant archaeological resources.

Mitigation Measure(s)

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

MM CUL-2. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

MM CUL-3. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

Threshold 4.5 (c). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) Disturb any human remains, including those interred outside of formal cemeteries?			✓	

Impact Analysis

The Project site does not contain a cemetery, and no known formal cemeteries are located within the immediate site vicinity. If human remains are discovered during Project grading or other ground-disturbing activities, the Project would be required to comply with the applicable provisions of California Health and Safety Code §7050.5 as well as Public Resources Code §5097 et seq. With implementation of the California Health and Safety Code, impacts under Threshold 4.5(c) would remain less than significant.

4.6 Energy

The following analysis is based in part on the following technical report: Air Quality/GHG Assessment, KPC EHS Consultants, LLC, February 2, 2023 Included as Appendix A.

Threshold 4.6 (a). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			✓	

Impact Analysis

Construction Energy Analysis

Construction of the Project would require the use of industry-standard fuel and electric-powered equipment and vehicles for construction activities. Most activities would use fuel-powered equipment and vehicles that would consume gasoline or diesel fuel. Heavy construction equipment (e.g., dozers, graders, backhoes, dump trucks) would be diesel-powered, while smaller construction vehicles, such as pick-up trucks and personal vehicles used by workers, would be gasoline powered. Most of the electricity use would be from power tools. The anticipated construction schedule assumes the Project would be built-out in 226 days, or approximately 10 months.[9]

The consumption of energy would be temporary and would not present a significant demand for available supplies. The Project site features no unusual project characteristics or construction processes that would require inordinately higher amounts of energy than for neighboring comparable activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Equipment employed in the construction of the Project would therefore not result in inefficient, wasteful, or unnecessary consumption of fuel.

In addition, as required by state law,[10] idling times of construction vehicles are limited to no more than 5 minutes, thereby minimizing or eliminating unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Equipment employed in the construction of the Project would therefore not result in inefficient, wasteful, or unnecessary consumption of fuel.

Operation Energy Analysis

Energy consumption in support of or related to Project operations would include transportation energy demands and operational energy demands.

9 CalEEMod datasheets – Air Quality and GHG Technical Report
10 Source: California Code of Regulations Title 13, Motor Vehicles, section 2449(d)(3) Idling.

Transportation Energy Demands

The residents of the Project will primarily rely upon gasoline, diesel, or electric-powered passenger vehicles for transportation. Consumption of gasoline and diesel fuel is regulated by federal and state requirements to enhance fuel economies and to transition vehicles to alternative energy sources (e.g., electricity, natural gas, biofuels, hydrogen cells). These regulatory requirements support the efficient use of energy, so the Project's transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

Operational Energy Demands

Operation of the C-Store (retail) with Quick Serve-Food, eight Multiple Product Dispersers (gas station "islands"), an Express Car Wash, and a Fast-Food Restaurant would result in the consumption of natural gas and electricity. Energy demands are estimated at 1,625 kBTU/year of natural gas and 1,348,630 kWh/year of electricity.[11] Natural gas would be supplied to the Project by Southwest Gas Corporation, and electricity would be supplied by Southern California Edison. The Project proposes neighborhood retail and service. The Project does not propose uses that are inordinately energy intensive, and the energy demands in total would be comparable to other commercial land use projects of similar scale and configuration. Lastly, the Project will comply with the applicable Title 24 standards. Compliance itself with applicable Title 24 standards will ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary.

Threshold 4.6 (b). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			✓	

Impact Analysis

The regulations directly applicable to the Project are Building Energy Efficiency Standards, Title 24, Part 6, and CALGreen Title 24, Part 11. These regulations include but are not limited to the use of energy-efficient heating and cooling systems, water-conserving plumbing, and water-efficient irrigation systems. The Project is required to demonstrate compliance with these regulations as part of the building permit and inspection process.

11 Source: CalEEMod Datasheets, Air Quality and Greenhouse Gas Technical Report

4.7 Geology and Soils

Threshold 4.7 (a). Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				✓

Impact Analysis

Alquist-Priolo earthquake fault zones are regulatory zones surrounding the surface traces of active faults in California. (A trace is a line on the earth's surface defining a fault.) Wherever an active fault exists, if it has the potential for surface rupture, a structure for human occupancy cannot be placed over the fault and must be a minimum distance from the fault (generally fifty feet).[12] According to The California Geological Survey's Earthquake Hazards Zone Application (EQ Zapp), the Project site is not located within an Alquist-Priolo Earthquake Fault zone.[13]

Threshold 4.7 (a). Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
ii) Strong seismic ground shaking?			✓	

Impact Analysis

The Project site is in a seismically active area of Southern California and is expected to experience moderate to severe ground shaking during the lifetime of the Project. This risk is not considered substantially different than that of other similar properties in the Southern California area. As a mandatory condition of Project approval, the Project would be required to construct the proposed structures in accordance with the seismic design criteria mandated by the Victorville Municipal Code Title 16, *Development Code*. The purpose of this Title is, in part, to provide minimum standards to safeguard life or property by stipulating building and foundation requirements to withstand earthquakes.

[12] https://www.conservation.ca.gov/cgs/alquist-priolo.

13 Source: https://maps.conservation.ca.gov/cgs/EQZApp/app/ accessed January 20, 2024.

Threshold 4.7 (a). Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
iii) Seismic-related ground failure, including liquefaction?			✓	

Impact Analysis

According to The California Geological Survey's Earthquake Hazards Zone Application (EQZ App), the Project site is not located in a liquefaction zone.[14] Notwithstanding, the Project would be required to comply with Victorville Development Code §16-5.02.060(b)(2), Soils Engineering Report, which includes data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures, design criteria for corrective measures and other data required by the Building Official.

Threshold 4.7 (a). Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
iv) Landslides?				✓

Impact Analysis

The site is relatively flat and is not adjacent top any slopes or hillsides that could be potentially susceptible to landslides.

14 ibid

Threshold 4.7 (b). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?			✓	

Impact Analysis

Construction

Grading and construction activities would expose and loosen topsoil, which could result in soil erosion. The City has several Development Code requirements to manage soil erosion as indicated below.

- Section 10.30.210 - Erosion and Sediment Control Plan (ESCP)
- Section 16-5.02.060 (4) - Wind Generated Soil Erosion
- Section 16-4.12.020 - Erosion Control
- Section 17.88.010 - Grading and Erosion Control

Through compliance with the Development Code, construction impacts related to erosion and loss of topsoil would be less than significant.

Operation

The proposed Project includes the installation of landscaping throughout the Project site, and areas of loose topsoil that could erode by wind or water would not exist upon operation of the Project. The site's proposed retention basins will reduce the potential for stormwater to erode topsoil downstream.

Threshold 4.7 (c). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable because of the Project, and potentially result in on-site or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?			✓	

Impact Analysis

Landslides, lateral spreading, subsidence, liquefaction, and collapse as a result of an earthquake are largely dependent on the underlying geologic conditions (e.g., bedrock, type of soil, and the depth of the water table).

Landslide/Lateral Spreading

Lateral spread or flow are terms referring to landslides that commonly form on gentle slopes and that have rapid fluid-like flow movement, like water. All the land within the Project site is relatively

flat and according to the County of San Bernardino Hazard Maps, is not located in areas prone to landslides and thus there are no slopes that may contribute to lateral spreading.

Subsidence

Subsidence is the downward movement of the ground caused by the underlying soil conditions. Certain soils, such as clay soils are particularly vulnerable since they shrink and swell depending on their moisture content. Subsidence is an issue if buildings or structures sink which causes damage to the building or structure. Subsidence is usually remedied by excavating the soil the depth of the underlying bedrock and then recompacting the soil so that it can support buildings and structures.

Liquefaction or Collapse

Liquefaction may occur during seismic ground shaking of relatively loose, granular soils that are saturated or submerged; this can cause soils to liquefy and temporarily behave as a dense fluid.

Collapse occurs in saturated soils in which the space between individual particles is filled with water. This water exerts a pressure on the soil particles that influences how tightly the particles themselves are pressed together. The soils lose their strength beneath buildings and other structures.

Based on the California Geological Survey, the site is not mapped within a zone of potentially liquefiable soils. Based on groundwater data (http://www.water.ca.gov/waterdatalibrary/), it is estimated that groundwater is at a depth of approximately 350 feet below ground surface. The site is also not included within the San Bernardino County Geologic Hazards Maps as being located within an area with a liquefaction hazard. Liquefaction is not considered to be a hazard at the subject site due to the great depth of groundwater (approximately 350 feet) and the current geologic hazard mapping. As such, impacts would be less than significant, and no impacts related to subsidence, liquefaction and collapse will occur through compliance with the California Building Standards Code also known as California Code of Regulations Title 24.

Threshold 4.7 (d). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in the Uniform Building Code, creating substantial risks to life or property?			✓	

Impact Analysis

The soil on the project site consists of Cajon Sand. The Cajon series consists of very deep, somewhat excessively drained soils that formed in sandy alluvium from dominantly granitic rocks.[15] Cajon Sand is not clay soil and is generally not susceptible to expansion. Notwithstanding, the Project would be required to comply with Development Code Section 16-5.02.060 (b) (2), *Soils Engineering Report*, which includes data regarding the nature, distribution, and strength of existing soils, conclusions,

15 Source: https://soilseries.sc.egov.usda.gov/osdname.aspx, accessed on November 11, 2023.

and recommendations for grading procedures, design criteria for corrective measures and other data required by the Building Official.

Threshold 4.7 (e). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				✓

Impact Analysis

The Project does not propose the use of septic tanks or alternative wastewater disposal systems. The Project would install domestic sewer infrastructure and connect to the City of Victorville's sewer conveyance and treatment system.

Threshold 4.7 (f). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		

Impact Analysis

The site has a low sensitivity for containing paleontological resources. Low sensitivity geologic units are assigned to this category when few significant nonrenewable vertebrate, invertebrate, or plant fossils have been recovered from the same unit nearby.

However, because paleontological resources have been encountered occasionally in the Victorville area, the following mitigation measures are required for the inadvertent discovery of paleontological resources that may be encountered during grading.

Mitigation Measure (MM)

MM PALEO-1. Inadvertent Discovery of Paleontological Resources. If paleontological resources are encountered during implementation of the Project, ground-disturbing activities will be temporarily redirected from the vicinity of the find. A qualified paleontologist (the "Project Paleontologist") shall be retained by the developer to make an evaluation of the find. If the resource is significant, Mitigation Measure PALEO-2 shall apply.

MM PALEO-2. Paleontological Treatment Plan. If a significant paleontological resource(s) is discovered on the property, in consultation with the Project Proponent and the City, the qualified paleontologist shall develop a plan of mitigation that shall include salvage excavation and removal of the find, removal of sediment from around the specimen

(in the laboratory), research to identify and categorize the find, curation in the find a local qualified repository, and preparation of a report summarizing the find.

With the implementation of Mitigation Measures PALEO-1 and PALEO-2, impacts are less than significant with regard to paleontological resources.

Unique Geologic Feature

The Project site is relatively flat. The site soils generally consist of Cajon Sand, which is a common soil type in Victorville. As such, the Project does not contain a geologic feature that is unique or exclusive locally or regionally.

4.8 Greenhouse Gas Emissions

The following documents were used in the preparation of this analysis:

- City of Victorville Climate Action Plan, September 2015.
- Mojave Desert Air Quality Management District, California Environmental Quality Act (CEQA) And Federal Conformity Guidelines, February 2020.
- Air Quality/GHG Assessment, KPC EHS Consultants, LLC., February 2, 2023. Included as Appendix A.

Threshold 4.8 (a-b). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

Impact Analysis

City of Victorville Climate Action Plan

The City of Victorville has adopted a Climate Action Plan (CAP) to demonstrate how the City will reduce its greenhouse gas (GHG) emissions in compliance with AB32. To determine consistency with the CAP, the City of Victorville provided Screening Tables to aid in measuring the reduction of GHG emissions attributable to certain design and construction measures incorporated into development projects. The CAP establishes categories of GHG reduction measures to reduce GHG emissions generated by development projects. CAP GHG reduction measure categories include energy conservation, indoor space efficiencies, building efficiencies, renewable energy, water use reduction, and VMT reduction. Within each category, individual sub-measures are assigned a point value under the city's GHG Measures Screening Table. The point values are adjusted according to the intensity of GHG reduction measure. Those Projects that garner 100 points using the Screening Tables have provided the "fair share" contribution of reductions and are considered consistent with the GHG Plan. Those Projects that do not garner 100 points using the screening tables will need to provide additional analysis to determine the significance of GHG emissions. The following table provides a menu of performance standards/options related to GHG mitigation measures and design features that can be used to demonstrate consistency with the reduction measures and GHG reduction quantities in the GHG Plan.

As shown in Table 4.8.1 below, in many cases the Screening Table relies upon specific information related to the actual construction and operation of a project. Because the Project involves a commercial development with various retail uses and several reduction measures required consultation between the City and the Developer to determine point values it is speculative at this time to determine the ultimate number of points that can be accrued absent building plans for the Project. Although the construction of the Project is likely to achieve 100 points, it cannot be quantified at this time. Therefore,

additional analysis for GHG emissions has been prepared.

Table 4.8.1 Greenhouse Gas Screening Table

Feature	Description	Assigned Point Values	Project Points
Reduction Measure PS E3: Energy Efficiency For Commercial Development			
Building Envelope			
Insulation	2019 baseline (walls R-16; roof/attic R-32) Modestly Enhanced Insulation (walls R-15, roof/attic R-38) Enhanced Insulation (rigid wall insulation R-13, roof/attic R-38) Greatly Enhanced Insulation (spray foam insulated walls R-18 or higher, roof/attic R-38 or higher)	0 points 9 points 11 points 12 points	
Windows	2019 Baseline Windows (0.3 U-factor, 0.23 solar heat gain coefficient [SHGC) Enhanced Window Insulation (0.28 U-factor, 0.22 SHGC) Enhanced Window Insulation (0.28 U-factor, 0.22 SHGC) Greatly Enhanced Window Insulation (0.28 or less U-factor, 0.22 or less SHGC)	0 points 4 points 4 points 5 points	
Cool Roofs	2019 Standard (none) Enhanced Cool Roof (CRRC Rated 0.2 aged solar reflectance, 0.75 thermal emittance) Enhanced Cool Roof (CRRC Rated 0.2 aged solar reflectance, 0.75 thermal emittance) Greatly Enhanced Cool Roof (CRRC Rated 0.35 aged solar reflectance, 0.75 thermal emittance)	0 points 7 points 7 points 8 points	
Air Infiltration	Minimizing leaks in the building envelope is as important as the insulation properties of the building. Insulation does not work effectively if there is excess air leakage. Air barrier applied to exterior walls, calking, and visual inspection such as the HERS Verified Quality Insulation Installation (QII or equivalent) Blower Door HERS Verified Envelope Leakage or equivalent	0 points 7 points 6 points	
Thermal Storage of Building	Thermal storage is a design characteristic that helps keep a constant temperature in the building. Common thermal storage devices include strategically placed water filled columns, water storage tanks, and thick masonry walls. Modest Thermal Mass (10% of floor or 10% of walls 12” or more thick exposed concrete or masonry with no permanently installed floor covering such as carpet, linoleum, wood or other insulating materials) Enhanced Thermal Mass (20% of floor or 20% of walls 12” or more thick exposed concrete or masonry with no permanently installed floor covering such as carpet, linoleum, wood or other insulating materials)	2 points 14 points	

Feature	Description	Assigned Point Values	Project Points
Building Envelope Performance Standard	Projects that have not been designed to a level of detail to know the specific attributes of the building envelope can use this option in committing to one of the following performance standards		
	Modestly Enhanced Building Envelope (5% > Title 24)	TBD	
	Enhanced Building Envelope (15% > Title 24)	TBD	
	Greatly Enhanced Building Envelope (20% > Title 24)	TBD	
Indoor Space Efficiencies Commercial			
Heating/ Cooling Distribution System	Minimum Duct Insulation (R-6 required)	0 points	
	Enhanced Duct Insulation (R-8)	5 points	
	Enhanced Duct Insulation (R-8)	5 points	
	Distribution loss reduction with inspection (HERS Verified Duct Leakage or equivalent)	6 points	
Space Heating/ Cooling Equipment	2019 Minimum HVAC Efficiency (EER 13/75% AFUE or 7.7 HSPF)	0 points	
	Improved Efficiency HVAC (EER 14/78% AFUE or 8 HSPF)	4 points	
	High Efficiency HVAC (EER 15/80% AFUE or 8.5 HSPF)	5 points	
	Very High Efficiency HVAC (EER 16/82% AFUE or 9 HSPF)	7 points	
Commercial Heat Recovery Systems	Heat recovery strategies employed with commercial laundry, cooking equipment, and other commercial heat sources for reuse in HVAC air intake or other appropriate heat recovery technology. Point values for these types of systems will be determined based upon design and engineering data documenting the energy savings	TBD TBD	
Water Heaters	2019 Minimum Efficiency (0.57 Energy Factor)	0 points	
	Improved Efficiency Water Heater (0.675 Energy Factor)	8 points	
	High Efficiency Water Heater (0.72 Energy Factor)	10 points	
	Very High Efficiency Water Heater (0.92 Energy Factor)	11 points	
	Solar Pre-heat System (0.2 Net Solar Fraction)	2 points	
	Enhanced Solar Pre-heat System (0.35 Net Solar Fraction)	5 points	
Daylighting	All peripheral rooms within the customer areas have at least one window	0 points	
	All rooms within the customer areas have daylight (through use of windows, solar tubes, skylights, etc.) such that each room has at least 800 lumens of light during a sunny day	1 point	
	All rooms daylighted	1 point	

Feature	Description	Assigned Point Values	Project Points
Artificial Lighting	2019 Minimum (required)	0 points	
	Efficient Lights (25% of in-unit fixtures considered high efficacy. High efficacy is defined as 40 lumens/watt for 15 watt or less fixtures; 50 lumens/watt for 15-40 watt fixtures, 60 lumens/watt for fixtures >40watt)	5 points	
	High Efficiency Lights (50% of in-unit fixtures are high efficacy)	7 points	
	Very High Efficiency Lights (100% of in-unit fixtures are high efficacy)	8 points	
Appliances	Energy Star Commercial Refrigerator (new)	2 points	
	Energy Star Commercial Dish Washer (new)	2 points	
	Energy Star Commercial Cloths Washing Machine (new)	2 points	
Indoor Space Performance Standard	Projects that have not been designed to a level of detail to know the specific attributes of the interior design of the buildings can use this option in committing to one of the following performance standards		
	Modestly Enhanced Interior and appliances (5% > Title 24) Enhanced Interior and appliances (15% > Title 24) Greatly Enhanced Interior and appliances (20% > Title 24)	TBD TBD TBD	
Miscellaneous Commercial/Industrial Building Efficiencies			
Building Placement	North/South alignment of building or other building placement such that the orientation of the buildings optimizes natural heating, cooling, and lighting.	4 points	
Shading	At least 90% of south-facing glazing will be shaded by vegetation or overhangs at noon on Jun 21st.	6 points	
Other	This allows innovation by the applicant to provide design features that increases the energy efficiency of the project not provided in the table. Engineering data will be required documenting the energy efficiency of innovative designs and point values given based upon the proven efficiency beyond Title 24 Energy Efficiency Standards.	TBD	
Existing Commercial Retrofits	The applicant may wish to provide energy efficiency retrofit projects to existing Commercial dwelling units to further the point value of their project. Retrofitting existing Commercial dwelling units within the City is a key reduction measure that is needed to reach the reduction goal. The potential for an applicant to take advantage of this program will be decided on a case-by-case basis and must have the approval of the Escondido Planning Department. The decision to allow applicants to ability to participate in this program will be evaluated based upon, but not limited to the following: Will the energy efficiency retrofit project benefit low income or disadvantaged residents? Does the energy efficiency retrofit project fit within the overall assumptions in Reduction Measure R2E3?		

Feature	Description	Assigned Point Values	Project Points
	Does the energy efficiency retrofit project provide co-benefits important to the City? Point value will be determined based upon engineering and design criteria of the energy efficiency retrofit project.	TBD	
Reduction Measure PS E2: New Commercial/Industrial Renewable Energy			
Photovoltaic	Solar Photovoltaic panels installed on commercial buildings or in collective arrangements within a commercial development such that the total power provided augments: 30 percent of the power needs of the project 40 percent of the power needs of the project 50 percent of the power needs of the project 60 percent of the power needs of the project 70 percent of the power needs of the project 80 percent of the power needs of the project 90 percent of the power needs of the project 100 percent of the power needs of the project	8 points 12 points 16 points 19 points 23 points 26 points 30 points 34 points	
Wind turbines	Some areas of the City lend themselves to wind turbine applications. Analysis of the area's capability to support wind turbines should be evaluated prior to choosing this feature. Individual wind turbines at homes or collective neighborhood arrangements of wind turbines such that the total power provided augments: 30 percent of the power needs of the project 40 percent of the power needs of the project 50 percent of the power needs of the project 60 percent of the power needs of the project 70 percent of the power needs of the project 80 percent of the power needs of the project 90 percent of the power needs of the project 100 percent of the power needs of the project	8 points 12 points 16 points 19 points 23 points 26 points 30 points 34 points	
Off-site renewable energy project	The applicant may submit a proposal to supply an off-site renewable energy project such as renewable energy retrofits of existing Commercial that will help implement R2 E4, or existing commercial/industrial that will help implement R2 E7. These off-site renewable energy retrofit project proposals will be determined on a case by case basis accompanied by a detailed plan documenting the quantity of renewable energy the proposal will generate. Point values will be determined based upon the energy generated by the proposal.	TBD	

Feature	Description	Assigned Point Values	Project Points
Other Renewable Energy Generation	The applicant may have innovative designs or unique site circumstances (such as geothermal) that allow the project to generate electricity from renewable energy not provided in the table. The ability to supply other renewable energy and the point values allowed will be decided based upon engineering data documenting the ability to generate electricity.	TBD	
Reduction Measure PS W2: Water Use Reduction Initiative			
Irrigation and Landscaping			
Water Efficient Landscaping	Eliminate conventional turf from landscaping Only moderate water using plants Only low water using plants Only California Native landscape that requires no or only supplemental irrigation	0 points 2 points 3 points 5 points	
Water Efficient Irrigation Systems	Low precipitation spray heads< .75”/hr. or drip irrigation Weather based irrigation control systems combined with drip irrigation (demonstrate 20 reduced water use)	1 point 3 points	
Recycled Water	Recycled water connection (purple pipe) to irrigation system on site	5 points	
Trees	Increase tree planting in parking areas 50% beyond City Code requirements	TBD	
Storm water Reuse Systems	Innovative on-site stormwater collection, filtration and reuse systems are being developed that provide supplemental irrigation water and provide vector control. These systems can greatly reduce the irrigation needs of a project. Point values for these types of systems will be determined based upon design and engineering data documenting the water savings.	TBD	
Potable Water Commercial			
Showers	Water Efficient Showerheads (2.0 gpm)	2 points	
Toilets	Water Efficient Toilets/Urinals (1.5gpm) Waterless Urinals (note that commercial buildings having both waterless urinals and high efficiency toilets will have a combined point value of 6 points)	3 points 3 points	
	Water Efficient faucets (1.28gpm)	2 points	
Commercial Dishwashers	Water Efficient dishwashers (20% water savings)	2 points	

Feature	Description	Assigned Point Values	Project Points
Commercial Laundry Washers	EPA Water Efficient laundry (15% water savings) EPA High Efficiency laundry Equipment that captures and reuses rinse water (30% water savings)	2 points 4 points	
Commercial Water Operations Program	Establish an operational program to reduce water loss from pools, water features, etc., by covering pools, adjusting fountain operational hours, and using water treatment to reduce draw down and replacement of water. Point values for these types of plans will be determined based upon design and engineering data documenting the water savings.	TBD	
Potable Water Performance Standard	Projects that have not been designed to a level of detail to know the specific attributes design can use this in committing to a potable water efficiency	TBD	
Reduction Measure: Land Use Based Trips and VMT Reduction			
Mixed Use Commercial	Mixes of land uses that complement one another in a way that reduces the need for vehicle trips can greatly reduce GHG emissions. The point value of mixed-use projects will be determined based upon a Transportation Impact Analysis (TIA) demonstrating trip reductions and/or reductions in vehicle miles traveled. Suggested ranges: Mixes of land uses that complement one another in a way that reduces the need for vehicle, determined based upon a Transportation Impact Analysis *(2-28 points)* Increased destination accessibility other than transit *(1-18 points)* Increased transit accessibility (*1-28 points)* Infill location that reduces vehicle trips or VMT beyond the specified measures	TBD TBD TBD TBD TBD	
Local Retail Near Residential (Commercial only Projects)	Having residential developments within walking and biking distance of local retail helps to reduce vehicle trips and/or vehicle miles traveled. The point value of residential projects in close proximity to local retail will be determined based upon traffic studies that demonstrate trip reductions and/or reductions in vehicle miles traveled. Preferential parking Synchronize signals Connect signals to existing ITS	TBD 1 point 1 point 3 points	
Reduction Measure: Bicycle Master Plan Development			
Bicycle Infrastructure	Provide bicycle paths within project boundaries. Provide bicycle path linkages between residential and other land uses. Provide bicycle path linkages between residential and transit.	1 point 2 points 5 points	

Feature	Description	Assigned Point Values	Project Points
Reduction Measure: Electric Vehicle Infrastructure			
Cars	Level 2 240 volt AC Fast Chargers	5 points	
	Level 3 480 volt DC Rapid Chargers	8 points	
Trucks	**Medium & Heavy Duty Electric Truck Chargers**		
	Level 1 AC Chargers for EV Medium Duty Truck	3 points	
	Level 1 AC Chargers for EV Class 8 (Heavy Duty) Truck	5 points	
	Level 2 AC Chargers for EV Medium Duty Truck	8 points	
	Level 2 AC Chargers for EV Class 8 (Heavy Duty) Truck	12 points	
	Level 3 DC Chargers for EV Class 8 (Heavy Duty) Truck	16 points	
Total Points from Commercial/Industrial Project:			

Additional GHG Emissions Analysis

Although the construction of the Project is likely to achieve 100 points, it cannot be quantified at this time. Therefore, an additional analysis for GHG emissions has been prepared and is discussed above in Section 4.8 (a) above.

GHG emissions for the Project were estimated by using the California Emissions Estimator Model (CalEEMod) which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify GHG emissions associated with both construction and operations from a variety of land use projects. The model can be used for a variety of situations where a GHG emissions analysis is necessary or desirable such as California Environmental Quality Act (CEQA) documents and is authorized for use by the Mojave Desert Air Quality Management District (MDAQMD). The MDAQMD has established a GHG significance threshold of 100,000 tons on an annual basis for this type of project. A summary of the projected annual GHG emissions, including amortized construction-related emissions associated with the development of the Project, is provided in Tables 4.8.2 and 4.8.1. GHG emissions from the Project are estimated to be less than significant.

Mojave Desert Air Quality Management District Thresholds of Significance

The Mojave Desert Air Quality Management District (MDAQMD) has established GHG significance thresholds of 100,000 tons carbon dioxide equivalent (CO2e) or 90,718.5 Metric Tons CO2e on an annual basis for this type of project. A summary of the projected annual operational greenhouse gas emissions, including amortized construction-related emissions associated with the development of the Project is provided in Table 4.8.2 with a summary of annual construction and operations GHG emissions in Table 4.8-3.

Table 4.8-2 Project Greenhouse Gas Emissions

Source		GHG Emissions MT/yr		
	N_2O	CO_2	CH_4	CO_2e
Area	0.000	0.002	< 0.001	0.002
Energy	0.001	82.83	0.005	83.28
Mobile Sources	0.083	1,050.39	0.12	1,078.12
Solid Waste	0.000	7.04	0.42	17.44
Water/Wastewater	0.001	5.16	0.046	6.64
30-year Amortized Construction GHG				7.56
TOTAL		*Tons/Year / Metric Tons / Year*		*1,315 / 1,193*
MDAQMD Threshold		*100,000 Tons/Year / 90,718.5 MT/Year* [16]		**100,000/90,718.5**
Exceed Threshold?				**NO**

Source: AQ / GHG Technical Memorandum, Appendix A

Table 4.8-3 Project Greenhouse Gas Emissions Summary

GHG Emissions Source	Daily Emissions	Daily Threshold	Annual Emissions Tons / Metric Tons	Annual Threshold Tons/Metric Tons	Exceeds Threshold?
Construction 2022	2,375.68	**548,000**	93.29 / 84.63	**100,000 / 90,718.5**	**NO**
Construction 2023	2,365.22	**548,000**	156.7 / 142.16	**100,000 / 90,718.5**	**NO**
Operations	7,929.99	**548,000**	1,315 / 1,193	**100,000 / 90,718.5**	**NO**

Source: AQ / GHG Technical Memorandum, Appendix A

As shown in Table 4.8-2, the Project has the potential to generate a total of 1,315 Tons per year or 1,193 $MTCO_2e$ per year. As such, the Project would ***not*** exceed the MDAQMD's significance threshold of 100,000 Tons per Year or 90,718.5 $MTCO_2e$ per year.

However, the City of Victorville General Plan Update, September 2022, contains Mitigation Measure GHG-2, Greenhouse Gas Reduction Features for Individual Projects, which requires the Project Proponent for commercial or industrial projects to submit to the City of Victorville Planning and Building Departments documentation showing that the proposed Project is consistent with the applicable and feasible recommendations for new development in Table 1, Priority GHG Reduction Strategies for Local Government Climate Action, in Appendix D to the California Air Resources Board California's Draft 2022 Climate Change Scoping Plan, provided in Table 3.4-5, 2022 Scoping Plan Priority GHG Reduction Strategies for Local Government Climate Action, of the PEIR; or implement project specific greenhouse gas mitigation measures as outlined in any required CEQA document (e.g. Mitigated Negative Declaration, EIR).

The Project's consistency with Mitigation Measure GHG-2 is demonstrated in Table 4.8-4 below.

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

Table 4.8-4. Scoping Plan Priority GHG Reduction Strategies for Local Government Climate Action

Priority Areas	Priority Strategies	Consistency Determination
Transportation Electrification	Convert local government fleets to zero-emission vehicles (ZEV)	**Not Applicable.** Applies to city vehicle fleet.
	Create a jurisdiction-specific ZEV ecosystem to support deployment of ZEVs statewide (such as permit streamlining, infrastructure siting, consumer education, or preferential parking policies)	**Not Applicable.** This strategy requires action by the City.
VMT Reduction	Reduce or eliminate minimum parking standards in new developments.	**Not Applicable.** This strategy requires action by the City.
	Adopt and implement Complete Streets policies and investments, consistent with general plan circulation element requirements	**Consistent.** Although not directly applicable, the Project is improving adjacent streets to provide for pedestrian access.
	Increase public access to shared clean mobility options (such as planning for and investing in electric shuttles, bike share, car share, transit)	**Not Applicable.** This strategy requires action by the City.
	Implement parking pricing or transportation demand management pricing strategies	**Not Applicable.** This strategy requires action by the City.
	Amend zoning or development codes to enable mixed-use, walkable, and compact infill development (such as increasing allowable density of the neighborhood)	**Consistent.** Although not directly applicable, the Project consists of an infill site within walkable distance to residential land uses.
	Preserve natural and working lands	**Consistent.** The Project will be within the category of "Developed Lands" when constructed. The Project promotes the preservation of natural and working lands through providing: • Pedestrian walkways • Bio swales • Tree shaded sidewalks. • Mitigating the loss of waters of the State • Planting trees • Drought tolerant landscaping
Building Decarbonization	Adopt all-electric new construction reach codes	**Not Applicable.** This strategy requires action by the City.
	Adopt policies and incentive programs to implement energy efficiency retrofits (such as weatherization, lighting upgrades, replacing energy intensive appliances and equipment with more efficient systems)	**Not Applicable.** This strategy requires action by the City. However, the Project will comply with CalGreen Codes for energy efficient appliances.
	Adopt policies and incentive programs to electrify all appliances and equipment in existing buildings	**Not Applicable.** This strategy requires action by the City. Additionally, there are no existing buildings.

Priority Areas	Priority Strategies	Consistency Determination
	Adopt policies and incentive programs to reduce electrical loads from equipment plugged into outlets (such as purchasing Energy Star equipment for municipal buildings, occupancy sensors, smart power strips, equipment controllers)	**Not Applicable.** This strategy requires action by the City.

Conclusion

The Project does not exceed the GHG thresholds established by the MDAQMD and is consistent with the applicable and feasible recommendation contained in the 2022 Climate Change Scoping Plan. Impacts are less than significant, and no mitigation measures are required.

4.9 Hazards and Hazardous Materials

Threshold 4.9 (a) (b). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	

Impact Analysis

Existing Conditions

The Project site has been subject to severe anthropomorphic disturbances offroad vehicles and pedestrian traffic from adjacent street, sidewalk, and residential properties.

There have been no previous activities, including agricultural production, that could result in the release of surface or subsurface hazardous materials during the construction phase of the Project.

Construction Activities

Construction contractors are required to comply with all applicable federal, state, and local laws and regulations regarding hazardous materials, including but not limited to requirements imposed by the Environmental Protection Agency, the California Department of Toxic Substances Control, the Mojave Desert Air Quality Management District, and the Lahontan Regional Water Quality Control Board. As such, impacts due to construction activities would not cause a significant hazard to the public or the environment through the release of hazardous materials into the environment.

Operational Activities

The transport, use, and disposal of hazardous materials during Project operation would be regulated by the Hazardous Materials Division of the San Bernardino County Fire Department and the California Occupational Safety and Health Administration. Additionally, transport of hazardous materials by truck and rail on state highways and rail lines would be regulated by the United States Department of Transportation Office of Hazardous Materials Safety as described above.

Pursuant to California Health and Safety Code §25507, a business shall establish and implement a Hazardous Materials Business Emergency Plan for emergency response to a release or threatened release of a hazardous material in accordance with the standards prescribed in the regulations adopted pursuant to §25503 if the business handles a hazardous material or a mixture containing a hazardous material that has a quantity at any one time above the thresholds described in §25507(a)(1) through (8).

These regulations inherently safeguard life and property from the hazards of fire/explosion arising from the storage, handling, and disposal of hazardous substances, materials, and devices, as well as hazardous conditions due to the use or occupancy of buildings. Therefore, impacts from the routine transport, use, or disposal of hazardous materials would be less than significant. Mitigation is not required.

As stated previously, California Health and Safety Code §25507 requires a business to establish and implement a Hazardous Materials Business Emergency Plan for emergency response to a release or threatened release of a hazardous material in accordance with the standards prescribed in the regulations adopted pursuant to §25503 if the business handles a hazardous material or a mixture containing a hazardous material that has a quantity at any one time above the thresholds described in §25507(a) (1) through (8).

Threshold 4.9 (c). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✓	

Impact Analysis

The Project site is located approximately 0.20 miles southeast of Vista Verde Elementary School. Although not within 0.25 miles of the school, as discussed in the responses to Thresholds 4.9 (a) and 4.9 (b) above, all hazardous or potentially hazardous materials would comply with all applicable federal, state, and local agencies and regulations with respect to hazardous materials. Therefore, regardless of the proximity of planned or proposed schools, the Project would not impact schools.

Threshold 4.9 (d). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and, as a result, would it create a significant hazard to the public or the environment?				✓

Impact Analysis

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the state and local agencies to comply with the California Environmental Quality Act requirements in providing information about the location of hazardous materials release sites pursuant to Government Code §65962.5. Below are the data resources that provide information regarding the facilities or sites identified as meeting the Cortese List requirements, based on a review of the

Cortese List maintained by the California Environmental Protection Agency the Project site is not identified on the list of hazardous materials sites compiled pursuant to Government Code §65962.5.

- □ List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database.
- □ List of Leaking Underground Storage Tank Sites from the State Water Board's GeoTracker database.
- □ List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit.
- □ List of "active" CDO and CAO from Water Board.
- □ List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC.

Threshold 4.9 (e). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?				✓

Impact Analysis

The Project site is not located within an airport land use plan.[17] The nearest airport from the site is the Southern California Logistics Airport.

Southern California Logistics Airport (SCLA)- SCLA is located approximately 6 miles to the north of the Project site in the City of Victorville. According to San Bernardino Countywide Plan Policy Map HZ-9, *Airport Safety and Planning Areas*, the Project site is not located within the boundaries of the SCLA *Comprehensive Land Use Plan* Compatibility Review Area for land use safety with respect to both occupants of aircraft and to people on the ground, protection of airspace, and general concerns related to aircraft overflight. Additionally, according to the *Comprehensive Land Use Plan*, *Southern California Logistics Airport*, *Final Report, September 2008, Exhibit 2J, Long Range Noise Contours*[18], the site is not located with an area impacted by excessive noise from the SCLA.

17 Source: San Bernardino Countywide Plan, Policy Map HZ-9, Airport Safety and Planning, 2017, https://www.arcgis.com/apps/webappviewer/index.html?id=5dc02b81369c49c9a1947aedfc300a45*],* accessed January 25, 2024.

18 https://cms.sbcounty.gov/lus/Planning/AirportLandUse.aspx, accessed on July 29, 2023

Threshold 4.9 (f). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	

Impact Analysis

Access to the Project site is proposed from Luna Road and Bella Pine Street. The Project site does not contain any emergency facilities, nor does it serve as an emergency evacuation route. During construction and long-term operation, the Project would be required to maintain adequate emergency access for emergency vehicles.

Threshold 4.9 (g). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				✓

Impact Analysis

According to the California Fire Hazard Severity Zone Viewer maintained by Cal Fire, the Project site is not located within a high wildfire hazard area; therefore, no impacts are anticipated.[19] Also refer to the analysis under Section 4.20, Wildfire.

19 Source: https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414, accessed on November 11, 2023.

4.10 Hydrology and Water Quality

The following analysis is based in part on the following technical report: Preliminary Drainage Report, United Engineering Group - California, November 2022 and included as Appendix G.

Threshold 4.10 (a). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			✓	

Impact Analysis

The Lahontan Water Board oversees programs that regulate discharges from domestic or municipal wastewater, food processing-related wastewater, industrial wastewater, and stormwater discharges from three potential sources: municipal separate storm sewer systems (MS4s), construction activities, and industrial activities.

Construction Impacts

Construction of the Project would involve clearing, grading, paving, utility installation, building construction, and the installation of landscaping, which would result in the generation of potential pollutants such as silt, debris, chemicals, paints, and other solvents with the potential to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during construction activities in the absence of any protective or avoidance measures.

Victorville Municipal Code (V.M.C.) Chapter 10.30 - Storm Water and Urban Runoff Management and Discharge Control, requires the Project to obtain a National Pollutant Discharge Elimination System Municipal Stormwater Permit for construction activities. The permit is required for all projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least 1 acre of total land area.

Compliance with the permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) for construction-related activities, including grading. The SWPPP would specify the measures that would be required to implement during construction activities to ensure that all potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the site. To ensure compliance, the following mitigation measures have been included:

Operational Impacts

Stormwater pollutants commonly associated with commercial land uses include sediments, nutrients, trash and debris, bacteria and viruses, oil and grease, and pesticides. V.M.C. Chapter 10.30 - Storm Water and Urban Runoff Management and Discharge Control, requires the preparation of a Water Quality Management Plan (WQMP) for managing the quality of stormwater ban runoff that flows from a developed site after construction is completed and the facilities or structures are

occupied and/or operational. The Project proposes to use project roadways to carry runoff to a proposed water quality basin, designed for stormwater treatment through infiltration provided at the bottom of the basin, where the required volume will infiltrate through the soils and into the groundwater.

Threshold 4.10 (b). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✓	

Impact Analysis

Groundwater Supplies

The source of potable water supply for the Victorville Water District (VWD) is groundwater. VWD has groundwater wells within its distribution system that are used to pump groundwater from the Mojave River Groundwater Basin, which lies beneath Victor Valley.[20] A discussion of overall water supplies can be found in Section 4.19, Utilities and Service Systems, of this Initial Study.

Groundwater Recharge

The Project proposes to direct runoff to the existing stormwater collection system along Luna Road and U.S. 395. As such, the Project would not interfere substantially with groundwater recharge.

Sustainable Groundwater Management

The City of Victorville is located within the Upper Mojave River Valley portion of the Mojave River Basin. The Mojave River is an adjudicated basin (i.e., water rights are determined by court order).[21] Adjudicated basins are exempt from the 2014 Sustainable Groundwater Management Act (SGMA) because such basins already operate under a court-ordered management plan to ensure the long-term sustainability of the Basin. No component of the Project would obstruct or prevent implementation of the management plan for the Basin. As such, the Project would not conflict with any sustainable groundwater management plan. Impacts would be less than significant.

20 Source: Victorville Urban Water Management Plan, 2020 accessed on November 11, 2023.
21 Source: https://gis.water.ca.gov/app/bp-dashboard/final/, accessed on November 11, 2023.

Threshold 4.10 (c). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:				
(i) Result in substantial erosion or siltation on- or offsite?			✓	
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			✓	
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			✓	
(iv) Impede or redirect flood flows?			✓	

Impact Analysis

Existing Condition

The Project site is vacant, undeveloped, and undisturbed land with a uniform slope of approximately 1.7 percent to the east The runoff from the subject site is primarily sheet flow. The site drains north and east to the existing City storm collection system flowing north along Luna Road and U.S. 395.

Proposed Condition

Existing streets within the Vista Verde Specific Plan were designed to contain the 10-year runoff within the curb, and the 100-year runoff within the right of way.

The Project would not result in substantial erosion or siltation onsite or offsite; substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite; create or contribute runoff water that 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.

Threshold 4.10 (d). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				✓

Impact Analysis

According to the Federal Emergency Management Agency (FEMA), the Project site is not located within a flood hazard zone.[22] According to the California Department of Conservation, California Official Tsunami Inundation Maps,[23] the site is not located within a tsunami inundation zone. In addition, the Project would not be at risk from seiche because there is no water body in the area of the Project site capable of producing a seiche.

Threshold 4.10 (e). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			✓	

Impact Analysis

As discussed under Threshold 4.10 (a) and 4.10 (c), the project will convey site runoff to the City street stormwater collection system to the north and east along Luna Road and U.S. 395; the Project would not conflict with or obstruct implementation of the Lahontan Basin Plan. In addition, as discussed under Threshold 4.10 (b), the Project site is not subject to a Sustainable Groundwater Water Management program and will not substantially impede sustainable groundwater management of the basin.

22 https://www.fema.gov/flood-maps maps, accessed on November 11, 2023.
23 California Department of Conservation, California Official Tsunami Inundation Maps, https://www.conservation.ca.gov/cgs/tsunami/maps accessed November 11, 2023.

4.11 Land Use and Planning

Threshold 4.11 (a). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide a community?				✓

Impact Analysis

An example of a Project that has the potential to divide an established community includes the construction of a new freeway or highway through an established neighborhood. The Project site is bordered on the north and west by single-family residential development and undeveloped land, on the east by U.S. 395 followed by existing commercial and residential development, and on the south by undeveloped land. Given the location and surrounding land uses, the Project would not divide an established community.

Threshold 4.11 (b). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			✓	

Impact Analysis

The applicable plans and policies relating to a conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect are summarized below.

City of Victorville General Plan

Land Use Element

The project is located within the Specific Plan boundaries of the Vista Verde Specific Plan. The General Plan Land Use designation for the Project site is Specific Plan (SP 2-91). The Project proposes a commercial development, which is consistent with the General Plan Land Use Element. Other General Plan Elements that are adopted for the purposes of avoiding or mitigating an environmental effect are listed below.

Circulation Element

Any new project is required to conform to the street sections identified in the Circulation Plan. Luna Road along the Project's northern frontage is classified as Arterial and transitions into a Collector to the west of Bella Pine Street. U.S. 395 is classified as a Super Arterial along the Project's eastern

frontage. Bella Pine Street parallels the Project's western frontage and includes a 28-foot driveway approach, pavement markings, curbs and gutters, and sidewalk modification as indicated on the Project Layout (Figure 3.3). Refer to Threshold 4.17(a) in Section 4.17, Transportation, for further discussion.

Noise Element

Impacts are less than significant with mitigation for construction noise. Refer to Threshold 4.13(a) in Section 4.13, Noise, for further discussion.

Resource Element

The Resource Element contains policies addressing water supply, biological resources, cultural resources, paleontological resources, mineral resources, flooding, water quality, solid waste, air quality, and energy. These environmental topics have been addressed under the applicable sections throughout this Initial Study. In cases where impacts were identified as potentially significant, mitigations are required to reduce impacts to less than significant.

City of Victorville Development Code & Vista Verde Specific Plan

The Zoning classification is within the Vista Verde Specific Plan (SP 2-91) and allows for commercial development on the subject parcel. The Specific Plan and the City's Development Code contain regulations addressing hydrology/water quality and geology/soils. These environmental topics have been addressed under the applicable sections throughout this Initial Study. In no instance was the Project found to be inconsistent with the requirements of the Development Code.

City of Victorville Non-Motorized Transportation Plan

No impact would occur. The Project would remain consistent with the City of Victorville Non-Motorized Transportation Plan.

City of Victorville Climate Action Plan

No impact would occur. Refer to Threshold 4.8 (b) in Section 4.8, Greenhouse Gas Emissions, for further discussion.

Mojave Desert Air Quality Management District Air Quality Management Plans

Impacts are less than significant. Refer to Threshold 4.3 (a) in Section 4.3, Air Quality, for further discussion.

Water Quality Control Plan for the Lahontan Region (Basin Plan)

Impacts are less than significant. Refer to Threshold 4.10 (e) in Section 4.10, Hydrology and Water Quality, for further discussion.

Conclusion

As demonstrated throughout this Initial Study/Mitigated Negative Declaration, the Project would not conflict with any applicable land use plan, policy, or regulation for purposes of avoiding or mitigating a physical impact to the environment.

4.12 Mineral Resources

Threshold 4.12 (a). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓

Impact Analysis

The Victorville General Plan indicates the Project site is within a large area encompassing much of the City of Victorville that has been designated with a Mineral Land Classification of MRZ-3A or area containing known mineral occurrences of undetermined mineral resource significance. This classification was based on a report by the California Department of Conservation, Division of Mines and Geology, entitled Mineral Land Classification of Concrete Aggregate Resources in the Barstow - Victorville Area, San Bernardino County, California.

The naturally occurring mineral resources within the Planning Area include sand, gravel, or stone deposits that are suitable as sources of concrete aggregate. A review of the California Department of Conservation interactive web mapping indicates no active mines on the Project site.[24] Accordingly, implementation of the Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State of California.

Threshold 4.12 (b). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✓

Impact Analysis

The Project site is designated as a Specific Plan; however, the Project is not delineated as a locally important mineral resource recovery site.

24 Source: https://maps.conservation.ca.gov/mineralresources/ , accessed on November 12, 2023.

4.13 Noise

Noise analysis for this project is contained in the Noise Assessment, KPC EHS Consultants, LLC, February 16, 2023, and included as Appendix H.

Threshold 4.13 (a). Would the Project result in:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project more than standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	

Impact Analysis

Existing Ambient Noise Levels

To assess the existing noise level environment short-term noise measurements were obtained from four locations on the Project site. Figure 4.13-1, Noise Monitoring Map, provides the locations where the noise measurements were taken and Table 4.13-1 provides the noise measurements.

Table 4.13-1 Ambient Noise Level Measurements

Location	Description	Average Noise Level dBA (Leq)	Lmax dBA
#1	Project Site	52.1	63.7
#2	Forest Park Lane & Bella Pine Street	52.3	64.7
#3	Vista Verde Elementary School	49.6	59.6
#4	Cantina Drive and U.S. 395	51.0	63.1

Victorville Ambient Noise Limits

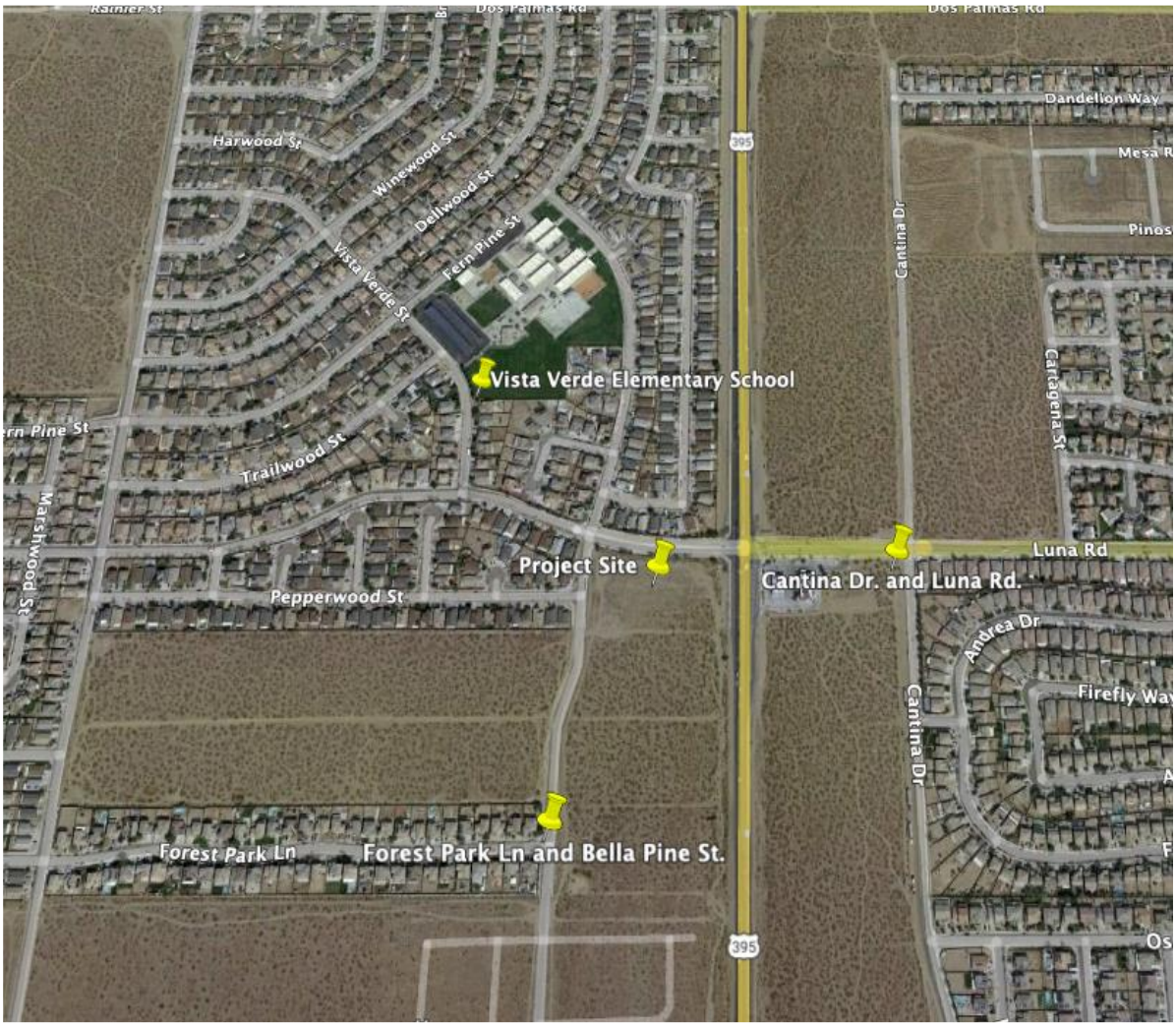
The City of Victorville Municipal Code Chapter 13.01, Noise Control, establishes criteria and standards for the regulation of noise levels in the City. Table 4.13-2 outlines the maximum ambient noise levels for residential zones.

Table 4.13-2 Base Ambient Noise Limits

Zone	Time Period	Sound Level Decibels (dBA)*
Residential Zones	10:00 p.m. – 7:00 a.m.	55
Residential Zones	7:00 a.m. – 10:00 p.m.	65
Commercial Zones	Anytime	70

*If the ambient noise level exceeds the applicable limit noted, the ambient noise level shall be the standard. Source: Victorville Municipal Code, Section 13.01.040 Base Ambient Noise Levels

Figure 4.13-1 Noise Monitoring Map



Construction Noise

Construction activities that would create noise include site preparation, grading, building construction, paving, and architectural coating. Noise levels associated with the construction will vary with the different types of construction equipment, the duration of the activity, and distance from the source. Construction noise will have a temporary or periodic increase in the ambient noise level above the existing levels within the Project vicinity. The nearest sensitive receptors to the Project site are the single-family residential development located approximately 70 feet across Bella Pine Street from the west border of the property and approximately 220 feet to the nearest residence from the Project's center. Additionally, other receptors include the Vista Verde Elementary School, located 1,050 feet north of the property north boundary of the site and approximately 1,300 feet from the center of the site and residential uses to the west, southwest and north as shown in Table 4.13-3.

Table 4.13-3 Receptor Locations

Receptor	Distance from Project Site Boundary (feet)	Distance from Project Site Center (feet)
Vista Verde Elementary School (North)	1,050	1,300
Residential - North	100	250
Residential - West	70	220
Residential – Southwest	800	950

Source: Noise Technical Memorandum

To estimate the potential impact of construction noise at the residences, the ambient noise measurements taken on the project site along with equipment that is expected to be used during construction was input into the Federal Highway Administration Roadway Construction Noise Model (RCNM) to generate anticipated noise levels. The RCNM generates the maximum noise levels (Lmax) and the equivalent continuous sound level (Leq). The Leq is a calculation of the anticipated steady sound pressure level which, over a given time period (day, evening, night) has the same total energy as the actual fluctuating noise. The RCNM also uses an acoustical use factor in the noise calculations. The acoustical use factor is the percentage of time each piece of construction equipment is assumed to be operating at the full power level and is used to estimate the Leq values from the Lmax values. For example, typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Noise levels will be loudest during the site preparation and grading phases. Table 4.13-4 and Table 4.13-5 identify the level of noise generated by construction equipment.

The residential properties west across Bella Pine Street are the nearest sensitive receptors. The project site and vacant lots to the south are designated and zoned for commercial use and the Project would be compatible with surrounding land uses and would not adversely impact sensitive receptors.

Table 4.13-4 Construction Equipment Noise Levels at the Nearest Receptor (West Project Site Boundary)

Source	Approximate Distance to Nearest Receptor* (Structure to Construction Site) (feet)	Sound Level at Nearest Receptor		
		Lmax	Acoustical Use Factor (%)	Leq
Backhoe	70	74.6	40	70.7
Compactor (ground)	70	80.3	20	73.3
Compressor (air)	70	74.7	40	70.8
Crane	70	77.6	16	69.7
Concrete Mixer Truck	70	75.9	40	71.9
Dozer	70	78.7	40	74.8
Dump Truck	70	73.5	40	69.5
Excavator	70	77.8	40	73.8
Front End Loader	70	76.2	40	72.2
Generator	70	77.7	50	74.7
Grader	70	82.1	40	78.1
Offroad Forklift	70	80.5	40	76.5
Paver	70	74.3	50	71.3
Pickup Truck	70	72.1	40	68.1
Roller	70	77.1	20	70.1
Scraper	70	80.7	40	76.7
Welder Torch	70	71.1	40	67.1

*Nearest Receptor – Residences west of project site.
Source: FHWA – RCNM Version 1.1

Table 4.13-5 Construction Equipment Noise Levels at the Nearest Receptor (Center of Project Site)

Source	Approximate Distance to Nearest Receptor* (Structure to Construction Site) (feet)	Sound Level at Nearest Receptor		
		Lmax	Acoustical Use Factor (%)	Leq
Backhoe	220	64.7	40	60.7
Compactor (ground)	220	70.4	20	63.4
Compressor (air)	220	64.8	40	60.8
Crane	220	67.7	16	59.7
Concrete Mixer Truck	220	65.9	40	62.0
Dozer	220	68.8	40	64.8
Dump Truck	220	63.6	40	62.0
Excavator	220	67.8	40	63.9
Front End Loader	220	66.2	40	62.3
Generator	220	67.8	50	64.8
Grader	220	72.1	40	68.2
Offroad Forklift	220	70.5	40	66.6
Paver	220	64.4	50	61.3
Pickup Truck	220	62.1	40	58.2
Roller	220	67.1	20	60.1
Scraper	220	70.7	40	66.7
Welder Torch	220	61.1	40	57.2

*Nearest Receptor – Residences west of project site.
Source: FHWA – RCNM Version 1.1

The City of Victorville has set restrictions to control noise impacts and establish criteria and standards to regulate noise levels in the City in the Municipal Code Chapter 13.01. Section 13.01.06 of the Victorville Municipal Code exempts specified activities from the provisions of Chapter 13.01 including construction activities on private property that are determined by the director of building and safety to be essential to the completion of a project.

As the City does not have established construction noise thresholds to quantify the potential construction noise impacts on the nearest residential receptors to evaluate whether the Project will generate a substantial increase in the short-term noise levels at the offsite sensitive receptors (residences), the construction-related noise level threshold used for this analysis is based on the National Institute for Occupational Safety and Health (NIOSH) recommended exposure limit (REL) for occupation noise exposure at 85 dBA, as an 8-hour time-weighted average (85 dBA – 8-hr TWA).

The highest equipment noise level at the nearest sensitive receptor from the west project site boundary as indicated in Table 4.13.5 will be a grader at 82.1 dBA (Lmax) and 78.1 dBA (Leq). The same piece of equipment operating at the center of the site would generate noise levels of 72.1 dBA (Lmax) and 68.2 dBA (Leq). During the construction phase the noise levels will be the highest as heavy equipment passes along the Project site boundaries. During the site preparation and grading phases equipment will not be stationary, rather equipment will be moving throughout the site and varying speeds and power levels and as a result not operating at the maximum noise level for the entire workday. Construction noise is of short-term duration and will not present any long-term impacts on the project site or the surrounding area. Equipment noise levels at the nearest receptors as indicated in Table 4.13.5 are all below the NIOSH REL of 85 dBA 8-hour TWA, impacts would be less than significant.

Operational Noise

Operational noise consists of offsite and onsite components. Offsite noise generated by the project will be the result of traffic, whereas onsite noise will be generated by roof-top heating ventilation and air conditioning units (HVAC), idling trucks, delivery truck activities, backup alarms, carwash drying assembly and vacuums, drive-thru activities, as well as loading and unloading of dry goods, and parking lot vehicle movement.

Offsite Traffic Noise Impacts

Vehicle noise is a combination of the noises produced by the engine, exhaust, and tires. The primary source of noise generated by the Project will be from the vehicle traffic generated by the vehicle ingress and egress to the Project site. Under existing conditions, the site does not generate any traffic noise that impacts the surrounding area.

The 2030 General Plan Final Environmental Impact Report (FEIR) Table 5.11-8 indicates that Luna Road from 395 west to Mesa View Drive 2030 CNEL will be 66 dBA with a distance from roadway centerline at 58 feet.

According to the Federal Highway Administration, Highway Traffic Noise Analysis and Abatement Policy and Guidance. the level of roadway traffic noise depends on three things: 1) the volume of the traffic, 2) the speed of the traffic, and 3) the number of trucks in the flow of the traffic.

Generally, the loudness of traffic noise is increased by heavier traffic volumes, higher speeds, and greater numbers of trucks. These factors are discussed below.

Volume of the Traffic

Upon buildout, the proposed Project is expected to generate approximately 3,766 average daily vehicle trips (ADT) weekday, 4,065 ADT Saturday, and 3,551 ADT Sunday,[25] which will increase the ambient traffic noise levels in the vicinity of the Project site in comparison to the existing site conditions.

The primary transportation routes for the Project site will be Luna Road to Highway 395 which provides access to both Palmdale Road (State Route 18) and Interstate 15. Estimated traffic conditions for the area roadways are presented in Table 4.13-6.

Table 4.13-6 Estimated Traffic Roadway Conditions

Roadway	Number of Lanes	ADT
SR 395	4	22,700[1]
Luna Road	4	15,500[2]

1 Caltrans 2020 Traffic Census Program.
2 GPFEIR 2030 Existing 2005 and GP Buildout ADT (Table A)

According to Caltrans, the human ear is able to begin to detect sound level increases of 3 decibels (dB) in typical noisy environments.[26] A doubling of sound energy (e.g., doubling the volume of traffic on a highway) that would result in a 3-dBA increase in sound, would generally be barely detectable. As indicated above, implementation of the Project will increase traffic volumes in the area by approximately 3,551 to 4,065 ADT, but not to the extent that traffic volumes will be doubled creating a +3 dBA noise increase or result in a perceivable noise increase. Therefore, operational noise impacts would be less than significant.

Speed of Traffic

The speed limit of Luna Road is posted as 40 mph, Highway 395 as 55 mph, whereas the speed limit of Bella Pines Street and the roadways around the project site are subject to a prima facie limit of 25 mph under the vehicle code. These low levels of speeds on Luna Road and Bella Pines Street do not result in vehicles generating high levels of noise.

Number of Trucks in the Flow of the Traffic

The Project is a commercial development, which will generate noise from delivery trucks. Highway 395 is a truck route and is adjacent to the west boundary of the project site with access on Luna Road.

Commercial / Retail Land Use Operations (Stationary Noise)

At the time this noise analysis was prepared, the future tenants of the proposed Project were unknown. The onsite Project-related noise sources are expected to include roof-top heating

25 Air Quality / GHG Technical Memorandum, CalEEMod Datasheets Trip Summary Information Table 4.2
26 Caltrans, Traffic Noise Analysis Protocol, April 2020, p. 7-1

ventilation and air conditioning units (HVAC), idling trucks, delivery truck activities, backup alarms, carwash drying assembly and vacuums, drive-thru activities, as well as loading and unloading of dry goods, and parking lot vehicle movements.

This noise analysis is intended to describe noise level impacts associated with the expected typical operational (stationary source) activities at the Project site.

Table 4.13-7 Reference Noise Level Measurements

Noise Source	Reference Distance (feet)	Reference Noise Level (dBA)	Distance to Receptor (feet)	Noise Level (dBA)
Rooftop HVAC[1]	1	79.0	100	39.0
Truck Backup Alarm[2]	50	75.0	350	58.1
Parking Lot Activity[2]	25	54.4	140	39.4
Vacuum Noise[3]	15	77.3	160	56.7
Drying Assembly[4]	3.3	97.1	400	55.4
Drive thru Speaker[5]	1	84.0	125	42.1

1 Reference Level Carrier 50HCQA07 5-ton air handler unit (AHU) manufacturer specifications.
2 Reference Level collected at Amazon Fulfillment Center ONT-6 (24208 San Michele Rd., Moreno Valley)
3 Vacutech Sound Study Projections (10 units running at
4 MacNeil Automatic Car Wash System Drying Fans Sound Pressure Levels (87 dBA for 1 unit 97.1 dBA for 10)
5 HME Drive Thru Sound Pressure Levels from Menu Board or Speaker Post.

Rooftop HVAC Noise

The exact rooftop units for the Heating Ventilation and Air Conditioning equipment for the project buildings is not currently known; however, the Carrier 50HCQH07 5-ton air handler unit (AHU) or an equivalent is expected for each building. The manufacturers datasheet with noise levels is included in the Appendices of the Noise Technical Memorandum. As indicated in Table 4.13-7, the HVAC AHU reference noise level measured at 1 foot is 79.0 dBA and calculated attenuation to the closest receptor with no barriers or building shielding to be 39.0 dBA.

Parking Lot and Backup Alarm Noise:

To determine the noise level impacts of parking lot activity and truck backup alarms from the Project short-term reference noise level measurements that were collected at the Amazon Fulfillment Center located at 24208 San Michele Road in the City of Moreno Valley were used to calculate noise levels at the closest receptor(s). The noise measurements represent a typical weekday warehouse loading/unloading operation on a large single building distribution center, approximately 1.2 million square feet with 200 trailer parking spaces and 90 docks. Operations during the noise measurements included multiple trucks being loaded/unloaded, forklift and truck/trailer movement. The estimated noise levels represent an extreme worse-case scenario for the Project which is significantly smaller in size and will not have the constant truck traffic or parking lot activity that was measured in the reference noise levels.

Trucks at the Project site would utilize backup alarms during the loading/unloading activities, which according to ECCO the first manufacturer of backup alarms, depending on the model typically

produce a noise level of 87 to 112 dBA at 1 foot[27] at 350 feet with no sound barriers (walls or buildings) the noise level would be between 36.1 to 61.1 dBA. Reference noise level measurements taken at 50 feet during truck movement and backup alarm operation were measured at 75 dBA max, which would result in a 58.1 dBA noise level at 350 feet with no perimeter walls or buildings as shielding. The distance of 350 feet was chosen to represent a fuel delivery truck located at the underground storage tank location on the southeast corner of the property to the nearest residential receptor located to the north. Due to the design of the site, parking lots, and access the need for and use of backup maneuvers will be limited.

Traffic associated with parking lots is typically not at a sufficient level to exceed the community noise standards. The total parking spaces estimated for the Project is 87 stalls; the reference noise levels were taken at a parking lot that can accommodate approximately 1,000 stalls. The Project's parking lots are substantially smaller, and no significant noise impacts offsite from the parking lot use would be anticipated.

Drive-Thru Speaker Noise

The proposed drive-thru is in building #1 in the northwest corner of the Project site. The intercom speaker will be located in the northeast corner of the building with the closet receptors being across Luna Road to the north. To assess the potential noise impacts the HME Intercom System was used, which has a maximum noise level of 84 dBA at 1 foot in front of the speaker. As indicated in Table 4.13-7 above, the intercom reference noise level measured at 1 foot is 84 dBA would produce a calculated attenuation with no barriers or building shielding to be 42.1 dBA at the closet residential unit approximately 125 feet to the north. The HME Manufacturer's datasheet on noise levels is included in the Appendices of the Noise Technical Memorandum.

Carwash Dryer and Vacuum Noise

To assess the potential noise impacts from the operation of the express carwash dryer and vacuum equipment, the MacNeil carwash system with ten Powerlock 15 HP Tech 21 Dryers was assumed along with the vacuum system manufactured by Vacutech. Manufacturer datasheets and carwash system layout are included in the Appendices of the Noise Technical Memorandum

The MacNeil dryers produce a noise level of 87 dBA individually at a distance of 1 meter (approximately 3.3 feet) and 97.1 with ten units operational. The majority of noise will be produced at the carwash tunnel exit where the dryers are located. Sound walls are proposed at the entry and exits of the carwash, although no attenuation was calculated for barriers or buildings. Additionally, the units are normally located approximately 10 feet inside the tunnel which would reduce the noise impacts outside the exit portal. The property immediately south of the project site is zoned commercial therefore the closest receptors are located to the north approximately 400 feet away and to the west approximately 425 feet away. As indicated in Table 4.13-7, the carwash dryer reference noise level measured at 1 foot for all ten units is 97.1 dBA and would produce a calculated

27 ECCO Backup alarm manufacturer resources: https://www.eccoesg.com/us/en/SearchResults?searchText=backup+alarm+noise+levels (Noise Technical Assessment)

attenuation with no barriers or building shielding to be 55.4 dBA at the closest residential unit approximately 400 feet to the north.

The proposed locations for the vacuums are one bank of 10 stalls to the north of the carwash structure and one bank of 12 stalls to the west of the convenience store. The vacuum noise reference level was obtained from the manufacturer (Vacutech) and included an assessment with 10 units operating simultaneously. As indicated in Table 4.13-7 above, the vacuum noise level measured at 15 feet for ten units is 77.3 dBA and would produce a calculated attenuation with no barriers or building shielding to be 56.7 dBA at the closest residential unit approximately 160 feet to the north.

Stationary Noise Conclusion

The USEPA identifies noise levels affecting health and welfare as exposure levels over 70 dBA over a 24-hour period. Noise levels for various levels are identified according to the use of the area. Levels of 45 dbA are associated with indoor residential areas, hospitals, and schools, whereas 55 dBA is identified for outdoor areas where typical residential human activity takes place. According to the USEPA levels of 55 dbA outdoors and 45 dbA indoors are identified as levels of noise considered to permit spoken conversation and other activities such as sleeping, working, and recreation, which are part of the daily human condition.[28] Levels exceeding 55 dbA in a residential setting are normally short in duration and not significant in affecting health and welfare of residents.

The City of Victorville Base Ambient Noise Limits as shown in Table 4.13-2 indicate that daytime maximum levels in residential zones is 65 dBA and in commercial zones 70 dBA. Ambient noise measurements taken on the Project site (Table 4.13-1) indicate that noise levels of 63.7 dBA Lmax were observed and levels above 60 dBA occurred approximately 5% of the time. The highest operational noise levels (Table 4.13-7) from the Project are estimated to be from truck backup alarms at 58.1, vacuum noise at 56.7 dBA, and drying assembly at 55.4 dBA. Because the fuel delivery and carwash will be daytime operations, noise impacts are projected to be below the 65 dBA City Base Ambient Noise Limit of 65 dBA.

Threshold 4.13 (b). Would the Project result in:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Generation of excessive ground-borne vibration ground-borne noise levels?			✓	

Impact Analysis

During construction the operation and movement of heavy equipment create seismic waves that radiate along the ground surface in all directions. These waves are felt as ground vibrations. Vibrations from construction can result in effects ranging from annoyance to people to structure damage. Vibration levels are impacted by geology, distance, and frequencies. According to the

28 USEPA "EPA Identifies Noise Levels Affecting Health and Welfare" https://www.epa.gov/archive/epa/aboutepa/epa-identifies-noise-levels-affecting-health-and-welfare.html, accessed November 27, 2023

Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, September 2018, [29] while ground vibrations from construction activities do not often reach the levels that can damage structures, construction vibration may result in building damage or prolonged annoyance from activities such as blasting, piledriving, vibratory compaction, demolition, and drilling or excavation near sensitive structures. The Project does not require these types of construction activities.

Vibration amplitude and impact decreases with distance, and perceptible ground-borne vibration is generally limited to areas within 100 to 200 feet of the construction activity.

Table 4.13-8 Vibration Source Levels for Construction Equipment

Equipment	PPV (in/sec) at 25 feet
Small bulldozer	0.003
Jackhammer	0.035
Loaded Trucks	0.076
Large bulldozer	0.089

Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment, September 2018

The City of Victorville's Municipal Code does not identify specific vibration thresholds. Therefore, to analyze the potential impacts from construction vibration on the nearest sensitive receptors, the Caltrans Vibration Guidance Manual (Guidance Manual) Damage Potential Threshold Criteria will be used. The Guidance Manual indicates that vibration threshold for new residential structures would be 0.5 PPV in/sec for continuous/frequent intermittent sources and for older residential structures the threshold would be 0.3 PPV in/sec. To ensure the lowest possible potential for vibration damage impact on the nearest residential homes the 0.3 PPV in/sec threshold will be used for this analysis.

The closest sensitive receptor to the Project property line is minimally 70 feet from the west property line. The estimated construction vibration level from a large bulldozer (worst case scenario) measured at 25 feet would create a vibration level of 0.089 PPV in/sec, which does not exceed the 0.3 PPV in/sec threshold. The proposed Project therefore is not considered to result in exposure of people to excessive ground vibration during construction.

During operations of the Project following construction the primary source of vibration would be from vehicle traffic. Groundborne vibration levels from automobile traffic are generally over-shadowed by vibration generated by heavy trucks that roll over the same uneven roadway surfaces. However, due to the rapid drop-off rate of groundborne vibration and the short duration of the associated events, vehicular traffic-induced groundborne vibration is rarely perceptible beyond the roadway right-of-way, and rarely results in vibration levels that would cause annoyance to people or damage to buildings in the vicinity.

Conclusion

Based on the Project's Noise assessment as summarized above the Project's construction noise impacts will not result in the generation of a substantial temporary or permanent increase in ambient noise levels or vibration impacts in the vicinity of the Project. In addition, the Project's

29 https://www.transit.dot.gov/research-innovation/transit-noise-and-vibration-impact-assessment-manual-report-0123

operational noise would be less than significant for mobile and operational noise and, as such, impacts to the environment for Noise are less than significant.

Threshold 4.13 (c). Would the Project result in:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			✓	

Impact Analysis

The Project consists of an approximate 3.57-acre commercial development and would not expose people to aircraft noise. In addition, the Project site is not located within an airport land use plan.[30] The nearest airport from the site is the Southern California Logistics Airport located approximately 6 miles northwest. The Project is not within 2 miles of an airport. Therefore, the Project would not expose residents to excessive noise levels.

30 https://lus.sbcounty.gov/planning-home/airport-land-use/ accessed on November 11, 2023.

4.14 Population and Housing

Threshold 4.14 (a). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) 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)?			✓	

Impact Analysis

The Project consists of commercial development and would not increase the overall population. The Project site is located on the southwest corner of Luna Road and U.S. 395 near residential development. In addition, the Project site is served by existing water and sewer facilities, gas and electric utilities, and roadways. No additional infrastructure will be needed to serve the Project other than connection to existing infrastructure adjacent to the site.

Threshold 4.14 (b). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✓

Impact Analysis

The Project site consists of undeveloped vacant land. Therefore, implementation of the Project would not displace a substantial number of existing housings, nor would it necessitate the construction of replacement housing elsewhere.

4.15 Public Services

Threshold 4.15 (a).	Potentially Significant or 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 could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1) Fire protection?			✓	
2) Police protection?			✓	
3) Schools?				✓
4) Parks?				✓
5) Other public facilities?				✓

Impact Analysis

Fire Protection

The Victorville Fire Department provides fire protection services to the Project site. The Project area is currently served by Fire Station No. 313 located approximately 2.0 miles east of the Project site at 13086 Amethyst Road. Development of the Project would impact fire protection services by placing additional demand on existing fire protection resources if its resources are not augmented. To offset the increased demand for fire protection services, the Project would be conditioned by the City to provide a minimum of fire safety and support fire suppression activities, including compliance with state and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access routes.

In addition, the City collects a Development Impact Fee to assist the City in providing fire protection facilities. Payment of the Development Impact Fee would be applied to fire facilities and/or equipment to offset the incremental increase in the demand for fire protection services that would be created by the Project. Therefore, the Project would not result in the need to construct new or physically altered fire facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times, or other performance objectives for fire protection.

Police Protection

The City of Victorville Police Department provides community policing to the Project site from the Victorville Police Station, located at 14200 Amargosa Road, approximately 4.3 miles northeast of

the Project site. The City collects a Development Impact Fee to assist the City in providing for capital improvement costs for police protection facilities. Payment of the Development Impact Fee would be applied to police facilities and/or equipment to offset the incremental increase in the demand for police protection services that would be created by the Project. Therefore, the Project would not result in the need to construct new or physically altered police facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times, or other performance objectives for police protection.

Schools

The project proposes to construct a commercial facility, which would not result in a substantial direct population growth within the City. However, the Project would be subject to the requirements of AB 2926 and SB 50, which allow school districts to collect development impact fees to minimize potential impacts to school districts as a result of new development. Pursuant to SB 50, payment of fees to the applicable school district is considered full mitigation for project impacts, including impacts related to 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, or other performance objectives for schools. Thus, upon payment of development fees by the Project Proponent consistent with existing state requirements, impacts in this regard would be less than significant.

Parks

The Project is a commercial use and would not increase the resident population or increase demand for use of public parks. The Project would not impact City park facilities.

Other Public Facilities

As noted above, the development of the Project does not increase the population. The Project would not significantly increase the demand for public services, including public health services and library services that would require the construction of new or expanded public facilities.

4.16 Recreation

Threshold 4.16 (a).	Potentially Significant or 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?				✓

Impact Analysis

The Project is for commercial uses and would not increase the population or increase the demand for use of parks or recreational facilities. Mesa Linda Park is located approximately 0.6 miles east of the project site.

Threshold 4.16 (b).	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				✓

Impact Analysis

The Project would not result in the need for the construction of new recreational facilities. Commercial projects are exempt from Development Impact Fees for recreational facilities.

4.17 Transportation

Threshold 4.17 (a). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?			✓	

Impact Analysis

Public transportation services within the City of Victorville and near the proposed Project include bus transit service provided by the Victor Valley Transit Authority. The nearest bus stop includes bus Route 54 on westbound Luna Road immediately north of the Project site. The Project is not proposing any improvements that would preclude future transit service in the area. The Project would not conflict with programs, plans, ordinances, or policies addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Roadways

As required by the General Plan Circulation Element, the Project includes the following roadway improvements:

Luna Road

Improvements along Luna Road shall include a 36-foot driveway approach, a right-turn driveway exit, roadway markings, turn lanes and roadway striping, signage, sidewalk, curb and gutter modification to match existing sidewalks, as indicated on the Project Layout (Figure 3.3).

Bella Pine Street

Improvements along Bella Pine Street include a 28-foot driveway approach, pavement markings, signage, sidewalk modification, curbs, and gutters.

Conclusion

Based on the preceding analysis, the Project does not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Threshold 4.17 (b). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			✓	

Impact Analysis

Changes to California Environmental Quality Act (CEQA) Guidelines were adopted in December 2018, which require all lead agencies to adopt Vehicle Miles Traveled (VMT) as a replacement for

automobile delay-based level of service (LOS) as the new measure for identifying transportation impacts for land use projects. This statewide mandate took effect on July 1, 2020. Impacts related to LOS will be evaluated through the City's development review process apart from CEQA.

This VMT analysis follows the City of Victorville's adopted VMT evaluation methodology and thresholds of significance requirements, as described in the City of Victorville Vehicle Miles Traveled (VMT) Analysis Guidelines, Resolution No. 20-031, Adopted June 16, 2020, hereinafter referred to as VMT Guidelines.

In accordance with the City of Victorville VMT Guidelines, retail projects under 122,000 square feet are anticipated to have less than significant impacts and do not require a full VMT analysis. The Project proposes a total of 19,610 square feet. Therefore, no further analysis would be required. Transportation impacts are less than significant; and the project is consistent with CEQA Guidelines §15064.3, subdivision (b).

Threshold 4.17 (c). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓	

Impact Analysis

The proposed roadway improvement will be designed in accordance with the City of Victorville Minimum Requirements for Street Improvement Plans document. In addition, the Project is located in an area developed with residential and commercial uses, and a nearby community park. As such, the Project would not be incompatible with existing development in the surrounding area to the extent that it would create a transportation hazard because of an incompatible use.

Threshold 4.17 (d). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
d) Result in inadequate emergency access?			✓	

Impact Analysis

Driveway access would be provided at Bella Pine Street to the west and Luna Road to the north. During the preliminary review of the Project, the Project's transportation design was reviewed by the City's Engineering Department, Fire Department, and Police Department to ensure that adequate access to and from the site would be provided for emergency vehicles.

4.18 Tribal Cultural Resources

Threshold 4.18 (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:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?		✓		

Impact Analysis

Refer to Cultural Resources, Threshold 4.5 (a) regarding historical resources. The project is not listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources.

Threshold 4.18 (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:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?		✓		

Impact Analysis

The Legislature added requirements regarding tribal cultural resources for CEQA in Assembly Bill 52 (AB 52) that took effect July 1, 2015. AB 52 requires consultation with California Native American tribes and consideration of tribal cultural resources in the CEQA process. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources. By taking this proactive approach, the legislature also intended to reduce the potential

for delay and conflicts in the environmental review process. To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a Proposed Project. Because the Project site is located within the ancestorial territory of Yuhaaviatam of San Manuel Nation (YSMN), the possibility exists that Native American Tribal Cultural Resources may be discovered during ground disturbing activities. Mitigation Measures TCR-1 is made a part of the project/permit/plan conditions.

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

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

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

4.19 Utilities and Service Systems

Threshold 4.19 (a). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?		✓		

Impact Analysis

Water Service

The Project will connect to the existing waterline(s) in Luna Road.

Sewer Service

The Project will connect to the existing sewer line(s) in Luna Road.

Storm Drainage Improvements

Site runoff will be directed to proposed retention basins with overflow to existing storm drains at Luna Road into the City Flood Control channel adjacent to the eastern boundary of the Project site.

Electric Power Facilities

The Project will connect to the existing Southern California Edison electrical distribution facilities available in the vicinity of the Project site.

Natural Gas Facilities

The Project will connect to the existing Southern California Gas natural gas distribution facilities available in the vicinity of the Project site.

Conclusion

Construction or installation of the infrastructure and utilities needed to serve the Project will result in a ground disturbance that may impact Biological Resources, Cultural Resources, Geology and Soils (Paleontological Resources), and Tribal Cultural resources. Mitigation Measures BIO-1 through BIO-11, CUL-1, CUL-2, NOI-1, PALEO-1, PALEO-2, TCR-1, and TCR-2 as described in Table 2.1. Summary of Environmental Impacts and Mitigation Measures of this Initial Study document are required.

Threshold 4.19 (b). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple years?			✓	

Impact Analysis

Water service would be provided to the Project site by the Victorville Water District. Based on the California Emissions Estimator Model, the Project is forecast to generate a water demand of 2.16 million gallons (MG) per year for both indoor and outdoor uses. To evaluate whether sufficient water supplies will be available to serve the Project, the Victorville Water District's 2020 Urban Water Management Plan (UWMP) was used.

As detailed in the UWMP, per the Mojave Basin Area Judgment, producers in the Mojave Basin Area are allowed to produce as much water as they need annually to meet their requirements. An underlying assumption of the Judgment is that sufficient water will be made available to meet the needs of the Basin in the future from a combination of natural supply, imported water, water conservation, water reuse, and transfers of Free Production Allowance (FPA) among parties.[31]

Natural groundwater supply estimates are based on the long-term averages, which account for the inconsistency in natural supplies (i.e., historic periods of drought are included in the long-term average). Therefore, the Victorville Water District does not have any inconsistent water sources that result in reduced supplies in dry or multiple-dry years. Therefore, the UWMP concluded that VWD has adequate supplies to meet demands during average, single-dry, and multiple-dry years throughout the 25-year planning period. VWD will continue aggressive water conservation efforts, increase the use of rainwater to offset potable water demand and participate in new water supply projects with the Mojave Water Agency (MWA) to ensure that supplies continue to meet current and projected demands.[32] In addition, the site's General Plan land use designation of Specific Plan and Commercial Zoning was accounted for in the Victorville Water District's 2020 Urban Water Management Plan.

31 Victorville Water District 2020 UWMP, p. 5-2, https://www.victorvilleca.gov/home/showpublisheddocument/6679/637607472586500000 accessed on November 11, 2023.

32 Victorville Water District 2020 UWMP, p. 1-4, https://www.victorvilleca.gov/home/showpublisheddocument/6679/637607472586500000 accessed on November 11, 2023.

Threshold 4.19 (c). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	

Impact Analysis

The City of Victorville Sewer Master Plan 2016 evaluates all the City sewers that are within the city limits under both existing and projected Year 2040 flow conditions and determines their hydraulic capacities, structural conditions, and needed capital improvements. The Plan provides information relative to population growth and wastewater flows to identify potential capacity problems that can be addressed in the City's 5-Year Capital Improvement Plan (CIP).

Wastewater treatment service would be provided to the Project site by SCLA Industrial Wastewater Treatment Plant. The Plant has a design capacity of 2.5 million gallons per day (MGD); 1.0 MGD industrial, and 1.5 MGD sanitary.[33]

The Victorville Water District (VWD) is responsible for supplying wastewater services to the Project site. Wastewater flows are received by two wastewater agencies: the VWD and the Victor Valley Wastewater Reclamation Authority (VVWRA). The VWD wastewater treatment facility has a maximum capacity of 2.5 million gallons per day (MGD) and the VVWRA has a current capacity of 14 MGD per day. Using the CalEEMod water use estimates indoor water usage would be 1.73 MG/Year or . If 100% of the indoor water use is to be conservatively assumed to be the amount of wastewater that would be generated by the Project, the Project would generate approximately 4,740 gallons per day (gpd) wastewater. The amount of wastewater that would be generated by the Project is less than 1% of total remaining daily treatment capacity. Therefore, sufficient wastewater treatment capacity is available to serve the Project's projected demand in addition to the provider's existing commitments. Implementation of the Project would result in a less than significant impact.

As detailed above, the design treatment capacity of the SCLA Treatment Plant is 2.5 MGD. As such, the impact of the Project on the daily treatment capacity would be nominal. In addition, the Project's site is within the adjacent Vista Verde Specific Plan. The Sewer Master Plan relied on the land uses within the Vista Verde Specific Plan to plan for future wastewater treatment facilities.

For the reasons stated above, it is not anticipated that the Project would result in a determination by the City that the SCLA Treatment Plan would not have adequate capacity to serve the Project's projected demand in addition to SCLA's existing commitments.

33 Source: https://www.victorvilleca.gov/government/city-departments/water/wastewater, accessed on November 12, 2023.

Threshold 4.19 (d). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
d) Generate solid waste more than State or local standards, or more than the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			✓	

Impact Analysis

Construction Related Impacts

The California Green Building Standards Code (CAL Green) requires all newly constructed buildings to prepare a Waste Management Plan and divert construction waste through recycling and source reduction methods. The City of Victorville Building and Safety Department reviews and approves all new construction projects which are required to submit a Waste Management Plan. The Project would also meet all mandatory compliance measures under CALGreen solid waste requirements.

Operational Related Impacts

According to the California Emissions Estimator Model, the Project is estimated to generate 46.23 tons of solid waste per year. Solid waste from Victorville is transported to the Victorville Sanitary Landfill at 18600 Stoddard Wells Road. According to the CalRecycle website, the Victorville Sanitary Landfill has a daily throughput of 3,000 tons per day and a remaining capacity of 79,400,000 cubic yards, with an expected closure date of October 1, 2047.[34] As such, there is adequate landfill capacity to serve the Project.

Threshold 4.19 (e). Would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			✓	

Impact Analysis

Victorville Disposal (Burrtec) currently provides solid waste collection services to the City as required by Municipal Code Chapter 6.36, Solid Waste Services. Burrtec provides these services in compliance with federal, state, and local management and reduction statutes and regulations related to solid waste.

34 Source: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1870?siteID=2652, , accessed on November 11, 2023.

4.20 Wildfire

Threshold 4.20 (a). If located in or near state responsibility areas of lands classified as very high fire hazard severity zones, would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				✓

Impact Analysis

A wildfire is a nonstructural fire that occurs in vegetative fuels, excluding prescribed fire. Wildfires can occur in undeveloped areas and spread to urban areas where the landscape and structures are not designed and maintained to be ignition resistant. As stated in the State of California's General Plan Guidelines: "California's increasing population and expansion of development into previously undeveloped areas is creating more 'wildland-urban interface' issues with a corresponding increased risk of loss to human life, natural resources, and economic assets associated with wildland fires." To address this issue, the state passed Senate Bill 1241 to require that General Plan Safety Elements address the fire severity risks in State Responsibility Areas (SRAs) and Local Responsibility Areas (LRAs).

According to the California Fire Hazard Severity Zone Viewer maintained by CAL FIRE, the Project site is not located within a high wildfire hazard area.[35] The Project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. As such, Thresholds 4.20 (a) through 4.20 (e) below require no further action.

Threshold 4.20 (b). If located in or near state responsibility areas of lands classified as very high fire hazard severity zones, would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				N/A

35 Source: https://egis.fire.ca.gov/FHSZ/ accessed on November 11, 2023

Threshold 4.20 (c). If located in or near state responsibility areas of lands classified as very high fire hazard severity zones, would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				N/A

Threshold 4.20 (d). If located in or near state responsibility areas of lands classified as very high fire hazard severity zones, would the Project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, because of runoff, post-fire slope instability, or drainage changes?				N/A

4.21 Mandatory Findings of Significance

Threshold 4.21 (a). Does the project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
a) Have the potential to 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, 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?		✓		

Impact Analysis

As indicated in this Initial Study, biological resources, cultural resources, geology and soils (paleontological resources), and tribal cultural resources may be adversely impacted by Project development. The following mitigation measures are required to reduce impacts to less than significant levels: **MM BIO-1 through MM BIO-12**, **MM CUL-1 through MM CUL-3, MM PALEO-1, MM PALEO-2**, and **MM TCR 1 and TCR 2** as described in Table 2.1. Summary of Environmental Impacts and Mitigation Measures of this Initial Study document are required.

Threshold 4.21 (b). Does the project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
b) 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)?		✓		

Impact Analysis

The cumulative impacts analysis provided here is consistent with §15130(a) of the CEQA Guidelines, in which the study of the cumulative effects of a project is based on two determinations:

- Are the combined impact of this project and other projects significant?
- If so, is the project's incremental effect cumulatively considerable, causing the combined impact of the projects evaluated to become significant? The cumulative impact must be analyzed only if the combined effects are significant, and the Project's incremental effect is found to be cumulatively considerable (CEQA Guidelines §15130(a)(2) and (3)).

The analysis of potential environmental impacts in Section 4.0, Environmental Analysis, of this Initial Study concluded that the Project would have *no impact* or a *less than significant impact* for all environmental topics, except for Biological Resources, Cultural Resources, Geology and Soils (Paleontological Resources), Tribal Cultural Resources, and Utilities and Service Systems (installation of facilities that involves disturbance of previously undisturbed land). For these resources, Mitigation Measures are required to reduce impacts to less than significant levels as discussed below.

Biological Resources

As discussed in Section 4.4, Biological Resources, of this Initial Study, 47 western Joshua trees occur on the Project site, which is currently afforded protection under the Western Joshua Tree Conservation Act per Mitigation Measure MM BIO-1. Impacts to rare plants are mitigated by MM BIO-2, and impacts to jurisdictional waters under the CDFW are mitigated by MM BIO-12. -CESA.

Development activities will also impact wildlife, and those with limited mobility (e.g., small mammals and reptiles) will experience increases in mortality during the construction phase. More mobile species (e.g., birds, large mammals) will be displaced into adjacent areas and will likely experience minimal impacts. However, the Burrowing Owl and the Desert Tortoise are known to be located within the regional area potentially. Due to their transient nature, they have the potential to inhabit the site in the future. Therefore, Mitigation Measures MM BIO-3 through MM BIO-11 are required to ensure any impacts remain less than significant.

Overall, the loss of about 3.57 acres of disturbed desert vegetation is not expected to have a significant cumulative impact on the overall biological resources in the region, given the presence of similar habitats throughout the surrounding desert region. Based on the preceding analysis and mitigation measures, the Project's impacts would not be cumulatively considerable.

Cultural Resources

As discussed in Section 4.5, Cultural Resources, of this Initial Study, the records search and field survey did not identify any cultural resources, including historic and prehistoric sites or historic-period buildings within the Project site boundaries. Research results, combined with surface conditions, have failed to indicate sensitivity for buried cultural resources. No additional cultural resources work, or monitoring is necessary during earthmoving activities. If previously undocumented cultural resources are identified during earthmoving activities, Mitigation Measures MM CUL-1 and MM CUL-2 (if applicable) shall apply. Based on the preceding analysis, the Project's impacts would not be cumulatively considerable.

Geology and Soils (Paleontological Resources)

As discussed in Section 4.7, Geology and Soils, of this Initial Study, the property is situated in the Mojave Desert geomorphic province. The Mojave Desert province is a wedge-shaped area that is enclosed on the southwest by the San Andreas fault zone, the Transverse Ranges province, and the Colorado Desert province, on the north and northeast by the Garlock fault zone, the Tehachapi Mountains, and the Basin and Range province, and on the east by the Nevada and Arizona state lines, and the Colorado River. The area is dominated by broad alluvial basins that are mostly aggrading surfaces receiving non-marine continental deposits from the adjacent upland areas. More

specific to the subject property, the site is geologically mapped to be underlain by alluvium. Alluvium has the potential to contain paleontological resources. Therefore, Mitigation Measure PALEO-1 and PALEO-2 (if applicable) are required. Based on the preceding analysis, the Project's impacts would not be cumulatively considerable.

Tribal Cultural Resources

As discussed in Section 4.18, Tribal Cultural Resources, of this Initial Study, construction and operation of the Project would include activities limited to the confines of the Project site. The tribal consultation conducted with the Yuhaaviatam San Manuel Band of Mission Indians has determined that the Project is unlikely to adversely affect tribal cultural resources by implementing Mitigation Measures TCR-1 and TCR 2. Based on the preceding analysis, the Project's impacts would not be cumulatively considerable.

Utilities and Service Systems

As discussed in Section 4.19, Utilities and Service Systems, of this Initial Study, the construction of commercial development on the subject property will result in earth moving that may impact Biological Resources, Cultural Resources, Geology, and Soils (Paleontological Resources), and Tribal Cultural Resources. Potential impacts to these resources are mitigated by MM BIO-1 through BIO-11, MM CUL-1, CUL-2 (if applicable), MM PALEO-1, MM PALEO-2 (if applicable), and TCR-1 and TCR-2. Based on the preceding analysis and mitigation measures the Project's impacts would not be cumulatively considerable.

Conclusion

In instances where impacts have been identified, mandatory compliance with federal, state, or local law is currently in place that effectively reduces environmental impacts. Potentially significant impacts are reduced to less than significant levels with the implementation of mitigation measures. Therefore, the potential adverse environmental impacts of the Project, in combination with the impacts of other past, present, and future projects, would not contribute to cumulatively significant effects.

Threshold 4.21 (c). Does the project:	Potentially Significant or Significant Impact	Less Than Significant Impact with Mitigation	Less Than Significant Impact	No Impact
c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			✓	

Impact Analysis

Under this threshold, the types of impacts analyzed consist of those that affect human health and well-being. As indicated by this Initial Study, the Project may cause or result in certain potentially significant environmental impacts that directly or indirectly affect human beings with respect to air quality, agriculture and forestry resources, geology and soils, energy, hazards and hazardous materials, hydrology, and water quality, land use and planning, mineral resources, noise, population

and housing, public services, recreation, transportation, utilities and service systems, and wildfire. In instances where impacts have been identified, mandatory compliance with federal, state, or local law currently in place that effectively reduce environmental impacts. Therefore, the potential adverse environmental impacts of the Project, in combination with the impacts of other past, present, and future projects, would not contribute to cumulatively significant effects.