

# Appendix A

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Initial Study, Notice of Preparation, and Scoping Comments



# **Initial Study Hesperia Commerce Center II Project**

*Prepared for:*

**City of Hesperia, Planning Department**

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Hesperia, California 92345

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**NOVEMBER 2019**





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# Acronyms and Abbreviations

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Acronym/Abbreviation	Definition
Alquist–Priolo Act	Alquist–Priolo Earthquake Zoning Act
BMP	best management practice
Caltrans	California Department of Transportation
CBC	California Building Code
CEQA	California Environmental Quality Act
CIBP	Commercial/Industrial Business Park
City	City of Hesperia
County	County of San Bernardino
EIR	environmental impact report
FHSZ	Fire Hazard Severity Zone
GHG	greenhouse gas
I	Interstate
IS	Initial Study
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
project	Hesperia Commerce Center II
project Applicant	Covington Group
RTP	Regional Transportation Plan
SBCFD	San Bernardino County Fire Department
SBCSD	San Bernardino County Sheriff's Department
SCAQMD	South Coast Air Quality Management District
SCS	Sustainable Communities Strategy
Specific Plan	Main Street and Freeway Corridor Specific Plan
U.S. Route	US

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# 1 Introduction

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## 1.1 Project Overview

The City of Hesperia (City) received an application from the Covington Group (project Applicant) for the development of the Hesperia Commerce Center II (project). The project includes construction of three industrial/warehouse buildings on an approximately 194.8-acre project site generally located on the northwest corner of Phelan Road and Highway 395 in the City. Building 1 (the northwesternmost building) would be 1,561,582 square feet, Building 2 (the southernmost building) would be 2,068,100 square feet, which would potentially be divided between two spaces within the same building, and Building 3 (the easternmost building) would be 112,908 square feet. In total, the project would provide 3,742,590 square feet of industrial/warehouse space and associated improvements, including loading docks, truck and vehicle parking, and landscape areas. Implementation of the project will require the following approvals from the City:

- Approval of Conditional Use Permit (CUP19-00010)
- Approval of a Tentative Parcel Map
- Approval of Development Agreement

## 1.2 California Environmental Quality Act Compliance

The California Environmental Quality Act (CEQA) serves as the main framework of environmental law and policy in California. CEQA emphasizes the need for public disclosure and identifying and preventing environmental damage associated with proposed projects. Unless the project is deemed categorically or statutorily exempt, CEQA is applicable to any project that must be approved by a public agency in order to be processed and established. The proposed project considered herein does not fall under any of the statutory or categorical exemptions listed in the 2018 CEQA Statute and Guidelines (California PRC, Section 21000 et seq.; 14 CCR 15000 et seq.); therefore, it must meet CEQA requirements.

The intent of this document is to provide an overview and analysis of the environmental impacts associated with the proposed project by the City, acting as the lead agency. The document is accessible to the public, in accordance with CEQA, in order to receive feedback on the project's potential impacts, as well as the scope of the project's environmental impact report (EIR) (14 CCR Section 15121[a]).

## 1.3 Availability of the Notice of Preparation and Initial Study

The Initial Study (IS)/Notice of Preparation (NOP) for the project is being distributed directly to agencies, organizations, and interested groups and persons during the scoping period. The IS/NOP is also available for review at the City of Hesperia, Planning Department, 9700 Seventh Avenue, Hesperia, California 92345.

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## 2 Project Description

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### 2.1 Project Location

The approximately 194.8-acre project site is located in the western part of the City, which is found within the Victor Valley region of San Bernardino County (see Figure 1). The project site is located on the northwest quadrant of Highway 395 and Phelan Road/Main Street, and is bound by Yucca Terrace Drive to the north, Highway 395 to the east, Phelan Road to the south, and Los Angeles Bureau of Water and Power utility corridor to the west. The project site consists of Assessor's Parcel Numbers 306435103, 306436101, 306439101, and 306440102. Specifically, the project is located in Section 16, Township 4 North, Range 5 West, as depicted on the U.S. Geological Survey *Baldy Mesa, California* 7.5-minute topographic quadrangle map. Regional access to the project site includes Highway 395, immediately adjacent to the east, and Interstate (I) 15, located approximately 1 mile east.

### 2.2 Environmental Setting

#### **City of Hesperia**

The City is approximately 110 square miles in the Victor Valley region of San Bernardino County. The City is located within the Mojave Desert, which is a region containing desert plains, dry lakebeds, and scattered mountains. The southern portion of the City lies at the foothills of the San Bernardino Mountains and National Forest. The City contains a variety of slope conditions, with the foothill areas containing significant slopes and the majority of the City being primarily level. The central and northern portions of the City lie upon a moderate to gentle slope with elevations ranging from 2,900 feet to 4,200 feet. Generally, the City is an urban community with a broad mix of land uses, including housing, commercial, office, industrial, agriculture, and public serving uses. The eastern and southern portions of the City contain generally rural residential uses. Commercial uses follow Main Street, Bear Valley and Hesperia Roads, and the freeway corridor. Industrial uses are generally divided into two areas west of the I-15 freeway and east of Highway 395, and the eastern area between the BNSF railroad lines and I Avenue north of Main Street.

The City is bordered by the City of Victorville to the north, City of Apple Valley to the east, unincorporated San Bernardino County land to the south, and the unincorporated community of Oak Hills to the west. Three highways provide direct access to the City: I-15 runs north-south on the west side of the City, Highway 395 connects to I-15 on the west side, and State Route 138 passes through the southeastern corner of the City (City of Hesperia 2010).

#### **Existing Project Site**

The approximately 194.8-acre, irregularly-shaped project site consists of vacant, undeveloped land. The project site is located within the Main Street and Freeway Corridor Specific Plan (Specific Plan). According to the City's General Plan and Specific Plan, the land use and zoning designations for the project site are Commercial/Industrial Business Park (CIBP) (City of Hesperia 2010; City of Hesperia 2014) (see Figure 2 and Figure 3).

## Surrounding Land Uses

Land uses surrounding the project site primarily consist of vacant land, along with some scattered residential, commercial, light industrial, and utility uses. Specific land uses located in the immediate vicinity of the project site include the following:

- **North:** Vacant land and scattered commercial, light industrial, and rural residential uses
- **East:** Vacant land, Highway 395, and residential uses
- **South:** Vacant land and scattered rural residential, commercial, and light industrial uses
- **West:** Utility corridor, vacant land, and rural residential uses

## 2.3 Project Characteristics

The project would include construction of three industrial/warehouse buildings and associated improvements on 194.8-acres of vacant land (see Figure 4). Building 1 (the northwesternmost building) would be 1,561,582 square feet (inclusive of 20,000 square feet of office/mezzanine), Building 2 (the southernmost building) would be 2,068,100 square feet (inclusive of 20,000 square feet of office/mezzanine), which would potentially be divided between two spaces within the same building<sup>1</sup>, and building 3 (the easternmost building) would be 112,908 square feet (inclusive of 5,000 square feet of office/mezzanine). In total, the project would provide 3,742,590 square feet of industrial/warehouse space and associated improvements, including loading docks, tractor-trailer stalls, passenger vehicle parking spaces, and approximately 7 percent landscape area coverage.

### On-Site and Off-Site Improvements

The project would also include improvements along Phelan Road and Yucca Terrace Drive, including frontage landscape and pedestrian improvements. A variety of trees, shrubs, plants, and land covers would be planted within the project frontage's landscape setback area, as well as within the landscape areas found around the proposed industrial/warehouse buildings and throughout the project site.

### Site Access, Circulation, and Parking

Access to the project site would be provided by five driveways: two driveways on the northern project boundary off Yucca Terrace Drive, one driveway on the easternmost part of the project site off Highway 395, and two driveways on the southern project boundary off Phelan Road. Paved passenger vehicle parking areas would be provided within the western and eastern portions of the project site, while tractor-trailer stalls and loading docks would be located both north and south of Building 1 and Building 2. In total, the project would provide 3,742,590 square feet of industrial/warehouse space and associated improvements, including loading docks, approximately 1,762 tractor-trailer stalls, roughly 1,611 passenger vehicle parking spaces, and approximately 7 percent landscape area coverage.

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<sup>1</sup> As shown on Figure 4, Site Plan, Building 2 could ultimately be divided between two users. Under this scenario, "Building 2" would be 1,287,000 square feet (inclusive of 10,000 square feet of office/mezzanine) and the adjoining "Building 2A" would be 781,100 square feet (inclusive of 10,000 square feet of office/mezzanine).



### **Storm Drain and Other Utility Improvements**

The project would construct a combination of at grade detention basin and potentially subsurface catch basins to capture and treat on-site stormwater. Also, given the vacant, undeveloped nature of the project site, both dry and wet utilities, including domestic water, sanitary sewer, and electricity, would need to be extended onto the project site.

## **2.4 Project Approvals**

As part of the project, the project Applicant is requesting approval of the following entitlements:

- Approval of Conditional Use Permit (CUP19-00010)
- Approval of a Tentative Parcel Map
- Approval of Development Agreement

Subsequent non-discretionary approvals (which would require separate processing through the City) would include, but may not be limited to a demolition permit, grading permit, building permits, and occupancy permits.

Note that the preceding list of actions and/or approvals is preliminary and may not be comprehensive.

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# 3 Initial Study Checklist

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**1. Project title:**

Hesperia Commerce Center II

**2. Lead agency name and address:**

City of Hesperia, Planning Department  
9700 Seventh Avenue  
Hesperia, California 92345

**3. Contact person:**

Chris Borchert, Principal Planner  
760.947.1231  
cborchert@cityofhesperia.us

**4. Project location:**

The project site is located on the northwest quadrant of Highway 395 and Phelan Road/Main Street, and is bound by Yucca Terrace Drive to the north, Highway 395 to the east, Phelan Road to the south, and Los Angeles Bureau of Water and Power utility corridor to the west. The project site consists of Assessor's Parcel Numbers 306435103, 306436101, 306439101, and 306440102. Specifically, the project is located in Section 16, Township 4 North, Range 5 West, as depicted on the U.S. Geological Survey *Baldy Mesa, California* 7.5-minute topographic quadrangle map.

**5. Project sponsor's name and address:**

Covington Group  
14180 Dallas Parkway, Suite 713  
Dallas, Texas 75254

**6. General plan designation:**

Main Street / Freeway Corridor Specific Plan – Commercial/Industrial Business Park

**7. Zoning:**

Commercial/Industrial Business Park

**8. Description of project:**

The project includes construction of three industrial/warehouse buildings on an approximately 194.8-acre project site generally located on the northwest corner of Phelan Road and Highway 395 in the City. Building 1 (the northwesternmost building) would be 1,561,582 square feet, Building 2 (the southernmost building) would be 2,068,100 square feet, which would potentially be divided between two spaces within the same

building, and Building 3 (the easternmost building) would be 112,908 square feet. In total, the project would provide 3,742,590 square feet of industrial/warehouse space and associated improvements, including loading docks, truck and vehicle parking, and landscape areas.

See Section 2, Project Description, for further project details.

**9. Surrounding land uses and setting:**

Land uses surrounding the project site primarily consist of vacant land, along with some scattered residential, commercial, light industrial, and utility uses. Specific land uses located in the immediate vicinity of the project site include the following:

- **North:** Vacant land and scattered commercial, light industrial, and rural residential uses
- **East:** Vacant land, Highway 395, and residential uses
- **South:** Vacant land and scattered rural residential, commercial, and light industrial uses
- **West:** Utility corridor, vacant land, and rural residential uses

**10. Other public agencies whose discretionary approval is required:**

No discretionary approvals from other outside agencies is anticipated at this time.

**11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

In accordance with California Assembly Bill 52 requirements, the City will initiate Tribal consultation, the results of which will be summarized in the Draft Environmental Impact Report (EIR).

### Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact,” as indicated by the checklist on the following pages.

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture and Forestry Resources  | <input checked="" type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources          | <input checked="" type="checkbox"/> Cultural Resources       | <input checked="" type="checkbox"/> Energy                             |
| <input checked="" type="checkbox"/> Geology and Soils             | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards and Hazardous Materials    |
| <input checked="" type="checkbox"/> Hydrology and Water Quality   | <input type="checkbox"/> Land Use and Planning               | <input type="checkbox"/> Mineral Resources                             |
| <input checked="" type="checkbox"/> Noise                         | <input type="checkbox"/> Population and Housing              | <input type="checkbox"/> Public Services                               |
| <input type="checkbox"/> Recreation                               | <input checked="" type="checkbox"/> Transportation           | <input checked="" type="checkbox"/> Tribal Cultural Resources          |
| <input checked="" type="checkbox"/> Utilities and Service Systems | <input checked="" type="checkbox"/> Wildfire                 | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

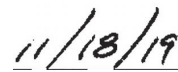
**Determination (To be completed by the Lead Agency)**

On the basis of this initial evaluation:

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



Signature



Date

**Evaluation of Environmental Impacts**

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are “Less Than Significant With Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance

### 3.1 Aesthetics

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS</b> – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Potentially Significant Impact.** The project would include construction of three industrial/warehouse buildings and associated improvements on currently undeveloped, vacant land. In total, the project would provide 3,742,590 square feet of industrial/warehouse space and associated improvements, including loading docks, tractor-trailer stalls, passenger vehicle parking spaces, and landscape areas. Due to this proposed increase in on-site development intensity, there is a potential for the project to effect views in public views of scenic vistas or otherwise alter the existing visual character or quality of public views, despite the fact that the project must be designed and constructed in accordance with the design standards set forth both the Specific Plan and the



City's Development Code. In addition, implementation of the project would include the installation of new nighttime lighting, which could potentially adversely affect nighttime views in the area. Such lighting would include lighting for on-site parking and facilities, as well as light generated by vehicles entering and exiting the project site. Therefore, these issues will be analyzed in the Draft EIR.

## 3.2 Agriculture and Forestry Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>II. AGRICULTURE AND FORESTRY RESOURCES</b> – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) ***Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?***

**No Impact.** According to the California Department of Conservation's California Important Farmland Finder, the project site contains grazing land (DOC 2016a). Grazing land is described as land on which the existing vegetation is suited to the grazing of livestock. Grazing land does not include land designated or previously designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (collectively "Important Farmland"). Therefore, no impacts would occur, and no further analysis is proposed for the Draft EIR.

- b) ***Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?***

**No Impact.** According the California Department of Conservation's Williamson Act Parcel map for South San Bernardino County, the project site is not located on or adjacent to any lands under a Williamson Act contract (DOC 2016b). In addition, the project site and surrounding area are not zoned for agricultural uses, but instead for CIBP, rural estate residential, and neighborhood commercial uses (City of Hesperia 2010). As such, implementation of the project would not conflict with existing zoning for agricultural use or land under a Williamson Act contract. Therefore, no impacts would occur, and no further analysis is proposed for the Draft EIR.

- c) ***Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?***

**No Impact.** According to the City's Zoning Map, the project site is not located on or adjacent to forestland, timberland, or timberland zoned timberland production (City of Hesperia 2010). Therefore, no impacts would occur, and no further analysis is proposed for the Draft EIR.

- d) ***Would the project result in the loss of forest land or conversion of forest land to non-forest use?***

**No Impact.** The project site is not located on or adjacent to forestland. No private timberlands or public lands with forests are located in the City. Therefore, no impact would occur, and no further analysis is proposed for the Draft EIR.

- e) ***Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?***

**No Impact.** The project site is not located on or adjacent to any parcels identified as Important Farmland or forestland. In addition, the project would not involve changes to the existing environment that would result in the indirect conversion of Important Farmland or forestland located away from the project site. Therefore, no impacts would occur, and no further analysis is proposed for the Draft EIR.

### 3.3 Air Quality

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>III. AIR QUALITY</b> – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Potentially Significant Impact.** Project construction and operations would involve activities that would generate both short-term and long-term criteria pollutant and other emissions. Further air quality analysis is required to determine whether the project could potentially result in any adverse effects related to air quality. Therefore, these issues will be analyzed in the Draft EIR.

## 3.4 Biological Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES – Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Potentially Significant Impact.** Implementation of the project would result in construction and operational activities upon a currently undeveloped, vacant site. Such activities could potentially have an adverse effect on candidate, sensitive, or special-status species, sensitive natural communities, migratory wildlife corridors, and protected trees. Further biological resources analysis is required to determine whether the project could potentially result in any adverse effects related to biological resources. Therefore, these issues will be analyzed further in the Draft EIR.

### 3.5 Cultural Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES – Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Potentially Significant Impact.** Implementation of the project would result in construction and operational activities upon a currently undeveloped, vacant site. Such activities could potentially have an adverse effect on currently unrecorded, unknown historical, archaeological, or Tribal cultural resources. Further cultural resources analysis is required to determine whether the project could potentially result in any adverse effects related to cultural resources. Therefore, these issues will be analyzed further in the Draft EIR.

### 3.6 Energy

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VI. Energy – Would the project:</b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Potentially Significant Impact.** Project construction and operations would involve activities that would require the use of energy, including electricity and petroleum. Further energy usage analysis is required to determine whether the project could potentially result in any adverse effects related to energy consumption. Therefore, these issues will be analyzed in the Draft EIR.

### 3.7 Geology and Soils

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VII. GEOLOGY AND SOILS</b> – Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



a) ***Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:***

i) ***Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.***

**No Impact.** The Alquist–Priolo Earthquake Zoning Act (Alquist–Priolo Act) requires the delineation of fault zones along active faults in California. The purpose of the Alquist–Priolo Act is to regulate development on or near active fault traces to reduce hazards associated with fault rupture. The Alquist–Priolo Earthquake Fault Zones are the regulatory zones that include surface traces of active faults. According to the California Department of Conservation, the project site is not located in an Alquist–Priolo Earthquake Fault Zone (DOC 2019). Thus, the potential for surface rupture is low on the project site. Therefore, no impacts would occur, and this issue will not be evaluated further in the Draft EIR.

ii) ***Strong seismic ground shaking?***

**Less-Than-Significant Impact.** Similar to other areas located in seismically active Southern California, the City is susceptible to strong ground shaking during an earthquake. However, the project site is not located within an Alquist–Priolo Earthquake Fault Zone, and the site would not be affected by ground shaking more than any other area in this seismic region. The project would comply with the most recent version of the California Building Code (CBC), which contains universal standards related to seismic load requirements. Compliance with the CBC would ensure the structural integrity in the event that seismic ground shaking is experienced at the project site. Therefore, impacts would be less than significant, and no further analysis will be conducted in the Draft EIR.

iii) ***Seismic-related ground failure, including liquefaction?***

**Less-Than-Significant Impact.** Soil liquefaction is a seismically induced form of ground failure that has been a major cause of earthquake damage in Southern California. Liquefaction is a process by which water-saturated granular soils transform from a solid to a liquid state because of a sudden shock or strain such as an earthquake. Due to the existing geologically young, loose, unconsolidated sediments throughout the City, liquefaction has the potential to occur within the City. However, the project would comply with the most recent version of the CBC, which contains universal standards related to the project site's specific soil characteristics. Compliance with the CBC would ensure the structural integrity in light of seismic-related issues experience at the project site. Therefore, impacts would be less than significant, and no further analysis will be conducted in the Draft EIR.

iv) ***Landslides?***

**No Impact.** According to Exhibit SF-1 of the City's General Plan Safety Element (City of Hesperia 2010), the project site is not located in an area identified as susceptible to slope instability. The project site is relatively flat and is not located adjacent to any potentially unstable topographical feature such as a hillside or riverbank. Therefore, no impacts would occur, and no further analysis will be conducted in the Draft EIR.



**b) *Would the project result in substantial soil erosion or the loss of topsoil?***

**Less-Than-Significant Impact.** The project would involve earthwork and other construction activities that would disturb surface soils and temporarily leave exposed soil on the ground's surface. Common causes of soil erosion from construction sites include stormwater, wind, and soil being tracked off site by vehicles. To help curb erosion, project construction activities must comply with all applicable federal, state, and local regulations for erosion control. The project would be required to comply with standard regulations, including South Coast Air Quality Management District (SCAQMD) Rules 402 and 403, which would reduce construction erosion impacts. Rule 402 requires that dust suppression techniques be implemented to prevent dust and soil erosion from creating a nuisance off site (SCAQMD 1976). Rule 403 requires that fugitive dust be controlled with best available control measures so that it does not remain visible in the atmosphere beyond the property line of the emissions source (SCAQMD 2005).

Since project construction activities would disturb 1 or more acres, the project must adhere to the provisions of the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. Construction activities subject to this permit include clearing, grading, and ground disturbances such as stockpiling and excavating. The NPDES Construction General Permit requires implementation of a stormwater pollution prevention plan, which would include construction features for the project (i.e., best management practices [BMPs]) designed to prevent erosion and protect the quality of stormwater runoff. Sediment-control BMPs may include stabilized construction entrances, straw wattles on earthen embankments, sediment filters on existing inlets, or the equivalent. Therefore, impacts would be less than significant, and no further analysis will be conducted in the Draft EIR.

**c) *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?***

**Less-Than-Significant Impact.** Project activities may occur in geologically unstable areas such as zones of potential liquefaction or collapsible soils. However, the project would comply with the most recent version of the CBC, which contains universal standards related to the project site's specific soil characteristics. Compliance with the CBC would ensure the structural integrity in light of seismic-related issues experienced at the project site. Therefore, impacts would be less than significant, and no further analysis will be conducted in the Draft EIR.

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

**Less-Than-Significant Impact.** Expansive soils are characterized by their potential shrink/swell behavior. Shrink/swell is the change in volume (expansion and contraction) that occurs in certain fine-grained clay sediments from the cycle of wetting and drying. Clay minerals are known to expand with changes in moisture content. The higher the percentage of expansive minerals present in near-surface soils, the higher the potential for substantial expansion.

According to the City's General Plan, the City's soils are mostly comprised of water-laid sand, silt, and gravel (City of Hesperia 2010). In addition, the U.S. Department of Agriculture's Web Soil Survey does not identify the project site or surrounding area as containing clay soils, which are typically expansive. The project site is documented as 100% Cajon Sand, which does not exhibit significant shrink/swell behavior (USDA 2019). Therefore, impacts would be less than significant, and no further analysis will be conducted in the Draft EIR.

- e) **Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?**

**Less-Than-Significant Impact.** The project would connect to the existing municipal sewer lines. The project would not require septic tanks or alternative wastewater disposal systems. Therefore, no impacts would occur, and no further analysis will be conducted in the Draft EIR.

- f) **Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

**Potentially Significant Impact.** According to the City's General Plan Conservation Element, the City has potential for paleontological finds (City of Hesperia 2010). As such, development and construction activities associated with the project have the potential to unearth potentially significant paleontological resources. Therefore, impacts would be potentially significant, and further analysis is proposed in the Draft EIR.

### 3.8 Greenhouse Gas Emissions

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VIII. GREENHOUSE GAS EMISSIONS – Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a) **Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

- b) **Would the project generate conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

**Potentially Significant Impact.** Project construction and operations would involve activities that would generate both short-term and long-term greenhouse gas (GHG) emissions. Further GHG analysis is required to determine whether the project could potentially result in any adverse effects related to GHGs. Therefore, these issues will be analyzed in the Draft EIR.

### 3.9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*
- b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*
- g) *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?*

**Potentially Significant Impact.** Development of the project would result in the construction of three industrial/warehouse buildings and associated improvements on currently undeveloped, vacant land. Project implementation could potentially result in impacts related to hazardous materials and wildland fire. Therefore, these issues will be analyzed in the Draft EIR.

- c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

**No Impact.** The nearest school to the project site is San Joaquin Valley College (9331 Mariposa Road), which is located approximately 1.4 miles southeast of the site. As such, the closest school is located well outside of a 0.25-mile radius around the project site. Therefore, no impacts would occur, and this issue will not be evaluated further in the Draft EIR.

- d) *Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

**No Impact.** The Hazardous Waste and Substances Sites list (Cortese List) is a planning document providing information about the location of hazardous materials release sites. California Government Code Section 65962.5 requires the California Environmental Protection Agency to develop, at least annually, an updated Cortese List. The Department of Toxic Substances Control is responsible for a portion of the information contained in the Cortese List. Other state and local government agencies are required to provide additional hazardous materials release information for the Cortese List (CalEPA 2019). A review of Cortese List online data resources does not identify hazardous materials or waste sites on the project site or immediately surrounding area (DTSC 2019; RWQCB 2019). Therefore, no impacts would occur, and this issue will not be evaluated further in the Draft EIR.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

**No Impact.** The nearest operational public-use airport to the project site is the Hesperia Airport, which is located approximately 6.2 miles to the south. The airport is located on the Mesa, west of Antelope Valley wash and south of Ranchero Road. According to the Comprehensive Land Use Plan, the project site is not located within a runway protection zone or safety zone area, which would have potential safety and noise impacts (San Bernardino County 1991). Therefore, impacts would not occur, and this issue will not be evaluated further in the Draft EIR.

f) **Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

**Less-Than-Significant Impact.** According to the City's Mitigation Plan, the project would be required to comply with the City's Emergency Operations Plan (City of Hesperia 2017). The City Emergency Operations Plan provides a framework for coordinated response and recovery activities during an emergency (City of Hesperia 2017). In addition, the City's General Plan designates all freeways and arterial roads as emergency evacuation routes. Typically, roadway facilities designated by the City's General Plan Safety Element as major, primary, or secondary highways, as well as other streets with regional access are assumed to serve as evacuation routes in the event of a regional emergency. As roadways capable of supporting high traffic volumes and providing regional access to other highways, freeways, and neighboring jurisdictions, both Main Street and Highway 395 are expected to serve as emergency evacuation routes in the event of an emergency. The project does not propose any changes to the geometry of these roadways to the extent that these roadways' ability to serve as emergency evacuation routes would be compromised. As a result, the project would not significantly affect emergency response or evacuation activities. Therefore, impacts would be less than significant, and this issue will not be evaluated further in the Draft EIR.

### 3.10 Hydrology and Water Quality

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>X. HYDROLOGY AND WATER QUALITY – Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on or off site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a) *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*
- b) *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*
- c) *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
- ii) *substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site;*
- iii) *create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or*
- iv) *impede or redirect flood flows?*
- e) *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

**Potentially Significant Impact.** Implementation of the project would result in construction and operational activities upon a currently undeveloped, vacant site. Such activities could potentially have an adverse effect on existing drainage patterns, which could subsequently impact surface and ground water quality, as well as both on-site and local hydrology. Therefore, these issues will be analyzed in the Draft EIR.



- c) *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

- i) *result in substantial erosion or siltation on or off site;*

**Less-Than-Significant Impact.** The project would involve earthwork and other construction activities that would disturb surface soils and temporarily leave exposed soil on the ground's surface. Common causes of soil erosion from construction sites include stormwater, wind, and soil being tracked off site by vehicles. To help curb erosion, project construction activities must comply with all applicable federal, state, and local regulations for erosion control. The project would be required to comply with standard regulations, including SCAQMD Rules 402 and 403, which would reduce construction erosion impacts. Rule 402 requires that dust suppression techniques be implemented to prevent dust and soil erosion from creating a nuisance off site (SCAQMD 1976). Rule 403 requires that fugitive dust be controlled with best available control measures so that it does not remain visible in the atmosphere beyond the property line of the emissions source (SCAQMD 2005).

Since project construction activities would disturb 1 or more acres, the project must adhere to the provisions of the NPDES Construction General Permit. Construction activities subject to this permit include clearing, grading, and ground disturbances such as stockpiling and excavating. The NPDES Construction General Permit requires implementation of a stormwater pollution prevention plan, which would include construction features for the project (i.e., BMPs) designed to prevent erosion and protect the quality of stormwater runoff. Sediment-control BMPs may include stabilized construction entrances, straw wattles on earthen embankments, sediment filters on existing inlets, or the equivalent. Therefore, impacts would be less than significant, and no further analysis will be conducted in the Draft EIR.

- d) *In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?*

**Less-Than-Significant Impact.** The project would not be susceptible to flood hazards, tsunami, or seiche. Seiche is generally associated with oscillation of enclosed bodies of water (e.g., reservoirs, lakes) typically caused by ground shaking associated with a seismic event; however, the project site is not located near an enclosed body of water. Flooding from tsunami conditions is not expected, since the project site is located approximately 60 miles from the Pacific Ocean.

In addition, the Federal Emergency Management Agency Flood Map Service Center identifies the project site as Zone X, which is classified as an area of minimal flood hazard, outside of the Special Flood Hazard Area and higher than the elevation of the 0.2%-annual-chance flood (FEMA 2019). As such, the project would not risk release of pollutants due to inundation. Therefore, impacts associated with seiche, tsunami, or flooding would be less than significant, and this issue will not be evaluated further in the Draft EIR.

### 3.11 Land Use and Planning

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XI. LAND USE AND PLANNING</b> – Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a) Would the project physically divide an established community?**

**No Impact.** The physical division of an established community typically refers to the construction of a linear feature (e.g., a major highway or railroad tracks) or removal of a means of access (e.g., a local road or bridge) that would impair mobility within an existing community or between a community and outlying area.

Under the existing condition, the project site is vacant land and is not used as a connection between established communities. Instead, connectivity within the area surrounding the project site is facilitated via local roadways. As such, the project would not impede movement within the project area, within an established community, or from one established community to another. Therefore, no impacts would occur, and this issue will not be evaluated further in the Draft EIR.

**b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

**Less-Than-Significant Impact.** The project would not result in a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, as further discussed below.

**City of Hesperia Land Use Plans, Policies, and Regulations**

**General Plan**

Pursuant to state law, specific plans establish land use regulations for those areas covered by the Specific Plan. The General Plan designates the Specific Plan to cover all freeway frontages within the City as well as the commercial and industrial areas parallel to the freeway corridor. The goals, policies, and development standards applicable to the project are found in the Specific Plan.

**Main Street and Freeway Corridor Specific Plan**

The Specific Plan establishes a framework for the Main Street and freeway corridors and is intended to facilitate and support development and improvements along these corridors. The regulations of the specific plan replace those set forth in the planning and zoning provisions of the City's Development Code, and any other applicable ordinances.



The project site is zoned and designated by the Specific Plan as CIBP (City of Hesperia 2014). The project site would be developed in accordance with the provisions set forth in this land use designation. The Specific Plan lists CIBP as one of two industrial zones. The CIBP zone is meant to create consolidated areas for employment-creating uses in a business park setting. The zone is intended to provide for service commercial, light industrial, light manufacturing, and industrial support uses, mainly conducted in enclosed buildings, to minimize environmental impacts such as noise, vibration, air pollution, glare, or waste disposal. The CIBP zone falls within three land use districts, Main Street/I-15 District, Highway 395/I-15 District, and Industrial District. The Main Street/I-15 and Highway 395/I-15 Districts provide enhanced vehicular, truck, and rail accessibility by taking advantage of their location along the I-15 corridor with its connection to Highway 395, and its linkage to the Southern California Logistics Airport. The project site falls within the Main Street/I-15 District. The Main Street/I-15 District takes advantage of regional freeway accessibility and visibility through high-quality development and streetscape enhancements.

Among the permitted uses in the CIBP zone, warehousing and wholesale distribution centers are permitted at 200,000 square feet or less. Warehouses and wholesale distribution centers over 200,000 square feet are conditionally permitted. The Specific Plan states that the maximum gross floor area ratio in CIBP zones is 0.35 (City of Hesperia 2014). Additionally, maximum building height within the zone is 60 feet with the exception that buildings height shall be limited to 45 feet within the portion of the site that falls with 100 feet of an adjacent residential zone (City of Hesperia 2014).

The project would include construction of a total of 3,596,290 square feet of warehousing use, which would require a Conditional Use Permit. As part of the project approvals, the project Applicant is requesting approval of a Conditional Use Permit. Assuming that the City's decision makers approve the Conditional Use Permit, the project would be an allowable use within the CIBP zone. Additionally, the project plans would be reviewed by City staff to ensure consistency with all applicable development standards and regulations.

The Specific Plan contains several goals and policies that address land use and planning and are applicable to the project. An analysis of the project's consistency with these goals and policies is provided in Table 1.

**Table 1. Specific Plan Consistency Analysis**

Specific Plan Goal or Policy	Consistency Summary
<b>Specific Plan Goal: LU-1b:</b> Provide for continuing growth within the Specific Plan area, with land uses and intensities appropriately designated to meet the needs of anticipated growth and to achieve the community's objectives.	<b>Consistent.</b> The project would include construction of three warehouse buildings. The project site is designated as CIBP and would support the expansion of regional commercial development. Additionally, the project would support the City's goal of increasing jobs within the City and balancing the job to housing ratio. Therefore, the project would be consistent with the goal.
<b>Policy LU-1.1:</b> With the adoption of the Main Street and Freeway Corridor Specific Plan, establish land use districts that have complimentary rather than competitive uses/zones, and maintain the integrity of and interrelationships between these zones.	<b>Consistent.</b> The project site would be located in the Specific Plan's Main Street/I-15 District. The Main Street/I-15 District is intended for mixed-use development to enhance large-scale regional commercial and service uses. The project would be compatible with the Main Street/I-15 District and be consistent with its land use designation of CIBP. Therefore, the project would be consistent with the goal.

**Table 1. Specific Plan Consistency Analysis**

Specific Plan Goal or Policy	Consistency Summary
<b>Goal LU-2:</b> Create a jobs/housing balance in the City.	<b>Consistent.</b> For purposes of analyses, employment estimates were calculated using average employment density factors reported by SCAG. SCAG reports that for every 2,111 square feet of warehouse space in San Bernardino County, the median number of jobs supported is one employee (SCAG 2001). As such, the estimated number of employees required for operation would be approximately 1,777. According to the City's 2019 SCAG profile, the total number of jobs in the City of Hesperia during 2017 was 22,513 (SCAG 2019). Additionally, in 2018, the total number of housing units in the City was 29,601 (SCAG 2019). As such, jobs generated from the project would contribute to balancing the jobs/housing ratio. Therefore, the project would be consistent with the goal.
<b>Policy LU-2.1:</b> Designate land near Interstate-15 and Highway 395 for freeway-oriented commercial and industrial/business park development.	<b>Consistent.</b> The project is located approximately 1.4 miles west of I-15. Additionally, a small section of the project borders Highway 395. The project site and surrounding area to the north and partially to the east and south are designated as CIBP. The project would include construction of three warehouse buildings. Therefore, the project is consistent with the policy.
<b>Policy LU-2.2:</b> Add to the City's industrial land base where logically and physically possible to do so.	<b>Consistent.</b> Under existing conditions, the project site is vacant, undeveloped land. The project site is designated as CIBP. As such, the project would include construction of three warehouse buildings with designated office space and associated improvements. Because of the nature of the project and the vast size of the project site, the project would add to the City's industrial land base, while being physically advantageous. Additionally, the project site is located adjacent to Highway 395 and 1.4 miles west of I-15. Therefore, trucks traveling to and from the project site would have convenient freeway access. Thus, the project would be consistent with the policy.
<b>Goal LU-6:</b> Make use of vacant sites with the Specific Plan area.	<b>Consistent.</b> The project site is located on vacant land within the Specific Plan area.  The project involves the construction of three industrial distribution warehouses. The project site has a land use designation of CIBP and would comply with provisions associated with development in a CIBP zone outlined in the Specific Plan.

**Source:** City of Hesperia 2014.

**Notes:** I = Interstate; City = City of Hesperia; SCAG = Southern California Association of Governments; CIBP = Commercial/Industrial Business Park.

***Regional Transportation Plan/Sustainable Communities Strategy***

The 2016 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) is a long-range visioning plan that balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health. Ultimately, the RTP/SCS is intended to help guide transportation and land use decisions and public investments. It reflects goals and guiding policies and a vision developed through extensive outreach to the general public and numerous stakeholders across the region (SCAG 2016).

Analysis of the project's consistency with the SCAG 2016 RTP/SCS goals is provided in Table 2.

**Table 2. Regional Transportation Plan/Sustainable Communities Strategy Consistency Analysis**

RTP/SCS Goals <sup>1</sup>	Consistency Summary
<b>RTP/SCS Goal 1.</b> Align the plan investments and policies with improving regional economic development competitiveness.	<p><b>Consistent.</b> The project would involve construction of three industrial warehouse buildings. Thus, it is anticipated that the project would generate jobs and tax revenue for the City and its residents.</p> <p>Once operational, the project would add to the City's business tax base and would employ approximately 1,777 workers, helping the City better meet its jobs/housing balance, while also providing commercial/industrial business park use that will help the City offer a more balanced array of land uses throughout the broader project area.</p>
<b>RTP/SCS Goal 2.</b> Maximize mobility and accessibility for all people and goods in the region.	<p><b>Consistent.</b> The project would include construction of three industrial distribution warehouses that would be easily and efficiently accessible to Highway 395, and I-15, which would help to facilitate regional goods movement throughout Southern California.</p>
<b>RTP/SCS Goal 3.</b> Ensure travel safety and reliability for all people and goods in the region.	<p><b>Consistent.</b> A traffic impact analysis will be conducted to determine the project's potential impact on the regional and local circulation system. If deemed necessary by this upcoming evaluation, feasible mitigation measures would be required to minimize any adverse effects on the circulation system resulting from the project to the greatest extent feasible. The findings of this evaluation effort will be included in the Draft EIR.</p>
<b>RTP/SCS Goal 4.</b> Preserve and ensure a sustainable regional transportation system.	<p><b>Consistent.</b> A traffic impact analysis will be conducted to determine the project's potential impact on the regional and local circulation system. If deemed necessary by this upcoming evaluation, feasible mitigation measures would be required to minimize any adverse effects on the circulation system resulting from the project to the greatest extent feasible. The findings of this evaluation effort will be included in the Draft EIR.</p>
<b>RTP/SCS Goal 5.</b> Maximize the productivity of our transportation system.	<p><b>Consistent.</b> The project would include construction of three industrial distribution warehouses that would be easily and efficiently accessible to Highway 395, and I-15, which would help to facilitate regional goods movement throughout Southern California.</p>

**Table 2. Regional Transportation Plan/Sustainable Communities Strategy Consistency Analysis**

RTP/SCS Goals <sup>1</sup>	Consistency Summary
<b>RTP/SCS Goal 6.</b> Protect the environment and health for our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking).	<p><b>Consistent.</b> The project site provides quick and efficient access to Highway 395 and I-15. As a result, the project would be able to operate without the need for truck traffic to pass through residential or commercial/retail areas.</p> <p>The project site is surrounded by vacant land, rural-low density residential, and scattered commercial and industrial uses. These uses include residences that would be considered sensitive receptors residing in close proximity to the project site. Construction and operation of the project could potentially result in environmental impacts affecting the health of nearby sensitive receptors. An air quality and GHG analysis will be required to determine whether the project could potentially result in any adverse effects related to air quality, health risk, and/or GHG emissions, and mitigation measures will be applied, as necessary, to minimize potential impacts to nearby residents.</p>
<b>RTP/SCS Goal 7.</b> Actively encourage and create incentives for energy efficiency, where possible.	<p><b>Consistent.</b> At a minimum, the project would comply with all applicable state and local building codes intended to promote energy efficiency, including the California Energy Code (California Code of Regulations Title 24 Part 6).</p>
<b>RTP/SCS Goal 8.</b> Encourage land use and growth patterns that facilitate transit and non-motorized transportation.	<p><b>Consistent.</b> The project area is served by Victor Valley Transit Authority, which operates approximately 26 bus routes within and around the City. These bus lines would connect the project area to residential and commercial/retail areas located in the City and surrounding communities, allowing on-site employees to access their homes and services without the need to drive their passenger vehicles.</p>
<b>RTP/SCS Goal 9.</b> Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.	<p><b>Consistent.</b> Development impact fees will be assessed during the project entitlement process, which will help to offset fiscal burdens placed on the City with respect to capital improvements and expenditures resulting from development of the project. A portion of these fees would be used to supplement any potential incremental capital expenditure increases accrued by the Hesperia Police Department as a result of the project and other related development projects.</p>

<sup>1</sup> Source: SCAG 2016.

Notes: City = City of Hesperia; I = Interstate; EIR = Environmental Impact Report; GHG = greenhouse gas

As described in Tables 1 and 2, the project would be consistent with the applicable goals and policies set forth by the Specific Plan, General Plan, and SCAG in the RTP/SCS and RCP. Therefore, impacts would be less than significant, and this issue will not be evaluated further in the Draft EIR.

### 3.12 Mineral Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XII. MINERAL RESOURCES</b> – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*
- b) *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?*

**Less-Than-Significant Impact.** According to the Conservation Element in the City's General Plan, mineral resources such as sand, gravel, and stone have been identified within the City (City of Hesperia 2010). Additionally, several aggregate resources such as gravelly alluvium and sandy alluvium are known to exist within the City. These resources are primarily located within wash areas and active stream channels. Although the City has known mineral resources, the project would be located within an area that is not zoned for mineral resource extraction operations, and thus, such activities cannot currently occur on the project site. Therefore, impacts would be less than significant, and no further analysis will be conducted in the Draft EIR.

### 3.13 Noise

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIII. NOISE</b> – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Potentially Significant Impact.** Project construction and operations would involve activities that would generate both short-term and long-term noise. Further noise analysis is required to determine whether the project could potentially result in any adverse effects related to increased noise levels. Therefore, these issues will be analyzed in the Draft EIR.

### 3.14 Population and Housing

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIV. POPULATION AND HOUSING</b> – Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) ***Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?***

***Less-Than-Significant Impact.*** The project would require a temporary construction workforce and a permanent operational workforce, both of which could potentially induce population growth in the project area. The temporary workforce would be needed to construct the three warehouse buildings and associated improvements. The number of construction workers needed during any given period would largely depend on the specific stage of construction, but would likely range from a dozen to several dozen workers on a daily basis.

Because the future tenants are not known yet, the number of jobs that the project would generate cannot be precisely determined. Thus, for purposes of analyses, employment estimates were calculated using average employment density factors reported by SCAG. SCAG reports that for every 2,111 square feet of warehouse space in San Bernardino County, the median number of jobs supported is one employee (SCAG 2001). The project would include 3,752,948 square feet of industrial/warehouses space. As such, the estimated number of employees required for operation would be approximately 1,777.

According to the City's General Plan, as of January 2009, the population of the City was approximately 88,184 residents. Upon build-out, the City anticipates to grow to more than 243,000 residents (City of Hesperia 2010). As such, the project-related increase of approximately 1,777 employees would represent a nominal percentage of the City's projected future population upon General Plan build-out<sup>2</sup>.

In addition, data provided by the California Employment Development Department in August 2019 found that the unemployment rate for San Bernardino County is at 4.5%, which is above the state (4.2%) and national (3.6%) averages (EDD 2019). As such, the project's temporary and permanent employment requirements could likely be met by the City's existing labor force without people needing to relocate into the project region, and the project would not stimulate population growth or a population concentration above what is assumed in local and regional land use plans. Therefore, impacts would be less than significant, and no further analysis will be conducted in the Draft EIR.

<sup>2</sup> Note that this represents a conservative approach, as this finding assumes that all future employees will have relocated to the City as a result of the project from outside of the City, and that no future employees are already residents of the City.

- b) *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

**No Impact.** The project site is currently vacant and contains no housing or other residential uses. Given that no residential uses are located on site, it follows that the site does not support a residential population. Therefore, no impacts would occur, and no further analysis will be conducted in the Draft EIR.

## 3.15 Public Services

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. PUBLIC SERVICES</b>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

### Fire protection?

**Less-Than-Significant Impact.** Fire protection and emergency response services for the project site are provided by the SBCFD. SBCFD operates three fire stations within the City, with Fire Station 305 (8331 Caliente Road) located approximately 1.7 miles south of the project site, Fire Station 304 (15660 Eucalyptus Street) located approximately 5.2 miles northeast, and Fire Station 302 (17288 Olive Street) located approximately 6.8 miles east (SBCFD 2018).

According to the City's General Plan Safety Element, the average response time within the City is approximately 7 minutes, 16 seconds (City of Hesperia 2010). If needed, fire stations from adjacent cities, such as Victorville and Apple Valley may respond to emergency calls in Hesperia. Based on the proximity of the project site to the existing SBCFD facilities, the average response times in the project area, the ability for nearby cities to respond to emergency calls, and the fact that the project site is already located within SBCFD's service area, the project could be adequately served by the SBCFD without the construction of new, or the expansion of existing, facilities.



In addition, as previously analyzed in response 3.14(a), the project would not directly or indirectly induce unplanned population growth in the City. Although the project could potentially result in an incremental increase in calls for service to the project site compared to existing conditions, this increase is expected to be nominal (as opposed to new residential or commercial/retail land uses, which do result in greater increase in calls for service) and would not result in the need for new fire protection facilities.

Overall, it is anticipated that the project would be adequately served by existing SBCFD facilities, equipment, and personnel. Therefore, impacts would be less than significant, and no further analysis will be conducted in the Draft EIR.

#### **Police protection?**

***Less-Than-Significant Impact.*** Police protection and emergency response services for the project site are provided by the San Bernardino County Sheriff's Department (SBCSD). SBCSD operates one station within the City, Hesperia Police Department (15840 Smoke Tree Street), and is located approximately 5 miles east of the project site. Hesperia Police Department is comprised of approximately 58 law enforcement personnel, including 1 captain, 1 lieutenant, 7 sergeants, 5 detectives, and 44 deputy sheriffs (City of Hesperia 2019).

As previously addressed, the project would not directly or indirectly induce unplanned population growth in the City. Although the project could potentially result in a slight incremental increase in calls for service to the project site compared to existing conditions, this increase is expected to be nominal (as opposed to new residential or commercial/retail land uses, which do result in greater increase in calls for service) and would not result in the need for new police protection facilities.

Overall, it is anticipated that the project would be adequately served by existing SBCSD facilities, equipment, and personnel. Therefore, impacts would be less than significant, and no further analysis will be conducted in the Draft EIR.

#### **Schools?**

***No Impact.*** As previously discussed, the project would not directly or indirectly induce unplanned population growth in the City. Although the project would require employees to construct and operate the project, these short-term and long-term employees would likely already reside within the broader project area. As such, it is not anticipated that many people would relocate to the City as a result of the project, and an increase in school-age children requiring public education is not expected to occur as a result.

Similar to other development projects in the City, the project would be subject to Senate Bill 50, which requires payment of mandatory impact fees to offset any impact to school services or facilities. The provisions of Senate Bill 50 are deemed to provide full and complete mitigation of school facilities impacts, notwithstanding any contrary provisions in CEQA or other state or local laws (Government Code Section 65996). In accordance with Senate Bill 50, the project Applicant would pay its fair share of impact fees based on the project's square footage per Government Code Section 65995(h). These impact fees are required of most residential, commercial, and industrial development projects in the City. Therefore, no impacts would occur, and no further analysis will be conducted in the Draft EIR.

**Parks?**

**No Impact.** The project would construct three industrial/warehouse buildings in the City. The project does not propose any residential uses, and would not directly or indirectly induce unplanned population growth in the City. As such, the project would not increase the use of existing neighborhood parks or regional parks in the City and surrounding area. Therefore, no impacts would occur, and no further analysis will be conducted in the Draft EIR.

**Other public facilities?**

**No Impact.** Given industrial nature of the project and the lack of population growth that would result from the project, it is unlikely that the project would increase the use of libraries and other public facilities. Therefore, no impacts would occur, and no further analysis will be conducted in the Draft EIR.

## 3.16 Recreation

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVI. RECREATION</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*
- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?*

**No Impact.** The project would construct three industrial/warehouse buildings and associated improvements. The project does not propose any residential uses, and would not directly or indirectly result in a substantial and unplanned increase in population growth within the project area. As such, the project would not increase the use of existing neighborhood parks or regional parks in the City and surrounding area. In addition, as an industrial use, the project does not propose recreational facilities or require the construction or expansion of recreational facilities. Therefore, no impacts would occur, and no further analysis will be conducted in the Draft EIR.

## 3.17 Transportation

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. TRANSPORTATION</b> – Would the project:				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Potentially Significant Impact.** Project operations would involve industrial/warehouse activities that would generate truck and passenger vehicle traffic that may conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, or otherwise result in both localized and broader transportation impacts. Further traffic impact analysis is required to determine whether the project could potentially result in any adverse effects related the local and regional circulation system. Therefore, these issues will be analyzed in the Draft EIR.

### 3.18 Tribal Cultural Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVIII. TRIBAL CULTURAL RESOURCES</b>				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

- i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*
- ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

**Potentially Significant Impact.** Implementation of the project would result in construction and operational activities upon a currently undeveloped, vacant site. Such activities could potentially have an adverse effect on currently unrecorded, unknown historical, archaeological, or Tribal cultural resources. Further cultural resources analysis is required to determine whether the project could potentially result in any adverse effects related to cultural resources. Therefore, these issues will be analyzed further in the Draft EIR.

### 3.19 Utilities and Service Systems

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a) *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*
- b) *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?*
- c) *Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*
- d) *Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

- e) *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

**Potentially Significant Impact.** Project construction and operations would involve activities that would require the use of energy and would generate the need for domestic water, sanitary sewer, stormwater, and solid waste disposal. Given the vacant, undeveloped nature of the project site, these, and likely other dry and wet utilities and services would need to be extended onto the project site. Further air quality analysis is required to determine whether the project could potentially result in any adverse effects related utilities and services systems. Therefore, these issues will be analyzed in the Draft EIR.

## 3.20 Wildfire

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XX. WILDFIRE</b> – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a) *Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*
- b) *Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*
- c) *Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*
- d) *Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

**Potentially Significant Impact.** According to California Department of Forestry and Fire Protection's 2008 High FHSZ in the Local Response Area map for the City, the project site is not located in an area identified as being susceptible to wildland fire (CAL FIRE 2019). The project site is located adjacent to a moderate FHSZ to the west and a high FHSZ to the south, although the nearest very high FHSZ is located approximately 8 miles south of the project site. Further wildfire risk analysis is required to determine whether the project could potentially result in any adverse effects related to wildfire. Therefore, these issues will be analyzed in the Draft EIR.

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# 4 References and Preparers

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## 4.1 References Cited

- 14 CCR 15000–15387 and Appendices A through L. Guidelines for Implementation of the California Environmental Quality Act, as amended.
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- DOC. 2019. Earthquake Zones of Required Investigation App. Accessed September 09, 2019. <https://maps.conservation.ca.gov/cgs/EQZApp/app/>.
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- USDA (U.S. Department of Agricultural). 2019. "Web Soil Survey." Accessed September 19, 2019. <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>.

## 4.2 List of Preparers

### **City of Hesperia**

Chris Borchert, Principal Planner

### **Dudek**

Collin Ramsey, Senior Project Manager

Patrick Cruz, Environmental Planner

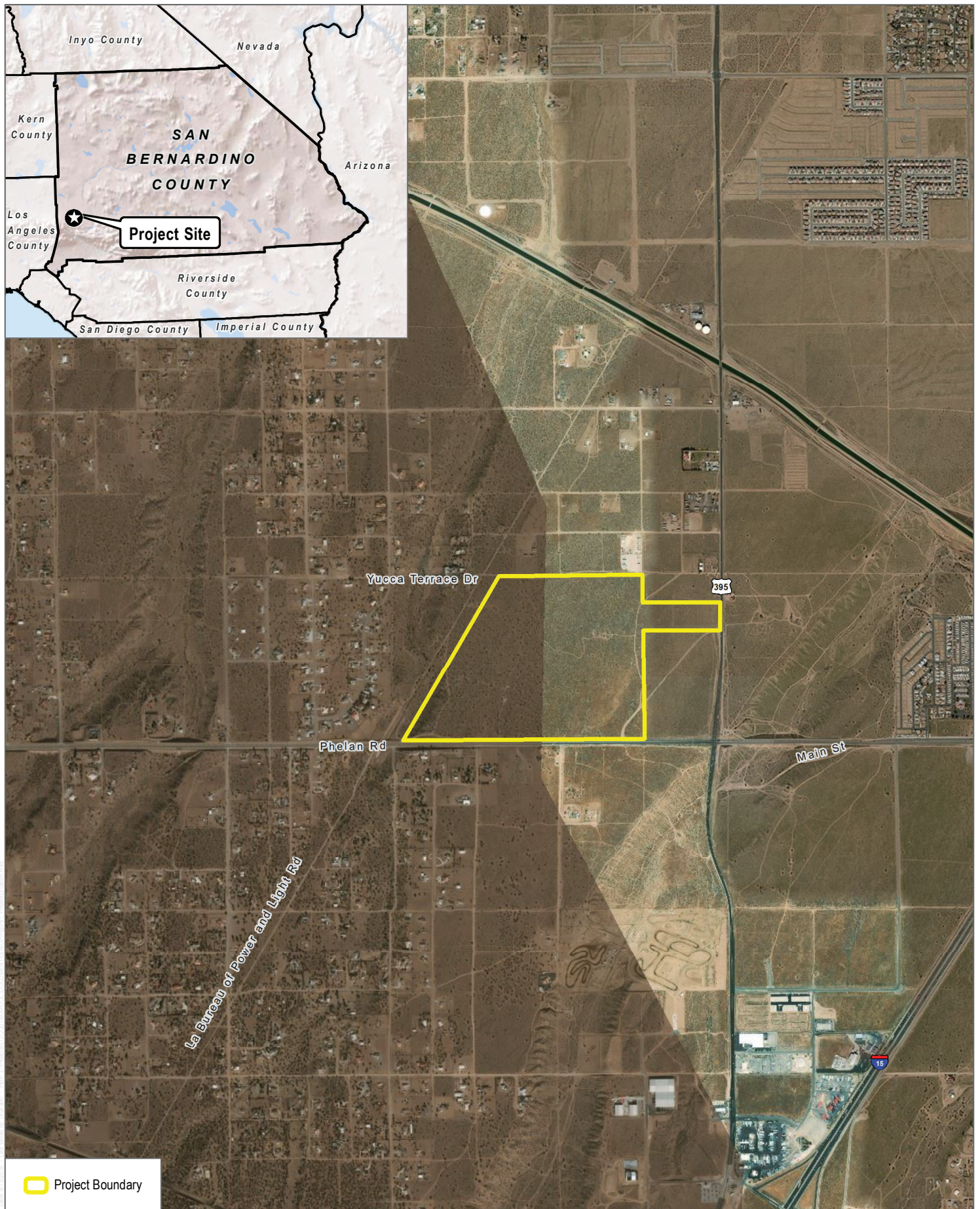
Lilli Martin, Environmental Analyst

Carrie Kubacki, GIS Technician

Corinne Price, Technical Editor

David Mueller, Senior Publications Specialist



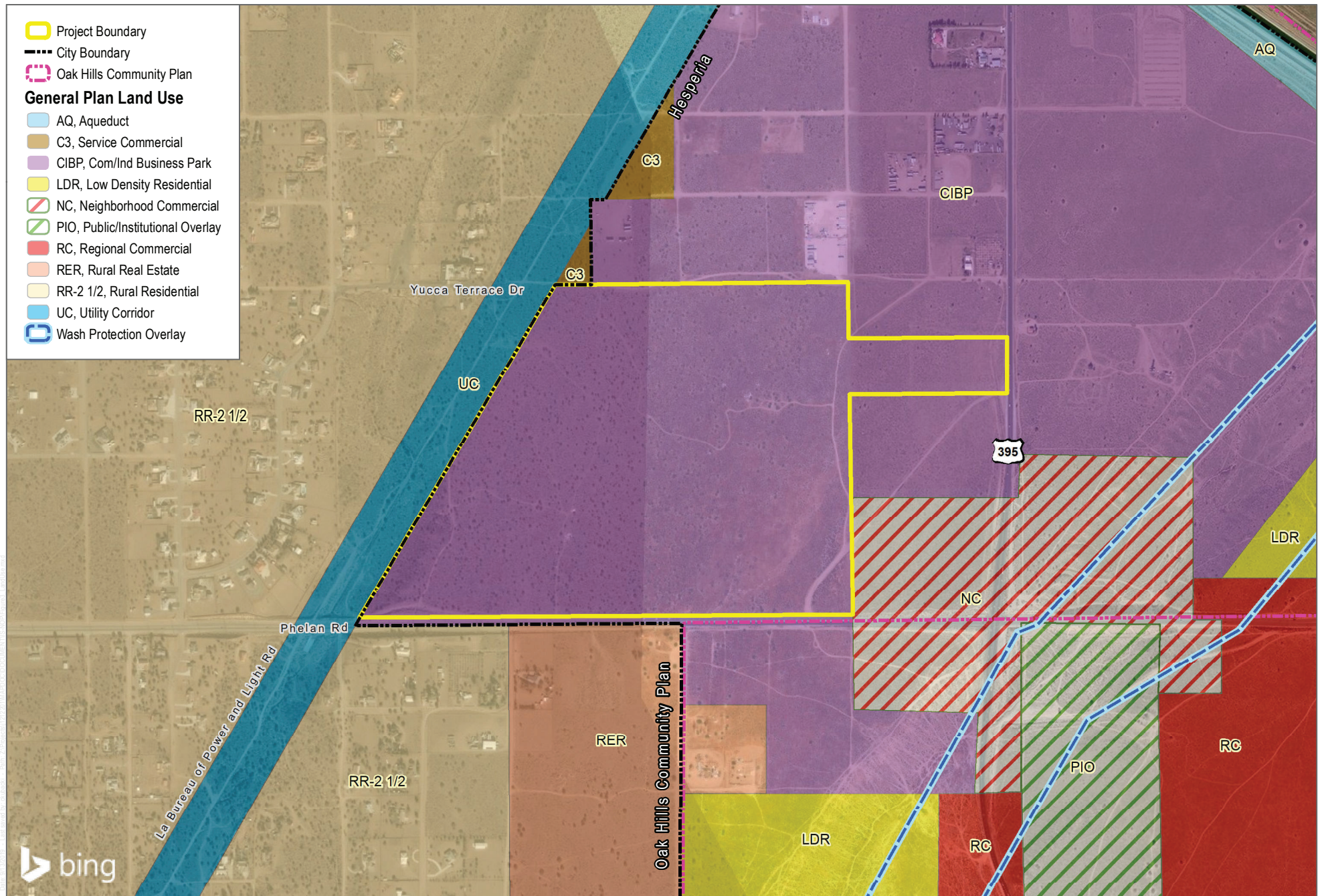


SOURCE: Bing Maps 2019

**Figure 1**  
**Project Location**  
Hesperia Commerce Center II



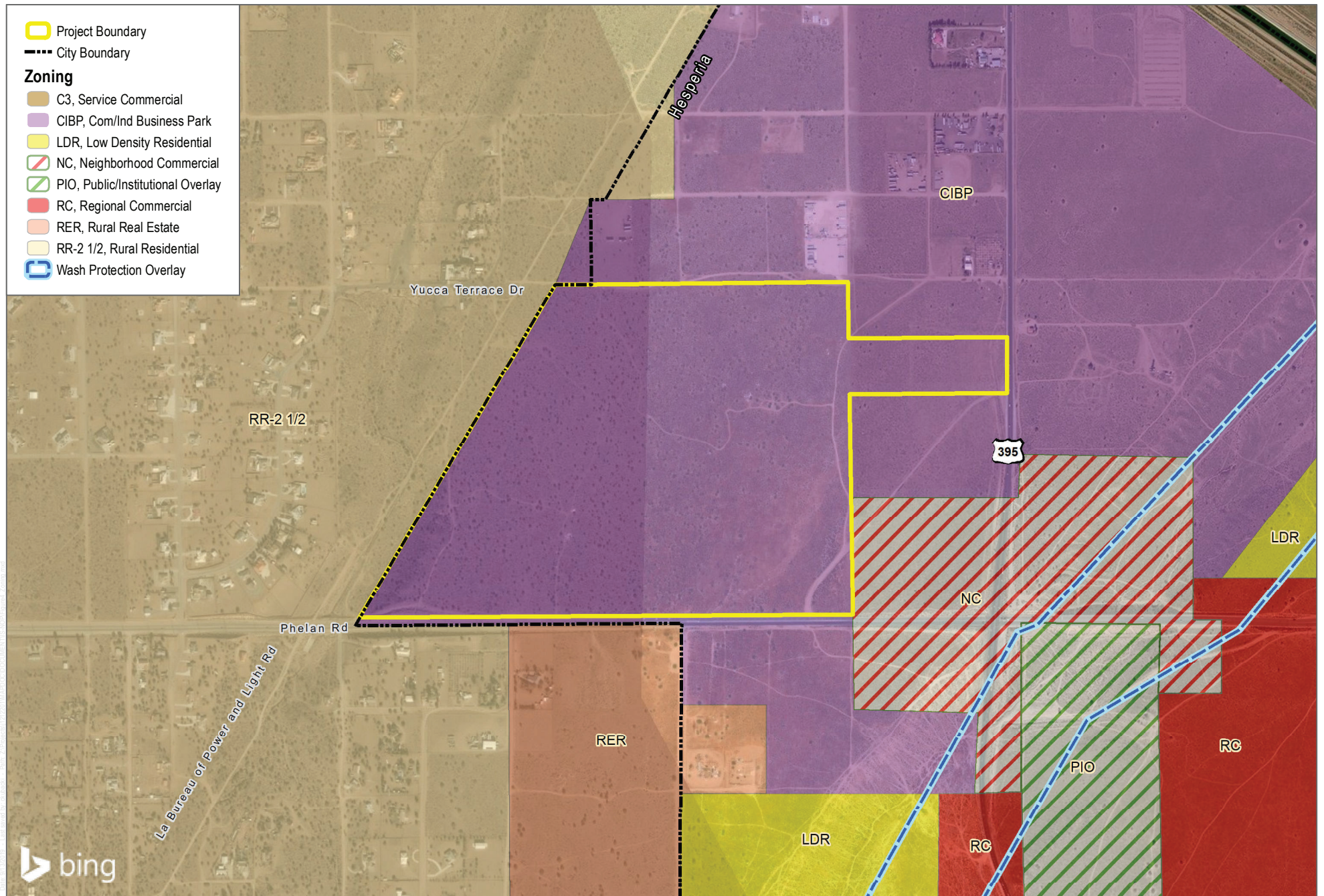
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SOURCE: Bing Maps 2019; City of Hesperia 2019

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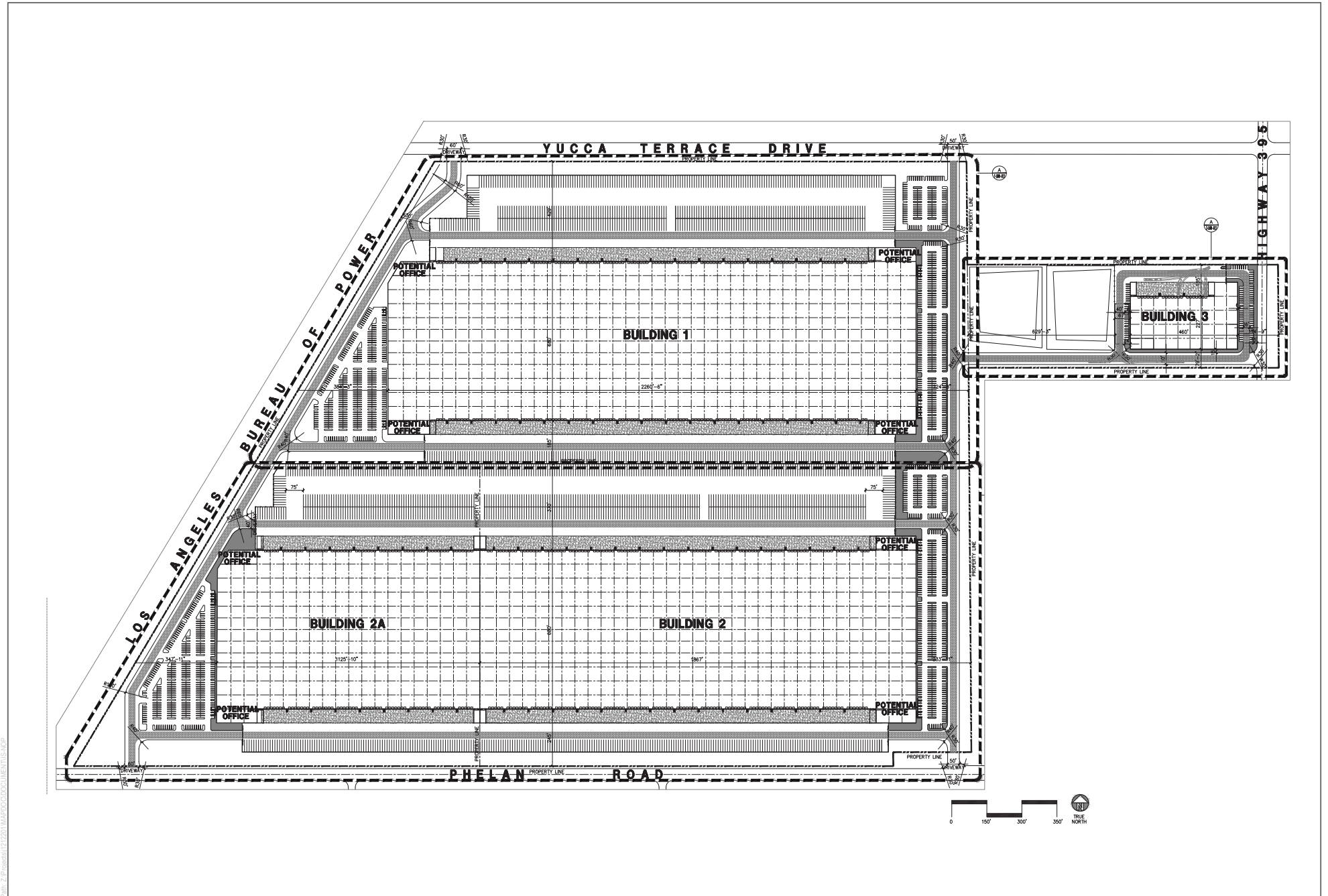
SOURCE: Bing Maps 2019; City of Hesperia 2010

**Figure 3**  
**Zoning**

Hesperia Commerce Center II

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SOURCE: HPA Architecture, 2019

**DUDEK**

**FIGURE 4**  
**Site Plan**

Hesperia Commerce Center II

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Gavin Newsom  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Kate Gordon  
Director

**Notice of Preparation**

November 21, 2019

To: Reviewing Agencies

Re: Hesperia Commerce Center II  
SCH# 2019110418

Attached for your review and comment is the Notice of Preparation (NOP) for the Hesperia Commerce Center II draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

**Chris Borchert**  
**Hesperia, City of**  
**9700 Seventh Ave**  
**Hesperia, CA 92345**

with a copy to the State Clearinghouse in the Office of Planning and Research at [state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov). Please refer to the SCH number noted above in all correspondence concerning this project on our website: <https://ceqanet.opr.ca.gov/2019110418/2>.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

2019110418

**Notice of Completion & Environmental Document Transmittal**

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613  
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

**Project Title:** Hesperia Commerce Center IILead Agency: City of HesperiaContact Person: Chris BorchertMailing Address: 9700 Seventh AvePhone: (760) 947-1231City: HesperiaZip: 92345County: USA**Project Location:** County: San BernardinoCity/Nearest Community: HesperiaCross Streets: Phelan/Main Street and LA Bureau of Power and Light RoadZip Code: 92344Longitude/Latitude (degrees, minutes and seconds): 34 ° 26 ' 1.7 " N / 117 ° 24 ' 28.1 " W Total Acres: 194.8Assessor's Parcel No.: 308435103, 308436101, 308439101, and 308440102Section: 16Twp.: 4NRange: 5 WBase: San BernWithin 2 Miles: State Hwy #: I-15, CA 395Waterways: Oro Grande Wash and Manzanita WashAirports: n/aRailways: Union Pacific RailSchools: n/a**Document Type:**CEQA: ☒ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.)

☐ Draft EIS☐ Mit Neg Dec

Other:

Governor's Office of Planning & Research  
 NOV 21 2019**Local Action Type:**☐ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☐ Master Plan☐ Preliminary

STATE CLEARINGHOUSE

☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☒ Use Permit☐ Coastal Permit☐ Community Plan☒ Site Plan☐ Land Division (Subdivision, etc.)☐ Other:**Development Type:**☐ Residential: Units

Acres

☐ Office: Sq.ft.

Acres

Employees

☐ Transportation: Type☐ Commercial: Sq.ft.

Acres

Employees 1,777☐ Mining: Mineral☐ Industrial: Sq.ft. 3,742,590

Acres

Employees

☐ Power: Type

MW

☐ Educational:☐ Waste Treatment: Type

MGD

☐ Recreational:☐ Hazardous Waste: Type☐ Water Facilities: Type

MGD

☐ Other:**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Fiscal☒ Recreation/Parks☒ Vegetation☒ Agricultural Land☒ Flood Plain/Flooding☒ Schools/Universities☒ Water Quality☒ Air Quality☒ Forest Land/Fire Hazard☒ Septic Systems☒ Water Supply/Groundwater☒ Archeological/Historical☒ Geologic/Seismic☒ Sewer Capacity☒ Wetland/Riparian☒ Biological Resources☒ Minerals☒ Soil Erosion/Compaction/Grading☒ Growth Inducement☐ Coastal Zone☒ Noise☒ Solid Waste☒ Land Use☒ Drainage/Absorption☒ Population/Housing Balance☒ Toxic/Hazardous☒ Cumulative Effects☒ Economic/Jobs☒ Public Services/Facilities☒ Traffic/Circulation☒ Other: Paleontological resources**Present Land Use/Zoning/General Plan Designation:**Commercial/Industrial Business Park**Project Description:** *(please use a separate page if necessary)*

Construction of three industrial/warehouse buildings totaling 3,742,590 SF. See attached NOP.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

# NOP Distribution List

County: *San Bernardino*



SCH# 2019110418

## Resources Agency

☒ Resources Agency  
Nadell Gayou

☐ Dept. of Boating & Waterways  
Denise Peterson

☐ California Coastal Commission  
Allyson Hitt

☐ Colorado River Board  
Elsa Contreras

☒ Dept. of Conservation  
Crina Chan

☒ Cal Fire  
Dan Foster

☐ Central Valley Flood Protection Board  
James Herota

☐ Office of Historic Preservation  
Ron Parsons

☒ Dept of Parks & Recreation  
Environmental Stewardship Section

☐ S.F. Bay Conservation & Dev't. Comm.  
Steve Goldbeck

☒ Dept. of Water Resources  
Nadell Gayou

## Fish and Wildlife

☐ Depart. of Fish & Wildlife  
Scott Flint  
Environmental Services Division

☐ Fish & Wildlife Region 1  
Curt Babcock

☐ Fish & Wildlife Region 1E  
Laurie Harnsberger

☐ Fish & Wildlife Region 2  
Jeff Drongesen

☐ Fish & Wildlife Region 3  
Craig Weightman

☐ Fish & Wildlife Region 4  
Julie Vance

☐ Fish & Wildlife Region 5  
Leslie Newton-Reed  
Habitat Conservation Program

☒ Fish & Wildlife Region 6  
Tiffany Ellis  
Habitat Conservation Program

☐ Fish & Wildlife Region 6 I/M  
Heidi Calvert  
Inyo/Mono, Habitat Conservation Program

☐ Dept. of Fish & Wildlife M  
William Paznokas  
Marine Region

## Other Departments

☐ California Department of Education  
Lesley Taylor

☐ OES (Office of Emergency Services)  
Monique Wilber

☐ Food & Agriculture  
Sandra Schubert  
Dept. of Food and Agriculture

☐ Dept. of General Services  
Cathy Buck  
Environmental Services Section

☐ Housing & Comm. Dev.  
CEQA Coordinator  
Housing Policy Division

## Independent

### Commissions, Boards

☐ Delta Protection Commission  
Erik Vink

☐ Delta Stewardship Council  
Anthony Navasero

☐ California Energy Commission  
Eric Knight

☒ Native American Heritage Comm.  
Debbie Treadway

☒ Public Utilities Commission  
Supervisor

☐ Santa Monica Bay Restoration  
Guangyu Wang

☒ State Lands Commission  
Jennifer Deleong

☐ Tahoe Regional Planning Agency (TRPA)  
Cherry Jacques

Cal State Transportation Agency CalSTA

☐ Caltrans - Division of Aeronautics  
Philip Crimmins

☐ Caltrans - Planning  
HQ LD-IGR  
Christian Bushong

☒ California Highway Patrol  
Suzann Ikeuchi  
Office of Special Projects

## Dept. of Transportation

☐ Caltrans, District 1  
Rex Jackman

☐ Caltrans, District 2  
Marcelino Gonzalez

☐ Caltrans, District 3  
Susan Zanchi

☐ Caltrans, District 4  
Patricia Maurice

☐ Caltrans, District 5  
Larry Newland

☐ Caltrans, District 6  
Michael Navarro

☐ Caltrans, District 7  
Dianna Watson

☒ Caltrans, District 8  
Mark Roberts

☐ Caltrans, District 9  
Gayle Rosander

☐ Caltrans, District 10  
Tom Dumas

☐ Caltrans, District 11  
Jacob Armstrong

☐ Caltrans, District 12  
Maureen El Harake

## Cal EPA

☒ Air Resources Board  
Airport & Freight  
Jack Wursten

☐ Transportation Projects  
Nesamani Kalandiyyur

☐ Industrial/Energy Projects  
Mike Tollstrup

☐ California Department of Resources, Recycling & Recovery  
Kevin Taylor/Jeff Esquivel

☐ State Water Resources Control Board  
Regional Programs Unit  
Division of Financial Assistance

☐ State Water Resources Control Board  
Cindy Forbes - Asst Deputy  
Division of Drinking Water

☐ State Water Resources Control Board  
Div. Drinking Water # \_\_\_\_\_

☒ State Water Resources Control Board  
Student Intern, 401 Water Quality Certification Unit  
Division of Water Quality

☐ State Water Resources Control Board  
Phil Crader  
Division of Water Rights

☒ Dept. of Toxic Substances Control Reg. # \_\_\_\_\_  
CEQA Tracking Center

☐ Department of Pesticide Regulation  
CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

☐ RWQCB 1  
Cathleen Hudson  
North Coast Region (1)

☐ RWQCB 2  
Environmental Document Coordinator  
San Francisco Bay Region (2)

☐ RWQCB 3  
Central Coast Region (3)

☐ RWQCB 4  
Teresa Rodgers  
Los Angeles Region (4)

☐ RWQCB 5S  
Central Valley Region (5)

☐ RWQCB 5F  
Central Valley Region (5)  
Fresno Branch Office

☐ RWQCB 5R  
Central Valley Region (5)  
Redding Branch Office

☐ RWQCB 6  
Lahontan Region (6)

☒ RWQCB 6V  
Lahontan Region (6)  
Victorville Branch Office

☐ RWQCB 7  
Colorado River Basin Region (7)

☐ RWQCB 8  
Santa Ana Region (8)

☐ RWQCB 9  
San Diego Region (9)

☐ Other \_\_\_\_\_

☐ Conservancy

Last Updated 5/22/18





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F 510.836.4205

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Oakland, CA 94612

[www.lozeaudrury.com](http://www.lozeaudrury.com)  
[richard@lozeaudrury.com](mailto:richard@lozeaudrury.com)

*Via Email and U.S. Mail*

November 22, 2019

Chris Borchert, Principal Planner  
Planning Department  
City of Hesperia  
9700 Seventh Ave  
Hesperia, CA 92345  
[cborchert@cityofhesperia.us](mailto:cborchert@cityofhesperia.us)

Mike Blay, Director  
Development Services Department  
City of Hesperia  
9700 Seventh Ave  
Hesperia, CA 92345  
[mblay@cityofhesperia.us](mailto:mblay@cityofhesperia.us)

Melinda Sayre, City Clerk  
City Clerk's Office  
City of Hesperia  
9700 Seventh Ave  
Hesperia, CA 92345  
[msayre@cityofhesperia.us](mailto:msayre@cityofhesperia.us)

**Re: CEQA and Land Use Notice Request for Hesperia Commerce Center II aka SCH 2019110418**

Dear Mr. Borchert, Mr. Blay, and Ms. Sayre:

I am writing on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") and its members living in the City of Hesperia regarding Hesperia Commerce Center II aka SCH 2019110418, including all actions referring or related to the proposed construction of three industrial/warehouse buildings totaling 3,742,590 square feet of industrial/warehouse space and associated improvements including loading docks, tractor trailer stalls, passenger vehicle parking spaces and landscape improvements located on the northwest quadrant of Highway 395 and Phelan Road/Main Street on APNs 306435103, 306436101, 306439101, and 306440102 in the City of Hesperia ("Project").

We hereby request that the City of Hesperia ("City") send by electronic mail, if possible, or U.S. Mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City, including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA"), including, but not limited to:
  - Notices of any public hearing held pursuant to CEQA.

November 22, 2019

CEQA and Land Use Notice Request for Hesperia Commerce Center II aka SCH 2019110418

Page 2 of 2

- Notices of determination that an Environmental Impact Report (“EIR”) is required for the Project, prepared pursuant to Public Resources Code Section 21080.4.
- Notices of any addenda prepared to a previously certified or approved EIR.
- Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
- Notices of preparation of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21092.
- Notices of availability of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.
- Notices of approval and/or determination to carry out the Project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of any addenda prepared to a previously certified or approved EIR.
- Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of determination that the Project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
- Notice of any Final EIR prepared pursuant to CEQA.
- Notice of determination, prepared pursuant to Public Resources Code Section 21108 or Section 21152.

Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. **This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092**, which requires agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency’s governing body.

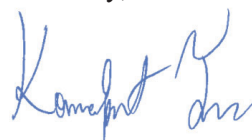
In addition, we request that the City send to us via email, if possible or U.S. Mail a copy of all Planning Commission and City Council meetings and/or hearing agendas.

Please send notice by electronic mail, if possible, or U.S. Mail to:

Richard Drury  
Komalpreet Toor  
Stacey Osborne  
Lozeau Drury LLP  
1939 Harrison Street, Suite 150  
Oakland, CA 94612  
[richard@lozeaudrury.com](mailto:richard@lozeaudrury.com)  
[komal@lozeaudrury.com](mailto:komal@lozeaudrury.com)  
[stacey@lozeaudrury.com](mailto:stacey@lozeaudrury.com)

Please call if you have any questions. Thank you for your attention to this matter.

Sincerely,



Komalpreet Toor  
Legal Assistant  
Lozeau | Drury LLP

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



**Governor's Office of Planning & Research**

## STATE CLEARINGHOUSE

RE: SCH# 2019110418, Hesperia Commerce Center II Project, San Bernardino County

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](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](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](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](mailto:Andrew.Green@nahc.ca.gov).

Sincerely,



Andrew Green  
Staff Services Analyst

cc: State Clearinghouse

## Patrick Cruz

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**From:** Ryan Leonard - Senior Planner <rleonard@cityofhesperia.us>  
**Sent:** Monday, December 2, 2019 8:46 AM  
**To:** Patrick Cruz; Collin Ramsey  
**Cc:** Chris Borchert  
**Subject:** FW: Commerce Center II Project

**From:** Brenda Hetzel [<mailto:amc92345@yahoo.com>]  
**Sent:** Saturday, November 30, 2019 10:30 AM  
**To:** Chris Borchert <[cborchert@cityofhesperia.us](mailto:cborchert@cityofhesperia.us)>  
**Subject:** Commerce Center II Project

City of Hesperia/ Planning Department

Chris Borchert, Principal Planner

Re: Commerce Center II- Environmental Impact Scoping

I am writing you today with my concerns as a home owner in the direct area of this project. How many of these letters were mailed out? I received one but most of my neighbors within a mile of this project have not! It is my estimation that a project of this magnitude will affect property values for a five mile radius.

The cumulative effects of this project will impact past, present and future activities and natural processes of the entire community, not to mention the propagation of 24/7 unpleasant noise, traffic, light, visual pollution and overcrowding.

The emissions from the amount of carrier vehicles for those loading docks and the loud, disruptive noises are a huge concern for both home owners and animal life. What about the aquifers and ground water?

Please inform us of an alternative- what's next, Low income housing?

Sincerely,

Brenda Hetzel

9861 Bellflower St., Oak Hills, Ca 92344

Email: [bthetzel@verizon.net](mailto:bthetzel@verizon.net)

To: Chris Borchert, Principal Planner

From: Larry Joe Williams (9883 Bellflower)

Date: 12/5/19

Re: Commerce Center II Project

This letter is to inform you that you of three concerns that I have regarding this project

1. Will there be hazards material and how will air quality be managed?
2. Traffic at 395 and onto Phelan Rd headed to Los Angeles County
3. Will trucks be running all night? And will the noise level impact my property 250 feet behind the property?

Thanks for your time,

Larry Joe Williams



9883 Bellflower St

Oak Hills Ca 92344

✓

## Patrick Cruz

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**From:** Ryan Leonard - Senior Planner <rleonard@cityofhesperia.us>  
**Sent:** Thursday, January 2, 2020 1:11 PM  
**To:** Collin Ramsey  
**Cc:** Patrick Cruz  
**Subject:** FW: Commerce center II project

From: Brenda Email [mailto:bthetzel@verizon.net]  
Sent: Sunday, December 8, 2019 2:40 PM  
To: Chris Borchert <cborchert@cityofhesperia.us>  
Subject: Commerce center II project

Another concern from property owners is that all of us received a hit on our property taxes to Mojave water- because county had to purchase water to supply our area zone j, can you imagine the amount of water it would take to even test the fire sprinkler system in a 3.7 million sf building?  
Sent from my iPhone

## Patrick Cruz

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**From:** Ryan Leonard - Senior Planner <rleonard@cityofhesperia.us>  
**Sent:** Thursday, January 2, 2020 1:10 PM  
**To:** Collin Ramsey  
**Cc:** Patrick Cruz  
**Subject:** FW: Re Hesperia Commerce Center II

**From:** Chris Sherburne [<mailto:chris.sherburne@tbuworldwide.com>]  
**Sent:** Wednesday, December 11, 2019 1:46 PM  
**To:** Chris Borchert <[cborchert@cityofhesperia.us](mailto:cborchert@cityofhesperia.us)>  
**Subject:** Re Hesperia Commerce Center II

PLEASE ACKNOWLEDGE PERSONAL RECEIPT OF THIS EMAIL.

Mr. Borchert,

We own frontage property on Highway 395 contiguous to the proposed Hesperia Commerce Center II (herein called "The Project"). We note that all five driveways into the Project, directly or indirectly, come off Hwy 395. I personally have seen over 10 serious wrecks on Hwy 395 where it bounds the Project, even including several fatalities. We suggest viewing of the detailed Site Plan which should have been filed with the City of Hesperia (or soon will be) to ensure that the serious potential problems regarding access and egress of Hwy 395 have been adequately dealt with.

As an engineer and a person directly connected to the project, I respectfully request viewing of these detailed plans at your convenience. This matter, which certainly can be adequately addressed, pertains to the very feasibility of the Project--and therefore seems to fit within the scope of the scoping meeting on 12 December, which we hope to attend.

Thank you for noticing us about the Project and the meeting.

Chris Sherburne  
(760)912-0159.





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](http://www.wildlife.ca.gov)

GAVIN NEWSOM, Governor  
CHARLTON H. BONHAM, Director



December 19, 2019

Chris Borchert  
City of Hesperia  
9700 Seventh Ave.  
Hesperia, CA 92345

Subject: Notice of Preparation of a Draft Environmental Impact Report  
Hesperia Commerce Center II, State Clearinghouse No. 2019110418

Dear Mr. Borchert:

The California Department of Fish and Wildlife (CDFW) appreciates the opportunity to comment on the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Hesperia Commerce Center II (Project), State Clearinghouse No. 2019110418. CDFW is responding to the NOP as a Trustee Agency for fish and wildlife resources (California Fish and Game Code Sections 711.7 and 1802, and the California Environmental Quality Act (CEQA) Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 et seq.) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).

## **PROJECT DESCRIPTION SUMMARY**

### **Project Location**

The proposed Project is located in the City of Hesperia within San Bernardino County. The Project is bounded by Yucca Terrace Drive to the north, Highway 395 to the east, Phelan Road to the south, and Los Angeles Bureau of Water and Power utility corridor to the west. The Project area is approximately 194.8 acres of undeveloped habitat contained within Section 16, Township 4 North, Range 5 West, as depicted on the U.S. Geological Survey *Baldy Mesa, California* 7.5-minute topographic quadrangle map. The Assessor's Parcels Numbers for the Project area include 306435103, 306436101, 306439101, and 306440102.

### **Project Description**

The proposed Project includes the construction of three industrial buildings, with a combined area of 3,742,590 square feet, and the construction of the associated loading docks, tractor-trailer stalls, and passenger vehicle parking spaces. The Project also includes landscaping.



## 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 Hesperia (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 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 (CNDDB) in Sacramento should be contacted at (916) 322-2493 or [CNDDB@wildlife.ca.gov](mailto: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 CNDDB Field Survey Forms be completed and submitted to CNDDB to document survey results. Online forms can be obtained and submitted at: <https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data>.

Please note, CDFW's CNDDB 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 (SSC) 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.

### **Species in Project Area**

CDFW recommends species-specific surveys for the threatened desert tortoise and Mohave ground squirrel. CDFW approved desert tortoise pre-construction surveys cover 100 percent of the project area and adjacent habitat using the methods described in the most recent *United States Fish and Wildlife Service (USFWS) Desert Tortoise (Mojave Population) Field Manual. The Mohave Ground Squirrel Survey Guidelines* (Department of Fish and Game, July 2010) are available on CDFW's website (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83975&inline>).

CDFW also recommends a survey for burrowing owl, a Species of Special Concern. Survey recommendations and guidelines are provided in the *Staff Report on Burrowing Owl Mitigation* (Department of Fish and Game, March 2012) (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843&inline>).

Development of a desert kit fox and American badger mitigation and monitoring plan is recommended. Desert kit fox is a protected species, and American badger is a Species of Special Concern.

CDFW also recommends 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* (<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*), 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 appropriate avoidance, minimization and mitigation measures to reduce any possible 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. A S-2 ranked species, short-joint beavertail, has the potential to occur within or adjacent to the Project area.



**Example Mitigation Measure for Sensitive Plant Species:**

Minimization measures may include transplanting perennial species, seed collection and dispersal from annual species, and other conservation strategies that will protect the viability of the local population. If minimization measures are implemented, monitoring of plant populations will be conducted annually for 5 years to assess the mitigation's effectiveness. The performance standard for mitigation will be no net reduction in the size or viability of the local population.

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.

**Example Mitigation Measure for Burrowing Owl:**

Preconstruction survey for burrowing owls will be conducted in areas supporting potentially suitable habitat and within 30 days prior to the start of construction activities. If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction survey, the site will be resurveyed. Surveys for burrowing owls will be conducted in accordance with protocols established in the *Staff Report on Burrowing Owl Mitigation* (Department of Fish and Game, March 2012) or current version.

If burrowing owls are detected, disturbance to burrows will be avoided during nesting season (February 1 through August 31). Buffers will be established around occupied burrows in accordance with guidance provided in the *Staff Report on Burrowing Owl Mitigation* (Department of Fish and Game, March 2012) or current version.

Outside of the nesting season. Passive owl relocation techniques approved by CDFW will be implemented. Owls would be excluded from burrows in the immediate Project area and within a buffer zone by installing one-way doors in burrow entrances. These doors will be placed at least 48 hours prior to ground-disturbing activities. Compensatory mitigation for permanent loss of owl habitat will be provided following the guidance in the *Staff Report on Burrowing Owl Mitigation* (Department of Fish and Game, March 2012) or current version. The Project area will be monitored daily for one week to confirm owl departure from burrows prior to any ground-disturbing activities.

Where possible, burrows will be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible plastic pipe will be inserted into the tunnels during excavation to maintain an escape route for any wildlife inside the burrow.

5. *Moving out of Harm's Way:* The proposed project is anticipated to result in the clearing of natural habitats that support native species. To avoid direct mortality, CDFW recommends that the lead agency condition the DEIR to require that a CDFW-approved qualified biologist be retained to be onsite prior to and during all ground- and habitat-disturbing activities to move out of harm's way special status species or other wildlife of low or limited mobility that would otherwise be injured or killed from project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as far as necessary to ensure their safety. Furthermore, it should be noted that the temporary relocation of onsite wildlife does not constitute effective mitigation for the purposes of offsetting project impacts associated with habitat loss.

**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 the California Endangered Species Act (CESA). A CESA Incidental Take Permit (ITP) is issued to conserve, protect, enhance, and restore State-listed CESA species and their habitats. 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 CESA-listed species.

Take of any CESA-listed species is prohibited except as authorized by state law (Fish and Game Code, §§ 2080 & 2085). If the Project, including the Project construction or any Project-related activity during the life of the Project, results in take of CESA-listed species, CDFW recommends that the Project proponent seek appropriate authorization prior to Project implementation through an ITP. Desert tortoise and Mohave ground squirrel are two CESA-listed threatened species that have potential to occur within the Project Area, presence needs to be determined by protocol surveys required by the Lead Agency.

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.

### **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>.

### **Filing Fees**

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

### **Further Coordination**

CDFW appreciates the opportunity to comment on the NOP of a DEIR for the Hesperia Commerce Center II State Clearinghouse No. 2019110418 and recommends that the City address CDFW's comments and concerns in the forthcoming DEIR. If you should have any questions pertaining to the comments provided in this letter, or wish to schedule a meeting and/or site visit, please contact Ashley Rosales at (909) 980-8607 or at [Ashley.Rosales@wildlife.ca.gov](mailto:Ashley.Rosales@wildlife.ca.gov)

Sincerely,



Scott Wilson  
Environmental Program Manager

ec: State Clearinghouse

### Literature Cited

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





## Department of Public Works

- Flood Control
- Operations
- Solid Waste Management
- Surveyor
- Transportation

**Brendon Biggs, M.S., P.E.**  
Interim Director

### Transmitted Via Email

December 20, 2019

City of Hesperia  
Attn: Chris Borchert, Principle Planner  
Planning Department  
9700 Seventh Avenue,  
Hesperia, California, 92345

File: 10(ENV)-4.01

**RE: CEQA – NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF HESPERIA FOR THE COMMERCE CENTER II PROJECT**

Dear Mr. Borchert:

Thank you for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. **We received this request on November 25, 2019** and pursuant to our review, the following comments are provided:

**Traffic Division (Eanas Shanabo, Engineering Technician IV, 909-387-1869):**

Please include analysis to traffic impacts and any proposed mitigation to Pheland Road from the Proposed Project site westwards to the SR-138, their impacts and any required mitigation should be discussed within the Draft EIR prior to certification and adoption.

Please include the County of San Bernardino Department of Public Works Traffic Division in the scoping and traffic study review process.

**Environmental Management Division (Jonathan Dillon, PWE III, Stormwater Program, 909-387-8119):**

Page 26 of the draft Initial Study, Section 3.10, Hydrology and Water Quality, indicates areas of analysis(a-e) where Potentially Significant Impacts may occur as a result of the Project. Their impacts and any required mitigation should be discussed within the Draft EIR prior to certification and adoption.

## BOARD OF SUPERVISORS

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Chief Executive Officer

C. Borchert, City of Hesperia  
CEQA NOP DEIR Commerce Center II Project  
December 20, 2019  
Page 2 of 2

We respectfully request to be included on the circulation list for all project notices, public reviews, or public hearings. In closing, I would like to thank you again for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. Should you have any questions or need additional clarification, please contact the individuals who provided the specific comment, as listed above.

Sincerely,

For: 

**MICHAEL R. PERRY**  
Supervising Planner  
Environmental Management

MRP:AJ:sr  
Email: [cborchert@cityofhesperia.us](mailto:cborchert@cityofhesperia.us)



# City of Hesperia

Gateway to the High Desert

## NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT AND NOTICE OF A PUBLIC SCOPING MEETING

**Date:** November 21, 2019

**To:** State Agencies, Responsible Agencies, Local and Public Agencies, and Interested Parties

**From/Lead Agency:** City of Hesperia, Planning Department

**Subject:** Notice of Preparation of an Environmental Impact Report for the Hesperia Commerce Center II Project

This Notice of Preparation (NOP) has been prepared to notify agencies and interested parties that the City of Hesperia (City), as lead agency, is commencing preparation of an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) to evaluate the potential environmental effects associated with implementation of the Hesperia Commerce Center II Project (Project).

The City is requesting input from interested individuals, organizations, and agencies regarding the scope and content of the environmental analysis to be included in the upcoming EIR. In accordance with CEQA, the City requests that agencies provide comments on the environmental issues related to the statutory responsibilities of their particular agency. This NOP contains a description of the Project, its location, and a preliminary determination of the environmental resource topics to be addressed in the EIR.

### Project Location

The approximately 194.8-acre Project site is located in the eastern part of the City, which is found within the Victor Valley region of San Bernardino County (see Figure 1). The Project site is located on the northwest quadrant of Highway 395 and Phelan Road/Main Street, and is bound by Yucca Terrace Drive to the north, Highway 395 to the east, Phelan Road to the south, and Los Angeles Bureau of Water and Power utility corridor to the west. The Project site consists of Assessor's Parcel Numbers 306435103, 306436101, 306439101, and 306440102. Specifically, the Project is located in Section 16, Township 4 North, Range 5 West, as depicted on the U.S. Geological Survey Baldy Mesa, California 7.5-minute topographic quadrangle map. Regional access to the Project site includes Highway 395, immediately adjacent to the east, and Interstate (I) 15, located approximately 1 mile east.

### Project Summary

The Project would include construction of three industrial/warehouse buildings and associated improvements on 194.8-acres of vacant land (see Figure 2). Building 1 (the northwesternmost building) would be 1,561,582 square feet (inclusive of 20,000 square feet of office/mezzanine), Building 2 (the southernmost building) would be 2,068,100 square feet (inclusive of 20,000 square

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Larry Bird, Mayor  
Bill Holland, Mayor Pro Tem  
Rebekah Swanson, Council Member  
Cameron Gregg, Council Member  
Brigit Bennington, Council Member

9700 Seventh Avenue  
Hesperia, CA 92345

760-947-1000  
TD 760-947-1119

Nils Bentsen, City Manager

[www.cityofhesperia.us](http://www.cityofhesperia.us)

feet of office/mezzanine), which would potentially be divided between two spaces within the same building, and Building 3 (the easternmost building) would be 112,908 square feet (inclusive of 5,000 square feet of office/mezzanine). In total, the Project would provide 3,742,590 square feet of industrial/warehouse space and associated improvements, including loading docks, tractor-trailer stalls, passenger vehicle parking spaces, and approximately 7 percent landscape area coverage. Implementation of the project will require the following approvals from the City:

- Approval of Conditional Use Permit (CUP19-00010)
- Approval of a Tentative Parcel Map
- Approval of Development Agreement

### **Potential Environmental Impacts of the Project**

As discussed in the attached Initial Study, the EIR will evaluate whether implementation of the Project may potentially result in one or more significant environmental impacts. The potential environmental effects to be addressed in the EIR will include, but may not be limited to the following:

- |  |                                   |
|--|-----------------------------------|
| • Aesthetics                             | • Hazards and Hazardous Materials |
| • Air Quality                            |                                   |
| • Biological Resources                   | • Hydrology and Water Quality     |
| • Cultural and Tribal Cultural Resources | • Noise                           |
| • Energy                                 | • Transportation                  |
| • Greenhouse Gas Emissions               | • Utilities and Service Systems   |
|  | • Wildfire                        |

The EIR will also address all other CEQA-mandated topics, including cumulative impacts and Project alternatives.

### **Public Scoping Comment Period and Meeting**

#### *Public Scoping Comment Period*

The City has established a 30-day public scoping period from November 21, 2019, to December 20, 2019. During the scoping period, the City's intent is to disseminate Project information to the public and solicit comments from agencies, organizations, and interested parties, including nearby residents and business owners, regarding the scope and content of the environmental information to be included in the EIR, including mitigation measures or Project alternatives to reduce potential environmental effects.

During this period, this NOP and the attached Initial Study may be accessed electronically at the following website:

**<https://www.cityofhesperia.us/312/Planning>**

This NOP and the attached Initial Study is also available for review in-person at Hesperia City Hall, Planning Department, 9700 Seventh Avenue, Hesperia, California 9234.

#### *Public Scoping Meeting*

During the 30-day public scoping period, the City will also hold a public scoping meeting on Thursday, December 12, 2019, at 5:00 p.m. at Hesperia City Hall, Planning Department, 9700 Seventh Avenue, Hesperia, California 92345. The public scoping meeting will provide an additional opportunity to receive and disseminate information, identify potential environmental issues of concern, and discuss the scope of analysis to be included in the EIR. The scoping

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meeting is not a public hearing, and no decisions on the Project will be made at this meeting. It is an additional opportunity for agencies, organizations, and the public to provide scoping comments in person on what environmental issues should be addressed in the EIR. All public agencies, organizations, and interested parties are encouraged to attend and participate in this meeting.

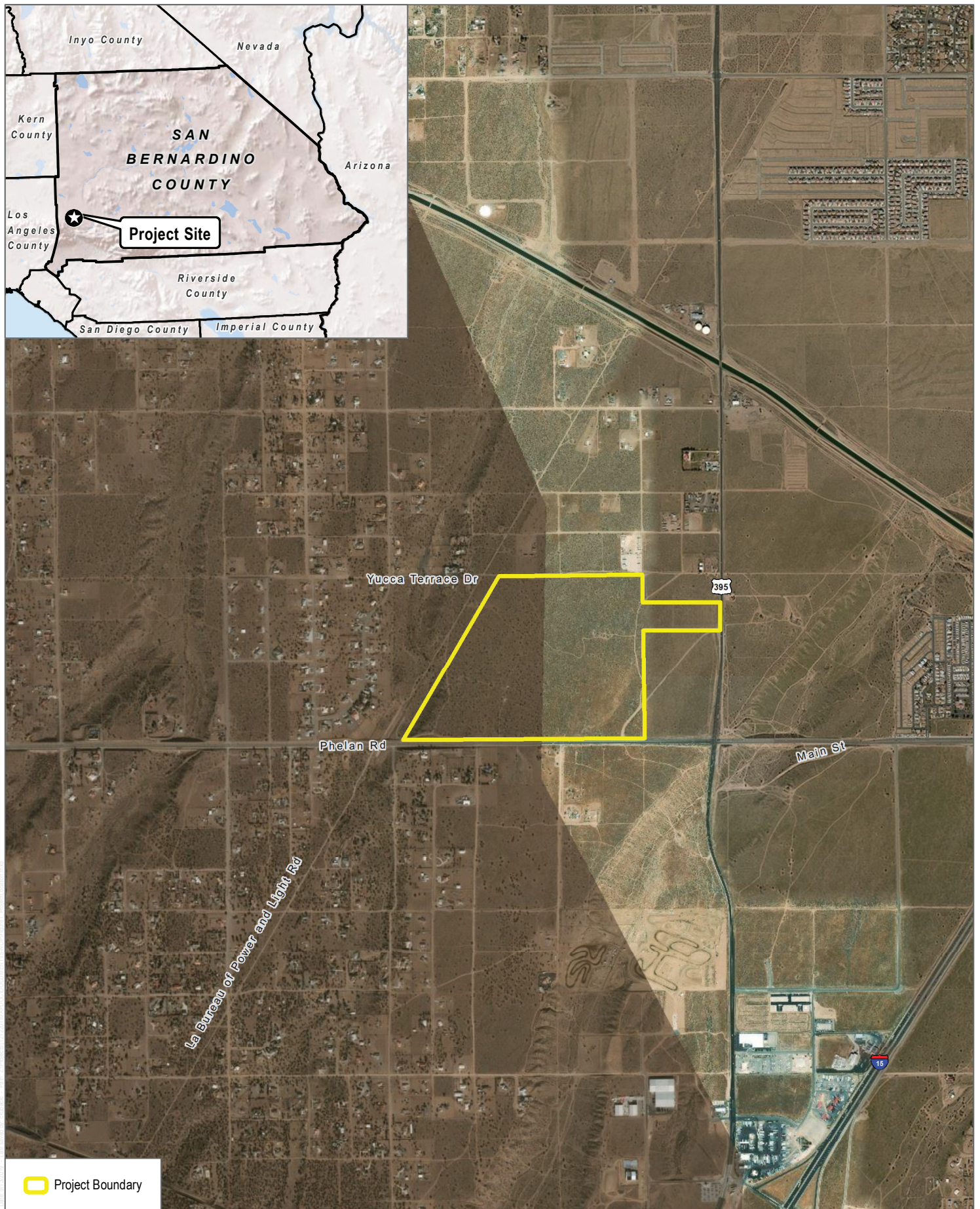
*Scoping Comments*

All scoping comments must be received in writing by December 20, 2019, by 4:30 p.m., which marks the end of the 30-day public scoping period. All written comments should indicate an associated contact person for the agency or organization, if applicable, and reference the Project name in the subject line. Pursuant to CEQA, responsible agencies are requested to indicate their statutory responsibilities in connection with the Project when responding. Please mail or email comments and direct any questions to the following contact person:

**Chris Borchert, Principal Planner  
City of Hesperia Planning Department  
9700 Seventh Avenue  
Hesperia, California 92345  
Phone: (760) 947-1231  
Email: [cborchert@cityofhesperia.us](mailto:cborchert@cityofhesperia.us)**

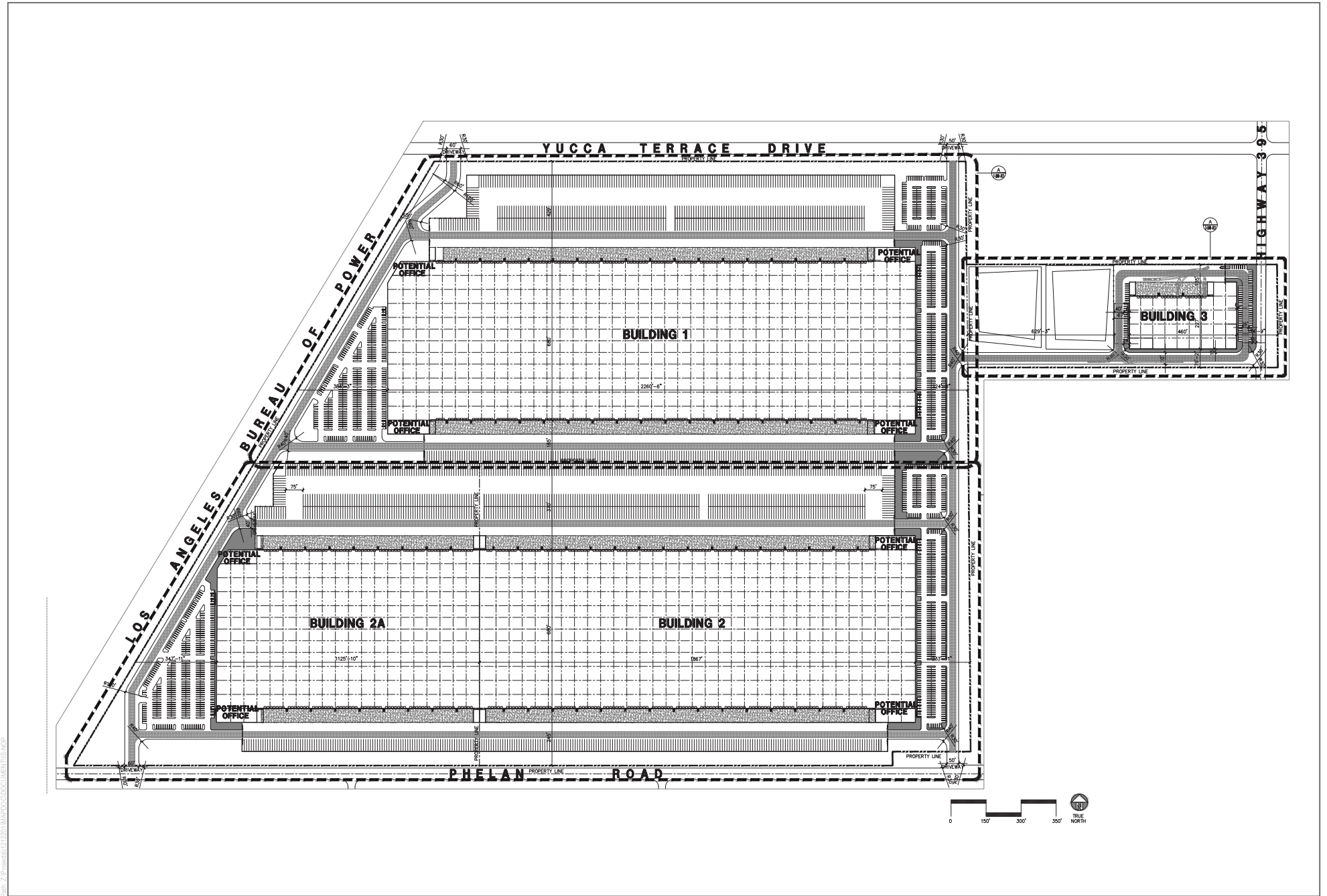
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SOURCE: Bing Maps 2019





SOURCE: HPA Architecture, 2019

**DUDEK**

**FIGURE 2**

Site Plan

Hesperia Commerce Center II