



NOTICE OF PREPARATION

DATE: October 22, 2019

TO: Agencies, Organizations and Interested Parties

PROJECT: Notice of Preparation - Southern California Logistics Airport (SCLA) Specific Plan Amendment (PLAN-19-00004) Draft Subsequent Program Environmental Impact Report

**PROJECT APPLICANT/
LEAD AGENCY:** City of Victorville
Contact: Mike Szarzynski
760/955-5135
mszarzynski@victorvilleca.gov

PROJECT CO-APPLICANT: Stirling Development
Jason Huber, Project Manager
949/462-0909

The City of Victorville (City), as the Lead Agency under the California Environmental Quality Act (CEQA), has determined that it will prepare a Subsequent Program Environmental Impact Report (SPEIR) for the SCLA Specific Plan Amendment (PLAN-19-00004). The City will prepare the SPEIR in accordance with CEQA, implementing guidelines ("Guidelines"), and City procedures. The purpose of this notice is: 1) to serve as the Notice of Preparation (NOP) to potential Responsible Agencies as required by Section 15082 of the CEQA Guidelines; and 2) to advise and solicit comments and suggestions regarding the preparation of the SPEIR, environmental issues to be addressed in the SPEIR, and any related issues, from interested parties other than potential Responsible Agencies, including interested or affected members of the public. The City requests that any Responsible or Trustee Agency responding to this notice respond in a manner consistent with CEQA Guidelines Section 15082(b). We request that your agency review and submit written comments on the scope and content of the environmental information provided in this NOP, as relevant to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the SPEIR when considering any permit or other approval for the project. The co-applicant with the City of Victorville, Stirling Development, is a participant in a master agreement with the SCLA Airport Authority established by the City of Victorville. This NOP is available for view at the City of Victorville Development Department (Planning Division), located at 14343 Civic Drive, Victorville, California, and can also be accessed online at <https://www.victorvilleca.gov/government/city-departments/development/planning/environmental-review-notices>.

30-DAY NOP PUBLIC REVIEW: In accordance with CEQA and City procedures, your agency is requested to provide a written response to this NOP within the 30-day NOP review period between October 22, 2019 and November 20, 2019. The City will endeavor to incorporate relevant issues and information into the Draft SPEIR as identified in the NOP responses and throughout the SPEIR process. Please note that the content and timeliness of your NOP comments may limit your ability to challenge the SPEIR. Please indicate a contact person for your agency in your response and send your response to the following:

Mr. Mike Szarzynski
City of Victorville
Development Department
14343 Civic Drive
Victorville, CA 92392
mszarzynski@victorvilleca.gov



PUBLIC SCOPING MEETING: A scoping meeting will be held on October 30, 2019, 5:00 PM consisting of a brief project overview and discussion of environmental issues. The meeting will be held at the City of Victorville City Hall, Conference Room D, 14343 Civic Drive, Victorville, California. Any agencies or interested members of the public may attend to gain a better understanding of the project and to identify environmental issues of concern.

ADDITIONAL INFORMATION

PROJECT LOCATION

The City is located in the southwestern portion of San Bernardino County, in the geographic sub-region of the southwestern Mojave Desert (known as Victor Valley, or the High Desert); refer to [Exhibit 1, *Regional Vicinity*](#). On a regional basis, the City and its sphere of influence (SOI) are accessible via Interstate 15 (I-15), U.S. Federal Highway 395 (US-395), State Route 18 (SR-18), and Historic Route 66 (National Trails Highway). Cities surrounding Victorville include the City of Adelanto to the northwest, Town of Apple Valley to the east, City of Hesperia to the south, and unincorporated San Bernardino County to the southwest and north. The SCLA Specific Plan (totaling approximately 8,611 acres) is specifically located in the northwestern portion of the City, and bound on the north, west, and partially south by the City of Adelanto municipal boundary; refer to [Exhibit 2, *Site Vicinity*](#). The Specific Plan is generally situated to the north of Air Expressway, east of Adelanto Road, south of Desert Flower Road, and west of National Trails Highway.

ENVIRONMENTAL SETTING

Existing Environment

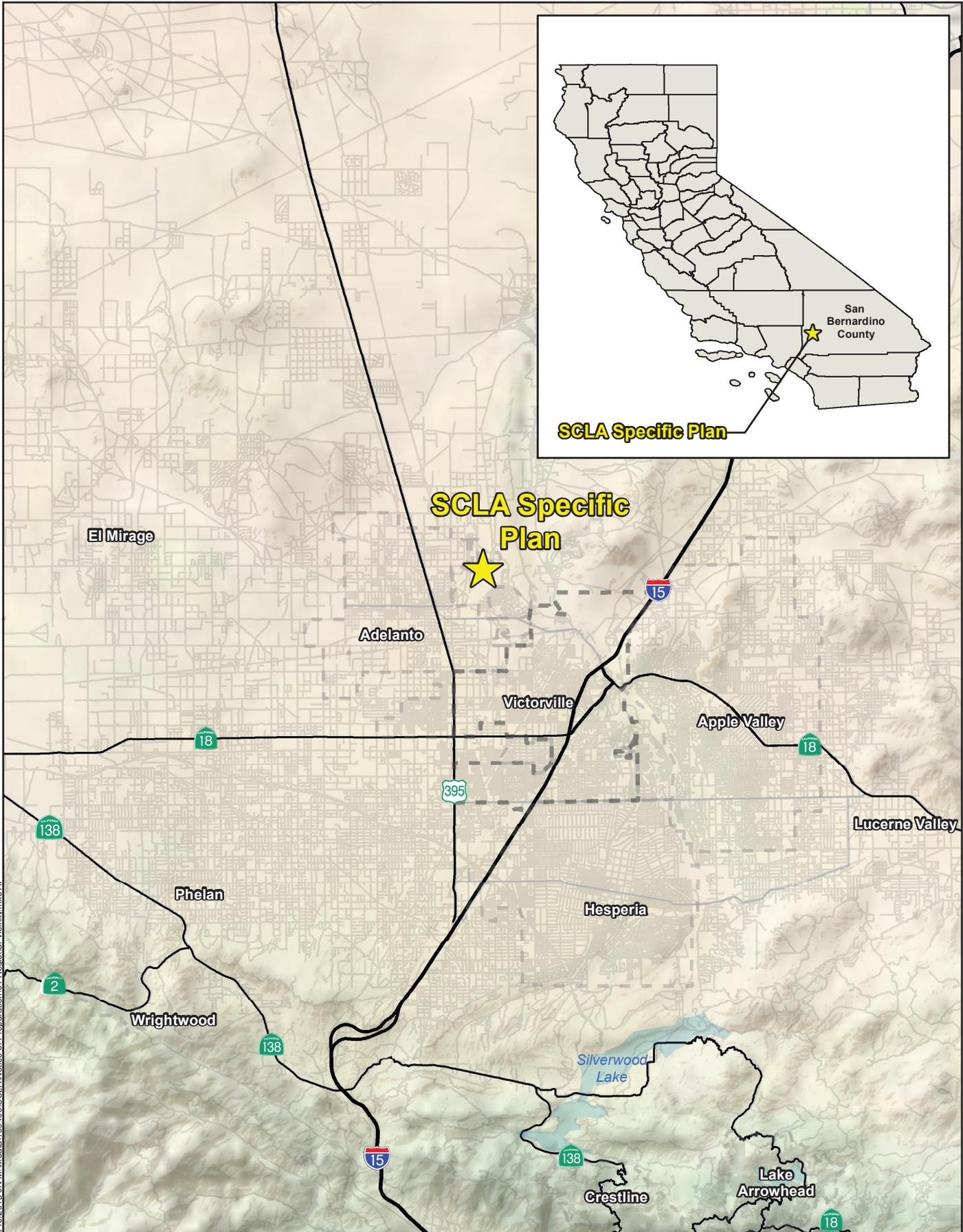
The SCLA Specific Plan area is situated in a geographic sub-region of the southwestern Mojave Desert known as Victor Valley. The region is commonly referred to as the “High Desert” due to its approximate elevation of 2,900 feet above sea level. The Mojave Desert is bounded to the north by the Tehachapi Mountains and to the south by the San Gabriel and San Bernardino Mountains. The subject site and surrounding area are relatively flat, gently sloping to the north, northeast and northwest. Most of the Specific Plan area is virtually flat (less than a five percent slope), providing a suitable area for aircraft runways.

The Mojave River exists to the east of the Specific Plan area, flowing to the north. The principal Mojave River drainage basin covers an approximate area of over 3,000 square miles in the south-central portion of the Mojave Desert. The river channel is approximately 125 miles long and has a gradient of about 15 feet per mile. Watersheds in the mountain ranges south of the subject site comprise the majority of the Mojave River’s flow. Surface runoff from the SCLA Specific Plan area and surrounding vicinity travels north/northeast towards the Mojave River. Infrequent rains with heavy precipitation are the principal source of surface water and are responsible for the formation of gullies and drainage tributaries to the Mojave River.

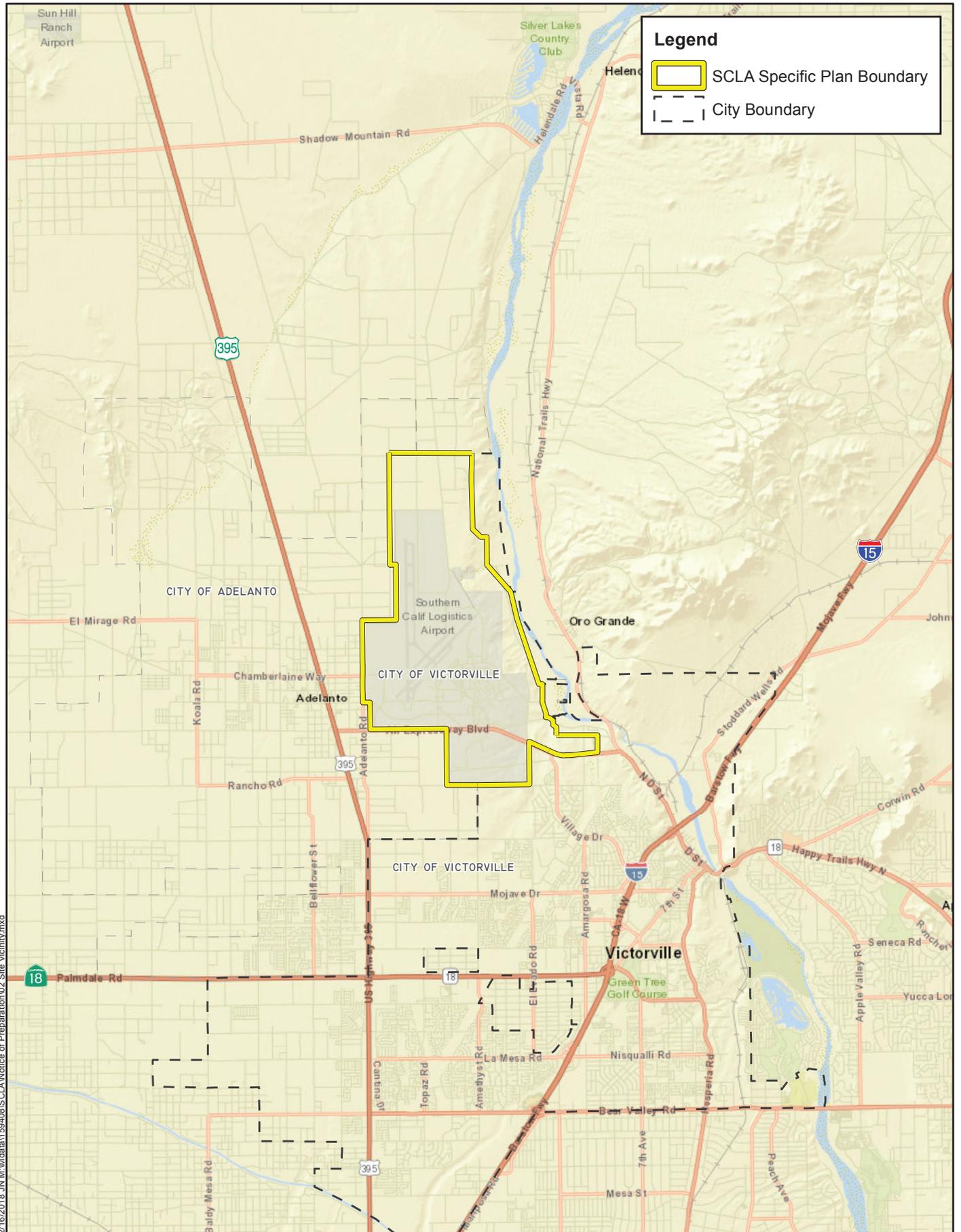
Hot summers, cool winters, low humidity, infrequent precipitation, and generally clear skies characterize the climate of the Victor Valley area. Daily mean temperatures range from approximately 46 degrees Fahrenheit in the winter to 79 degrees Fahrenheit in the summer. Rainfall is typically less than 10 inches per year, and humidity rarely exceeds 50 percent.

On-Site Conditions

As a large 8,611-acre Specific Plan, on-site conditions vary substantially based upon existing and previous development, available infrastructure, and topography. The proposed SCLA Specific Plan Amendment identifies a number of “development districts” within the Specific Plan area; refer to [Exhibit 4, *Proposed SCLA Land Use Plan and Development Districts*](#). A description of existing conditions by development district is provided below.



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- **Airport:** The Southern California Logistics Airport facility is located within the central/western portion of the Specific Plan, and operates as an air cargo/intermodal interface air facility. Primary airport facilities include runways, taxiways/aprons, air traffic control, and airport-associated facilities and uses (terminals, hangars, support facilities). The airport consists of two runways: 1) Runway 17-35, with a north-south orientation with a length of 15,050 feet and width of 150 feet; and 2) Runway 3-21, with a northeast-southwest orientation and a length of 9,138 feet and width of 150 feet. Several areas of the airport (aprons and unpaved areas adjacent to taxiways and runways) are utilized for commercial aircraft storage.
- **Central Core:** The area immediately east of the airport is referred to as the “Central Core”, within the area bounded by Phantom East and Phantom West. This area consists of numerous commercial, industrial, and institutional uses, primarily within the eastern portion of this area (“East Core”). The western portion of this area (“West Core”) is primarily occupied by abandoned military housing associated with the former George Air Force Base. The remnants of a former military golf course (Westwinds Golf Course) are also located within this area.
- **North Industrial Area:** This area north of the airport is primarily undeveloped, with minimal infrastructure available. However, a large 624-acre solar project is currently in the entitlement process, and may be functional within the next two years (PLAN-18-00048). Numerous dirt roads exist throughout the area, providing access to scattered homesteads spread over a large geographic area. Within the southeasterly corner of this area, there are several spreading ponds operated by the Victor Valley Wastewater Reclamation Authority (VWRA) that support operations at their existing treatment plant situated just outside of the SCLA Specific Plan boundary.
- **East Side:** This area generally occupies the easterly boundary of the Specific Plan area, parallel to the Mojave River. It is primarily undeveloped, with minimal infrastructure. East of Shay Road are several scattered residential uses and utility infrastructure. An existing 7.5-megawatt powerplant is located within this area, immediately east of the airport. Within the southeasterly portion of this area exists a graded (but unimproved) rail spur leading from the Burlington Northern Santa Fe (BNSF) rail alignment east of the Mojave River, towards SCLA.
- **West Side:** The West Side is generally located west and southwest of the airport. The majority of this area is undeveloped. An existing warehousing/distribution facility exists to the north of Innovation Way and west of Gateway Drive. Graded areas immediately east of Adelanto Road are fenced and frequently utilized for automobile storage.

The Federal Correctional Complex (FCC), Victorville includes a high security prison, and is situated in the southerly portion of the Specific Plan area, south of Air Expressway. FCC Victorville is a medium-security facility operated by the U.S. Federal Bureau of Prisons. Although this area is within the boundaries of the Specific Plan, the Specific Plan does not account for any development or improvements within this area. As such, it is not part of any development district.

Surrounding Uses

Surrounding areas are predominantly undeveloped, with some industrial, commercial, manufacturing, and residential uses, which are further described as follows:

- **North:** Vacant land within the City of Adelanto is situated to the north. The *Adelanto North 2035 Comprehensive Sustainable Plan (Adelanto Comprehensive Plan)* designates land use districts to the north as Desert Living (DL-9) (1 du/9 ac).
- **East:** The Victor Valley Wastewater Treatment Plant and percolation ponds, solar energy uses, scattered residential and industrial uses, vacant land, and the Mojave River are located to the east. The *Victorville*



Land Use and Zoning Map designates land uses to the east as Open Space (AE, AEB10, AE 30, FP, R-1B2.5), Low Density Residential (5 du/ac) (R-1T), and Heavy Industrial (M-2).

- **South:** Vacant land, residential, and heavy industrial uses are present to the south, within the City of Victorville. Vacant land, industrial, and solar farm uses are present to the south, within the City of Adelanto. The *Victorville Land Use and Zoning Map* designates land uses to the south as Very Low Density Residential (2 du/ac) (R-1B1/2) and Rancho Tierra Specific Plan (SP1-91) (Residential and Commercial). The *Adelanto Comprehensive Plan* designates land use districts to the south as Business Park (BP).
- **West:** The majority of land to the west is vacant with various scattered residential structures and homesteads. Areas of developed land are focused near the southwest portion of the Specific Plan area and include residential and industrial uses. All land uses to the west of the Specific Plan area are situated in the City of Adelanto. The *Adelanto Comprehensive Plan* designates land use districts to the west as DL-9 (1du/9ac), Airport Development District (ADD), and BP.

Land Use

Based on the *City of Victorville General Plan Land Use Policy and Zoning Map (Victorville Land Use and Zoning Map)*, dated August 19, 2013, the project site is designated/zoned Specific Plan (SP1-92). Exhibit 3, Approved 2004 SCLA Land Use Plan, identifies the existing land use districts within the Specific Plan area. These existing land use districts include Airport and Support Facilities (ASF), Business Park (BP), Industrial (I), Public/Open Space (P/OS), and Runway Protection Zone (RPZ).

BACKGROUND AND HISTORY

The existing SCLA Specific Plan encompasses the area previously known as George Air Force Base (AFB). George AFB was previously known as the Victorville Army Airfield. Initial construction of the facility began on July 23, 1941 and was completed in 1943. When fully activated, the basic mission of George AFB was to support two Tactical Fighter Wings, where the primary aircraft was the F-4. In 1989, George AFB was closed pursuant to the Base Closure and Realignment Act (BCRA). The Department of the Air Force in 1992 officially deactivated the base. Consequently, the Victor Valley Economic Development Authority (VVEDA) was formed, comprised of elected officials from San Bernardino County, Apple Valley, Hesperia, Adelanto, and Victorville. VVEDA directed the City of Victorville to annex the former airfield to establish General Plan designations and Zoning and Specific Plan regulations. The airfield was officially annexed into the City of Victorville on July 21, 1993.

The SCLA Specific Plan became effective in March 1993. The General Plan Amendment associated with the SCLA Specific Plan was approved in January 1993 and the associated Zone Change was approved in February 1993. The SCLA Specific Plan is a focused guiding document for implementation of the City's General Plan for the Specific Plan area. The SCLA Specific Plan provides a description of the proposed land uses, infrastructure, and specific implementation requirements. The Development Standards establish permitted uses, building regulations, and general development criteria.

Since the original 1993 SCLA Specific Plan approval, the plan has been amended numerous times, with the most recent major amendment approved in April 2004. The 2004 SCLA Specific Plan Amendment added approximately 2,833 acres to the Specific Plan area, primarily along the eastern portion of the Specific Plan, along the Mojave River.

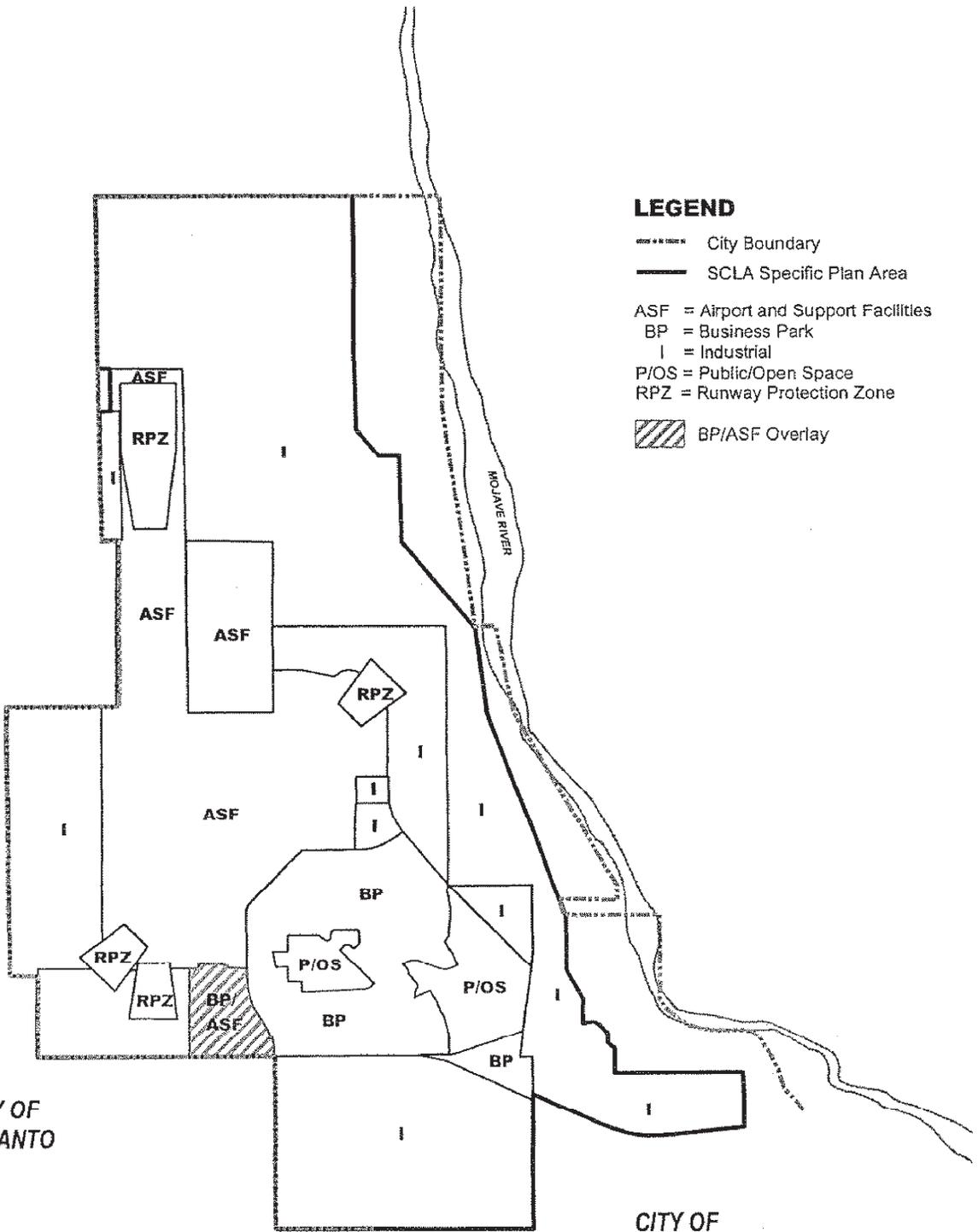
PROJECT DESCRIPTION

As noted above, the SCLA Specific Plan became effective in 1993; the only major amendment to the Specific Plan occurred in 2004. Many of the foundational elements of the Specific Plan are now over 25 years old. Thus, the City, in partnership with Stirling Development, proposes to amend the Specific Plan to: 1) decrease the development

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CITY OF ADELANTO

CITY OF VICTORVILLE



LEGEND

- City Boundary
- SCLA Specific Plan Area
- ASF = Airport and Support Facilities
- BP = Business Park
- I = Industrial
- P/OS = Public/Open Space
- RPZ = Runway Protection Zone
- BP/ASF Overlay



footprint of the existing SCLA Specific Plan area, including removal of over 1,000 acres for industrial development; 2) reflect current development trends, economic and market conditions, and design guidelines; 3) provide an updated description of existing infrastructure serving SCLA, and projected requirements to serve future development; and 4) modernize the format and framework of the Specific Plan to more efficiently guide development at SCLA.

It should be noted that the development of approximately 25,973,000 square feet of new building area as part of the proposed Specific Plan Amendment represents a substantial reduction in planned development feasibly occurring at SCLA. Previous development forecasts for the Specific Plan area (i.e., in the early 2000s when the intermodal/multimodal rail facility was proposed) estimated a total of 60 million square feet of industrial development, much of which was proposed to be constructed by 2015. Based on current market conditions and development trends in the region, the development forecast for SCLA has been modified to reflect a more realistic expectation for buildout of the Specific Plan area.

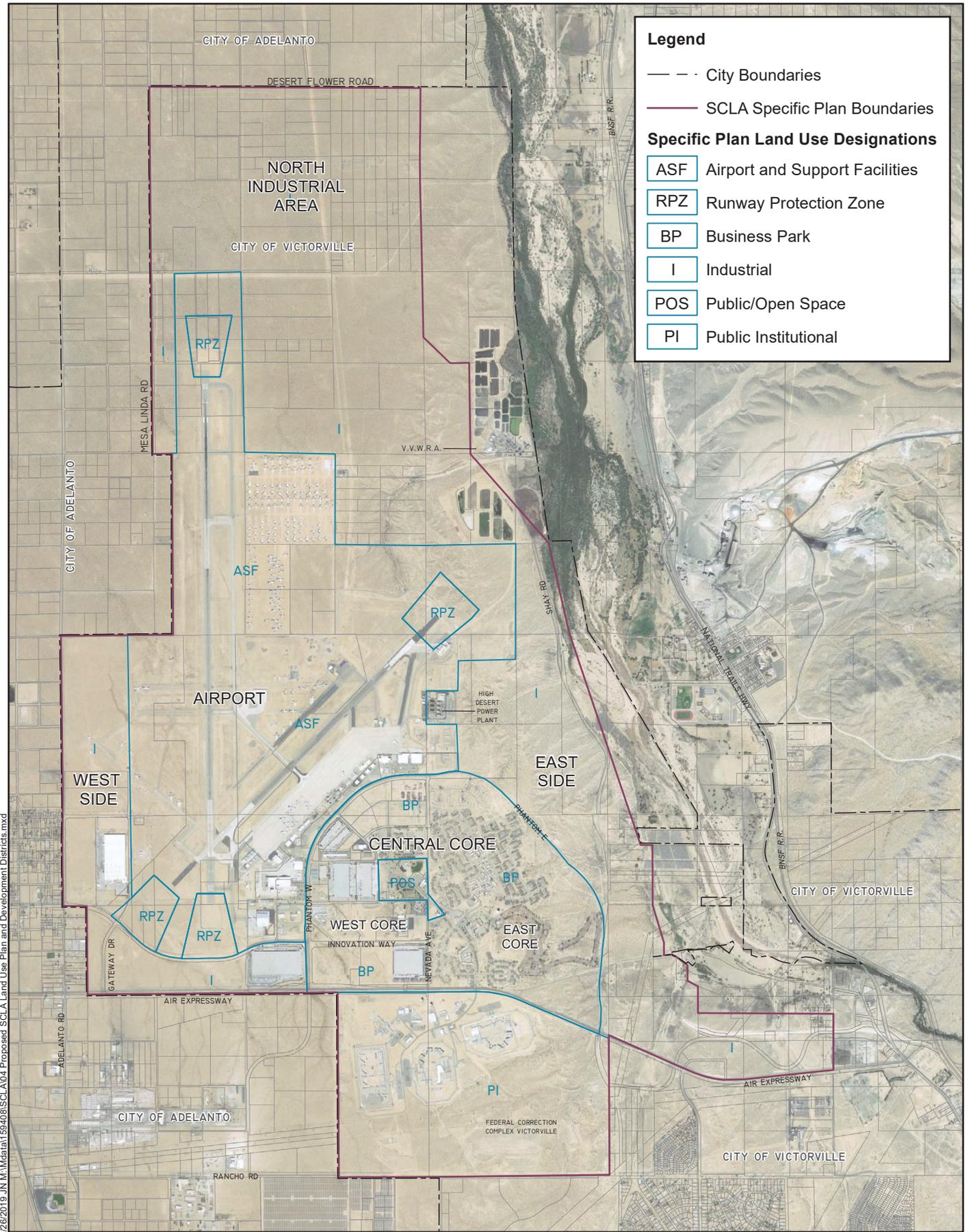
Exhibit 4, Proposed SCLA Land Use Plan and Development Districts, depicts the proposed land use plan associated with the proposed Specific Plan Amendment. Generally, primary modifications to the Specific Plan would involve the following:

- Modification of the existing land use district boundaries to more appropriately guide future development at SCLA (the specific changes in acreage of each district are depicted in Table 1, Proposed Changes in Land Use);
- Reduction of the development footprint of the SCLA Specific Plan area, including the removal of over 1,000 acres for industrial development;
- Enlarging the acreage available for the development of Airport and Support Facilities (ASF);
- Removal of the ASF Overlay;
- Creation of a new land use district (Public Institutional [PI]) applicable to the existing FCC Victorville, located within the southerly portion of the Specific Plan, south of Air Expressway. This area was previously designated Industrial (I);
- Revisions to the circulation and infrastructure planning components of the Specific Plan; and
- Updates to the design guidelines (site planning, landscape, architectural, and lighting).

**Table 1
 Proposed Changes in Land Use**

Land Use District	Existing Specific Plan	Proposed Amended Specific Plan	Net Change in Acreage
Airport and Support Facilities (ASF)	2,120	2,525	405
Business Park (BP)	1,160	1,125	-35
Industrial (I)	4,773	3,767	-1,006
Public/Open Space (P/OS)	350	44	-306
Runway Protection Zone (RPZ)	300	210	-90
Public Institutional (PI)	--	940	
Total	8,703¹	8,611¹	-82¹

1. Acreage of 8,703 is based on the 2004 SCLA Specific Plan Amendment. However, this acreage appears to have been over estimated and the proposed total acreage off 8,611 is a more accurate measurement of the Specific Plan area. Thus, although the net change in acreage reflects a reduction in the Specific Plan area, the total boundaries of the Specific Plan area remain unchanged from the 2004 Specific Plan Amendment.



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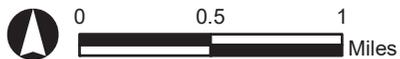
Legend

- City Boundaries
- SCLA Specific Plan Boundaries

Specific Plan Land Use Designations

ASF	Airport and Support Facilities
RPZ	Runway Protection Zone
BP	Business Park
I	Industrial
POS	Public/Open Space
PI	Public Institutional

NOTICE OF PREPARATION
 SCLA SPECIFIC PLAN AMENDMENT (PLAN-19-00004) SPEIR
**Proposed SCLA Land Use Plan
 and Development Districts**



Source: San Bernardino County, Google Imagery

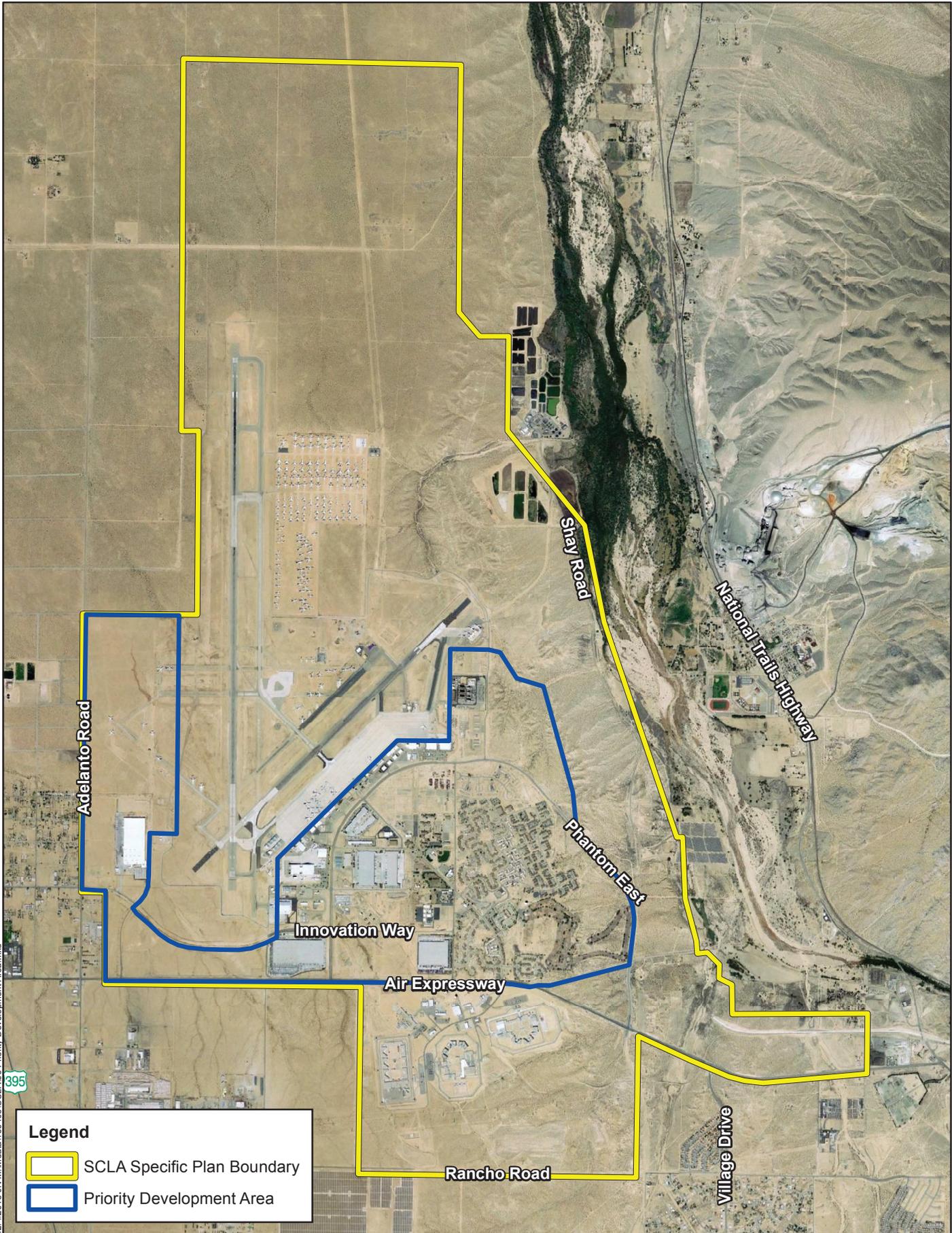


With a sizable area of 8,611 acres, the vast majority of the Specific Plan area is undeveloped, and large portions (particularly within the North Industrial and East Side development districts) lack any infrastructure required to support development. For the most part, development at SCLA has been focused in the Central Core, Airport, and West Side development districts. A large portion of the Specific Plan (approximately 2,833 acres, comprising the majority of the North Industrial and East Side districts) was added in 2004 as part of a major multimodal/intermodal rail service facility that is no longer proposed. Development within these districts is considered highly speculative due to: 1) current market conditions; 2) lack of available infrastructure; and 3) primarily private ownership, composed of over 100 different land owners over a large geographic area. It is not considered feasible that development would occur in these areas for at least 25 years, and potentially even 50 to 75 years from today.

To address this uncertainty for development in large portions of the Specific Plan, the City has established a “Priority Development Area” for development feasibly occurring within the next 25 years, based on available infrastructure and projected market demand for development; refer to Exhibit 5, Priority Development Area. The Priority Development Area primarily occurs within the Central Core, Airport, and West Side development districts, with an area of approximately 2,312 acres. Development within this area is anticipated to occur over a total of 5 phases, in 5-year increments over the next 25 years, and could result in approximately 25,973,000 square feet of new building area; refer to Table 2, SCLA Specific Plan Amendment Phasing Projections.

Table 2
SCLA Specific Plan Amendment Phasing Projections

Phases	Building Area (Square Feet)	Gross Acres
Existing Development - 2019	3,750,000 ¹	216 ²
Phase 1 – 1 to 5 years	2,654,000 ¹	125 ²
Phase 2 – 5 to 10 years	5,115,000 ³	226 ²
Phase 3 – 10 to 15 years	5,570,000 ⁴	252 ²
Phase 4 – 15 to 20 years	5,297,000 ⁵	235 ²
Phase 5 – 20 to 25 years	7,337,000 ¹	423 ²
Phase 6 – 25 to 50+ years	TBD	3,275 ²
Airport Area	see above for building projections in all phases	2,735
Public Open Space	N/A	44
Public Institutional	N/A	940
Existing Roadways and Other	N/A	140
Totals	New Building Area: 25,973,000	8,611
	Total Building Area: 29,723,000	
Definitions		
Existing Development – 2019: does not including earlier constructed buildings prior to 2004 or existing former base buildings		
Phase 6: Specific Plan areas in Phase 6 include the remainder of the East Side area and the North Industrial Area, north of the airport. Development in these areas is not expected in the next 25 years and is considered speculative.		
Airport Area: Includes ASF and RPZ areas within the Specific Plan. Proposed new airport buildings are included in the Phases 1-5 above		
Public Open Space: Existing park area, i.e. Schimit Park, Westwinds Activity Centers		
Public Institutional: Existing Federal Correctional Institution		
Notes		
1. Does not include any airport buildings		
2. Does not include any airport acreage		
3. Phase 2 includes 920,000 square feet of projected new airport building area		
4. Phase 3 includes 770,000 square feet of projected new airport building area		
5. Phase 4 includes 1,060,000 square feet of projected new airport building area		



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Legend

- SCLA Specific Plan Boundary
- Priority Development Area



A list of permits and approvals required by the City of Victorville include the following:

- Certification of Final SPEIR;
- Approval of Specific Plan Amendment;
- General Plan Amendment;
- Subsequent Approvals of the following:
 - Subdivision Maps;
 - Site Plan Reviews;
 - Conditional Use Permit (CUP) Reviews;
 - Grading and Building Permits; and
 - Roadway and Infrastructure Improvement Plans and Permits.

A list of permits and approvals required by other agencies include the following:

- U.S. Army Corps of Engineers – Section 404 Permit, Clean Water Act;
- U.S. Fish and Wildlife Service – Endangered Species Act Compliance;
- California Department of Fish and Wildlife – 1602 Streambed Alteration Agreement;
- Mojave Desert Air Quality Management District – Air Quality Permits;
- Regional Water Quality Control Board – 401 Water Quality Certification; and
- County of San Bernardino – Stormwater Infrastructure Permits.

POTENTIAL ENVIRONMENTAL EFFECTS. Due to the decision to prepare a SPEIR, an Initial Study was not prepared. This option is permitted under *CEQA Guidelines* Section 15063(a), which states that if the Lead Agency determines an EIR will be required for a project, the Lead Agency may skip further initial review and begin work on the EIR. Provided below is a summary of potential environmental impacts related to the project.

Aesthetics. The proposed project could change the character/quality of the Specific Plan area during both construction and operations of buildout of the Specific Plan. Other impacts that could result include introduced lighting from both interior and exterior lighting sources as well as vehicle headlights entering and exiting the project site. The Draft SPEIR will consider these potential changes in aesthetics/light and glare as a result of the proposed Specific Plan Amendment.

Agriculture and Forestry Resources. Based on mapping prepared by the California Department of Conservation, the Specific Plan area is designated “Urban and Build-Up Land” and “Grazing Land”. There is no Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance within Specific Plan boundaries.¹ Additionally, there are no Williamson Act contracts that apply to the Specific Plan Area.² Further, the Specific Plan area is not used for forest land or forest production nor is the Specific Plan zoned for agricultural or forest land uses. Thus, the Draft SPEIR will confirm that there is no effect on agriculture and forestry resources.

Air Quality. The proposed Specific Plan Amendment may result in air quality impacts due to temporary construction-related emissions, as well as long-term air emissions from project operations associated with stationary sources and vehicle traffic. Short-term construction air quality impacts may include dust generation, construction vehicle emissions, and possible odors. Future development within the Specific Plan area may result in increased long-term air quality impacts within the Mojave Desert Air Basin. These issues will be addressed in the Draft SPEIR, including project consistency with regional air quality planning programs.

Biological Resources. A Habitat Assessment and Jurisdictional Delineation will be prepared for the Priority Development Area and the results will be incorporated into the Draft SPEIR. Consideration of potential impacts

¹ California Department of Conservation, *San Bernardino County Important Farmland 2016*, August 2017.

² California Department of Conservation, *San Bernardino County Williamson Act FY 2015/2016*, 2016.



associated with special status plant and wildlife species and species of concern will be made. Potential impacts to sensitive natural communities and/or riparian habitat and jurisdictional waters (including wetlands) will be considered. The projects potential to impact wildlife corridors, including the nearby Mojave River will be analyzed.

Cultural Resources. A Cultural Resources Assessment will be prepared for the Priority Development Area to address potential impacts related to the Specific Plan Amendment. The Draft SPEIR will evaluate the potential impacts on potential archaeological and historical resources.

Energy. The Draft SPEIR will include an analysis to determine if the project could potentially result in impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, in addition to consistency with state or local plans for renewable energy/efficiency.

Geology/Soils. The City and surrounding area is situated within a seismically active region, capable of producing surface rupture, ground motion, liquefaction, or soil settlement of sufficient magnitude to damage buildings or structures during an earthquake. The Draft SPEIR will evaluate seismicity of the local area, presence of existing fault lines and effect on development, the potential for erosion of site soils, soil stability, and expansive characteristics of project area soils. The analysis will also address potential impacts to paleontological resources.

Greenhouse Gas Emissions. Future development within the Specific Plan area could result in greenhouse gas emissions impacts both during construction and operation. The Draft SPEIR will analyze short-term construction activities and long-term operational emissions associated with proposed stationary and mobile sources, as these activities pertain to greenhouse gas emissions.

Hazards and Hazardous Materials. As part of SCLA's former use as a military facility (George AFB), several areas of the site are documented to be affected by soil and groundwater contamination. Remediation activities are ongoing in numerous areas of the Specific Plan area. The Draft SPEIR will address impacts related to upset or accident conditions as a result of net new development in the Specific Plan area. The Draft SPEIR will consider the potential for accidental releases that could occur as a result of new development within the Specific Plan area. Further, future uses within the Specific Plan area could involve the use/storage/transport of hazardous materials during operations. The Draft EIR will identify whether future development within the project site would interfere with any emergency response plans.

Hydrology/Water Quality. Future development could generate pollutants typical of urban development, which may adversely impact receiving waters. The Draft SPEIR will analyze short-term temporary construction-related effects on hydrology and water quality; long-term project-related water quality; permanent changes to stormwater drainage and/or flooding; project-related impacts to groundwater quantity and quality; and off-site hydrology and water quality impacts.

Land Use/Planning. The proposed Specific Plan Amendment will be evaluated in regards to consistency with existing land use plans, policies, and regulations, and the potential for the project to divide an established community.

Mineral Resources. The *Victorville General Plan* and *SCLA Specific Plan* do not designate the Specific Plan area for mineral resource recovery, and no mineral resource recovery activities occur within Specific Plan boundaries. Thus, the Draft SPEIR will illustrate that there is no effect on mineral resources.

Noise. Future development within the Specific Plan area may result in short-term construction noise and long-term changes in noise levels in the area due to stationary sources and trip generation on surrounding roadways. The Draft SPEIR will describe these potential construction and operational noise impacts and will compare these impacts to applicable noise thresholds. It is acknowledged that the proposed Specific Plan Amendment is not expected to substantially alter flight patterns or frequency into or out of SCLA.



Population/Housing. The Draft SPEIR will present existing population, housing, and employment figures for the Specific Plan area and the projected changes in these variables as a result of the proposed Specific Plan Amendment. The population analysis will compare the amount and type of growth anticipated under the proposed Specific Plan Amendment with estimates from the approved *SCLA Specific Plan* and the *Victorville General Plan*, the U.S. Census Bureau, the California Department of Finance, and other adopted planning documents.

Public Services. Potentially affected agencies such as fire and law enforcement protection, schools, and parks will be contacted to confirm relevant existing conditions, proposed Specific Plan Amendment changes, potential increased impacts, and recommended mitigation measures. The discussion will focus on the potential alteration of existing facilities, extension, or expansion of new facilities, and the increased demand on services based on the proposed implementation of the Specific Plan Amendment. The Draft SPEIR will evaluate the ability of the project to receive adequate service based on applicable standards and, where adequate services are not available, will identify the effects of inadequate service.

Recreation. The Draft SPEIR will analyze the potential for increased use of or substantial degradation of existing local and regional parks. The Draft SPEIR will also evaluate potential impacts related to construction or expansion of existing recreational facilities based on the Specific Plan Amendment.

Transportation. Potential impacts associated with construction-related traffic, project-related operational traffic on local and regional transportation facilities, internal circulation, traffic hazards, and emergency access of the Specific Plan area and surrounding vicinity will be addressed in the Draft SPEIR. The Draft SPEIR will summarize the results of a Traffic Impact Analysis addressing these issues and will analyze effects on public transit, as well as public transit needs and alternative modes of transportation.

Tribal Cultural Resources. The Draft SPEIR to be prepared for the project will evaluate potential impacts related to tribal cultural resources, as defined under Public Resources Code 21074. The Draft SPEIR will also summarize the results and conclusions of the Assembly Bill 52 (AB 52) and Senate Bill 18 (SB 18) Tribal consultation that will be conducted by the City.

Utilities/Service Systems. Impacts related to utility services such as water service, wastewater treatment, storm water, electricity, natural gas, telecommunications, and solid waste providers will be discussed in the Draft SPEIR. A Water Supply Assessment will be prepared for the proposed Specific Plan Amendment and will be incorporated into the Draft SPEIR. The discussion will focus on the potential of development requiring the construction of new facilities, potential expansion of existing facilities, and the potential of increased demand on services based on the proposed land uses.

Wildfire. The Specific Plan area is not located in or near a State Responsibility Area (SRA) or Very High Fire Hazard Severity Zone.³ The Draft SPEIR will illustrate that there is no effect related to wildfire impacts.

Additional Environmental Topics. The SPEIR will also address CEQA-mandated sections such as cumulative impacts, growth-inducing impacts, alternatives, and other required sections.

³ California Department of Forestry and Fire Protection, *Draft Fire Hazard Severity Zones in LRA*, October, 4, 2007.

Lahontan Regional Water Quality Control Board

November 20, 2019

Mike Szarzynski
City of Victorville
Development Department
14343 Civic Drive
Victorville, CA 92392
mszarzynski@victorvilleca.gov

File: Environmental Doc Review
San Bernardino County

Comments on the Notice of Preparation of a Subsequent Program Environmental Impact Report for The Southern California Logistics Airport Specific Plan Amendment (Plan-19-00004), San Bernardino County, State Clearinghouse Number 2003011008

Lahontan Regional Water Quality Control Board (Water Board) staff received a Notice of Preparation (NOP) of a Subsequent Program Environmental Impact Report (SPEIR) for the above-referenced specific plan amendment (Plan) on October 22, 2019. The NOP was prepared by the City of Victorville (City) and project co-applicant Stirling Development, and submitted in compliance with provisions of the California Environmental Quality Act (CEQA). Water Board staff, acting as a responsible agency, is providing these comments to specify the scope and content of the environmental information germane to our statutory responsibilities pursuant to CEQA Guidelines, California Code of Regulations (CCR), title 14, section 15096. We encourage the City to take this opportunity to integrate elements into the Plan that (1) promote watershed management, (2) support "Low Impact Development" (LID), (3) reduce the effects of hydromodification, (4) encourage development/redevelopment on previously disturbed lands, and (5) encourage recycled water uses. Our comments on the NOP are outlined below.

PURPOSE OF THE PLAN

The Plan focuses on proposed changes in land use categories. Primary modifications to the Specific Plan would involve the following:

- Modification of the existing land use district boundaries to more appropriately guide future development at the Southern California Logistics Airport (SCLA).
- Reduction of the development footprint of the SCLA Specific Plan area, including the removal of over 1,000 acres for industrial development.

PETER C. PUMPHREY, CHAIR | PATTY Z. KOUYOUMDJIAN, EXECUTIVE OFFICER

- Enlargement of the acreage available for the development of Airport and Support Facilities.
- Creation of a new land use district: Public Institutional, applicable to the existing Federal Correctional Complex, Victorville. This area was previously designated Industrial.
- Revisions to the circulation and infrastructure planning components of the Specific Plan.
- Updates to the design guidelines: site planning, landscape, architectural, and lighting.

With a sizable area of 8,611 acres, the vast majority of the Specific Plan area is undeveloped and large portions, particularly in the northern and eastern portions, lack any infrastructure required to support development. Development in the northern and eastern areas is not considered feasible for at least 25 years, and potentially even 50 to 75 years in the future.

To address this uncertainty for development in large portions of the Specific Plan area, the City has established a "Priority Development Area" for development feasibility occurring within the next 25 years based on available infrastructure and projected market demand for development. Development within the 2,312-acre Priority Development Area is anticipated to occur over a total of 5 phases, in 5-year increments over the next 25 years, and could result in approximately 25,973,000 square feet of new building area.

Given the conceptual, long-term nature of the planned development, Water Board staff understands that the SPEIR will be prepared as a programmatic Environmental Impact Report. Subsequent more focused environmental review by Water Board staff will be required as individual projects are proposed to implement elements of the Plan.

AUTHORITY

All groundwater and surface waters are considered waters of the State. Surface waters include streams, lakes, ponds, and wetlands, and may be ephemeral, intermittent, or perennial. All waters of the State are protected under California law. State law assigns responsibility to the Lahontan Water Board for protection of water quality in the Lahontan Region, which includes the planned development area of the Plan. Some waters of the State are also waters of the U.S. The Federal Clean Water Act (CWA) provides additional protection for those waters of the State that are also waters of the U.S. Swales and washes that experience intermittent surface water flow that drains into the Mojave River may be considered waters of the U.S.

The *Water Quality Control Plan for the Lahontan Region* (Basin Plan) contains policies that the Water Board uses with other laws and regulations to protect the quality of waters of the State within the Lahontan Region. The Basin Plan sets forth water quality standards for surface water and groundwater of the Region, which include designated

beneficial uses as well as narrative and numerical objectives that must be maintained or attained to protect those uses. The Basin Plan can be accessed via the Water Board's web site at

http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml.

RECOMMENDED ELEMENTS TO INCLUDE IN THE PLAN

We encourage the City to take this opportunity and incorporate into the Plan elements that promote watershed management, support LID, reduce the effects of hydromodification, encourage development/redevelopment on previously disturbed lands, and encourage recycled water uses.

A Watershed Approach

Healthy watersheds are sustainable. Watersheds supply drinking water, provide for recreational uses, and support ecosystems. Watershed processes include the movement of water (i.e., infiltration and surface runoff), the recharge of groundwater, the transport of sediment, and the delivery of organic material to surface waters. These processes create and sustain the streams, lakes, wetlands, and other receiving waters of our region. The City is located within the Upper Mojave Hydrologic Area (28.20) of the larger Mojave River watershed.

The watershed approach for managing water resource quality and quantity is a collaborative process that focuses public and private efforts on the highest priority problems within a drainage basin. The Mojave Integrated Regional Water Management Group has assembled a collaborative group of stakeholders, both public and private, to address both water quantity and water quality issues within the Mojave watershed. A water management plan is being developed through that stakeholder collaboration process, and strategies continue to be developed and refined to sustain water quantity, and to manage salts and nutrients to maintain the quality of groundwater and surface water resources. The City is encouraged to play an active stakeholder role in the development of these plans and to incorporate the applicable implementation strategies into their Plan.

Low Impact Development Strategies

The foremost method of reducing impacts to watersheds from development is through the use of Low Impact Development (LID) strategies, the goals of which are maintaining a landscape functionally equivalent to predevelopment hydrologic conditions and minimal generation of non-point source pollutants. LID results in less surface runoff and potentially less impacts to receiving waters, the principles of which include:

- Maintaining natural drainage paths and landscape features to slow and filter runoff and maximize groundwater recharge;
- Reducing compacted and impervious cover created by development and the associated road network; and

- Managing runoff as close to the source as possible.

LID development practices that maintain aquatic values also reduce local infrastructure requirements and maintenance costs. These practices also benefit air quality, open space, and habitat. Vegetated areas for storm water management and onsite infiltration are valuable in LID. We encourage the City to establish LID implementation strategies for commercial and transportation development projects and incorporate these strategies into the Plan.

Storm Water Management

Because increased runoff from developed areas is a key variable driving a number of other adverse effects, attention to maintaining the pre-development hydrology will prevent or minimize many problems and will limit the need for other analyses and mitigations. However, traditional methods for managing urban storm water do not adequately protect the environment and tend to treat symptoms instead of causes. Such practices have led to channelization and stream armoring that permanently alter stream habitat, hydrology, and aesthetics, resulting in overall degradation of a watershed.

Storm water control measures that are compatible with LID are preferred over more traditional methods. Examples include the use of bioretention swales, pervious pavement, and vegetated infiltration basins, all of which can effectively treat post-construction storm water runoff, help sustain watershed processes, protect receiving waters, and maintain healthy watersheds. Any particular one of these control measures may not be suitable, effective, or even feasible on every site, but the right combination, in the right places, can successfully achieve these goals.

We encourage the City to establish guidelines for implementing specific storm water control measures into the Plan. Additional information regarding sustainable storm water management can be accessed online at http://www.waterboards.ca.gov/water_issues/programs/low_impact_development/.

Hydromodification

Hydromodification is the alteration of the natural flow of water through a landscape (i.e., lining channels, flow diversions, culvert installations, armoring, etc.). Disturbing and compacting soils, changing or removing the vegetation cover, increasing impervious surfaces, and altering drainage patterns limit the natural hydrologic cycle processes of absorption, infiltration, and evapotranspiration, and increases the volume and frequency of runoff and sediment transport. Hydromodification results in stream channel instability, degraded water quality, changes in groundwater recharge processes, and aquatic habitat impacts. Hydromodification also can result in disconnecting a stream channel from its floodplain. Floodplain areas provide natural recharge, attenuate flood flows, provide habitat, and filter pollutants from urban runoff. Floodplain areas also store and release sediment, one of the essential processes to maintain the health of the watershed. Information regarding hydromodification can be accessed online at http://www.swrcb.ca.gov/water_issues/programs/stormwater/hydromodification.shtml.

We encourage the City to establish guidelines and develop mitigation measures that will help to avoid hydromodification from future projects. The guidelines should include maintaining natural drainage paths of streams and creeks and establishing buffers and setback requirements to protect channels, wetlands, and floodplain areas from encroaching development.

Recycled Water Uses

The State Water Resources Control Board adopted the Recycled Water Policy in February 2009 (effective May 14, 2009, and amended January 22, 2013). The purpose of the policy is to increase the use of recycled water from municipal wastewater sources, in a manner that implements state and federal water quality laws, as a means towards achieving sustainable local water supplies. The Recycled Water Policy establishes goals and mandates for recycled water use. The mandates are to increase the use of recycled water from the amount used in 2009 by 200,000 acre-feet per year by 2020 and by 500,000 acre-feet per year by 2030. Incentives for implementing recycled water projects include grant opportunities and priority funding. The City is encouraged to consider the use of recycled water as an implementation strategy in their Plan to reduce demand on groundwater resources.

Other Issues to be Considered

1. The Plan area is located within Upper Mojave Hydrologic Area (No. 28.20) of the Mojave Hydrologic Unit and overlies the Upper Mojave River Valley Groundwater Basin (No. 6-42) according to the Lahontan Basin Plan. The beneficial uses of these waters are listed either by watershed (for surface waters) or by groundwater basin in Chapter 2 of the Basin Plan. The SPEIR should identify and list the beneficial uses of all water resources within the Plan area and include an analysis of the potential impacts to water quality and hydrology with respect to those beneficial uses.
2. Water quality objectives and standards, both numerical and narrative, for **all** waters of the State within the Lahontan Region, including surface waters and groundwater, are outlined in Chapter 3 of the Basin Plan. Water quality objectives and standards are intended to protect the public health and welfare, and to maintain or enhance water quality in relation to the existing and/or potential beneficial uses of the water. It is these objectives and standards that should be used when evaluating thresholds of significance for development impacts.
3. Storm water management should be considered a significant component of the Plan. The SPEIR should acknowledge that when individual projects are proposed to implement elements of the Plan, all associated stormwater management elements will require review by Water Board staff. For example, any future detention basins that will be installed as part of the Plan should include an analysis by the City of the adequacy of planned basins to perform as designed, subject to review by Water Board staff. Additional storm water controls

may be required. Where feasible, alternatives should be considered that redirect these flows to areas where they will dissipate by percolation into the landscape rather than directly discharge to surface water (e.g., the Mojave River).

4. Wastewater treatment systems that are expected to exceed capacity and are no longer able to adequately treat the wastewater must be upgraded in order to protect water quality and maintain compliance with the existing Waste Discharge Requirements (WDRs). In order to amend the current Board Order and WDRs, the responsible party must submit a Report of Waste Discharge (ROWD) and an Engineering Feasibility Study (EFS) to the Lahontan Water Board at minimum of 180 days before the proposed change in discharge.
5. Water quality impacts to irrigated lands that use treated wastewater and/or degradation of surface water or groundwater due to improperly treated wastewater caused by population growth and/or other influencing factors must be analyzed in the SPEIR. Mitigations to reduce potential impacts to a less than significant level must be provided in the SPEIR.
6. We urge the City to take a critical look at cumulative impacts on water quality and hydrology that may result over time from implementing the various components of the Plan. The analysis should consider the impacts of full implementation of the Plan and evaluate, at a minimum, the potential impacts to groundwater recharge due to increased impervious surfaces and/or compacted soils, changes in the hydrology of the watershed, potential flooding implications, and habitat connectivity. The cumulative impacts analysis should identify regional, broad-scale mitigation measures that, when implemented, will reduce potential impacts to a less than significant level.

PERMITTING REQUIREMENTS FOR INDIVIDUAL PROJECTS

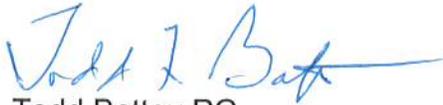
A number of activities that will be implemented by individual projects under the Plan have the potential to impact waters of the State and, therefore, may require permits issued by either the State Water Resources Control Board (State Water Board) or Lahontan Water Board. The required permits may include, but are not limited to, the following.

1. Streambed alteration and/or discharge of dredge and/or fill material to a surface water, including water diversions, may require a CWA, section 401 water quality certification for impacts to federal waters (waters of the U.S.), or dredge and fill WDRs for impacts to non-federal waters, both issued by the Lahontan Water Board.
2. Land disturbance of more than 1 acre may require a CWA, section 402(p) storm water permit, including a National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit, Water Quality Order (WQO) 2009-0009-DWQ, obtained from the State Water Board, or an individual storm water permit obtained from the Lahontan Water Board.

3. Recycled water use may require General WDRs under WQO 2009-0006-DWQ (specifically for landscape irrigation uses), or under WQO-2014-0090-DWQ (for all other authorized uses), both issued by the Lahontan Water Board.

We request that the SPEIR recognize the potential permits that may be required for individual projects, as outlined above. Information regarding these permits, including application forms, can be downloaded from our web site at <http://www.waterboards.ca.gov/lahontan/>.

Thank you for the opportunity to comment on the NOP. If you have any questions regarding this letter, please contact me at (760) 241-7340, (Todd.Batthey@waterboards.ca.gov) or William Muir at (760) 241-3523, (William.Muir@waterboards.ca.gov). Please send all future correspondence regarding this Project to the Water Board's email address at Lahontan@waterboards.ca.gov and be sure to include the State Clearinghouse No. and project name in the subject line.



Todd Batthey PG
Engineering Geologist

cc: State Clearinghouse (SCH 2003011008) (state.clearinghouse@opr.ca.gov)
California Department of Fish and Wildlife (AskRegion6@wildlife.ca.gov)



State of California - Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



November 18, 2019

Mike Szarzynski
City of Victorville
Development Department
14343 Civic Drive
Victorville, CA 92392
mszarzynski@victorvilleca.gov

Subject: Notice of Preparation- Southern California Logistics Airport Specific Plan Amendment (PLAN-19-00004) Draft Subsequent Program Environmental Impact Report State Clearinghouse No. 2003011008

Dear Mr. Szarzynski:

The California Department of Fish and Wildlife (CDFW) appreciates the opportunity to comment on the Notice of Preparation (NOP) of a Draft Subsequent Program Environmental Impact Report (DEIR) for the Southern California Logistics Airport (SCLA) Specific Plan Amendment (PLAN-19-00004) (Project), State Clearinghouse No. 2003011008. CDFW is a Trustee Agency pursuant to the California Environmental Quality Act (CEQA). A Trustee Agency has jurisdiction over certain resources held in trust for the people of California. Trustee agencies are generally required to be notified of CEQA documents relevant to their jurisdiction, whether or not these agencies have actual permitting authority or approval power over aspects of the underlying project (CEQA Guidelines, Section 15386). As the trustee agency for fish and wildlife resources, CDFW provides requisite biological expertise to review and comment upon CEQA documents and makes recommendations regarding those resources held in trust for the people of California.

CDFW may also assume the role of Responsible Agency. A Responsible Agency is an agency other than the Lead Agency that has a legal responsibility for carrying out or approving a project. A Responsible Agency actively participates in the Lead Agency's CEQA process, reviews the Lead Agency's CEQA document and uses that document when making a decision on the project. The Responsible Agency must rely on the Lead Agency's environmental document to prepare and issue its own findings regarding the project (CEQA Guidelines, Sections 15096 and 15381). CDFW most often becomes a responsible agency when a 1600 Streambed Alteration Agreement or a 2081(b) California Endangered Species Act (CESA) Incidental Take Permit (ITP) is needed for a project. CDFW relies on the environmental document prepared by the Lead Agency to make a finding and decide whether to issue the permit or agreement. It is important that the Lead Agency's CEQA document considers CDFW's responsible agency

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requirements. For example, CEQA requires CDFW to include additional feasible alternatives or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment (CEQA Guidelines, section 15096 (g) (2)). In rare cases, CDFW as Responsible Agency may be required to assume the role of the Lead Agency under certain conditions (CEQA Guidelines, section 15052).

Pursuant to California Fish and Game Code section 711.4, CDFW collects a filing fee for all projects subject to CEQA. These filing fees are collected to defray the costs of managing and protecting fish and wildlife resources including, but not limited to, consulting with public agencies, reviewing environmental documents, recommending mitigation measures, and developing monitoring programs. Project applicants need not pay a filing fee in cases where a project will have no effect on fish and wildlife, as determined by CDFW, or where their project is statutorily or categorically exempt from CEQA.

PROJECT DESCRIPTION SUMMARY

Project Location

The Project is located in the County of San Bernardino, in the City of Victorville. The Project area is situated in the northwestern portion of city and encompasses approximately 8,611 acres. The City of Adelanto is located to the north, west, and partially to the south of the Project area. The approximate 8,611 acres is north of Air Expressway, east of Adelanto Road, south of Desert Flower Road, and west of National Trails Highway. The eastern portion of the Project is adjacent to the Mojave River.

Project Description

The Project proposes to amend the SCLA Specific Plan that was approved in 1993 and last amended in 2004. The current amendment proposal has 4 elements that include: 1) decreasing the footprint of the existing SCLA Specific Plan area, including removal of over 1000 acres for industrial development; 2) reflecting development trends, economic and market conditions, and design guidelines; 3) providing description updates of infrastructure serving SCLA and projected requirements for future development; modernizing the SCLA Plan's framework and format to efficiently guide development; 4) modernize the format and framework of the Specific Plan to more efficiently guide development at SCLA.

The Project proposes a reduction of development of new building area to approximately 25,973,000 square feet and includes the primary modifications: changing existing land use district boundaries; reducing development footprint; enlarging acreage for development and removing Overlay of Airport and Support Facilities; creating new land use districts; revising the circulation and infrastructure planning components of the Specific Plan; and updates to design guidelines (i.e. site planning, landscape, architecture, lighting). The rail service facility is no longer proposed.

The Project proposes an establishment of a "Priority Development Area" for likely development within the next 25 years and could result in the 25,973,00 square feet of new building area in 5 phases. The Plan allows flexibility to develop the remaining areas outside of the designated "Priority Development Area" in Phase 6 in 25-50 years. This includes approximately 3,275 undeveloped acres to the north and east (adjacent to the Mojave River) within the Project area.

The NOP states the DEIR will include a Habitat Assessment and Jurisdictional Delineation for the Priority Development Area that will consider potential impacts associated with special status plants and wildlife species, and species of special concern. Sensitive natural communities, riparian habitat, jurisdictional waters, and wildlife corridors will be considered.

To enable CDFW staff to adequately review and comment on the proposed Project, we recommend the following information be included in the DEIR, as applicable:

COMMENTS AND RECOMMENDATIONS

CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (i.e., biological resources); and administers the Natural Community Conservation Planning Program (NCCP Program). CDFW offers the comments and recommendations presented below to assist City of Victorville (Lead Agency) in adequately identifying and/or mitigating the Project's significant, or potentially significant, impacts on biological resources. The comments and recommendations are also offered to enable CDFW to adequately review and comment on the proposed Project with respect to impacts on biological resources. CDFW recommends that the forthcoming DEIR address the following:

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the Project, the DEIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with particular emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats. CDFW recommends that the DEIR specifically include:

1. An assessment of the various habitat types located within the Project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following *The Manual of California Vegetation*, second edition (Sawyer et al. 2009). Adjoining habitat areas should also be included in this assessment where site

activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions;

2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the Project. CDFW's California Natural Diversity Database (CNDDDB) in Sacramento should be contacted at (916) 322-2493 or cnddb@wildlife.ca.gov to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the proposed Project. CDFW recommends that CNDDDB Field Survey Forms be completed and submitted to CNDDDB to document survey results. Online forms can be obtained and submitted at: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. Please note that CDFW's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the potential presence of species within the general area of the Project site.
3. A complete, recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish and Game Code § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.
4. A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see <https://www.wildlife.ca.gov/Conservation/Plants>);

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The DEIR should provide a thorough discussion of the direct, indirect, and cumulative impacts expected to adversely affect biological resources as a result of the Project. To

ensure that Project impacts to biological resources are fully analyzed, the following information should be included in the DEIR:

1. A discussion of potential impacts from lighting, noise, human activity, and wildlife-human interactions created by zoning of development projects or other project activities adjacent to natural areas, exotic and/or invasive species, and drainage. The latter subject should address Project-related changes on drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.
2. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the Project footprint, such as nearby public lands (e.g. National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Natural Community Conservation Plan, or other conserved lands).
3. An evaluation of impacts to adjacent open space lands from both the construction of the Project and long-term operational and maintenance needs.
4. A cumulative effects analysis developed as described under CEQA Guidelines § 15130. Please include all potential direct and indirect Project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Mitigation Measures for Project Impacts to Biological Resources

The DEIR should include appropriate and adequate avoidance, minimization, and/or mitigation measures for all direct, indirect, and cumulative impacts that are expected to occur as a result of the construction and long-term operation and maintenance of the Project. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Several Fully Protected Species (Fish and Game Code § 3511) have the potential to occur within or adjacent to the Project area, including, but not limited to: White-tailed kite (*Elanus leucurus*), American peregrine falcon (*Falco peregrinus anatum*), Swainson's hawk (*Buteo swainsoni*), Cooper's hawk (*Accipiter cooperii*), and golden eagle (*Aquila chrysaetos*). Fully protected species may not be taken or possessed at any time. Project activities described in the DEIR should be designed to completely avoid any fully protected species that have the

potential to be present within or adjacent to the Project area. CDFW also recommends that the DEIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the Lead Agency include in the analysis how appropriate avoidance, minimization and mitigation measures will reduce indirect impacts to fully protected species.

2. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in *The Manual of California Vegetation* (Sawyer et al. 2009). The DEIR should include measures to fully avoid and otherwise protect sensitive plant communities from Project-related direct and indirect impacts.
3. *Mitigation*: CDFW considers adverse Project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the DEIR should include mitigation measures for adverse Project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of Project impacts. For unavoidable impacts, onsite habitat restoration and/or enhancement should be evaluated and discussed in detail. If onsite mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, offsite mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.

The DEIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset Project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

4. *Nesting Birds and Migratory Bird Treaty Act*: Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). In addition, sections 3503, 3503.5, and 3513 of the Fish and Game Code (FGC) also afford protective measures as follows: Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by FGC or any regulation made pursuant thereto; Section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by FGC or any regulation adopted pursuant thereto; and Section 3513

states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

CDFW recommends that the DEIR include the results of avian surveys, as well as specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: Project phasing and timing, monitoring of Project-related noise (where applicable), sound walls, and buffers, where appropriate. The DEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the Project site. If pre-construction surveys are proposed in the DEIR, CDFW recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner.

5. *Translocation of Species*: CDFW generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species as studies have shown that these efforts are experimental in nature and largely unsuccessful.

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA ITP be obtained if the Project has the potential to result in "take" (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of State-listed CESA species, either through construction or over the life of the Project. CESA ITPs are issued to conserve, protect, enhance, and restore State-listed CESA species and their habitats.

CDFW encourages early consultation, as significant modification to the proposed Project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. Please note that the proposed avoidance, minimization, and mitigation measures must be sufficient for CDFW to conclude that the Project's impacts are fully mitigated and the measures, when taken in aggregate, must meet the full mitigation standard. The Project CEQA document should address all Project impacts to listed species and specify a mitigation monitoring and reporting program for CDFW to rely on the CEQA documents for ITP issuance.

Lake and Streambed Alteration Program

Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: Substantially divert

or obstruct the natural flow of any river, stream or lake; Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or Deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

Upon receipt of a complete notification, CDFW determines if the proposed Project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify your Project that would eliminate or reduce harmful impacts to fish and wildlife resources.

CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <https://www.wildlife.ca.gov/Conservation/LSA/Forms>.

Further Coordination

CDFW appreciates the opportunity to comment on the NOP for the Project. Questions regarding this letter and further coordination on these issues should be directed to Ashley Rosales, Environmental Scientist, at (909) 980-8607 or by email at Ashley.Rosales@wildlife.ca.gov.

Sincerely,



Scott Wilson
Environmental Program Manager

cc: California Department of Fish and Wildlife

Ashley Rosales, Environmental Scientist
Inland Deserts Region
Ashley.Rosales@wildlife.ca.gov

Literature Cited

Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A manual of California Vegetation, 2nd ed. California Native Plant Society Press, Sacramento, California.
<http://vegetation.cnps.org/>

NATIVE AMERICAN HERITAGE COMMISSION
Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691 Phone: (916) 373-3710
Email: nahc@nahc.ca.gov
Website: <http://www.nahc.ca.gov>



November 1, 2019

Mike Szarzynski
Victorville, City of
14343 Civic Center Drive, PO Box 5001
Victorville, CA 92392-5001

RE: SCH# 2003011008, Southern California Logistics Airport (SCLA) Specific Plan Amendment (PLAN-19-00004)
Project, San Bernardino County

Dear Mr. Szarzynski:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.



AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Staff Services Analyst

cc: State Clearinghouse



SOUTHERN CALIFORNIA
ASSOCIATION OF GOVERNMENTS
900 Wilshire Blvd., Ste. 1700
Los Angeles, CA 90017
T: (213) 236-1800
www.scag.ca.gov

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Transportation
Cheryl Viegas-Walker, El Centro

November 20, 2019

Mr. Mike Szarzynski
City of Victorville, Development Department
14343 Civic Drive
Victorville, California 92392
Phone: (760) 955-5104
E-mail: mszarzynski@victorvilleca.gov

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Southern California Logistics Airport (SCLA) Specific Plan Amendment [SCAG NO. IGR10043]

Dear Mr. Szarzynski,

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the Southern California Logistics Airport (SCLA) Specific Plan Amendment ("proposed project") to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review (IGR) of programs proposed for Federal financial assistance and direct Federal development activities, pursuant to Presidential Executive Order 12372. Additionally, SCAG reviews the Environmental Impact Reports of projects of regional significance for consistency with regional plans pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.

SCAG is also the designated Regional Transportation Planning Agency under state law, and is responsible for preparation of the Regional Transportation Plan (RTP) including the Sustainable Communities Strategy (SCS) pursuant to Senate Bill (SB) 375. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans.¹ SCAG's feedback is intended to assist local jurisdictions and project proponents to implement projects that have the potential to contribute to attainment of Regional Transportation Plan/Sustainable Community Strategies (RTP/SCS) goals and align with RTP/SCS policies.

SCAG staff has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the Southern California Logistics Airport (SCLA) Specific Plan Amendment in San Bernardino County. The proposed project aims to make several amendments to the 8,611 acre (AC) Southern California Logistics Airport (SCLA) Specific Plan that was last amended in 2004 to modernize the format and framework of the Specific Plan to more efficiently guide future development at SCLA.

When available, please send environmental documentation to SCAG's Los Angeles office in Los Angeles (900 Wilshire Boulevard, Ste. 1700, Los Angeles, California 90017) or by email to au@scag.ca.gov providing, at a minimum, the full public comment period for review.

If you have any questions regarding the attached comments, please contact the Inter-Governmental Review (IGR) Program, attn.: Anita Au, Associate Regional Planner, at (213) 236-1874 or au@scag.ca.gov. Thank you.

Sincerely,

Ping Chang
Manager, Compliance and Performance Monitoring

¹ Lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with the 2016 RTP/SCS for the purpose of determining consistency for CEQA. Any "consistency" finding by SCAG pursuant to the IGR process should not be construed as a determination of consistency with the 2016 RTP/SCS for CEQA.

**COMMENTS ON THE NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
SOUTHERN CALIFORNIA LOGISTICS AIRPORT (SCLA) SPECIFIC PLAN AMENDMENT
[SCAG NO. IGR10043]**

CONSISTENCY WITH RTP/SCS

SCAG reviews environmental documents for regionally significant projects for their consistency with the adopted RTP/SCS. For the purpose of determining consistency with CEQA, lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with the RTP/SCS.

Please note the Draft 2020 RTP/SCS (Connect SoCal) was released for public review on November 14, 2019 until January 24, 2019. The Final Connect SoCal is anticipated to be adopted in April 2020. Please refer to Connect SoCal goals and growth forecast for RTP/SCS consistency for future projects. The Draft Connect SoCal can be reviewed here: <https://www.connectsocial.org/Pages/Connect-SoCal-Draft-Plan.aspx>.

2016 RTP/SCS GOALS

The SCAG Regional Council adopted the 2016 RTP/SCS in April 2016. The 2016 RTP/SCS seeks to improve mobility, promote sustainability, facilitate economic development and preserve the quality of life for the residents in the region. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health (see <http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx>). The goals included in the 2016 RTP/SCS may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project within the context of regional goals and policies. Among the relevant goals of the 2016 RTP/SCS are the following:

SCAG 2016 RTP/SCS GOALS	
RTP/SCS G1:	<i>Align the plan investments and policies with improving regional economic development and competitiveness</i>
RTP/SCS G2:	<i>Maximize mobility and accessibility for all people and goods in the region</i>
RTP/SCS G3:	<i>Ensure travel safety and reliability for all people and goods in the region</i>
RTP/SCS G4:	<i>Preserve and ensure a sustainable regional transportation system</i>
RTP/SCS G5:	<i>Maximize the productivity of our transportation system</i>
RTP/SCS G6:	<i>Protect the environment and health for our residents by improving air quality and encouraging active transportation (e.g., bicycling and walking)</i>
RTP/SCS G7:	<i>Actively encourage and create incentives for energy efficiency, where possible</i>
RTP/SCS G8:	<i>Encourage land use and growth patterns that facilitate transit and active transportation</i>
RTP/SCS G9:	<i>Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies*</i>
<i>*SCAG does not yet have an agreed-upon security performance measure.</i>	

For ease of review, we encourage the use of a side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency or non-applicability of the goals and supportive analysis in a table format. Suggested format is as follows:

SCAG 2016 RTP/SCS GOALS	
Goal	Analysis
RTP/SCS G1: <i>Align the plan investments and policies with improving regional economic development and competitiveness</i>	<i>Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference</i>
RTP/SCS G2: <i>Maximize mobility and accessibility for all people and goods in the region</i>	<i>Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference</i>
etc.	etc.

2016 RTP/SCS STRATEGIES

To achieve the goals of the 2016 RTP/SCS, a wide range of land use and transportation strategies are included in the 2016 RTP/SCS. Technical appendances of the 2016 RTP/SCS provide additional supporting information in detail. To view the 2016 RTP/SCS, please visit: <http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx>. The 2016 RTP/SCS builds upon the progress from the 2012 RTP/SCS and continues to focus on integrated, coordinated, and balanced planning for land use and transportation that the SCAG region strives toward a more sustainable region, while the region meets and exceeds in meeting all of applicable statutory requirements pertinent to the 2016 RTP/SCS. These strategies within the regional context are provided as guidance for lead agencies such as local jurisdictions when the proposed project is under consideration.

DEMOGRAPHICS AND GROWTH FORECASTS

Local input plays an important role in developing a reasonable growth forecast for the 2016 RTP/SCS. SCAG used a bottom-up local review and input process and engaged local jurisdictions in establishing the base geographic and socioeconomic projections including population, household and employment. At the time of this letter, the most recently adopted SCAG jurisdictional-level growth forecasts that were developed in accordance with the bottom-up local review and input process consist of the 2020, 2035, and 2040 population, households and employment forecasts. To view them, please visit <http://www.scag.ca.gov/Documents/2016GrowthForecastByJurisdiction.pdf>. The growth forecasts for the region and applicable jurisdictions are below.

	Adopted SCAG Region Wide Forecasts			Adopted City of Victorville Forecasts		
	Year 2020	Year 2035	Year 2040	Year 2020	Year 2035	Year 2040
Population	19,663,000	22,091,000	22,138,800	123,300	171,100	184,500
Households	6,458,000	7,325,000	7,412,300	37,700	51,400	55,400
Employment	8,414,000	9,441,000	9,871,500	37,600	50,900	52,700

MITIGATION MEASURES

SCAG staff recommends that you review the Final Program Environmental Impact Report (Final PEIR) for the 2016 RTP/SCS for guidance, as appropriate. SCAG’s Regional Council certified the Final PEIR and adopted the associated Findings of Fact and a Statement of Overriding Considerations (FOF/SOC) and Mitigation Monitoring and Reporting Program (MMRP) on April 7, 2016 (please see: <http://scagrtpscs.net/Pages/FINAL2016PEIR.aspx>). The Final PEIR includes a list of project-level performance standards-based mitigation measures that may be considered for adoption and implementation by lead, responsible, or trustee agencies in the region, as applicable and feasible. Project-level mitigation measures are within responsibility, authority, and/or jurisdiction of project-implementing agency or other public agency serving as lead agency under CEQA in subsequent project- and site- specific design, CEQA review, and decision-making processes, to meet the performance standards for each of the CEQA resource categories.

Ashimine, Alan

From: Michael Szarzynski <MSzarzynski@victorvilleca.gov>
Sent: Monday, October 28, 2019 3:16 PM
To: Ashimine, Alan
Cc: Jason M. Huber
Subject: EXTERNAL: FW: NOP - Southern California Logistics Airport SPA (PLAN-19-00004)

From: Travis Armstrong [mailto:TArmstrong@morongo-nsn.gov]
Sent: Monday, October 28, 2019 1:07 PM
To: Michael Szarzynski
Subject: NOP - Southern California Logistics Airport SPA (PLAN-19-00004)

Hello,

Regarding the above referenced project, we have no additional comments to provide at this time.

Thank you for reaching out to our office.

Sincerely,

Travis Armstrong
Tribal Historic Preservation Officer
Morongo Band of Mission Indians
951-755-5259
Email: thpo@morongo-nsn.gov



The information contained in this communication is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, or distribution of this information is strictly prohibited and may be unlawful.

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RECEIVED
OCT 20 2019
DEVELOPMENT DEPT

(760) 955-5135
Fax (760) 269-0070

Date: October 17, 2019

NOTIFICATION OF PLANNING COMMISSION ACTION

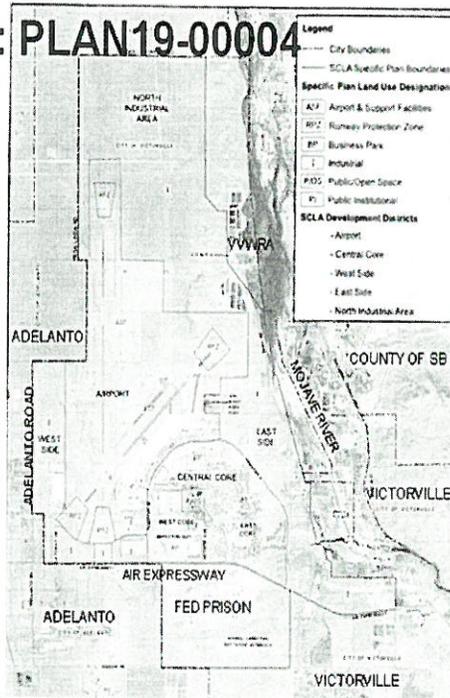
Dear Property Owner:

Michael Baker International is requesting a comprehensive Specific Plan Amendment to update the Southern California Logistics Airport Specific Plan with an environmental impact report on property generally located north of Air Expressway between the Mojave River and Adelanto Road.

Inasmuch as your property is located within a 300-foot radius of property for the project, and pursuant to State Planning Law and/or

Local Ordinance, you are being notified of the Public Hearing on this proposed project. For more details regarding this project, please call Mike Szarzynski, Senior Planner at (760) 955-5135.

CASE: PLAN19-00004



Case Type: Specific Plan Amendment
Existing Zoning: SCLA Specific Plan
Parcel Size: Approx. 8,611 Acres
Location: Air Expressway and Adelanto Road
Assessor Parcel Nos: Multiple Parcels

The Public Hearing will be held before the Planning Commission on October 30, 2019, City Hall Conference Room D, 14343 Civic Drive, Victorville, California at 5:00 P.M.

If you do not plan to attend the Public Hearing and wish to have your comments made part of the written record, please provide any comments and/or recommendations regarding the proposed project in the space below and return prior to October 24, 2019. All comments and/or recommendations will become public information and be provided to the Planning Commission in its deliberations on this proposal. Meetings can be viewed live at www.victorvilleca.gov/government/agendas.

PLEASE RESPOND IN BLACK INK SO IT CAN BE REPRODUCED.

Opinions and/or recommendations: I am oppose to any plan that would suppress any future appreciation or benefits to owners

Signature: [Handwritten Signature] Assessor's Parcel No. _____

Address: (Please Print) _____

CITY OF VICTORVILLE
PLANNING DIVISION
PO BOX 5001
VICTORVILLE CA 92393-5001

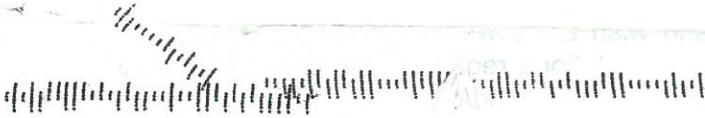


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CITY OF VICTORVILLE
DEVELOPMENT DEPARTMENT
Planning Division
PO BOX 5001
VICTORVILLE CA 92393-5001

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APN: 0459-032-50
ALMAZAN, ROLAND D

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