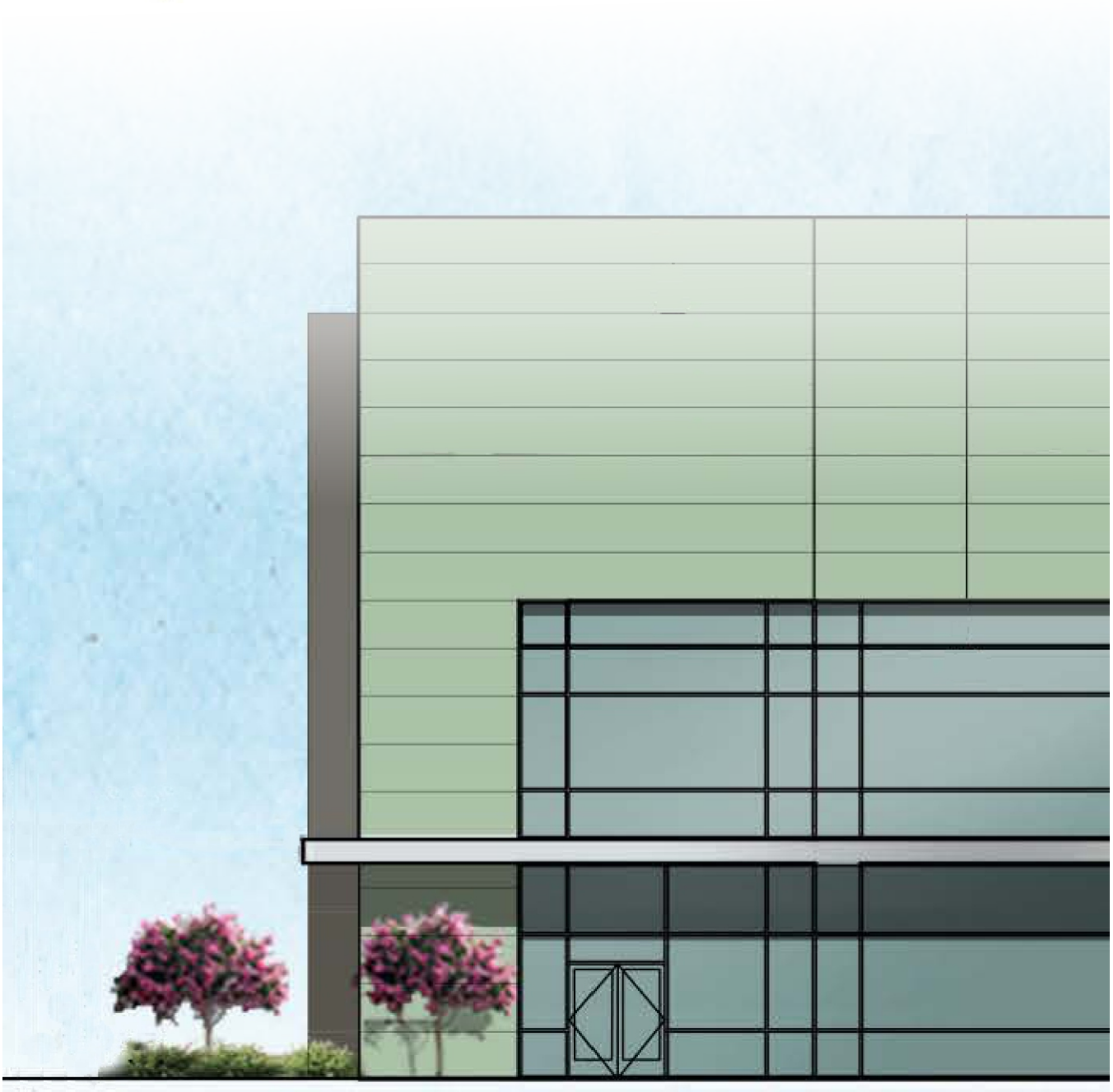
Dara Industrial Project
Draft Environmental Impact Report

July 2022



appliedplanning inc

DRAFT ENVIRONMENTAL IMPACT REPORT

for the

Dara Industrial Project

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1.0 EXECUTIVE SUMMARY

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1.1 INTRODUCTION

Pursuant to the requirements of the California Environmental Quality Act (CEQA), this Draft Environmental Impact Report (DEIR or EIR) evaluates and discloses the potential environmental impacts resulting from construction and operation of the proposed Dara Industrial Project (Project). The Project proposes development of a single industrial building of up to approximately 750,000 square feet within an approximately 43.28-acre site. The Project site is located at the northwest corner of Highway 395 and Poplar Street in the City of Hesperia.

This EIR Section provides an overview of the Project and its Objectives, and summarizes the potential environmental impacts of the proposal. Table 1.12-1, *Impacts and Mitigation Summary*, presented at the conclusion of this Section, lists these impacts and presents mitigation measures recommended to eliminate or reduce effects of those impacts determined to be potentially significant. For a full description of the Project, its impacts, recommended mitigation measures, and considered Alternatives to the Project, please refer to EIR Sections 3.0, 4.0, and 5.0, respectively.

1.2 PROJECT ELEMENTS

Primary elements comprising the Project are summarized below. Please refer also to the expanded characterization of Project facilities and operations presented at EIR Section 3.0, *Project Description*.

1.2.1 Site Preparation

The Project area would be cleared of all surface features, grubbed, rough-graded, and fine-graded in preparation of building construction. Any debris generated during site

preparation activities would be disposed of and/or recycled consistent with the City's Source Reduction and Recycling Element (SRRE). Existing grades within the Project site would be modified to establish suitable building pads and to facilitate site drainage. Based on preliminary development concepts, site preparation activities would result in approximately 200,000 cubic yards of soil export.

1.2.2 Development Concept

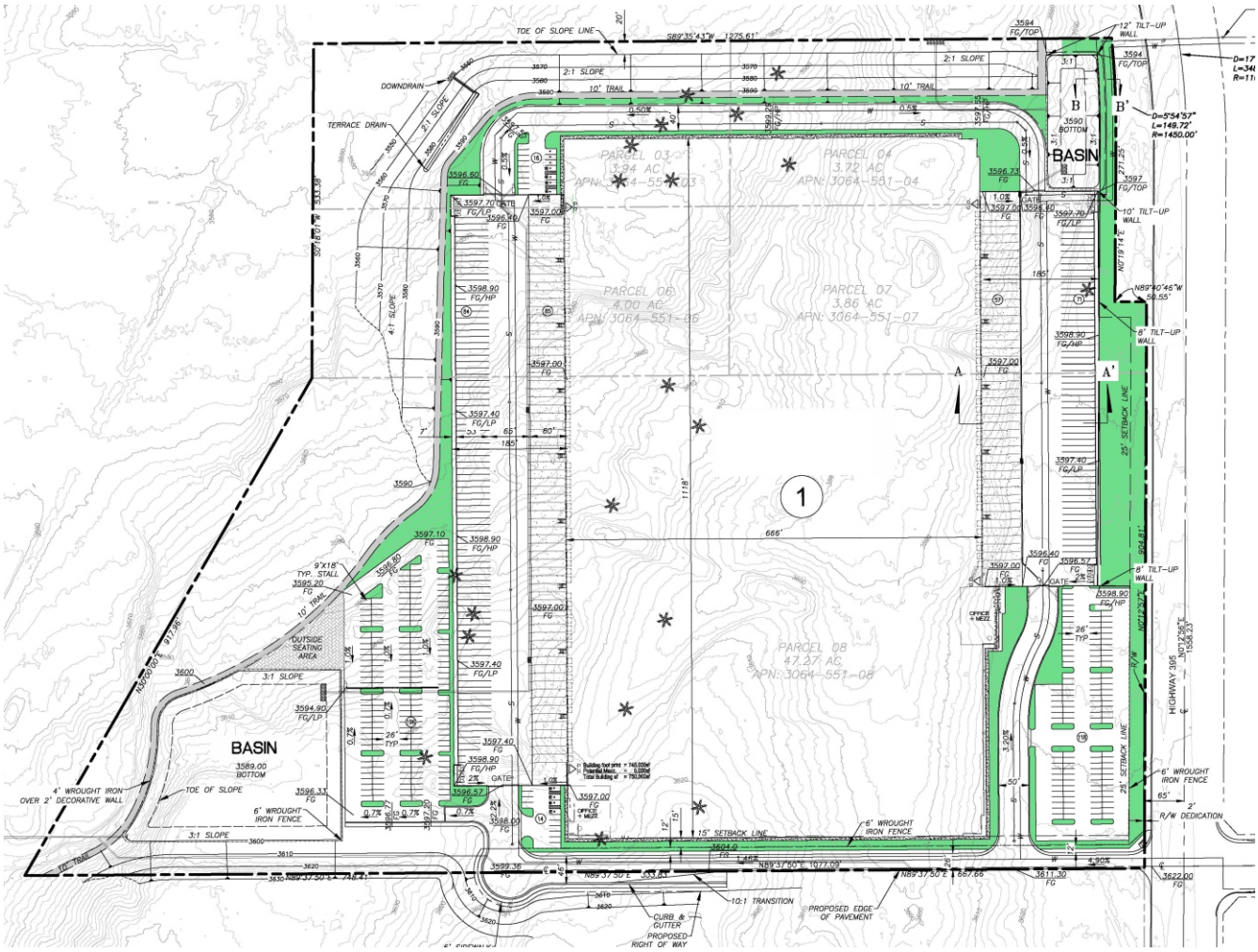
The Project proposes the development of up to approximately 750,000 square feet of industrial uses configured as a single building, to be constructed in a single phase. The Project site plan design also includes two stormwater management basins: an approximately 0.6-acre basin located in the northeast portion of the Project; and an approximately 2.0-acre basin located in the southwest portion of the Project site. The proposed basins would act to treat and control post-development stormwater discharges. Figure 1.2-1 presents the Project Site Plan Concept.

1.2.3 Access and Circulation

Access to the Project would be provided by two driveways located along Poplar Street. These full-access (no turn restrictions) driveways would accommodate both passenger cars and trucks. Access to the operational areas of the building would be restricted (gated) at both driveways. Project access shall conform to Main Street and Freeway Corridor Specific Plan Chapter 11: *Industrial Design Standards and Guidelines*, Section D, Item 6. All final Project access plans would be subject to review and approval by the City.

1.2.4 Landscape/Hardscape

Project landscape/hardscape would be required to conform to City requirements for industrial uses (Main Street and Freeway Corridor Specific Plan Chapter 11: *Industrial Design Standards and Guidelines*, Section D). All final Project landscape/hardscape plans would be subject to review and approval by the City.



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Source: SRD Design Studio, Inc. (June 17, 2022)

Figure 1.2-1
Conceptual Site Plan

1.2.5 Lighting

All Project lighting would be required to conform to City requirements for industrial uses (Main Street and Freeway Corridor Specific Plan Chapter 11: *Industrial Design Standards and Guidelines*, Section D, Item 14.). All final Project lighting plans would be subject to review and approval by the City.

1.2.6 Signs

All Project signs would be required to conform to City requirements for industrial uses. All final Project sign plans would be subject to review and approval by the City.

1.2.7 Parking

The Project includes parking consistent with City requirements for industrial uses (Main Street and Freeway Corridor Specific Plan Chapter 11: *Industrial Design Standards and Guidelines*, Section D, Item 8). All final Project parking plans would be subject to review and approval by the City.

1.2.8 Infrastructure/Utilities

Infrastructure and utilities that would serve the Project site are summarized below.

1.2.8.1 Water/Sewer Services

Water service to the Project would be provided by the Hesperia Water District (Water District). The City sources all of its water from underground aquifers through groundwater wells located throughout the City. All Project water service lines and connections to the Water District system would be required to conform to City and Water District requirements. The Project Applicant would also be required to obtain a "Will-Serve" letter for water service.

The Victor Valley Wastewater Reclamation Authority (VVWRA) provides wastewater treatment for the City of Hesperia and surrounding jurisdictions. All Project sewer service lines would be required to conform to City and VVWRA requirements.

1.2.8.2 Storm Water Management System

The City's storm drain and flood control systems are administered by Hesperia's Public Works Department. The San Bernardino Flood Control District has also developed an extensive system of facilities including dams, conservation basins, channels, and storm drains within the City and the surrounding area.

The Project storm water management system would be required to incorporate drainage improvements, facilities, and programs to control and treat storm water pollutants. Prior to issuance of grading permits, a detailed Water Quality Management Plan (WQMP) would be required to be submitted to, and approved by, the City. Additionally, per City requirements a Storm Water Pollution Prevention Plan (SWPPP) would be implemented consistent with the requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit.

1.2.8.3 Solid Waste Management

Solid waste generated by the Project would be collected by Advance Disposal Co. and disposed of at the Victorville Sanitary Landfill, operated by the County of San Bernardino Public Works Department.

1.2.8.4 Utilities

The Project would also be provided natural gas, electrical, telecommunications services. Service providers available to the Project are listed below:

- Natural gas (Southwest Gas Corporation);
- Electricity (SCE); and
- Telecommunications (various private services, including AT&T, Time Warner Communications, and Frontier Communications).

All modification of, and connection to, existing services would be accomplished consistent with City and purveyor requirements. It is noted that to allow for, and facilitate Project construction activities, provision of temporary SCE electrical services improvements would be required. The scope of such temporary improvements is

considered to be consistent with, and reflected within the total scope of development proposed by the Project. Similarly, impacts resulting from the provision of temporary SCE services would not be substantively different from, or greater than, impacts resulting from development of the Project in total.

1.2.8.5 Public Services

Fire protection and emergency medical services for the Project would be provided by the San Bernardino County Fire Department. Police protection services for the Project would be provided by the San Bernardino County Sheriff's Department on a contractual basis. The City also provides or facilitates provision of a range of other services that would be generally available to the Project patrons and employees. These services include, but are not limited to: educational, library, and arts and entertainment services.

1.2.8.6 Energy Efficiency/Sustainability

Energy-saving and sustainable design features and operational programs would be incorporated in the Project facilities pursuant to California Green Building Standards Code (CALGreen; CCR, Title 24, Part 11) as implemented by the City of Hesperia.

1.2.8.7 Construction Traffic Management Plan

Construction traffic would be routed through Joshua Street to Caliente Road and Aspen Street. The Project Applicant would be responsible for the preparation and submittal of a construction area traffic management plan (Plan) to be reviewed and approved by the City. Typical elements and information incorporated in the Plan would include, but would not be limited to:

- **Name of on-site construction superintendent and contact phone number.**
- **Identification of Construction Contract Responsibilities** - For example, for excavation and grading activities, describe the approximate depth of excavation, and quantity of soil import/export (if any).
- **Identification and Description of Truck Routes** - to include the number of trucks and their staging location(s) (if any).
- **Identification and Description of Material Storage Locations (if any).**

- **Location and Description of Construction Trailer (if any).**
- **Identification and Description of Traffic Controls** - Traffic controls shall be provided per the Manual of Uniform Traffic Control Devices (MUTCD) if the occupation or closure of any traffic lanes, parking lanes, parkways or any other public right-of-way is required. If the right-of-way occupation requires configurations or controls not identified in the MUTCD, a separate traffic control plan must be submitted to the City for review and approval. All right-of-way encroachments would require permitting through the City.
- **Identification and Description of Parking** - Estimate the number of workers and identify parking areas for their vehicles.
- **Identification and Description of Maintenance Measures** - Identify and describe measures taken to ensure that the work site and public right-of-way would be maintained (including dust control).

The Plan would be reviewed and approved by the City prior to the issuance of building permits. The Plan and its requirements would also be provided to all contractors as one required component of building plan/contract document packages.

1.3 PROJECT OPERATIONS

For analytic purposes, the following Project operational characteristics are assumed:

- The Project will be complete and fully operational by 2024, the Project Opening Year;
- The Project will be open and operational year-round, 24 hours per day, 7 days per week;
- A maximum of 10 percent of the Project gross floor area (75,000 square feet) will comprise refrigerated warehouse uses;
- The remaining 90 percent of the Project gross floor area (675,000 square feet) will comprise high-cube fulfillment (non-sort facility) warehouse uses:
- Unless otherwise noted herein, all Project operations would occur internal to the Project main building.

Project operations would also include on-site cargo handling. The most common type of cargo handling equipment is the yard truck designed for moving cargo containers. Yard trucks are also known as yard goats, utility tractors (UTRs), hustlers, yard hostlers, and yard tractors. Any yard trucks based at the Project site would be non-diesel (e.g., gasoline and/or electric-powered).

Project tenants are not yet known, and the number of jobs that the Project would generate cannot therefore be precisely determined. For the purposes of this analysis, Project employment estimates are based on employment factors identified in the Southern California Association of Governments (SCAG) Employment Density Study Summary Report October 31, 2001.[1] Employing SCAG employment factors, the Project would generate approximately 628 full-time jobs.

1.4 PROJECT OBJECTIVES

Project Objectives include the following:

- Implement the City's General Plan through development that is consistent with the site's General Plan land use designation, and applicable General Plan Goals and Implementation Policies;
- Implement the Main Street and Freeway Corridor Specific Plan through development that is consistent with the Specific Plan land uses and development concepts, and in total supports the Specific Plan vision;
- Provide adequate roadway and wet and dry utility infrastructure to serve the Project;
- Provide industrial uses that are compatible with planned adjacent land uses;
- Provide an attractive, efficient and safe environment for industrial uses that is cognizant of natural and man-made conditions;
- Provide industrial uses responsive to current and anticipated market demands;
- Establish new development providing construction and long-term employment opportunities; and that would further the City's near-term and long-range fiscal goals and objectives.

1 SCAG Employment Density Study; Table II-B.

1.5 DISCRETIONARY APPROVALS AND PERMITS

Discretionary actions, permits and related consultation(s) necessary to approve and implement the Project include, but are not limited to, the following.

1.5.1 Lead Agency Discretionary Actions and Permits

CEQA Guidelines Section 15124 states in pertinent part that if "a public agency must make more than one decision on a project, all its decisions subject to CEQA should be listed…" Requested decisions, or discretionary actions, necessary to realize the Dara Industrial Project would include the following:

- Certification of the Dara Industrial Project EIR;
- Approval of Tentative Parcel Map(s);
- Approval(s) of Conditional Use Permit;
- Site Plan Approval;
- Approval of Infrastructure Improvement Plans including, but not limited to: roads, sewer, water, and storm water management systems; and
- Various other City of Hesperia construction, grading, and encroachment permits are required to allow implementation of the Project facilities.

1.5.2 Other Agency Consultation and Permits

Anticipated consultation(s) and permits from agencies (other than the City) necessary to realize the Project would likely include, but are not limited to, the following:

- Consultation with requesting Tribes as provided for under *AB 52, Gatto. Native Americans: California Environmental Quality Act*; and *SB 18, Burton. Traditional tribal cultural places*.
- Permitting by/through the Mojave Desert Air Quality Management District (MDAQMD) for certain equipment or land uses that may be implemented within the Project area; and
- Various construction, grading, and encroachment permits allowing implementation of the Project facilities.

1.6 INITIAL STUDY

The City of Hesperia, through the Initial Study process, has determined that the Project has the potential to cause or result in significant environmental impacts, and warranted further analysis, public review, and disclosure through the preparation of an EIR. The Initial Study (IS) and associated EIR Notice of Preparation (NOP), dated April 2022, were forwarded to the California Office of Planning and Research, State Clearinghouse (SCH), and circulated for public review and comment. The State Clearinghouse established the public comment period for the NOP/IS as April 5, 2022 through May 5, 2022. The assigned State Clearinghouse reference for the Project is SCH No. 2022040060. The Initial Study, NOP, and NOP Responses are presented at DEIR Appendix A.

1.7 IMPACTS NOT FOUND TO BE POTENTIALLY SIGNIFICANT

The following discussions identify and list those environmental issues that have been determined pursuant to the IS/NOP and associated public review processes to pose no potentially significant impacts, or where compliance with standard mitigation or conditions of approval would reduce certain potentially significant impacts to levels that are less-than-significant. The specific issues listed are not substantively discussed within the body of this EIR. Please refer also to related discussions and analyses presented within the Initial Study, EIR Appendix A.

Aesthetics

There are no scenic vistas within the Project site, nor would the Project otherwise adversely affect a designated scenic vista. The Project would implement contemporary light industrial uses that would be required to conform to City design guidelines and development standards. All Project lighting would also be required to conform to City requirements. The Project would therefore have less-than-significant impacts for the following aesthetic considerations:

- Substantial adverse effects on a scenic vista;
- Substantial damage to scenic resources, including, but not limited to, trees, rocks, outcroppings, and historic buildings within a state scenic highway;

- Substantial degradation of the existing visual character or quality of the site and its surroundings; and

- Creation of a new source of substantial light or glare, which would adversely affect the day or nighttime views in the area.

Agriculture and Forest Resources

The Project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; nor are any portions of the Project site subject to, or otherwise affected by, Williamson Act contracts. The Project site is not designated as forestland or timberland. The Project does not propose or require uses that would affect off-site agriculture or forest resources. As such, the Project will have no impact for the following considerations:

- Conversion of 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; and

- Conflict with existing zoning for agricultural use, or a Williamson Act contract;

- Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production;

- Result in the loss of forest land or conversion of forest land to non-forest use; or

- 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.

Air Quality

The Project does not propose facilities or on-going operations that would create objectionable odors affecting a substantial number of people. On this basis, the Project would have a less-than-significant impact in regard to the following consideration:

- Create objectionable odors affecting a substantial number of people.

Cultural Resources

There are no known formal cemeteries or informal burial sites within the Project site. The likelihood of encountering human remains in the course of Project development is therefore considered minimal.

As required by California Health and Safety Code Section 7050.5, should human remains be found, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are found to be prehistoric, the coroner would coordinate with the California Native American Heritage Commission as required by state law. As such, the Project will have a less-than-significant impact for the following cultural resources consideration:

- Disturbance of any human remains, including those interred outside of formal cemeteries.

Geology and Soils

The Project site is located in a region known to be seismically active, and seismic ground-shaking may be expected during an earthquake. However, the subject property is not located within an Alquist-Priolo Earthquake Fault Zone, and there are no known or suspected faults or fault traces within the site.

As implemented through the City's standard review and approval processes, a site and use-specific geotechnical study has been prepared for the Project, subject to review and approval by the City Engineer. In general, the geotechnical study addresses and reflects

California Building Code design, engineering and construction requirements that act to minimize the effects of earthquakes and other geologic or soils conditions on structures. The Project would comply with the approved geotechnical study pursuant to City development permit review processes.

The Project site evidences no substantive internal elevation differences and, as such, is not internally susceptible to landsliding.

Construction activities associated with the Project would temporarily expose underlying soils, thereby increasing their interim susceptibility to erosion, until the Project is fully implemented. Potential erosion impacts incurred during construction activities are reduced below the level of significance through preparation of, and compliance with, a Storm Water Pollution Prevention Plan (SWPPP). In this regard, the Project proponent is required to file an approved SWPPP prior to initiation of construction activities. Compliance with the SWPPP is realized through ongoing inspection and monitoring of the subject site as provided for under the City's established building permit and site inspection processes.

The Project Geotechnical Study in total indicates that the Project site is not located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project. Further, the Project would be required to comply with the requirements of a final City-approved geotechnical report, and applicable provisions of the Uniform Building Code (UBC) and California Building Code (CBC) that would act to minimize any unstable soils, unstable geologic units that may be encountered.

The Project site is currently provided sewer services. No septic tanks or other alternative wastewater disposal systems are proposed.

Based on the preceding, the Project would result in less-than-significant impacts, or have no impact, for the following geology and soils considerations:

- Exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure; or landslides;

- Substantial soil erosion or the loss of topsoil;

- Location 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;

- Location on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property; or

- Soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

Hazards and Hazardous Materials

During the normal course of construction activities, there will be limited transport of potentially hazardous materials (e.g., gasoline, diesel fuel, paints, solvents, fertilizer, etc.) to and from the Project site. Handling of these materials is extensively regulated at the local, State and federal levels. It is not expected that the Project would involve the likely release or upset of these hazardous materials into the environment.

There are no known or proposed schools located within one-quarter mile of the Project site. Accordingly, the Project would have no potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

The Project site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Neither would the Project potentially affect, or be affected by, off-site locations listed pursuant to Government Code Section 65962.5.

The Project does not propose or require designs or activities that would interfere with any identified emergency response or emergency evacuation plan. Emergency procedures or design features required by County, State and Federal guidelines will be implemented during construction and during operation of the Project. Temporary alterations to vehicle circulation routes associated with Project construction are addressed through City-mandated construction traffic management plans. Ongoing coordination with the local fire and police departments during construction will ensure that potential interference with emergency response and evacuation efforts are avoided.

The Project site is located in an urbanized area, with no proximate wildlands. Moreover, the Project site and surrounding areas are currently provided fire protection and emergency response services by the San Bernardino County Fire Department. Development fees and taxes paid by the Project act to offset its incremental demands for fire protection services.

Based on the preceding, the Project would have no or less-than-significant impacts under the following considerations:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;

- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment;

- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;

- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment;

- 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 the people residing or working in the project area;

- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and

- Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Hydrology and Water Quality

Discharge of pollutants from the Project site would be minimized through compliance with requirements of the City Municipal Code and conformance with programs and performance standards established under the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System Permit (MS4 permit) issued by the California Water Resources Control Board, Santa Ana Region.

Consistent with MS4 Permit requirements, the Applicant would be required to develop and implement a construction Storm Water Pollution Prevention Program (SWPPP) acting to reduce and control potential erosion, siltation, and discharge of pollutants during Project construction.

Project operations would comply with the Project's mandated City-approved Water Quality Management Plan (WQMP) to minimize storm water pollutants of concern and document implementation of required BMPs.

Compliance with City requirements to include required implementation of the Project SWPPP and WQMP would ensure that construction and operation of the Project would not violate any water quality standards or waste discharge requirements, or conflict with implementation of a water quality control plan. Project impacts in this regard would be less-than-significant.

Water is provided throughout the City by the Hesperia Water District. Groundwater that may be consumed by the Project and the City of Hesperia, as a whole, would be recharged pursuant to the District's policies and programs. The Project site is not a designated groundwater recharge area. The Project does not propose or require facilities or operations that would otherwise adversely affect designated recharge areas. Further, construction proposed by the Project will not involve substructures at depths or other subsurface features that would significantly impair or alter the direction or rate of flow of groundwater.

The Project incorporates necessary drainage and stormwater management systems, and would comply with stormwater system design, construction, and operational requirements mandated under the City Municipal Code, and with regulations established by other agencies, including the Lahontan Regional Water Quality Control Board (LRWQCB) and California Department of Water Resources.

The Project would implement a storm drain system that will collect storm and retain stormwater water runoff via strategically dispersed systems and retention basins. The retention basins have been designed to mitigate the impacts of additional runoff that would be generated by the Project. Final design, configuration, and locations of proposed drainage system improvements will be reviewed and approved by the City prior to, or concurrent with, application for grading permits.

During site preparation activities, any existing groundcover would be removed from the site, exposing the Project area to increased wind and water erosion potentials. Further, construction site runoff may carry increased loads of sediment, heavy metals and petroleum hydrocarbons (from machinery) which could degrade water quality. In

accordance with NPDES requirements, the Project Applicant would be required to prepare and implement a Construction Activities Erosion Control Plan to alleviate potential sedimentation and stormwater discharge contamination impacts of the Project.

The Applicant would also be responsible for compliance with the General Construction Permit by filing a Notice of Intent to Commence Construction Activities. Under the General Construction Permit, discharge of materials other than stormwater is prohibited. The General Construction Permit stipulates further that the Applicant shall prepare, retain at the construction site, and implement a SWPPP which identifies the sources of sediments and other pollutants that affect the quality of stormwater discharge, and implement practices to reduce sediment and other pollutants to stormwater discharge. SWPPP requirements include identification of construction and post-construction BMPs that would act to reduce sediments and other pollutants.

Implementation of the Project SWPPP and compliance with applicable NPDES and LRWQCB requirements would ensure that potential construction-source water quality impacts of the Project are reduced to levels that would be less-than-significant.

The Project site does not lie within an identified 100-year flood hazard zone, nor is housing proposed as part of the Project. Accordingly, the Project would have no impacts regarding placement of housing within a 100-year flood hazard area. The Project is not subject to potential inundation as the result of failure of any other known dam or levee.

The Project site is not subject to tsunami hazards. No slopes of significance have been identified on or near the Project site, and the Project site has not historically been affected by mudflows.

Based on the preceding discussion, the Project would result in less-than-significant impacts for the following hydrology and water quality considerations:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality;

- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin;

- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:

  - result in substantial erosion or siltation on- or off-site?
  - substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?
  - create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
  - impede or redirect flood flows?

- In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation;

- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Land Use

No residences or other housing exists within the Project site. No residents would be displaced by the Project, nor would the physical arrangement of any neighboring residential communities be modified or divided by the Project.

The Hesperia General Plan designates the Project site as Specific Plan (Main Street and Freeway Corridor Specific Plan). Within the Specific Plan, the site is zoned for Commercial/Industrial Business Park (CIBP) uses. This zone is intended to provide for service commercial, light industrial, light manufacturing, and industrial support uses, mainly conducted in enclosed buildings.

The Project does not propose any modification of these designations. The Project would implement industrial uses within an urbanizing area of the City designated for, and anticipated to develop with, such uses.

Based on the preceding, the Project would have less-than-significant impacts for the following land use considerations[2]:

- Physically divide an established community;

- 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.

Mineral Resources

According to the Conservation Element of the City's General Plan, mineral resources such as sand, gravel, and stone exist within the City. These resources are not considered to be significant due to the vast availability of similar deposits in the region. Although the City has known mineral resources, the Project would not be located within an area that is zoned for mineral resource extraction operations, and thus, such activities cannot currently occur on the Project site. As such, the Project would result in less-than-significant impacts for the following mineral resources considerations:

- Loss of availability of a known mineral resource that would be of value to the region and to the residents of the state; and

- Loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

[2] The Initial Study substantiated that the Project Land Use and Planning impacts would be less-than-significant. EIR Section 4.1, *Land Use and Planning* is provided for descriptive and context purposes.

Noise

No private airstrips are located within the Project vicinity. As such, the Project would result in a less-than-significant impact for the following noise consideration:

- For a project within the vicinity of a private airstrip, expose people residing or working in the Project area to excessive noise levels.

Population and Housing

The Project does not propose residential development, nor would the Project otherwise induce substantial population growth in the area, either directly or indirectly. Development proposed by the Project site is consistent with that envisioned under the City General Plan. Therefore, development proposed by the Project, and any associated infrastructure improvements are unlikely to encourage unanticipated population growth. No housing exists within the Project site, and the Project does not propose uses or activities that would otherwise displace housing assets or persons.

On the basis of the preceding discussion, the Project would have less-than-significant impacts for the following population and housing considerations:

- Induce substantial population growth in the area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension of roads or other infrastructure);

- Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

Public Services

Fire suppression and emergency response services for the Project would be provided by the San Bernardino County Fire Department. The Project does not propose or require construction or modification of fire protection facilities, nor is it designated or proposed as the location for new or modified fire protection facilities. Incremental fire protection service demands generated by the Project are offset through Project payment of City of

Hesperia Development Impact Fees. A portion of the City's Development Impact Fees are allocated for fire protection services.

Additionally, to the satisfaction of the Fire Department, the Project would comply with City and Fire Department fire prevention and suppression requirements, including building/site design requirements, fire flow adequacy, and provisions for emergency access, thereby reducing potential increased demands for fire protection services.

The City of Hesperia contracts with the San Bernardino County Sheriff's Department for police services. The Project does not propose or require construction or modification of police protection facilities, nor is it designated or proposed as the location for new or modified police protection facilities. Incremental police protection service demands generated by the Project are offset through Project payment of City of Hesperia Development Impact Fees. A portion of the City's Development Impact Fees are allocated for police protection services.

Additionally, the Project site plan concept and proposed building designs would be reviewed by the Sheriff's Department to ensure incorporation of appropriate safety and security elements. Such design features would include secure building designs, defensible spaces, and area and facility security lighting. These design features would act to reduce Project demands for police protection services.

The Project site lies within the Hesperia Unified School District. The Project does not propose residential uses that would result in populations of resident school-aged children requiring public education, and would therefore not directly cause or contribute to a need to construct new or physically altered public school facilities. Indirectly, the Project may contribute to area demands for school services if Project employees and their school age children would relocate to school districts serving the City.

The Project does not propose or require construction or modification of school facilities, nor is it designated or proposed as the location for new or modified school facilities. Project incremental impacts to school services would be offset through payment of school impact fees.

The Hesperia Recreation and Park District maintains retention basins, public landscaping, streetlights, and parks within the City. Uses proposed by the Project would not increase demands for parks or parks services.

Development of the Project would require established public agency oversight including, but not limited to, various plan check and permitting actions by the City. Impacts of the Project would fall within routine tasks of these agencies/departments and are paid for via plan check and inspection fees. Impacts of the Project would not be of such magnitude that new or physically altered facilities would be required. There are no known or probable other public facilities that would be substantially affected by the Project.

Based on the preceding, the Project would have less-than-significant impacts for the following public services considerations:

- 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 schools, parks, or other public facilities.

Recreation

The Project does not propose residential development, and would not directly contribute to resident populations that would increase the use of existing neighborhood and regional parks or other recreational facilities. Job opportunities created by the Project may result in relocation of persons to the City that could indirectly contribute to resident populations, demands for new housing, and resulting increased use of existing neighborhood and regional parks or other recreational facilities. New residential development within the City is required to pay Development Impact Fees, a portion of which would be allocated for parks facilities, acting to offset incremental demands on neighborhood and regional parks or other recreational facilities. The Project does not propose recreational facilities, nor would the Project require the construction or expansion of recreational facilities.

Based on the preceding, the Project would have less-than-significant impacts for the following recreation considerations:

- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial deterioration of the facility would occur or be accelerated; and

- Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

Wildfire

CAL FIRE maintains California Fire Hazard Severity Zone Maps, including maps for State responsibility areas, as well as local responsibility areas. The City of Hesperia is located within a local responsibility area. According to the local responsibility map, Hesperia is located in a non-very high fire hazard severity zone (Non-VHFHSZ).[3]

As such, the Project is not located within or near a state responsibility area, or within an area classified as a very high fire hazard severity zone. All Project development would be required to comply with City Building and Fire Codes. All building plans within the City are reviewed by the San Bernardino County Fire Department to ensure their compliance with the City's fire code.

Based on the preceding, the Project would have less-than-significant impacts for the following wildfire considerations:

- Substantially impair an adopted emergency response or evacuation plan;

- Expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire;

[3] https://osfm.fire.ca.gov/media/5945/hesperia.pdf

- 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; and

- 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.

1.8 AREAS OF CONCERN OR CONTROVERSY

Section 15123 of the *CEQA Guidelines* requires that the EIR summary identify areas of potential concern or controversy known to the lead agency, including issues raised by other agencies and the public. Issues of concern were identified by the Lead Agency, through responses to the Project Initial Study/Notice of Preparation (NOP), and other communications addressing the Project and the Project EIR.

Responses received pursuant to distribution of the NOP and Public Scoping Meeting are presented at EIR Appendix A. Table 1.8-1 presents a list of NOP respondents, and a corresponding summary of NOP comments, indicated by *italicized text*. Responses to comments, together with correlating EIR references are indicated in subsequent statements. Unless otherwise noted, all NOP respondent comments are addressed within the body of the EIR.

Table 1.8-1
List of NOP/AB 52 Respondents and Summary of Comments

Respondent	Summary of Comments
State Agencies	
State of California Office of Planning and Research, State Clearinghouse (SCH)	*SCH provided receipt and record of distribution of the NOP/IS and established the NOP review and comment period of April 5, 2022 through May 5, 2022.* EIR Appendix A includes a copy of the Project IS/NOP and NOP Responses.
California Air Resources Board (CARB)	*CARB requests that a Health Risk Assessment (HRA) be prepared for the Project. CARB requests that the EIR discuss potential cancer risks resulting from Project construction-source and operational-source Diesel Particulate Matter (DPM) emissions.* Project-source air quality impacts including, but not limited to, cancer risks and

Table 1.8-1
List of NOP/AB 52 Respondents and Summary of Comments

Respondent	Summary of Comments
	health risks generally are discussed at EIR Section 4.3, *Air Quality*; EIR Section 4.4, *Greenhouse Gas Emissions*, et. al. Detailed modeling of Project air pollutant and GHG emissions are presented at EIR Appendices C and D. As substantiated in the EIR, all Project-source air pollutant emissions impacts, cancer risk impacts health risk impacts generally, and GHG emissions impacts would be less-than-significant.
California Department of Fish & Wildlife (CDFW)	*CDFW provides guidance for preparation of the Project biological resources assessment(s).* The EIR at Section 4.7 and Appendix G evaluate and address the Project's potential impacts to biological resources. As substantiated in the EIR, all Project impacts to biological resources would be less-than-significant, or less-than-significant as mitigated.
Regional and County Agencies	
Caltrans, District 8	*Caltrans provides guidance for preparation of the Project transportation impact analyses.* Specific topics referenced by Caltrans in their NOP response are addressed at EIR Section 4.2, *Transportation*. Detailed Project Traffic Analysis and VMT Assessment are presented at EIR Appendix B.
Mojave Desert Air Quality Management District (MDAQMD)	*MDAQMD provides guidance for preparation of the Project air quality impact analyses. MDAQMD identifies "mitigation" to be included in the EIR.* Specific topics referenced by MDAQMD in their NOP response are addressed at EIR Section 4.3, *Air Quality*. Detailed Project Air Quality Impact Analysis and Health Risk Assessment are presented at EIR Appendix C. As substantiated in the EIR, all Project air quality impacts would be less-than-significant, as such no mitigation for the Project air quality impacts is required under CEQA. The Lead Agency will incorporate MDAQMD requested "mitigation" as Project Conditions of Approval. These measures may reduce already less-than-significant air quality impacts of the Project.

1.9 EIR TOPICAL ISSUES

Based on the Initial Study analysis, and comments received pursuant to circulation of the NOP, the EIR analyses have been focused on the following topics:

- Air Quality;
- Biological Resources;
- Cultural Resources/Tribal Cultural Resources;
- Energy;
- Greenhouse Gas (GHG) Emissions;

- Land Use and Planning;
- Noise;
- Transportation/Traffic; and
- Utilities and Service Systems.

Additionally, EIR Section 5.0, *Other CEQA Considerations*, presents discussions of other mandatory CEQA topics, including:

- Cumulative Impact Analysis;
- Alternatives Analysis;
- Growth-Inducing Impacts of the Proposed Action;
- Significant Environmental Effects; and
- Significant and Irreversible Environmental Changes.

1.10 SUMMARY OF SIGNIFICANT PROJECT IMPACTS

As substantiated in this EIR all Project environmental impacts would be less-than-significant, or less-than-significant as mitigated.

1.11 ALTERNATIVES TO THE PROJECT

CEQA Guidelines Section 15126.6(a) states:

> "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives."

As substantiated in this EIR, the Project would not result in any significant environmental impacts. As such, there are no significant impacts that would be lessened by an Alternative to the Project or by relocating the Project to an Alternative Site. Nonetheless, for illustrative purposes, and to provide context for the Project's environmental impacts, the Alternatives analysis presented here describes likely

environmental impacts that would result from differing development scenarios at the Project site. Alternatives considered here include:

- No Project Alternatives (No Build Scenario, and High-Cube Warehouse Uses Development Scenario);
- Reduced Intensity Alternative; and
- Alternative Sites.

The above-listed Alternatives are summarized below, and are described in greater detail at Section 5.2.2, *Description of Alternatives*.

1.11.1 No Project Alternative

Overview

The *CEQA Guidelines* specifically require that an EIR include evaluation of a No Project Alternative. The No Project Alternative should make a reasoned assessment as to future disposition of the subject site should the Project under consideration not be developed. In this latter regard, the *CEQA Guidelines* state in pertinent part:

> "If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the "no project" alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this "no project" consequence should be discussed. In certain instances, the no project alternative means "no build" wherein the existing environmental setting is maintained. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project's non-approval and not create and analyze a set of artificial

assumptions that would be required to preserve the existing physical environment." (*CEQA Guidelines*, Section 15126.6 (e)(3)(B)).

Within this analysis, two No Project Scenarios are considered – "No Build" and "High-Cube Warehouse Development Scenario."

No Project Alternative: No Build Scenario

The No Project Alternative: No Build Scenario assumes the site remains in its current undeveloped condition. If a No Build Scenario were maintained, its comparative environmental impacts would replicate the existing conditions discussions for each of the environmental topics evaluated in this EIR; and comparative impacts of the Project would be as presented under each of the EIR environmental topics.

No Project Alternative: High-Cube Warehouse Development Scenario

The No Project Alternative: High-Cube Warehouse Development Scenario assumes development of the subject site with a building area equal to that of the Project (750,000 total square feet). The No Project Alternative: High-Cube Warehouse Development Scenario would however comprise high-cube fulfillment warehouse uses only, rather than the mix of 90% high-cube fulfillment warehouse uses/10% refrigerated warehouse uses assumed under the Project.

1.11.2 Reduced Intensity Alternative

Overview

The Project would not result in any significant environmental impacts. The Reduced Intensity Alternative considered in this EIR would diminish the Project's already less-than-significant impacts.

Evaluated Reduced Intensity Alternative

For illustrative purposes, the Reduced Intensity Alternative assumes development of the Project site at a 25 percent reduction in building area when compared to the Project. This would yield an approximately 187,500-square-foot warehouse building. As with the Project, it is assumed that 90 percent of the building (168,750 square feet) would

comprise high-cube fulfillment warehouse uses; the remaining 10 percent (18,750 square feet) would comprise refrigerated warehouse uses.

1.11.3 Alternative Sites

As stated in the *CEQA Guidelines* §15126.6 (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR." *CEQA Guidelines* §15126.6 (f) (1) also provides that when considering the feasibility of potential alternative sites, the factors that may be taken into account include: "site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site (or the site is already owned by the proponent). None of these factors establishes a fixed limit on the scope of reasonable alternatives."

As discussed in the body of the Draft EIR, the Project would not result in any significant environmental impacts. As such, there are no significant impacts that would be reduced by relocation of the Project. Moreover, there is no indication that relocation of the Project would discernibly diminish any of the Project's already less-than-significant impacts. Lastly, in this case, there are no suitable alternatives sites that the proponent can reasonably acquire, control, or otherwise access. Alternative sites are not further considered here.

1.11.4 Environmentally Superior Alternative

For the purposes of CEQA, the Reduced Intensity Alternative could be identified as the "environmentally superior alternative." In this regard, the Reduced Intensity Alternative may incrementally reduce impacts of the Project. However, the Project impacts are already less-than-significant or less-than-significant as mitigated. There is no basis for implementing the Reduce Intensity Alternative as means for reducing the Project's

significant environmental impacts since the Project would not result in or cause any significant environmental impacts. Moreover, the Reduced Intensity Alternative would diminish attainment of the Project Objectives. Please refer also to EIR Section 5.2 for the complete Alternatives Analysis.

1.12 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table 1.12-1 summarizes potential impacts resulting from implementation and operations of the Project. The impacts identified at Table 1.12-1 correspond with environmental topics and impacts discussed at EIR Section 4.0, *Environmental Impact Analysis*. Table 1.12-1 also lists measures proposed to mitigate potentially significant environmental impacts of the Project, and indicates the level of significance after application of proposed mitigation.

Table 1.12-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
4.1 Land Use and Planning			
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.	No mitigation is necessary.	Not applicable.
Physically divide an established community.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
4.2 Transportation			
Conflict or be inconsistent with *CEQA Guidelines* Section 15064.3, subdivision (b).	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Substantially increase hazards to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Result in inadequate emergency access.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.

Table 1.12-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
4.3 Air Quality			
Conflict with or obstruct implementation of the applicable air quality plan.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Expose sensitive receptors to substantial pollutant concentrations.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
4.4 Greenhouse Gas Emissions			
Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
4.5 Energy			
Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.

Table 1.12-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
4.6 Noise			
Construction activities and associated noise would result in exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Vehicular source noise would result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Project operational noise would result in exposure of persons to, or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.

Table 1.12-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
Project operational noise would result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Generation of excessive groundborne vibration or groundborne noise.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
4.7 Biological Resources			
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.	Potentially Significant.	*4.7.1 A State Incidental Take Permit (ITP) shall be obtained prior to any ground-disturbing activities that would be expected to impact the western Joshua tree.* *4.7.2 If construction occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds should be conducted within three (3) days of the start of any vegetation removal or ground-disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities should stay outside of a no-disturbance buffer. The size of the no-disturbance buffer will be determined by the wildlife biologist and will depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, type and*	Less-Than-Significant.

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Table 1.12-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
		duration of construction activity, ambient noise, species habituation, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A biological monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur. *4.7.3 A pre-construction burrowing owl survey will be conducted within 30-days prior to construction to avoid any potential project-related impacts to this species. If burrowing owls are documented on-site, the Applicant shall prepare and implement a plan for avoidance or passive exclusion, in coordination with CDFW. Methodology for surveys, impact analysis, and reporting shall follow the recommendations and guidelines provided within the California Department of Fish and Game Staff Report on Burrowing Owl Mitigation (CDFW 2012 Staff Report).*	

Table 1.12-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
Have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or California plans, policies or regulations or by the California Department of Fish and Wildlife (CDFW) or the United States Fish and Wildlife Service (USFWS); Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	Potentially Significant.	*4.7.4 If Oro Grande Wash will be impacted by Project development, the Project Applicant shall obtain the following regulatory approvals prior to impacts occurring within the identified jurisdictional area: Corps CWA Section 404 Permit, Regional Board CWA Section 401 Water Quality Certification, and/or CDFW Section 1602 Streambed Alteration Agreement.*	Less-Than-Significant.
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 wildlife nursery sites.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance; Conflict with provisions of an adopted Habitat	Potentially Significant.	*4.7.5 No Joshua Trees shall be removed from the site without first obtaining a State Incidental Take Permit (ITP) from the CDFW. The removal/salvage of any Joshua Trees shall occur in compliance with Hesperia Municipal Code Section 16.24.*	Less-Than-Significant.

Table 1.12-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.			
4.8 Cultural/Tribal Resources			
Cause a substantial adverse change in the significance of historic and archaeological resources as defined in §15064.5.	Potentially Significant.	*4.8.1 Prior to the initiation of ground-disturbing activities, field personnel shall be alerted to the possibility of buried prehistoric or historic cultural deposits. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work in the other portions of the Project site outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed at Mitigation Measure 4.8.5, regarding any pre-contact and/or historic-era finds. SMBMI shall be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment of the find(s).*	Less-Than-Significant.
		4.8.2 If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be assured, the archaeologist shall develop a Monitoring and Treatment Plan (Plan), a draft of which shall be provided to SMBMI	

Table 1.12-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
		for review and comment, as detailed at Mitigation Measure 4.8.5. The archaeologist shall monitor the remainder of the Project site disturbing activities and shall implement the Plan accordingly.	
		4.8.3 If human remains or funerary objects are encountered during any activities associated with the Project site disturbing activities, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of Project site disturbing activities.	
Directly or indirectly destroy a unique paleontological resource or site or unique geological feature.	Potentially Significant.	*4.8.4 A qualified paleontologist shall be retained to conduct a pre-construction meeting prior to ground disturbance to instruct workers on proper fossil identification and subsequent notification of a trained professional. If paleontological resources (fossils) are discovered during Project site-disturbing activities, work shall be halted in that area until a qualified paleontologist can be retained to assess the significance of the find. The Project paleontologist shall monitor remaining site-disturbing activities at the Project site and shall be equipped to record and salvage fossil resources that may be unearthed during site-disturbing activities. The paleontologist shall be empowered to temporarily halt or divert site-disturbing activities to allow recording and removal of the unearthed resources. Any fossils found shall be evaluated in accordance with the CEQA Guidelines and offered for*	Less-Than-Significant.

Table 1.12-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
		curation at an accredited facility approved by the City. Once site-disturbing activities have ceased or the paleontologist determines that monitoring is no longer necessary, monitoring activities may be discontinued.	
Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074.	Potentially Significant.	*4.8.5 The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed at Mitigation Measure 4.8.1, of any pre-contact and/or historic-era cultural resources discovered during Project site disturbing activities. SMBMI shall be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment of the find(s). Should the find(s) be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to provisions of this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the Project site disturbing activities, should SMBMI elect to place a monitor on-site.*	Less-Than-Significant.
		4.8.6 Any and all archaeological/cultural documents created as a part of the Project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the Applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or Applicant shall, in good faith, consult with SMBMI throughout the life of the Project.	
4.9 Utilities and Service Systems			

Table 1.12-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
Require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effect.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.

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Table 1.12-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
Comply with federal, state, and local statutes and regulations related to solid waste.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.

2.0 INTRODUCTION

2.0 INTRODUCTION

2.1 OVERVIEW

This Draft Environmental Impact Report (Draft EIR, DEIR, EIR) evaluates and discloses potential environmental impacts of the proposed Dara Industrial Project (Project). In summary, the Project proposes development and operation of a single industrial building totaling approximately 750,000 square feet within an approximately 43.28-acre site. The Project is further described at Draft EIR Section 3.0, *Project Description*.

An EIR is an informational document intended to apprise decision-makers and the general public of potentially significant environmental impacts of a project. An EIR also proposes mitigation to preclude or minimize significant impacts, and describes reasonable alternatives to the Project that may also reduce or avoid significant impacts. Having the authority to take action on the Project, the City of Hesperia will consider the information in this EIR in their evaluation of the proposal. Findings and conclusions of the EIR do not control the City's discretion to approve, deny, or modify the Project, but instead are presented as information to aid the decision-making process.

2.2 AUTHORIZATION

This EIR has been prepared by the City of Hesperia pursuant to *Guidelines for the Implementation of the California Environmental Quality Act (Guidelines)*, (§§ 15000–15387, California Code of Regulations). The proposed Dara Industrial Project is a "project," as defined at § 15378 of the *Guidelines*. The *Guidelines* stipulate that an EIR must be prepared for any project that may have a significant impact on the environment. The City has determined that the Project may have one or more significant impacts on the environment and, therefore, the preparation of an EIR is required.

2.3 LEAD AND RESPONSIBLE AGENCIES

CEQA defines a "lead agency" as the public agency which has the principal responsibility for carrying out or approving a Project which may have a significant effect upon the environment. Other agencies, e.g., the California Department of Transportation (Caltrans), the South Coast Air Quality Management District (SCAQMD) or the Regional Water Quality Control Board (RWQCB), which also have some authority or responsibility to issue permits for Project implementation, are designated as "responsible agencies." Both the lead agency and responsible agencies must consider the information contained in the EIR prior to acting upon or approving the Project. The City of Hesperia is the Lead Agency for the Project. Contact information for the Lead Agency is presented below.

Lead Agency: City of Hesperia
9700 Seventh Avenue
Hesperia, CA 92345

Contact: Edgar Gonzalez, Associate Planner
City of Hesperia Planning Department
9700 Seventh Avenue
City of Hesperia, CA 92345
Phone: (760) 947-1330
Email: egonzalez@cityofhesperia.us

2.4 PROJECT APPLICANT

Contact information for the Project Applicant is presented below.

Applicant: SRD Design Studio, Inc.
10501 Wilshire Blvd., Unit 1211
Los Angeles, CA 90024

Contact: David Golkar

2.5 THE EIR PROCESS

When a public agency determines that there is substantial evidence that a Project may have a significant effect on the environment, the agency must prepare an EIR before a decision is made to approve or deny the Project. The purpose of the EIR is to disclose a project's potential environmental impacts and recommend measures to reduce or avoid significant impacts. The basic content of an EIR includes: a description of the project under consideration and its objectives; a description of the existing environmental conditions; a discussion of the potentially significant environmental effects of the project; recommended measures for reducing these effects; and identification and evaluation of feasible alternatives to the project which may also reduce potentially significant impacts of the proposal.

Typically, EIRs consist of two documents: a Draft EIR, distributed by the lead agency for review and comment by the general public and any interested governmental agencies; and a Final EIR, which consists of responses to comments received on, together with any necessary modifications to, the Draft EIR. After the Draft EIR has been circulated for review and the Final EIR has been prepared, the EIR must be certified by the lead agency as having complied with CEQA and considered by the agency's decision-making body before any action can be taken on a project.

When a public agency receives a complete project application or decides to undertake a project of its own, it first determines if the project is subject to environmental review under CEQA and, if it is, the agency then typically prepares an Initial Study (IS) to determine if the project under consideration has the potential to cause significant adverse environmental effects. The IS serves as a tool to help the agency determine if an EIR is required, and if so, the focal issues to be examined in the EIR. The lead agency may skip the Initial Study process if it is evident that a project could result in significant environmental effects and that an EIR will be required.

The EIR process is initiated by the distribution of a Notice of Preparation (NOP). Together with the Initial Study (if prepared), the NOP is sent to agencies and interested

individuals as notice of commencement of the EIR process, and to solicit their suggestions for appropriate EIR issues and topical analyses. The completed Draft EIR is then circulated to responsible agencies, other affected or interested agencies, and interested members of the public for review and comment. The review period for a Draft EIR is typically 45 days. To provide for appropriate consideration and inclusion in the Final EIR, all comments and concerns regarding the Draft EIR should be received by the lead agency during this 45-day period.

Responses to comments received on the Draft EIR are prepared by the lead agency and included in the Final EIR. The Final EIR may also contain additional information about the project's potential impacts and minor corrections or modifications to the Draft EIR. The Final EIR must be certified by the lead agency's decision-making body before, or in conjunction with, any action to approve a project. Customarily, EIR certification coincides with City Planning Commission and/or City Council public hearing(s).

CEQA requires that the EIR address only significant adverse impacts. The *CEQA Guidelines* suggest thresholds or standards which define the significance of various types of impacts. The *CEQA Guidelines* also state that the significance of impacts should be considered in relation to their severity and probability of occurrence. However, ultimately, the determination of the significance of impacts is at the discretion of the lead agency. The identification of significant impacts in the EIR does not prevent an agency from approving a project. A project may be approved if the lead agency determines that impacts cannot be feasibly mitigated below a level of significance and if the agency determines that there are important overriding considerations, such as social and economic benefits, which are sufficient to justify approval of the considered project.

2.6 EIR CONTENT AND FORMAT

This Draft EIR is organized into Chapters or Sections, each addressing a separate aspect of the required content of an EIR as described in the *Guidelines*. A summary of the Project's impacts and recommended mitigation measures is provided at Chapter 1.0. An introduction and general overview of the environmental process and the format of this EIR are presented in this Chapter 2.0. Chapter 3.0 contains a complete description of the Project, including its location, objectives, and physical and operational characteristics. The complete and detailed environmental impact analysis is presented at Chapter 4.0. The topical issues mandated by CEQA dealing with cumulative impacts, alternatives, long-term implications of the Project, and energy conservation are found at Chapter 5.0. Chapter 6.0 lists and defines the acronyms and abbreviations contained in this document. Chapter 7.0 lists the information sources and persons consulted during the environmental analysis process, and presents a list of the persons who prepared the Draft EIR. The Initial Study and responses to the NOP, with supporting technical studies, are appended to the body of the EIR document.

Chapter 4.0, *Environmental Impact Analysis*, is the focal component of the Draft EIR. The environmental impact analysis has been organized into a series of sections, each addressing an environmental topic or area of concern identified through the Initial Study process (e.g., Land Use and Planning, Traffic and Circulation, Air Quality, Noise, etc.). To assist the reader in understanding the organization and basis of the analysis, the sections covering each individual environmental topic are typically divided into the following subsections:

- **Reader's Abstract:** An introductory reader's abstract, summarizing content and findings, is provided at the beginning of each topical section.

- **Introduction:** The introduction summarizes the content of the section and references other important studies and reports, such as technical studies appended to the EIR.

- **Setting/Existing Conditions:** This subsection describes baseline environmental conditions which may be subject to change as a result of implementation of the Project. Separate descriptions of existing environmental conditions are provided for each environmental topic.

- **Existing Policies and Regulations:** Various relevant policies, regulations, and programs related to the environmental topic are briefly described. Often, these existing policies and regulations serve to reduce or avoid potential environmental impacts.

- **Standards (Thresholds) of Significance:** Before potential impacts are evaluated, the standards which will serve as the basis for judging significance are presented.

- **Potential Impacts and Mitigation Measures:** This subsection states and explains potential impacts caused by the Project. Based on the standards of significance, impacts are categorized as either potentially significant or less-than-significant. If the impacts are considered to be potentially significant, mitigation measures are proposed to reduce the impacts. At the conclusion of each discussion for a potentially significant impact, a determination is made as to whether the impact can be reduced to a less-than-significant level with the application of proposed mitigation measures. Impacts that cannot be reduced to levels that are less-than-significant are identified as "significant and unavoidable."

The summary presented at Chapter 1.0 provides a comprehensive overview of the Project's impacts. For a more detailed description of Project impacts, it is recommended that the reader review the Project Description (Chapter 3.0), and then read the sections on the topics of interest in the environmental impact analysis (Chapter 4.0).

2.7 INTENDED USE OF THIS EIR

This EIR addresses the potential environmental effects of the implementation and operation of the proposed Dara Industrial Project. The City of Hesperia (City) is the Lead Agency for the purposes of CEQA because it has the principal responsibility and authority for deciding whether or not to approve the Project, and how it will be implemented. As the Lead Agency, the City is also responsible for preparing environmental documentation for the Project in compliance with CEQA.

The Lead Agency will employ this EIR in its evaluation of potential environmental impacts resulting from, or associated with, approval and implementation of the Project, to include potential effects of the Project's component elements. This EIR will also be used by various Responsible Agencies, e.g., Air Quality Management District(s), California Department of Transportation, Regional Water Quality Control Board(s), *et al*.; as well as utilities and service providers when such entities issue permits necessary to carry out the project. For example, if this EIR and/or its Mitigation Measures require encroachment permits from Caltrans, this EIR will serve as the environmental assessment for such improvements. (Please refer to California Code of Regulations, sections 15050 and 15162.)

In employing this EIR, the City and other agencies need recognize that Project plans and development concepts identified herein are just that, plans and concepts which are subject to refinement as the Project is further defined. Recognizing the potential for these future minor alterations to the Project, this EIR in all instances evaluates likely maximum impact scenarios that would account for these minor alterations. These refinements and/or minor revisions to development proposals do not typically warrant modified or revised environmental documentation. Notwithstanding, at the discretion and direction of the City, substantive modifications to the Project described herein may warrant additional environmental evaluation.

2.8 DOCUMENTS INCORPORATED BY REFERENCE

Section 15150 of the *Guidelines* permits and encourages an environmental document to incorporate, by reference, other documents that provide relevant information. The documents summarized below are incorporated by reference, and the pertinent material is summarized throughout this EIR, where that information is relevant to the analysis of potential impacts of the Project. All documents incorporated by reference are available for review at, or can be obtained through, the City of Hesperia Planning Department.

2.8.1 City of Hesperia General Plan

The City of Hesperia General Plan (General Plan) establishes Goals and Policies and provides guidance for future development of the City. The General Plan, which was adopted in 2010, incorporates and relies upon its Implementation Plan to provide the guidance necessary for successful implementation of General Plan Goals and Policies.

The General Plan includes seven elements: "Land Use"; "Circulation"; "Safety"; "Open Space"; "Housing"; "Conservation"; and "Noise." All proposed development projects (inclusive of the Project) are evaluated for consistency with the intent and purpose of the applicable General Plan land use designation(s) and related General Plan Goals, Policies and Implementation Plan actions. Physical development within the General Plan Area will be shaped by the General Plan's Goals, Policies and Programs integral to each of the General Plan Elements.

2.8.2 City of Hesperia Main Street and Freeway Corridor Specific Plan

The Project site is located within the City of Hesperia Main Street and Freeway Corridor Specific Plan (Specific Plan), Commercial/Industrial Business Park (CIBP) District. The Specific Plan was first effective October 2008 and was last amended July 2021. The Specific Plan comprises the effective zoning for the Project site. The Project would be required to comply with applicable land use plans, design standards, and guidelines of the Specific Plan. In instances where the Specific Plan is silent, design and development of the Project would be required to applicable provisions of the City of Hesperia Municipal Code.

2.8.3 City of Hesperia Municipal Code

The City of Hesperia Municipal Code (Municipal Code) codifies and complements the City General Plan. The Municipal Code, in effect, provides the mechanism to implement and enforce the goals, objectives, policies and programs articulated in the General Plan. Many of the potential environmental concerns considered in this EIR are adequately addressed through application of existing guidelines and regulations contained in the Municipal Code.

2.8.3 Project Technical Studies/EIR Appendices

Following are summary descriptions of documents and supporting technical studies which are appended to the main body of the Draft EIR. Working titles of these documents generically refer to the Project and its physical attributes, and may not necessarily reflect the currently assigned "Dara Industrial Project" development title.

2.8.3.1 Initial Study, NOP, and NOP Responses - EIR Appendix A

The EIR Initial Study (IS), Notice of Preparation (NOP) and responses received pursuant to distribution of the IS/NOP are presented at EIR Appendix A. Based on the Initial Study and responses to the NOP, this EIR addresses the following environmental topics:

- Air Quality;
- Biological Resources;
- Cultural Resources/Tribal Cultural Resources;
- Energy;
- Greenhouse Gas Emissions;
- Land Use and Planning;
- Noise;
- Transportation/Traffic; and
- Utilities and Service Systems.

2.8.3.2 Traffic Analysis/VMT Assessment - EIR Appendix B

Project Level of Service (LOS) and Vehicle Miles Traveled (VMT) analyses are presented in: *Hesperia Industrial Center, Traffic Analysis* (Urban Crossroads, Inc.) April 25, 2022; and *Hesperia Industrial Center, Vehicle Miles Traveled (VMT) Analysis* (Urban Crossroads, Inc.) March 16, 2022.

2.8.3.3 Air Quality Impact Analyses - EIR Appendix C

Air quality impact analyses prepared for the Project include: *Hesperia Industrial Center, Air Quality Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022; and *Hesperia Industrial Center, Mobile Source Health Risk Assessment, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022.

2.8.3.4 Greenhouse Gas Analysis - EIR Appendix D

Detailed analysis of the Project's potential Greenhouse Gas impacts are presented in: *Hesperia Industrial Center, Greenhouse Gas Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022.

2.8.3.5 Energy Assessment - EIR Appendix E

Project energy consumption is quantified in: *Hesperia Industrial Center, Energy Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022.

2.8.3.6 Noise Impact Analysis - EIR Appendix F

Potential noise impacts of the Project, including construction-source and operational-source noise impacts are assessed in: *Hesperia Industrial Center, Noise Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) April 19, 2022.

2.8.3.7 Biological Resources Assessment - EIR Appendix G

Biological resources potentially affected by the Project are assessed in: *Biological Resources Assessment for the Proposed Project located at the Southeast Corner of the Intersection of Los Banos Avenue and Sultana Street in the City of Hesperia, San Bernardino County, California* (ELMT Consulting) November 2, 2021.

2.8.3.8 Cultural Resources Investigation - EIR Appendix H

A cultural resources investigation was also prepared for the Project: *Cultural Resources Assessment, Hesperia Project, Hesperia, San Bernardino County, California* (BCR Consulting, Inc.) March 25, 2022.

2.8.3.9 Water Supply Assessment - EIR Appendix I

Project water supply impacts are specifically addressed in the *Water Supply Assessment, Dara Industrial Center.*

3.0 PROJECT DESCRIPTION

3.0 PROJECT DESCRIPTION

3.1 OVERVIEW

The proposed Dara Industrial Project (Project), including all proposed facilities, supporting improvements, and associated discretionary actions comprise the Project evaluated in this EIR. The Project proposes development and operation of a single industrial building totaling approximately 750,000 square feet within an approximately 43.28-acre site.

3.2 PROJECT LOCATION

The Project site is located at the northwest corner of Highway 395 and Poplar Street, in the City of Hesperia. The Project location is presented at Figure 3.2-1.

3.3 LAND USES and LAND USE DESIGNATIONS

3.3.1 Existing Land Uses

The Project site, and all properties immediately adjacent, are currently vacant. The Project site evidences past use as a dirt motocross track. Various business park, industrial, and trucking uses exist in the Project site vicinity. Existing land uses are illustrated at Figure 3.2-1.

3.3.2 Land Use Designations

The Hesperia General Plan designates the Project site as Specific Plan (Main Street and Freeway Corridor Specific Plan). Within the Specific Plan, the site is zoned for Commercial/Industrial Business Park (CIBP) uses. This zone is intended to provide for service commercial, light industrial, light manufacturing, and industrial support uses, mainly conducted in enclosed buildings. The Project is conditionally permitted by the site's existing land use designations. The Project does not propose or require any General Plan or Specific Plan land use modifications.

N

NOT TO SCALE

Source: Google Earth; Applied Planning, Inc.

applied planning inc

Figure 3.2-1
Project Location & Existing Land Uses

3.4 PROJECT ELEMENTS

3.4.1 Site Preparation

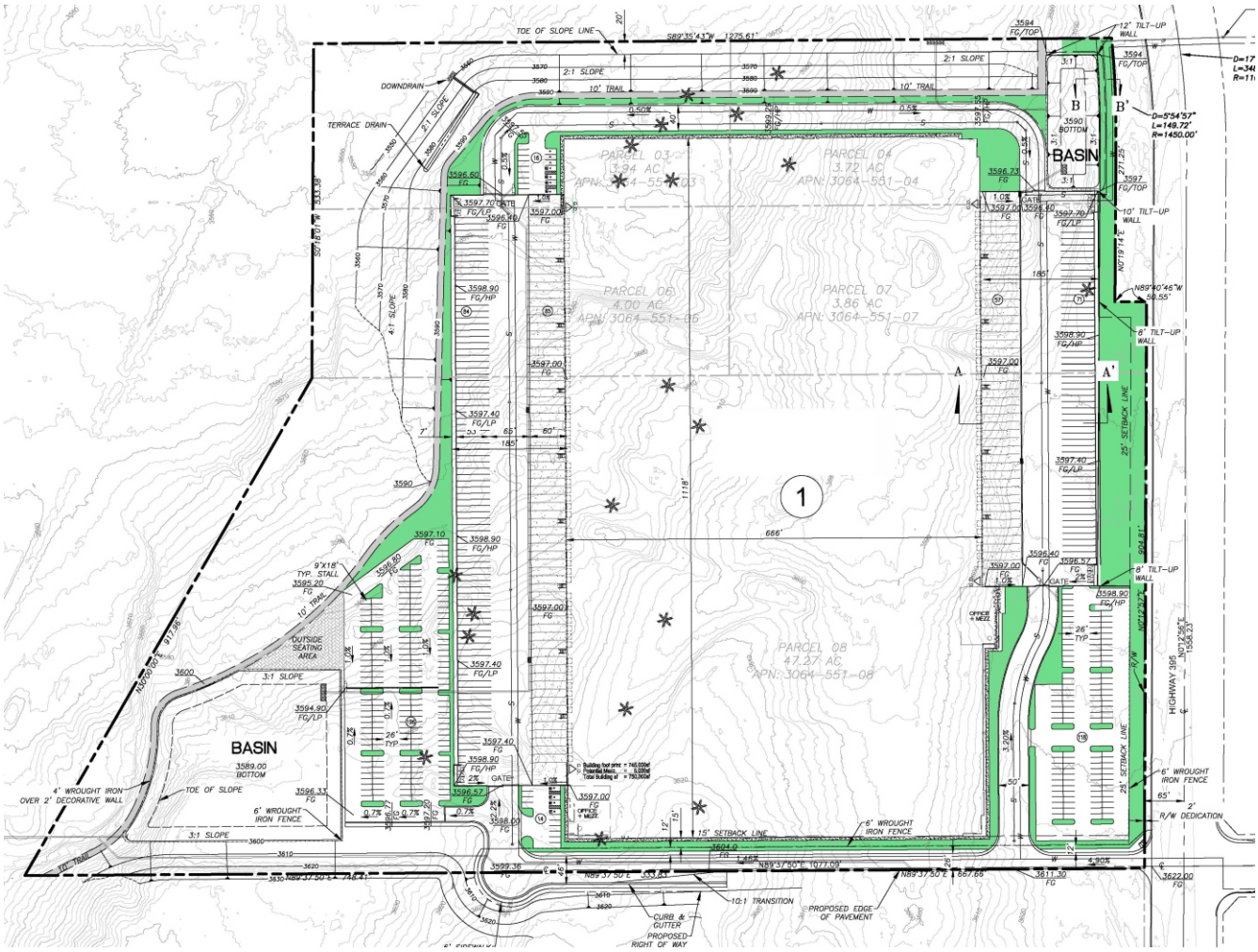
Project site preparation activities would be required to conform to requirements of the City of Hesperia Municipal Code (Title 15, *Buildings and Construction*). Prior to approval of a development permit, the Project Applicant would be required to submit soils reports, erosion control plans, geologic engineering reports, and any other relevant site information determined necessary by the City Building Official. Site preparation activities would be undertaken consistent with the Project final soils report, geologic engineering report, erosion control plan, and other required reports and plans as reviewed and approved by the City. Based on preliminary development concepts, site preparation would require approximately 200,000 cubic yards of soil import.

3.4.2 Site Plan and Architectural Concepts

The Project proposes the development of approximately 750,000 square feet of industrial uses configured as a single building, to be constructed in a single phase.

The Project site plan design also includes two stormwater management basins: an approximately 0.6-acre basin located in the northeast portion of the Project; and an approximately 2.0-acre basin located in the southwest portion of the Project site. The proposed basins would act to treat and control post-development stormwater discharges. Figure 3.4-1 presents the Project Site Plan Concept.

The building frontage would be along Poplar Street, the site's southern boundary. The northern half-section of Poplar Street would be constructed as part of the Project. Poplar Street would terminate in a cul-de-sac west of the Project site western driveway. Dock doors would be located along the building's east and west facades. Building elevation concepts are presented at Figure 3.4-2.



N

NOT TO SCALE

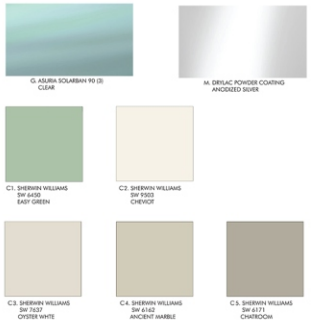
Source: SRD Design Studio, Inc. (June 17, 2022)

applied planning inc

Figure 3.4-1
Conceptual Site Plan

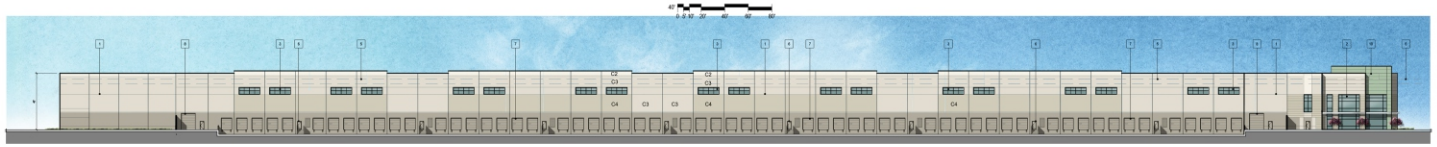
EAST (HIGHWAY 395) ELEVATION

COLOR LEGEND:



SOUTH (POPLAR ST.) ELEVATION

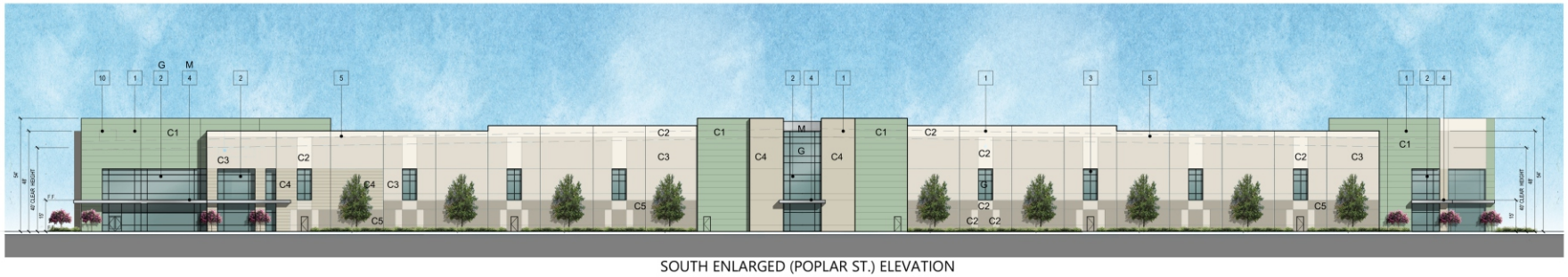
NORTH ELEVATION



WEST ELEVATION

KEY NOTES:

1. CONCRETE TILT-UP PANEL WITH REVEALS
2. MEDIUM PERFORMANCE GLASS IN CLEAR ANOD. ALUM. MULLION SYSTEM.
3. CLERESTORY MEDIUM PERFORMANCE GLASS IN CLEAR ANOD. ALUM. MULLIO SYSTEM
4. TRELLIS CANOPY WITH LATTICE INFILL AND VERTICAL SUN SHADE DEVICE
5. TOP OF ROOF DIAPHRAM
6. METAL FIRE ACCESS DOOR
7. DOCK DOOR
8. GRADE DOOR
9. PROPOSED SIGN LOCATION (PERMIT BY OTHERS)
10. ALL ROOF TOP EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW



SOUTH ENLARGED (POPLAR ST.) ELEVATION

Source: A+O Architecture

appliedplanning inc

Figure 3.4-2
Project Architectural Concepts

3.4.3 Access and Circulation

Access to/from the Project site would be provided by two driveways located along Poplar Street. These full-access (no turn restrictions) driveways would accommodate both passenger cars and trucks. Access to the operational areas of the building would be restricted (gated) at both driveways. Project access shall conform to Main Street and Freeway Corridor Specific Plan Chapter 11: *Industrial Design Standards and Guidelines*, Section D, Item 6. All final Project access plans would be subject to review and approval by the City.

3.4.4 Landscape/Hardscape

Project landscape/hardscape would be required to conform to City requirements for industrial uses (Main Street and Freeway Corridor Specific Plan Chapter 11: *Industrial Design Standards and Guidelines*, Section D). All final Project landscape/hardscape plans would be subject to review and approval by the City.

3.4.5 Lighting

All Project lighting would be required to conform to City requirements for industrial uses (Main Street and Freeway Corridor Specific Plan Chapter 11: *Industrial Design Standards and Guidelines*, Section D, Item 14.). All final Project lighting plans would be subject to review and approval by the City.

3.4.6 Signs

All Project signs would be required to conform to applicable City requirements for industrial uses. All final Project sign plans would be subject to review and approval by the City.

3.4.7 Parking

The Project includes parking consistent with City requirements for industrial uses (Main Street and Freeway Corridor Specific Plan Chapter 11: *Industrial Design Standards and Guidelines*, Section D, Item 8). All final Project parking plans would be subject to review and approval by the City.

3.4.8 Infrastructure/Utilities

Infrastructure and utilities that would serve the Project site are summarized below.

3.4.8.1 Water/Sewer Services

Water service to the Project would be provided by the Hesperia Water District. The City derives all of its water from underground aquifers through groundwater wells located throughout the City. All Project water service lines and connections to the Water District system would be required to conform to City and Water District requirements. The Project Applicant would also be required to obtain a "Will-Serve" letter for water service.

The Victor Valley Wastewater Reclamation Authority (VVWRA) provides wastewater treatment for the City of Hesperia and surrounding jurisdictions. All Project sewer service lines would be required to conform to City and VVWRA requirements.

3.4.8.2 Storm Water Management System

The City's storm drain and flood control systems are administered by Hesperia's Public Works Department. The San Bernardino Flood Control District has also developed an extensive system of facilities including dams, conservation basins, channels, and storm drains within the City and the surrounding area.

The Project storm water management system would be required to incorporate drainage improvements, facilities, and programs to control and treat storm water pollutants. Prior to issuance of grading permits, a detailed Water Quality Management Plan (WQMP) would be required to be submitted to, and approved by, the City. Additionally, a Storm Water Pollution Prevention Plan (SWPPP) would be implemented consistent with the requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit.

3.4.8.3 Solid Waste Management

Solid waste generated by the Project would be collected by Advanced Disposal Co. and disposed of at the Victorville Sanitary Landfill, operated by the County of San Bernardino Public Works Department.

3.4.8.4 Utilities

The Project would also be provided natural gas, electrical, telecommunications services. Service providers available to the Project are listed below:

- Natural gas (Southwest Gas Corporation);
- Electricity (SCE); and
- Telecommunications (various private services, including AT&T, Time Warner Communications, and Frontier Communications).

All modification of, and connection to, existing services would be accomplished consistent with City and purveyor requirements. It is noted that to allow for, and facilitate Project construction activities, provision of temporary SCE electrical services improvements would be required. The scope of such temporary improvements is considered to be consistent with, and reflected within the total scope of development proposed by the Project. Similarly, impacts resulting from the provision of temporary SCE services would not be substantively different from, or greater than, impacts resulting from development of the Project in total.

3.4.8.5 Public Services

Fire protection and emergency medical services for the Project would be provided by the San Bernardino County Fire Department. Police protection services for the Project would be provided by the San Bernardino County Sheriff's Department on a contractual basis. The City also provides or facilitates provision of a range of other services that would be generally available to the Project patrons and employees. These services include, but are not limited to: educational, library, and arts and entertainment services.

3.4.8.6 Energy Efficiency/Sustainability

Energy-saving and sustainable design features and operational programs would be incorporated in the Project facilities pursuant to California Green Building Standards Code (CALGreen; CCR, Title 24, Part 11) as implemented by the City of Hesperia.

3.4.8.7 Construction Traffic Management Plan

Construction traffic would be routed through Joshua Street to Caliente Road and Aspen Street. The Project Applicant would be responsible for the preparation and submittal of a construction area traffic management plan (Plan) to be reviewed and approved by the City. Typical elements and information incorporated in the Plan would include, but would not be limited to:

- **Name of on-site construction superintendent and contact phone number.**

- **Identification of Construction Contract Responsibilities** - For example, for excavation and grading activities, describe the approximate depth of excavation, and quantity of soil import/export (if any).

- **Identification and Description of Truck Routes** - to include the number of trucks and their staging location(s) (if any).

- **Identification and Description of Material Storage Locations (if any).**

- **Location and Description of Construction Trailer (if any).**

- **Identification and Description of Traffic Controls** - Traffic controls shall be provided per the Manual of Uniform Traffic Control Devices (MUTCD) if the occupation or closure of any traffic lanes, parking lanes, parkways or any other public right-of-way is required. If the right-of-way occupation requires configurations or controls not identified in the MUTCD, a separate traffic control

plan must be submitted to the City for review and approval. All right-of-way encroachments would require permitting through the City.

- **Identification and Description of Parking** - Estimate the number of workers and identify parking areas for their vehicles.

- **Identification and Description of Maintenance Measures** - Identify and describe measures taken to ensure that the work site and public right-of-way would be maintained (including dust control).

The Plan would be reviewed and approved by the City prior to the issuance of building permits. The Plan and its requirements would also be provided to all contractors as one required component of building plan/contract document packages.

3.5 PROJECT OPERATIONS

For analytic purposes, the following Project operational characteristics are assumed:

- The Project will be complete and fully operational by 2024, the Project Opening Year;

- The Project will be open and operational year-round, 24 hours per day, 7 days per week;

- A maximum of 10 percent of the Project gross floor area (75,000 square feet) will comprise refrigerated warehouse uses;

- The remaining 90 percent of the Project gross floor area (675,000 square feet) will comprise high-cube fulfillment (non-sort facility) warehouse uses; and

- Unless otherwise noted herein, all Project operations would occur internal to the Project main building.

Project operations would also include on-site cargo handling. The most common type of cargo handling equipment is the yard truck designed for moving cargo containers. Yard trucks are also known as yard goats, utility tractors (UTRs), hustlers, yard hostlers, and yard tractors. Any yard trucks based at the Project site would be non-diesel (e.g., gasoline and/or electric-powered).

Project tenants are not yet known, and the number of jobs that the Project would generate cannot therefore be precisely determined. For the purposes of this analysis, Project employment estimates are based on employment factors identified in the Southern California Association of Governments (SCAG) Employment Density Study Summary Report October 31, 2001.[1] Employing SCAG employment factors, the Project would generate approximately 628 full-time jobs.

3.6 PROJECT OBJECTIVES

Project Objectives include the following:

- Implement the City's General Plan through development that is consistent with the site's General Plan land use designation, and applicable General Plan Goals and Implementation Policies;

- Implement the Main Street and Freeway Corridor Specific Plan through development that is consistent with the Specific Plan land uses and development concepts, and in total supports the Specific Plan vision;

- Provide adequate roadway and wet and dry utility infrastructure to serve the Project;

- Provide industrial uses that are compatible with planned adjacent land uses;

[1] SCAG Employment Density Study; Table II-B.

- Provide an attractive, efficient and safe environment for industrial uses that is cognizant of natural and man-made conditions;

- Provide industrial uses responsive to current and anticipated market demands; and

- Establish new development providing construction and long-term employment opportunities; and that would further the City's near-term and long-range fiscal goals and objectives.

3.7 DISCRETIONARY APPROVALS AND PERMITS

Discretionary actions, permits and related consultation(s) necessary to approve and implement the Project include, but are not limited to, the following.

3.7.1 Lead Agency Discretionary Actions and Permits

CEQA Guidelines Section 15124 states in pertinent part that if "a public agency must make more than one decision on a project, all its decisions subject to CEQA should be listed…" Requested decisions, or discretionary actions, necessary to realize the Dara Industrial Project would include the following:

- Certification of the Dara Industrial Project EIR;

- Approval of Tentative Parcel Map(s);

- Approval(s) of Conditional Use Permit;

- Site Plan Approval;

- Approval of Infrastructure Improvement Plans including, but not limited to: roads, sewer, water, and storm water management systems; and

- Various other City of Hesperia construction, grading, and encroachment permits required to allow implementation of the Project facilities.

3.7.2 Other Agency Consultation and Permits

Anticipated consultation(s) and permits from agencies (other than the City) necessary to realize the Project would likely include, but are not limited to, the following:

- Consultation with requesting Tribes as provided for under *AB 52, Gatto. Native Americans: California Environmental Quality Act*; and *SB 18, Burton. Traditional tribal cultural places;*

- Permitting by/through the Mojave Desert Air Quality Management District (MDAQMD) for certain equipment or land uses that may be implemented within the Project area; and

- Various construction, grading, and encroachment permits, allowing implementation of the Project facilities.

- Issuance of a State Incidental Take Permit (ITP) from the CDFW.

4.0 ENVIRONMENTAL IMPACT ANALYSIS

4.0 ENVIRONMENTAL IMPACT ANALYSIS

This chapter of the EIR analyzes and describes the potential environmental impacts associated with the adoption and implementation of the Dara Industrial Project (Project). The environmental impact analysis has been organized into a series of sections, each addressing a separate environmental topic. Environmental topics addressed in this EIR are presented in the following sections:

Section	Topic
4.1	Land Use and Planning
4.2	Transportation
4.3	Air Quality
4.4	Greenhouse Gas Emissions
4.5	Energy
4.6	Noise
4.7	Biological Resources
4.8	Cultural Resources/Tribal Cultural Resources
4.9	Utilities & Service Systems

Within each of the above topical Sections, the discussion is typically divided into subsections which: summarize the findings of the section; present the framework for the discussion by listing the sources of information used in the section; describe the "setting" or existing environmental conditions; identify regulations and policies, which through their observance typically resolve many potential environmental concerns; identify thresholds of significance applicable to potential environmental effects of the Project; describe the significance of Project-related environmental effects in the context of applicable significance thresholds; and for impacts which are potentially significant or significant, recommend mitigation measures to eliminate or reduce these impacts. In

this latter regard, it is recognized that the intent of the California Environmental Quality Act (CEQA) is to focus on significant, or potentially significant adverse effects of the Project, and therefore, mitigation is proposed only for potential impacts of this magnitude.

As noted above, before potential impacts are evaluated, the standards or thresholds which will serve as the basis for judging the relative significance of impacts are presented. Often thresholds serve as a general guide or gauge for determining an impact's potential relative significance, rather than defining its absolute effects. Subsequent to identification of relevant significance thresholds, potential Project-related effects and impacts are identified and explained. If an impact is considered to be potentially significant, mitigation measures are proposed to avoid the impact, or reduce its effects to the extent feasible. In determining the potential significance of impacts, the adequacy of existing policies and regulations in addressing each impact is taken into consideration. At the conclusion of each discussion for a potentially significant impact, a determination is made as to whether the impact can be reduced to a less-than-significant level with the application of mitigation measures.

In the environmental analysis, the following terms are used to describe the potential effects of the Project:

- **Less-Than-Significant Impacts**: Minor changes or effects on the environment caused by the Project which do not meet or exceed the criteria, standards, or thresholds established to gauge significance are considered to be less-than-significant impacts. Less-than-significant impacts do not require mitigation. In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation.

- **Potentially Significant Impacts**: Potentially significant impacts are defined as a substantial, or potentially substantial, adverse change in the environment. The

CEQA Guidelines and various responsible agencies provide guidance for determining the significance of impacts. However, the determination of impact significance is ultimately based on the judgment of the lead agency. Similarly, the establishment of any criteria to be used in evaluating the significance of impacts is the responsibility of the lead agency. Wherever possible, mitigation is proposed in the EIR to avoid or reduce the magnitude of potentially significant impacts.

- **Significant Impacts**: Impacts identified in the EIR which cannot be mitigated below thresholds of significance through the application of feasible mitigation measures are categorized as "significant."

- **Cumulative Impacts**: A discussion of cumulative impacts is provided in Section 5.0 of this environmental analysis. Cumulative impacts refer to the impacts of the Project as they are combined or interact with anticipated impacts of other vicinity projects and physical effects of projected ambient regional growth.

4.1 LAND USE AND PLANNING

4.1 LAND USE AND PLANNING

Abstract

This Section assesses potential impacts that may result from land use and planning decisions necessary to implement the Dara Industrial Project (Project). Potential land use impacts that may occur due to the type of development proposed, its location or scale are discussed. Specifically, the discussion in this Section seeks to determine whether the Project would:

- *Physically divide an established community.*
- *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.*

As supported by the analysis presented in this Section, potential land use and planning impacts of the Project would be less-than-significant.

4.1.1 INTRODUCTION

Local land use plans, policies, and development regulations control the types, configurations, and intensities of land uses within the community. Changes in land use patterns resulting from new development can affect overall characteristics of an area, and may result in physical impacts to the environment. This Land Use and Planning Section of the EIR focuses on the Project's consistency with applicable land use plans, policies and regulations, and its potential incompatibilities with land use districts and existing and proposed vicinity development.

4.1.2 SETTING

4.1.2.1 Project Location and Overview

The approximately 43.28-acre Project site is located at the northwest corner of Highway 395 and Poplar Street, in the City of Hesperia. The Project proposes development of a single 750,000-square-foot industrial building. Of this total, 15,000 square feet would be dedicated to office uses associated with the industrial uses.

Analyses within this EIR reflect the Project design and development concepts summarized at EIR Section 3.0, *Project Description*. Should future development proposals differ substantially from the development concepts analyzed herein, the Lead Agency would comply with CEQA in consideration of those proposals.

4.1.2.2 Existing Land Uses

The Project site is almost entirely undeveloped, but has been heavily impacted by activities such as grading for storage and staging activities, fill dirt extraction, and off highway recreational vehicle access. The site is also used as a racetrack for off-highway recreational vehicles. Several foundations occur on-site in association with racing activities. Various business park, industrial, and trucking uses are located short distances from the Project site. Existing land uses are illustrated at Figure 3.2-1, presented previously.

4.1.2.3 General Plan Land Use and Zoning Designations

The Hesperia General Plan designates the Project site as Specific Plan (Main Street and Freeway Corridor Specific Plan). Within the Specific Plan, the site is zoned for Commercial/Industrial Business Park (CIBP) uses. This zone is intended to provide for service commercial, light industrial, light manufacturing, and industrial support uses, mainly conducted in enclosed buildings.

The Project is conditionally permitted by the site's existing land use designations. The Project does not propose or require any General Plan or Specific Plan land use modifications.

4.1.3 LAND USE PLANS, GOALS, POLICIES, AND REGULATIONS

4.1.3.1 Regional Planning

The Southern California Association of Governments (SCAG) is the federally recognized metropolitan planning organization (MPO) for this region, which encompasses over 38,000 square miles, and comprises representatives of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. SCAG is a regional planning agency and a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and state law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their potential impacts on regional planning programs. As Southern California's MPO, SCAG cooperates with the Mojave Desert Air Quality Management District (MDAQMD), the California Department of Transportation (Caltrans), and other agencies in preparing regional planning documents.

In 2016, SCAG adopted the *2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).* The 2016 – 2040 RTP/SCS vision encompasses general principles and themes that collectively work to shape the Southern California region. The 2016 – 2040 RTP/SCS includes a strong commitment to reduce emissions from transportation sources to comply with Senate Bill 375, improve public health, and meet the National Ambient Air Quality Standards as set forth by the federal Clean Air Act.

4.1.3.2 Local Planning

The Project would be subject to, and would be required to comply with, applicable land use plans, goals, policies, and regulations, including the City of Hesperia General Plan and Municipal Code, as well as the Main Street and Freeway Corridor Specific Plan. In many instances, compliance with existing policies and regulations eliminates, or substantially reduces, potential environmental effects. Existing policies and regulations, to some extent, also indicate community and regional values and prerogatives relative to environmental concerns.

4.1.4 STANDARDS OF SIGNIFICANCE

Appendix G of the California Environmental Quality Act Guidelines (*CEQA Guidelines*), as applied by the City of Hesperia, indicates that a Project will normally have a significant effect related to land use if it would:

- Physically divide an established community;
- 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.

4.1.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

Potential Impact: *Physically divide an established community.*

Impact Analysis: As previously stated, the Project site is almost entirely undeveloped, but has been heavily impacted by activities such as grading for storage and staging activities, fill dirt extraction, and off highway recreational vehicle access. The site is also used as a racetrack for off-highway recreational vehicles. No residences or other housing exists within the Project site. No residents would be displaced by the Project, nor would the physical arrangement of any neighboring residential communities be modified or divided by the Project. On this basis, the potential for the Project to physically divide an established community is considered less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.*

Impact Analysis: The Hesperia General Plan designates the Project site as Specific Plan (Main Street and Freeway Corridor Specific Plan). Within the Specific Plan, the site is zoned for Commercial/Industrial Business Park (CIBP) uses. This zone is intended to provide for service commercial, light industrial, light manufacturing, and industrial support uses, mainly conducted in enclosed buildings.

Land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating environmental effects are established under the City of Hesperia General Plan and the SCAG 2016 – 2040 RTP/SCS. Project consistency with applicable industrial Goals and Implementation Policies of the City of Hesperia General Plan and SCAG 2016 – 2040 RTP/SCS are presented below.

Table 4.1-1
Consistency with City of Hesperia General Plan Goals and Implementation Policies

Industrial Goals and Implementation Policies	Remarks
Goal LU-4 Promote industrial development within the City which will expand its tax base and provide a range of employment activities, while not adversely impacting the community or environment.	**Consistent.** The Project proposes industrial uses consistent with the site's existing land use designations. As substantiated within this EIR, the Project would not result in any significant and unavoidable environmental impacts.
LU-4.1 Require landscaped buffers and other techniques to protect residentially designated property directly adjacent to industrial land uses.	**Consistent.** The Project would be appropriately oriented, fenced, and landscaped to avoid any incompatibilities with proximate residential uses.
LU-4.2 Encourage a diverse mix of industrial and service businesses that support the local tax base, are beneficial to residents, and support the economic needs of the community.	**Consistent.** Industrial uses proposed by the Project would act to support the local tax base, be beneficial to residents, and support the economic needs of the community.
LU-4.3 Discourage the re-zoning of industrial land to other uses as sufficient industrial land should be maintained to provide a full range of industrial businesses to the community and surrounding areas.	**Consistent.** The Project proposes industrial uses consistent with the site's existing land use designations.
LU-4.4 Require the separation or buffering of residentially	**Consistent.** The Project would be appropriately oriented, fenced, and landscaped to avoid any

Table 4.1-1
Consistency with City of Hesperia General Plan Goals and Implementation Policies

Industrial Goals and Implementation Policies	Remarks
designated areas from industrial businesses which produce noise, odors, high traffic volumes, light and/or glare, and parking through the use of landscaping, setbacks, and other techniques. Existing residential areas should not limit the potential uses within industrial areas.	incompatibilities with proximate residential uses.
LU-4.5 Design industrial uses adjacent to residential property to minimize impacts to the residential property.	**Consistent.** The Project would be appropriately oriented, fenced, and landscaped to avoid any incompatibilities with proximate residential uses.
LU-4.6 Incorporate varied planes and textures and variety in building materials on industrial buildings to achieve high quality architectural design.	**Consistent.** The Project elevations (see Figure 3.4-2) include varied building materials and textures along each façade.
LU-4.7 Incorporate landscape plantings into industrial projects to define and emphasize entrances, inclusive of those areas along the front of a building facing a parking lot.	**Consistent.** Special attention would be given to the landscaping at building entrances to define these areas.
LU-4.8 Require delivery areas to be separated from pedestrian areas.	**Consistent.** Delivery areas would be located along the building's easterly and westerly façades. Gates would separate these areas from "front office" pedestrian access.
LU-4.9 Include full architectural treatment on all sides of buildings facing streets.	**Consistent.** The Project elevations (see Figure 3.4-2) include full architectural treatments along each façade.

Sources: Goals and Policies from: City of Hesperia General Plan; Remarks by Applied Planning, Inc.

SCAG RTP/SCS Consistency

Table 4.1-2 provides the City's analysis of the Project's consistency with the goals of the 2016 – 2040 SCAG Regional Transportation Plan and Sustainable Communities Strategy (2016 – 2040 RTP/SCS).

Table 4.1-2
Consistency with SCAG RTP/SCS Goals

RTP/SCS Goals	Remarks
Goal 1: Align the plan investments and policies with improving regional economic development and competitiveness.	**Consistent**: The Project proposes contemporary urban uses, providing an opportunity for development investment on currently underutilized land.
Goal 2: Maximize mobility and accessibility for all people and goods in the region.	**Consistent**: The transportation network in the Project area has been developed and maintained to meet local and regional transportation demands, and to ensure efficient mobility. Draft EIR Section 4.2, *Transportation,* addresses local and regional transportation, traffic, and transit in more detail.
Goal 3: Ensure travel safety and reliability for all people and goods in the region.	**Consistent:** The Project TIA identifies improvements that would promote and facilitate the safe movement of people and goods. All transportation modes within the Project area would be required to comply with incumbent regulatory safety standards.
Goal 4: Preserve and ensure a sustainable regional transportation system.	**Consistent:** The Project TIA assesses all potentially affected roadways and identifies required improvements to the existing transportation network. The Project would construct required improvements, and/or would offset its incremental transportation system impacts through payment of requisite transportation/traffic impact fees. Project construction of required improvements and payment of transportation/traffic impact fees preserves and maintains sustainable local and regional transportation systems.
Goal 5: Maximize the productivity of our transportation system.	**Consistent:** Local and regional transportation systems would be improved and maintained to encourage their efficiency and productivity. The City oversees the improvement and maintenance of all aspects of the public right-of-way on an as-needed basis.
Goal 6: Protect the environment and health of our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking).	**Consistent:** The Project would accommodate and would not interfere with existing or planned bicycle facilities and improvements.
Goal 7: Actively encourage and create incentives for energy efficiency, where possible.	**Consistent:** Energy-saving and sustainable design features and operational programs would be incorporated in the Project facilities pursuant to California Green Building Standards Code (CALGreen; CCR, Title 24, Part 11) as implemented by the City of Hesperia.

Table 4.1-2
Consistency with SCAG RTP/SCS Goals

RTP/SCS Goals	Remarks
Goal 8: Encourage land use and growth patterns that facilitate transit and non-motorized transportation.	**Consistent:** The Project proposes development with proximate access to local and regional transportation facilities. Intensified development of the Project site in combination with existing proximate urban development acts to focus transit ridership base, thereby supporting existing and future transit opportunities.
Goal 9: Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.	**Consistent:** The City of Hesperia is responsible for monitoring of roadways and transit routes to determine the adequacy and safety of these systems. The City and other local and regional agencies and organizations (e.g., RTA, Caltrans, and SCAG) cooperatively manage these systems. Security situations involving roadways and evacuations would be addressed through City emergency response plans.

Sources: Goal Statements from: 2016–2040 RTP/SCS; Remarks by Applied Planning, Inc.

It is recognized here that SCAG has also recently adopted *Connect SoCal*, *The 2020 – 2045 Regional Transportation Plan/Sustainable Communities Strategy* (2020 – 2045 RTP/SCS). Development of the City pursuant to the General Plan is reflected in Southern SCAG planning documentation including the 2020 – 2045 RTP/SCS. The Project is consistent with the General Plan and by extension is reflected in the 2020 – 2045 RTP/SCS.

Summary and Conclusion

The Project does not propose any modification of existing land use designations. The Project would implement industrial uses within an urbanizing area of the City designated for, and anticipated to develop with, such uses. Additionally, the Project would be consistent with goals presented within the General Plan and established by the 2016 – 2040 RTP/SCS, and the 2020 – 2045 SCAG RTP/SCS. On this basis, the potential for the Project to conflict with an applicable jurisdictional land use plan, policy, or regulation would be less-than-significant.

Level of Significance: Less-Than-Significant.

4.2 TRANSPORTATION

4.2 TRANSPORTATION

Abstract

This discussion of potential transportation impacts is organized under the following headings:

- *Vehicle Miles Traveled Analysis; and*
- *Other Transportation Topics.*

A summary of the analysis and findings under these topical headings is presented below.

Vehicle Miles Traveled (VMT) Analysis

Per CEQA Guidelines *Section 15064.3 requirements, potential vehicle miles traveled (VMT) impacts of the Project are evaluated in this Section.*[1] CEQA Guidelines *Section 15064.3 (statute effective July 1, 2020) requires analysis of the Project's potential vehicle miles traveled (VMT) impacts. Detailed analysis of the Project's potential VMT impacts is presented in* Hesperia Industrial Center, Vehicle Miles Traveled (VMT) Analysis *(Urban Crossroads, Inc.) March 16, 2022 (Project VMT Analysis). Findings and conclusions of the Project VMT Analysis are summarized in this Section and the Project VMT Analysis in total is presented at EIR Appendix B. The analysis presented here substantiates that Project VMT impacts would be less-than-significant.*

The City further recognizes that vehicle delay (Level of Service, LOS) deficiencies are no longer environmental impacts under CEQA. The Project's potential LOS deficiencies are therefore not

[1] *CEQA Guidelines* Section 15064.3, effective January 1, 2019, "describes specific considerations for evaluating a project's transportation impacts" and provides that, except for roadway capacity projects, "a project's effect on automobile delay (or LOS) shall not constitute a significant environmental impact." (*CEQA Guidelines*, § 15064.3, subd. (a).)

further evaluated here. However, for reference purposes, and in support of City circulation system planning, potential LOS deficiencies resulting from the Project, and associated recommended circulation system improvements are presented in Hesperia Industrial Center, Traffic Analysis *(Urban Crossroads, Inc.) April 25, 2022 (Project Traffic Analysis). The Project Traffic Analysis is provided at EIR Appendix B.*

Other Transportation Topics

Consistent with the CEQA Guidelines *as implemented by the City, other transportation topics evaluated in this Section include the following:*

- *Potential to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;*
- *Potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); and*
- *Potential to result in inadequate emergency access.*

The analysis presented here substantiates that Project impacts under the preceding "Other Transportation Topics" would be less-than-significant.

4.2.1 VMT Analysis

4.2.1.1 Background

Transportation impact analyses prepared by the City have historically been based on level of service (LOS) and similar vehicle delay/congestion metrics. The LOS analytic model provides a reasonable assessment of vehicle congestion and driving conditions that may result from a given development project. LOS analyses do not, however, evaluate the range and magnitude of other environmental effects attributable to development traffic, including fuel consumption, criteria air pollutant emissions, and greenhouse gas emissions. In response to these latter concerns and to comprehensively evaluate environmental impacts of development traffic, *CEQA Guidelines* Section

15064.3 establishes Vehicle Miles Traveled (VMT) as the appropriate metric for evaluation of project transportation impacts.

Consistent with *CEQA Guidelines* Section 15064.3 requirements, an analysis of the Project's potential VMT impacts is presented below. Please refer also to: *Hesperia Industrial Center, Vehicle Miles Traveled (VMT) Analysis* (Urban Crossroads, Inc.) March 16, 2022 (Project VMT Analysis) presented at EIR Appendix B.

The Project VMT Analysis substantiates the potential for the Project to conflict with or be inconsistent with *CEQA Guidelines* Section 15064.3, subdivision (b). For ease of reference, *CEQA Guidelines* Section 15064.3, subdivision (b) is presented below.

> **§ 15064.3. Determining the Significance of Transportation Impacts.**
> (b) Criteria for Analyzing Transportation Impacts.
>
> (1) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.
>
> (2) Transportation Projects. Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.

(3) Qualitative Analysis. If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.

(4) Methodology. A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

4.2.2.2 Methodology

As provided at *CEQA Guidelines* Section 15064.3 (b) (4), "[a] lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure." Appropriate means to develop and implement VMT analysis methodologies are expressed in the Governor's Office of Planning and Research (OPR) *Technical Advisory on Evaluating Transportation Impacts in CEQA* (December of 2018) (Technical Advisory). Consistent with guidance presented in the Technical Advisory, the City of Hesperia has implemented VMT analysis methodologies and protocols in *City of Hesperia Transportation Impact Analyses Guidelines for Vehicle Miles Traveled and Level of Service Assessment* (City of Hesperia) July 2020 (City VMT Guidelines). For employment-generating land use projects, the City VMT Guidelines require that VMT

analyses employ the VMT metric: Production-Attraction (PA) home-based-work (HBW) VMT per employee.

Potential Impact: *Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).*

The Project VMT analysis presented here conforms to the VMT methodology established under the City VMT Guidelines. Further detail regarding the Project VMT Analysis methodology is provided below.

Project Screening

Consistent with criteria established under the City VMT Guidelines, projects that meet certain screening thresholds based on their location and project type may be presumed to result in a less-than-significant VMT impact. The following project-level VMT screening criteria are established under the City VMT Guidelines:

- Transit Priority Area (TPA) Screening;
- Low VMT Area Screening; and
- Project Type Screening.

A land use project need qualify under only one of the above screening criteria to result in a less than significant impact. Development proposals that do not qualify under one the above-listed screening criteria are required to prepare a project-level VMT analysis. The Project considered herein does not qualify under the any of the City's VMT screening criteria (Project VMT Analysis, pp. 2, 3). Accordingly, a Project-level VMT analysis has been prepared.

Project VMT

The City VMT Guidelines identifies the San Bernardino Transportation Analysis Model (SBTAM) as the appropriate tool for VMT analyses for land development projects in the City of Hesperia. The calculation of VMT for land use projects is based on the total number of trips generated and the average trip length of each vehicle. Per the Project

VMT Analysis, the Project warehouse uses would generate an estimated 10,291 VMT under Baseline (2021) Conditions; and would generate an estimated 9,453 VMT under Cumulative (2040) Conditions (Project VMT Analysis, p. 5).

Project Employees

Project tenants are not yet known, therefore the number of jobs that the Project would generate cannot be precisely determined. A reasonable estimate of Project can however be derived from SBTAM model Socio-Economic Data (SED). SBTAM SED data indicates the Project warehouse uses would generate 1 employee per 1,195 sf. This estimate is supported by employment factors identified in the *Southern California Association of Governments (SCAG) Employment Density Study*, October 31, 2001. On this basis, the approximately 750,000-square-foot Project would provide an estimated 628 jobs. See also:*https://www.mwcog.org/file.aspx?A=QTTlTR24POOOUIw5mPNzK8F4d8djdJe4LF9Exj6lXOU%3D*.

Project VMT per Employee

Reflecting the preceding VMT and Employee estimates, Project VMT per employee estimates are summarized at Table 4.2-1.

Table 4.2-1
Project VMT per Employee

	Baseline (2021) Condition	Cumulative Year (2040) Condition
Total VMT	10,291	9,453
Project Employees	628	628
Project VMT per Employee	16.39	15.06

Source: *Hesperia Industrial Center, Vehicle Miles Traveled (VMT) Analysis* (Urban Crossroads, Inc.) March 16, 2022.

VMT Impact Significance Threshold

Per the City VMT Guidelines, VMT impacts would be potentially significant under the following conditions:

1. The baseline project generated VMT per employee exceeds the San Bernardino County regional average baseline VMT per employee; or

2. The cumulative project generated VMT per employee exceeds the San Bernardino County regional average baseline VMT per employee.

Per the Project VMT Analysis, the regional average baseline (2022) HBW VMT for San Bernardino County is 17.25 VMT per employee (Project VMT Analysis, p. 4). Project VMT exceeding 17.25 VMT per employee would therefore be potentially significant.

Project VMT Impact

Table 4.2-2 compares Project VMT per employee to the threshold condition noted above. As indicated at Table 4.2-2, Project VMT per employee under Baseline (2021) and Cumulative (2040) Conditions would not exceed the threshold condition. On this basis, Project-level and cumulative VMT impacts are considered less-than-significant.

Table 4.2-2
Project VMT Impact

	Baseline (2021) Condition	**Cumulative (2040) Condition**
VMT Threshold (VMT per Employee)	17.25	17.25
Project VMT per Employee	16.39	15.06
Threshold Exceeded?	**NO**	**NO**

Source: *Hesperia Industrial Center, Vehicle Miles Traveled (VMT) Analysis* (Urban Crossroads, Inc.) March 16, 2022.

Level of Significance: Less-Than-Significant.

Induced VMT Analysis

Use of VMT as an environmental impact metric for Transportation Projects is discretionary, per Section 15064.3 (b) (2) of the *CEQA Guidelines*, below:

> *(2) Transportation Projects. Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such*

> *impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.*

The Technical Advisory states that building new roadways, adding roadway capacity in congested areas, or adding roadway capacity to areas where congestion is expected in the future, typically induces additional vehicle travel. The addition of through lanes on existing or new highways, including general purpose lanes, HOV lanes, peak period lanes, auxiliary lanes, or lanes through grade-separated interchanges as project types that would likely lead to a measurable and substantial increase in induced vehicle travel. The Technical Advisory also recognizes that addition of capacity on local or collector streets (provided the project also substantially improves conditions for pedestrians, cyclists, and, if applicable, transit) would not likely lead to a substantial or measurable increase in vehicle travel, and therefore generally should not require an induced travel analysis.

The Project would construct site adjacent roadway improvements consistent with City requirements. Construction of these site adjacent roadway facilities is not likely to significantly alter regional or interregional travel. The potential for the Project to result in or contribute substantial adverse induced VMT impacts is therefore considered less-than-significant.

Level of Significance: Less-Than-Significant.

4.2.3 OTHER TRANSPORTATION TOPICS

Other transportation topics evaluated below include:

- *Potential to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;*

- *Potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); and*

- *Potential to result in inadequate emergency access.*

Potential Impact: *Potential to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.*

Impact Analysis: The analysis presented here considers the degree to which the Project may hinder the safe and comfortable access to the Project site from other locations, with a special focus on people relying on transit services or active transportation modes such as biking or walking.

As discussed below, the Project does not propose elements or aspects that would conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

Pedestrian Access

Road rights-of-way are currently unimproved in the Project vicinity and, as such, sidewalk access is not currently provided to the Project site or adjacent properties. The Project would construct sidewalks as part of the required improvement of rights-of-way serving the Project site. Pedestrian access within the Project site would be required to conform to standards and specifications identified in the City Municipal Code and the Hesperia Main Street and Freeway Corridor Specific Plan.

Bus Service

Victor Valley Transit Authority (VVTA) provides bus service to the City of Hesperia and surrounding areas. In the vicinity of the Project site, VVTA Route 21 currently provides bus services along Phelan Road/Main Street (E-W) approximately 0.5 miles north of the Project site. VVTA route maps and schedules are available at: https://vvta.org.

Bus service routes and schedules are reviewed and updated by VVTA periodically to address ridership, budget and community demand needs. Changes in land use can affect these periodic adjustments which may lead to either enhanced or reduced service where appropriate. The Project Applicant would work in conjunction with VVTA to potentially accommodate bus service to the site.

Bicycle Access

The City has adopted and implemented a Non-Motorized Transportation Plan. The Non-Motorized Transportation Plan identifies existing and proposed bike paths within the City of Hesperia, and that connect the City of Hesperia with neighboring communities (City of Victorville, City of Apple Valley). The Project area is not currently served by designated bike paths. The Project would not interfere with or obstruct planned or programmed bike paths. The Project would provide on-site bike amenities consistent with requirements of the City Municipal Code and the Hesperia Main Street and Freeway Corridor Specific Plan. The Non-Motorized Transportation Plan can be accessed at: https://www.cityofhesperia.us/DocumentCenter/View/17455/Non-Motorized_Transportation_Plan_7_30_2019?bidId=

Other Considerations

Trucks accessing the Project site would be required to travel along designated truck routes. Mandatory use of designated truck routes would minimize potential conflicts between truck traffic and other motorized and non-motorized transportation modes.

Additionally, improvements to the area circulation system would be provided consistent with recommendations of the Project Traffic Analysis and as required by the project Conditions of Approval.

Based on the preceding, the potential for the Project to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities is considered less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *Potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or result in inadequate emergency access.*

Impact Analysis: The final design of the Project site plan and all Project traffic improvements would be subject to review and approval by the City, thereby ensuring conformance of the Project improvements with City design and safety standards. In addition, representatives of the City of Hesperia Fire Department and City of Hesperia Police Department[2] would review the Project's plans to ensure that emergency access is provided consistent with Department(s) requirements. Efficient and safe access within, and access to, the Project is provided by the site plan design concept, site access improvements, and site adjacent roadway improvements included as components of the Project. On-site traffic signing and striping would be implemented in conjunction with detailed construction plans for the Project site. Sight distance at each Project access point would be reviewed to ensure conformance with City sight distance standards at the time of preparation of final grading, landscape and street improvement plans.

Based on the preceding, the implemented Project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or result in inadequate emergency access.

It is also recognized that temporary and short-term traffic detours and traffic disruption could result during Project construction activities. Management and control of construction traffic would be addressed through the preparation of a construction area traffic management plan to be submitted to the City prior to or concurrent with Project building plan review(s). The Project Construction Traffic Management Plan (Plan), summarized within the EIR Project Description, would identify traffic controls for any street closures, detours, or other potential disruptions to traffic circulation during

[2] The City of Hesperia has contracted with the San Bernardino County Sheriff's Department for its police services since 1988.

Project construction. The Plan would also be required to identify construction vehicle access routes, and hours of construction traffic.

As supported by the preceding discussions and information presented in the EIR Project Description, the potential for the Project to substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or result in inadequate emergency access is considered less-than-significant.

Level of Significance: Less-Than-Significant.

4.3 AIR QUALITY

4.3 AIR QUALITY

Abstract

This Section identifies and addresses potential air quality impacts that may result from construction and implementation of the Project. More specifically, the air quality analysis presented here evaluates the potential for the Project to result in the following impacts:

- *Conflict with or obstruct implementation of the applicable air quality plan.*
- *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.*
- *Expose sensitive receptors to substantial pollutant concentrations.*

Additionally, as substantiated in the Initial Study (EIR Appendix A), the Project's potential impact under the following topic was previously determined to be less-than-significant and is not further discussed here:

- *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.*

As discussed within this Section, all potential air quality impacts of the Project are considered less-than-significant.

4.3.1 INTRODUCTION

This Section presents existing air quality conditions and identifies potential air quality impacts resulting from construction and operations of the Project. Local and regional climate, meteorology and air quality are discussed, as well as existing federal, state and regional air quality regulations. The information presented in this Section is summarized from: *Hesperia Industrial Center, Air Quality Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022 (Project AQIA); and *Hesperia Industrial Center, Mobile Source Health Risk Assessment, City of Hesperia* (Urban Crossroads, Inc.), May 6, 2022 (Project HRA). The Project AQIA, Project HRA and all supporting modeling data are presented at EIR Appendix C.

4.3.2 AIR QUALITY FUNDAMENTALS

Air pollution comprises many substances generated from a variety of sources, both man-made and natural. Industrialization occurring in the twentieth century, and especially activities relying on the burning of fossil fuels, creates air pollution. Most air pollutant contaminants are wasted energy in the form of unburned fuels or by-products of the combustion process. Motor vehicles are by far the most significant source of air pollutants in urban areas, emitting photochemically reactive hydrocarbons (unburned fuel), carbon monoxide, and oxides of nitrogen. These primary pollutants chemically react in the atmosphere with sunlight and the passage of time to form secondary pollutants such as ozone.

Air pollutants are generally classified as either primary or secondary pollutants. Primary pollutants are generated daily and emitted directly from the source, whereas secondary pollutants are created over time and occur within the atmosphere as chemical and photochemical reactions take place. Examples of primary pollutants include carbon monoxide (CO), oxides of nitrogen (NO_2 and NO), sulfur dioxide (SO_2), particulate matter (PM_{10} and $PM_{2.5}$), and various hydrocarbons or reactive organic gases (ROG). Examples of secondary pollutants include ozone (O_3), which is a product of the reaction between NO_X and ROG in the presence of sunlight. Other secondary pollutants include photochemical aerosols.

To aid in the review of discussions presented subsequently in this Section, recurring terms, abbreviations, and acronyms are defined as follows: PPM - Parts per Million; $\mu g/m^3$ - Micrograms Per Cubic Meter; PM_{10} - Particulate Matter Less Than 10 Microns In Diameter; $PM_{2.5}$ - Particulate Matter Less Than 2.5 Microns In Diameter.

4.3.2.1 Criteria Air Pollutants

Criteria air pollutants are those air contaminants for which air quality standards currently exist. Currently, state and federal air quality standards exist for ozone, nitrogen dioxide (NO_2), sulfur dioxide (SO_2), carbon monoxide (CO), suspended particulate matter (PM_{10} and $PM_{2.5}$), and lead. California has also set standards for visibility, sulfates, hydrogen sulfide, and vinyl chloride. Evaluated criteria air contaminants, or their precursors, typically also include reactive organic gases (ROG), oxides of nitrogen (NO_X), sulfur oxides (SO_x), and respirable particulate matter (PM_{10}, $PM_{2.5}$). Pollutant characteristics, mechanisms of pollutant origination and potential health effects of air pollutants are described below.

Carbon Monoxide

Properties and Sources

Carbon monoxide (CO) is a colorless, odorless, toxic gas formed by incomplete combustion of fossil fuels. CO levels tend to be highest during the winter mornings, when little to no wind and surface-based inversions trap the pollutant at ground levels. Because CO is emitted directly from internal combustion engines, motor vehicles operating at slow speeds are the primary source of CO in the Basin. The highest CO concentrations are generally found near congested transportation corridors and intersections. Other sources include aircraft, off-road vehicles, stationary equipment (e.g., fuel-fired furnaces, gas water heaters, fireplaces, gas stoves, gas dryers, charcoal grills), and landscape maintenance equipment such as lawnmowers and leaf blowers.

Human Health Effects

A consistent association between increased ambient CO levels and higher-than-average rates of hospital admissions for heart diseases (such as congestive heart failure) has

been observed. Carbon monoxide can cause decreased exercise capacity, and adversely affects conditions with an increased demand for oxygen supply (fetal development, chronic hypoxemia, anemia, and diseases involving the heart and blood vessels). Exposure to CO can cause impairment of time interval estimation and visual function.

Ozone

Properties and Sources

Ozone (O_3) is a highly reactive and unstable gas that is formed when volatile organic compounds (VOC) and oxides of nitrogen (NO_x), which are both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight. Ozone concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable to the formation of the pollutant.

Human Health Effects

Short-term exposure to ozone can cause a decline in pulmonary function in healthy individuals including breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue and immunological changes. Additionally, an increase in the frequency of asthma attacks, cough, chest discomfort and headache can result.

A correlation has been reported between elevated ambient ozone levels and increases in daily hospital admission rates and mortality because of long-term ozone exposure. A risk to public health implied by altered connective tissue metabolism and host defense in animals has also been reported.

Oxides of Nitrogen

Properties and Sources

Oxides of nitrogen (NO_x) are integral to the process of photochemical smog production. During combustion, oxygen reacts with nitrogen to produce NO_x. Two major forms of

NO_X are nitric oxide (NO) and nitrogen dioxide (NO_2). Natural causal sources or originators of NO_X include lightning, soils, wildfires, stratospheric intrusion, and the oceans. Natural sources accounted for approximately seven percent of 1990 emissions of NO_X for the United States (EPA 1997). Atmospheric deposition of NO_X occurs when atmospheric or airborne nitrogen is transferred to water, vegetation, soil, or other materials. Acid deposition involves the deposition of nitrogen and/or sulfur acidic compounds that can harm natural resources and materials. The major source of NO_X in the Basin is on-road vehicles. Stationary commercial and service source fuel combustion are other contributors.

Human Health Effects

Exposure to NO_X may alter sensory responses or impair pulmonary function and may increase incidence of acute respiratory disease including infections and respiratory symptoms in children. Difficulty in breathing in healthy individuals as well as bronchitic groups may also occur. NO_X is also a precursor to ozone and PM_{10}/$PM_{2.5}$. As noted above, health effects of ground-level ozone include: aggravated asthma; reduced lung capacity; increased respiratory illness susceptibility; increased respiratory and cardiovascular hospitalizations; and premature deaths.

Sulfur Dioxide

Properties and Sources

Sulfur dioxide (SO_2) is a colorless, pungent gas. At levels greater than 0.5 ppm, SO_2 has a strong odor. Sulfuric acid is formed from sulfur dioxide, which is an aerosol particle component that affects acid deposition. Anthropogenic, or human-caused, sources include fossil-fuel combustion, mineral ore processing, and chemical manufacturing. Volcanic emissions are a natural source of sulfur dioxide. SO_2 is a precursor to sulfates and PM_{10}.

Human Health Effects

Health effects of SO_2 include higher frequencies of acute respiratory symptoms (including airway constriction in some asthmatics and reduction in breathing capacity

leading to severe difficulties) and diminished ventilatory function in children. Extreme exposure can cause lung edema (fluid accumulation), lung tissue damage, and damage to lining the respiratory tract.

Particulate Matter

Properties and Sources

Particulate matter is a generic term that defines a broad group of chemically and physically different particles (either liquid droplets or solids) that can exist over a wide range of sizes. Examples of atmospheric particles include those produced from combustion (diesel soot or fly ash), light (urban haze), sea spray (salt particles), and soil-like particles from re-suspended dust. Fugitive dust is defined as any solid particulate matter that becomes airborne, other than that emitted from an exhaust stack, directly or indirectly because of human activities (Rule 403, Fugitive Dust, MDAQMD).

Within air quality analyses, particulate matter is categorized by diameter: PM_{10} and $PM_{2.5}$. PM_{10} refers to particulate matter that is 10 microns or less in diameter (1 micron is one millionth of a meter, or one micrometer [μm]). $PM_{2.5}$ refers to particulate matter that is 2.5 microns or less in diameter. The size of particles can determine the residence time of the material in the atmosphere. $PM_{2.5}$ has a longer atmospheric lifetime than PM_{10} and, therefore, can be transported over longer distances.

Particulate matter originates from a variety of stationary and mobile sources. Stationary sources that generate particulate matter include: fuel combustion for electric utilities, residential space heating, and industrial processes; construction and demolition; metals, minerals, and petrochemicals; wood products processing; mills and elevators used in agriculture; erosion from tilled lands; waste disposal and recycling. Mobile or transportation-related sources that generate particulate matter include highway vehicles, non-road vehicles and fugitive dust from paved and unpaved roads.

Human Health Effects

A consistent correlation between elevated ambient PM_{10} levels and an increase in mortality rates, respiratory infections, number and severity of asthma attacks and the number of hospital admissions has been observed.[1]

Diesel Particulate Matter (DPM), a subcategory of particulate matter, is a mixture of many exhaust particles and gases that is produced when an engine burns diesel fuel. Many compounds found in diesel exhaust are carcinogenic, including sixteen compounds that are classified as possibly carcinogenic by the International Agency for Research on Cancer. DPM includes the particle-phase constituents in diesel exhaust. Some short-term (acute) effects of diesel exhaust include eye, nose, throat and lung irritation, as well as coughs, headaches, light-headedness and nausea. Diesel exhaust is a major source of ambient particulate matter pollution, and numerous studies have linked elevated particle levels in the air to increased hospital admission, emergency room visits, asthma attacks, and premature deaths among those suffering from respiratory problems. DPM in the Basin poses the greatest cancer risk of all identified toxic air pollutants.

Additionally, Valley Fever may also be transmitted through PM_{10} and $PM_{2.5}$ emissions. The Mayo Clinic provides the following overview of Valley Fever.

> Valley fever is a fungal infection caused by coccidioides (kok-sid-e-OY-deze) organisms. It can cause signs and symptoms such as a fever, cough and tiredness.
>
> Two coccidioides fungi species cause valley fever. These fungi are commonly found in soil in specific regions. The fungi's spores can be stirred into the air by anything that disrupts the soil, such as farming, construction and wind. People can then breathe the fungi into their lungs. The fungi can cause valley

[1] www.aqmd.gov/docs/default-source/planning/air-quality-guidance/appendix-c.pdf

fever, also known as acute coccidioidomycosis (kok-sid-e-oy-doh-my-KOH-sis). Mild cases of valley fever usually resolve on their own. In more-severe cases, doctors treat the infection with antifungal medications.[2]

Reactive Organic Gases

Properties and Sources

Reactive Organic Gases (ROGs) (also termed Volatile Organic Compounds [VOCs]) are defined as any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions. There is no state or national ambient air quality standard for ROGs because they are not classified as criteria pollutants. They are regulated, however, because a reduction in ROG emissions reduces certain chemical reactions that contribute to the formulation of ozone. ROGs are also transformed into organic aerosols in the atmosphere, which contribute to higher PM_{10} and lower visibility. The major sources of ROGs in the Basin are on-road motor vehicles and solvent evaporation. ROGs are also an ozone and PM_{10}/$PM_{2.5}$ precursor.

Human Health Effects

As described previously, health effects of ground-level ozone include: aggravated asthma; reduced lung capacity; increased respiratory illness susceptibility; increased respiratory and cardiovascular hospitalizations; and premature deaths.

Benzene is a reactive organic compound and a known carcinogen. Typical sources of benzene emissions include: gasoline service stations (fuel evaporation), motor vehicle exhaust, tobacco smoke, and oil and coal incineration. Benzene is also sometimes employed as a solvent for paints, inks, oils, waxes, plastic, and rubber. It is used in the extraction of oils from seeds and nuts. It is also used in the manufacture of detergents, explosives, dyestuffs, and pharmaceuticals. Short-term (acute) exposure to high doses

[2] "Valley Fever - Symptoms and Causes." Mayo *Clinic*, 4 Aug. 2020, www.mayoclinic.org/diseases-conditions/valley-fever/symptoms-causes/syc-20378761. Accessed 19 Apr. 2022.

from inhalation of benzene may cause dizziness, drowsiness, headaches, eye irritation, skin irritation, and respiratory tract irritation, and at higher levels, unconsciousness can occur. Long-term (chronic) occupational exposure to high doses by inhalation has caused blood disorders, including aplastic anemia and lower levels of red blood cells.

4.3.3 SETTING

4.3.3.1 Local and Regional Climate

Air quality in the Project area is not only affected by various emissions sources (mobile, industry, etc.) but is also affected by atmospheric conditions such as wind speed, wind direction, temperature, and rainfall. The Project site is located in the portion of the County of San Bernardino, California, that is part of the Mojave Desert Air Basin (MDAB) and is under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD).

The MDAB is an assemblage of mountain ranges interspersed with long broad valleys that often contain dry lakes. Many of the lower mountains within the vast terrain rise from 1,000 to 4,000 feet above the valley floor. Prevailing winds in the MDAB are out of the west and southwest. These prevailing winds are due to the proximity of the MDAB to coastal and central regions and the blocking nature of the Sierra Nevada Mountains to the north; air masses pushed onshore in Southern California by differential heating are channeled through the MDAB. The MDAB is separated from the Southern California coastal and Central California valley regions by mountains (highest elevation is approximately 10,000 feet), whose passes form the main channels for these air masses. The Mojave Desert is bordered on the southwest by the San Bernardino Mountains, separated from the San Gabriel Mountains by the Cajon Pass (4,200 feet). A lesser pass lies between the San Bernardino Mountains and the Little San Bernardino Mountains in the Morongo Valley. The Palo Verde Valley portion of the Mojave Desert lies in the low desert, at the eastern end of a series of valleys (notably the Coachella Valley), whose primary channel is the San Gorgonio Pass (2,300 feet) between the San Bernardino and San Jacinto Mountains.

During the summer, the MDAB is generally influenced by a Pacific subtropical high cell that sits off the coast, inhibiting cloud formation and encouraging daytime solar heating. The MDAB is rarely influenced by cold air masses moving south from Canada and Alaska, as these frontal systems are weak and diffuse by the time they reach the desert. Most desert moisture arrives from infrequent warm, moist, and unstable air masses from the south. The MDAB averages between three and seven inches of precipitation per year (from 16 to 30 days with at least 0.01 inch of precipitation). The MDAB is classified as a dry-hot desert climate, with portions classified as dry-very hot desert, to indicate that at least three months have maximum average temperatures over 100.4° F.

Snow is common above 5,000 feet in elevation, resulting in moderate snowpack and limited spring runoff. Below 5,000 feet, any precipitation normally occurs as rainfall. Pacific storm fronts normally move into the area from the west, driven by prevailing winds from the west and southwest. During late summer, moist high-pressure systems from the Pacific collide with rising heated air from desert areas, resulting in brief, high-intensity thunderstorms that can cause high winds and localized flash flooding.

4.3.3.2 Existing Air Quality

Existing air quality is measured at established MDAQMD air quality monitoring stations. Monitored air quality is evaluated in the context of ambient air quality standards (National Ambient Air Quality Standards [NAAQS] and California Ambient Air Quality Standards [CAAQS]). These standards represent air quality conditions considered safe (with an adequate margin of safety) that would protect the public health and welfare. A region's air quality is determined healthful or unhealthful by comparing air pollutant levels in ambient air samples to applicable state and federal standards. Please refer also to the Project AQIA, Table 2-2, *Ambient Air Quality Standards*; and http://www.arb.ca.gov/research/aaqs/aaqs.htm.

Regional Air Quality

The MDAQMD monitors regional air quality through measurement and quantification of various criteria pollutants at 6 monitoring stations located throughout the air district.

Criteria pollutant "Attainment" status is based on conformance with applicable CAAQS and NAAQS. Attainment designations for the MDAB are summarized at Table 4.3-1.

Table 4.3-1
Criteria Pollutant Attainment Status Designations

Criteria Pollutant	State Designation	Federal Designation
O_3 – 1-hour standard	Nonattainment	--
O_3 – 8-hour standard	Nonattainment	Nonattainment
PM_{10}	Nonattainment	Attainment
$PM_{2.5}$	Nonattainment	Nonattainment
CO	Attainment	Unclassifiable/Attainment
NO_2	Attainment	Unclassifiable/Attainment
SO_2	Unclassifiable/Attainment	Unclassifiable/Attainment
Pb	Attainment	Unclassifiable/Attainment

Source: *Hesperia Industrial Center, Air Quality Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022.

Local Air Quality

Relative to the Project site, the nearest long-term air quality monitoring site for O_3 and PM_{10} is the MDAQMD Hesperia-Olive Street monitoring station, located approximately 6.4 miles east of the Project site, in the City of Hesperia. Air quality monitoring data for CO, NO_2, and $PM_{2.5}$ was obtained from the MDAQMD Victorville-Park Avenue, located approximately 7.6 miles northeast of the Project site in the City of Victorville.[3]

The most recent three years of monitoring data available is presented at Table 4.3-2, and identifies the number of days ambient air quality standards were exceeded for the study area, which was considered to be representative of the local air quality at the Project site.

[3] The Victorville-Park monitoring station was utilized in lieu of the Hesperia-Olive Street monitoring station only where data was not available from the nearest monitoring site.

Table 4.3-2
Project Area Air Quality Monitoring Summary

Pollutant	Standard	Year		
		2018	2019	2020
O_3				
Maximum Federal 1-Hour Concentration (ppm)		0.113	0.108	0.118
Maximum Federal 8-Hour Concentration (ppm)		0.100	0.088	0.094
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	9	9	9
Number of Days Exceeding State/Federal 8-Hour Standard	> 0.070 ppm	71	47	46
CO				
Maximum Federal 1-Hour Concentration	> 35 ppm	5.408	1.493	5.461
Maximum Federal 8-Hour Concentration		12	11	13
NO_2				
Maximum Federal 1-Hour Concentration	> 0.100 ppm	51.4	56.0	59.4
Annual Federal Standard Design Value		12	11	13
PM_{10}				
Maximum Federal 24-Hour Concentration (μg/m³)	> 150 μg/m³	138.9	157.7	224.1
Annual Federal Arithmetic Mean (μg/m³)		27.8	24.5	28.2
Number of Days Exceeding Federal 24-Hour Standard	> 150 μg/m³	0	1	1
Number of Days Exceeding State 24-Hour Standard	> 50 μg/m³	--	--	--
$PM_{2.5}$				
Maximum Federal 24-Hour Concentration (μg/m³)	> 35 μg/m³	32.7	17.8	48.4
Annual Federal Arithmetic Mean (μg/m³)	> 12 μg/m³	7.9	7.0	9.7
Number of Days Exceeding Federal 24-Hour Standard	> 35 μg/m³	0	0	4

Source: *Hesperia Industrial Center, Air Quality Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022.

4.3.3.3 Air Pollutant Emissions Generated by Existing Activities

The Project site is currently vacant and undeveloped and is not a substantive source of air pollutant emissions.

4.3.4 REGULATORY BACKGROUND AND GENERAL PLAN GOALS

4.3.4.1 Federal Regulations

The U.S. Environmental Protection Agency (EPA) is responsible for setting and enforcing the NAAQS for O_3, CO, NO_x, SO_2, PM_{10}, and lead. The U.S. EPA has jurisdiction over emissions sources that are under the authority of the federal government including aircraft, locomotives, and emissions sources outside state waters (Outer Continental Shelf). The U.S. EPA also establishes emission standards for vehicles sold in states other than California. Automobiles sold in California must meet the stricter emission requirements of the California Air Resource Board (CARB).

The Federal Clean Air Act (CAA) was first enacted in 1955, and has been amended numerous times in subsequent years (1963, 1965, 1967, 1970, 1977, and 1990). The CAA establishes the NAAQS, and specifies NAAQS compliance dates. The CAA also mandates that states submit and implement State Implementation Plans (SIPs) for local areas not meeting these Standards. SIPs must include pollution control measures demonstrating how Standards will be met.

The 1990 amendments to the CAA that identify specific emission reduction goals for areas not meeting the NAAQS require a demonstration of reasonable further progress toward attainment and incorporate additional sanctions for failure to attain or to meet interim milestones. The sections of the CAA most directly applicable to the development of the Project site include Title I (Non-Attainment Provisions) and Title II (Mobile Source Provisions).

Title I provisions were established with the goal of attaining the NAAQS for the criteria pollutants: O_3, NO_2, SO_2, PM_{10}, CO, $PM_{2.5}$, and lead. The NAAQS were amended in July 1997 to include an additional standard for O_3 and to adopt a NAAQS for $PM_{2.5}$.

Mobile-source emissions are regulated in accordance with Title II provisions. These provisions require the use of cleaner burning gasoline and other cleaner burning fuels such as methanol and natural gas. Automobile manufacturers are also required to

reduce tailpipe emissions of hydrocarbons and NO_x. NO_x is a collective term that includes all forms of nitrogen oxides (NO, NO_2, NO_3) which are emitted as byproducts of the combustion process.

4.3.4.2 California

California Air Resources Board (CARB)

CARB, which became part of the California EPA in 1991, is responsible for ensuring implementation of the California Clean Air Act (AB 2595), responding to the federal CAA, and for regulating emissions from consumer products and motor vehicles. The California CAA mandates achievement of the maximum degree of emissions reductions possible from vehicular and other mobile sources in order to attain the state ambient air quality standards by the earliest practical date. CARB established the CAAQS for all pollutants for which the federal government has NAAQS and, in addition, establishes standards for sulfates, visibility, hydrogen sulfide, and vinyl chloride. However, at this time, hydrogen sulfide and vinyl chloride are not measured at any monitoring stations in the MDAB because they are not considered to be a regional air quality problem. Generally, the CAAQS are more stringent than the NAAQS.

Local air quality management districts, such as the MDAQMD, regulate air emissions from commercial and light industrial facilities. All air pollution control districts have been formally designated as attainment or non-attainment for each CAAQS.

Serious non-attainment areas are required to prepare air quality management plans (AQMPs) that include specified emission reduction strategies in an effort to meet clean air goals. These plans are required to include:

- Application of Best Available Retrofit Control Technology to existing sources;
- Developing control programs for area sources (e.g., architectural coatings and solvents) and indirect sources (e.g., motor vehicle use generated by residential and commercial development);

- A District-permitting system designed to allow no net increase in emissions from any new or modified permitted sources of emissions;

- Implementing reasonably available transportation control measures and assuring a substantial reduction in growth rate of vehicle trips and miles traveled;

- Significant use of low emissions vehicles by fleet operators;

- Sufficient control strategies to achieve a five percent or more annual reduction in emissions or 15 percent or more in a period of three years for ROGs, NO_x, CO and PM_{10}. However, air basins may use alternative emission reduction strategy that achieves a reduction of less than five percent per year under certain circumstances.

Title 24 Building Energy Efficiency Standards

California Code of Regulations (CCR) Title 24 Part 6: *Building Energy Efficiency Standards for Residential and Nonresidential Buildings* was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The Title 24 standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases greenhouse gas (GHG) emissions. The analysis presented herein reflects compliance with the current (2019) Title 24 Standards. The 2019 California Energy Code can be accessed at: https://codes.iccsafe.org/content/CACEC2019JAN20E/cover.

Title 24 California Green Building Standards Code

CCR, Title 24, Part 11: *California Green Building Standards Code* (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on January 1, 2011. CALGreen is updated on a regular basis. The most recent (2019) update to the CALGreen standards became effective January 1, 2020. Local jurisdictions are permitted to adopt more stringent requirements. The California Green Building Standards Code can be accessed at:

https://codes.iccsafe.org/content/CAGBC2019JUL21S/cover. The Project would be required to comply with incumbent CALGreen standards, or more stringent requirements as may be implemented by the City. Representative 2019 CALGreen standards applicable to the Project are listed below. CALGreen Section citations are parenthesized.

- Short-term bicycle parking. If the new project or an additional alteration is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5% of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack (5.106.4.1.1).
- Long-term bicycle parking. For new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for 5% of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility (5.106.4.1.2).
- Designated parking. In new projects or additions to alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).
- Construction waste management. Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1. 5.405.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent (5.408.1).
- Excavated soil and land clearing debris. 100% of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed (5.408.3).
- Recycling by Occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive (5.410.1).

- Water conserving plumbing fixtures and fittings. Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following:
  - Water Closets. The effective flush volume of all water closets shall not exceed 1.28 gallons per flush (5.303.3.1)
  - Urinals. The effective flush volume of wall-mounted urinals shall not exceed 0.125 gallons per flush (5.303.3.2.1). The effective flush volume of floor-mounted or other urinals shall not exceed 0.5 gallons per flush (5.303.3.2.2).
  - Showerheads. Single showerheads shall have a minimum flow rate of not more than 1.8 gallons per minute and 80 psi (5.303.3.3.1). When a shower is served by more than one showerhead, the combined flow rate of all showerheads and/or other shower outlets controlled by a single valve shall not exceed 1.8 gallons per minute at 80 psi (5.303.3.3.2).
  - Faucets and fountains. Nonresidential lavatory faucets shall have a maximum flow rate of not more than 0.5 gallons per minute at 60 psi (5.303.3.4.1). Kitchen faucets shall have a maximum flow rate of not more than 1.8 gallons per minute of 60 psi (5.303.3.4.2). Wash fountains shall have a maximum flow rate of not more than 1.8 gallons per minute (5.303.3.4.3). Metering faucets shall not deliver more than 0.20 gallons per cycle (5.303.3.4.4). Metering faucets for wash fountains shall have a maximum flow rate not more than 0.20 gallons per cycle (5.303.3.4.5).
- Outdoor potable water use in landscaped areas. Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient (MWELO), whichever is more stringent (5.304.1).
- Water meters. Separate submeters or metering devices shall be installed for new buildings or additions in excess of 50,000 sf or for excess consumption where any tenant within a new building or within an addition that is projected to consume more than 1,000 gallons per day (5.303.1.1 and 5.303.1.2).
- Outdoor water use in rehabilitated landscape projects equal or greater than 2,500 sf. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 sf requiring a building or landscape permit (5.304.3).

- Commissioning. For new buildings 10,000 sf and over, building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (5.410.2).

4.3.4.3 Regional

Air Quality Management Plans

Currently, the NAAQS and CAAQS are exceeded in most areas of the MDAB. In response, the MDAQMD has adopted regional Air Quality Management Plans (AQMPs) to meet state and federal ambient air quality standards. AQMPs are updated regularly to reduce emissions, accommodate growth, and minimize any negative fiscal impacts of air pollution control on the economy. Project consistency with the current MDAQMD AQMP is provided subsequently within this Section.

4.3.5 STANDARDS OF SIGNIFICANCE

As identified within the *CEQA Guidelines*, air quality impacts would be considered potentially significant if the Project would:

- Conflict with or obstruct implementation of the applicable air quality plan;

- 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, including releasing emissions which exceed quantitative thresholds for ozone precursors;

- Expose sensitive receptors to substantial pollutant concentrations; or

- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

4.3.5.1 MDAQMD Thresholds

To determine if a given project would cause a significant effect on air quality, the impact of the project must be determined by examining the types and levels of emissions generated and their impacts on factors that affect air quality. To accomplish this determination of significance, the MDAQMD has established air pollution thresholds against which a given project can be evaluated to assist lead agencies in determining if the impacts of a project are significant. If the project's air pollutant emissions exceed applicable MDAQMD thresholds, then the impact should be considered significant. While the final determination of significance thresholds is within the purview of the lead agency, the MDAQMD recommends that its regional and local air quality thresholds for regulated pollutants (summarized below) be employed by lead agencies in determining whether criteria air pollutant emissions impacts generated by construction or operations of a given project are significant.

Regional Thresholds

MDAQMD regional thresholds are summarized in Table 4.3-3. The *MDAQMD CEQA And Federal Conformity Guidelines* (MDAQMD) August 2016 (MDAQMD Guidelines) indicate that any projects in the MDAB with daily regional emissions that exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact.

Table 4.3-3
Maximum Daily Emissions Regional Thresholds

Pollutant	Daily Threshold
CO	548 lbs./day
NO_x	137 lbs./day
VOC	137 lbs./day
SO_x	137 lbs./day
PM_{10}	82 lbs./day
$PM_{2.5}$	65 lbs./day

Source: *Hesperia Industrial Center, Air Quality Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022.

Carbon Monoxide Concentrations (CO "hot spots") Thresholds

CO "hot spots" are areas of carbon monoxide concentrations exceeding national or state air quality standards. CO hotspots typically occur because of excessive vehicular idling, often associated with traffic backups at underperforming intersections or congested roadway links. A project's localized CO emissions impacts would be significant if they exceed the following California standards for localized CO concentrations:

- 1-hour CO standard of 20.0 parts per million (ppm);
- 8-hour CO standard of 9.0 ppm.

Localized Significance Thresholds (LSTs)

LSTs represent the maximum localized emissions concentrations that would not cause or contribute to an exceedance of the most stringent applicable national or state ambient air quality standard (NAAQS or CAAQS) at the nearest residence or sensitive receptor. LSTs apply to carbon monoxide (CO), nitrogen dioxide (NO_2), particulate matter less than 10 microns (PM_{10}), and particulate matter less than 2.5 microns ($PM_{2.5}$). The MDAQMD states that the Lead Agency may, at the Agency's discretion, employ LSTs as another indicator of significance in air quality impact analyses.

Health Risk Assessment (HRA) Thresholds

Carcinogenic Risks

Pursuant to MDAQMD thresholds, impacts of Toxic Air Contaminants (TACs) are considered potentially significant if a Health Risk Assessment (HRA) shows an increased cancer risk of greater than 10 incidents per million population.

Noncarcinogenic Risks

Noncarcinogenic risks are numerically expressed as a Hazard Index (HI), with a threshold HI of 1.0. Pursuant to MDAQMD thresholds, noncarcinogenic Hazard Indices calculated to be greater than 1.0 are considered potentially significant.

4.3.6 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.3.6.1 Introduction

The following discussions focus on areas where it has been determined that the Project may result in potentially significant air quality impacts, pursuant to comments received through the NOP process, and based on the analysis presented within this Section and included within the EIR Initial Study (EIR Appendix A). Please refer also to Initial Study Checklist Item III., *Air Quality*.

Of the CEQA threshold considerations identified above at Section 4.3.5, and as substantiated in the Initial Study, the Project's potential impacts under the following topic are determined to have a less-than-significant impact and are not further substantively discussed here:

- Create objectionable odors affecting a substantial number of people.

All other CEQA topics concerning the Project's potential impacts to air quality are discussed below. Please refer also to Draft EIR Appendix A, Initial Study Checklist Item III., *Air Quality*.

4.3.6.2 Impact Statements

Following is an analysis of potential air quality impacts that are expected to occur as a result of the Project. Potential emissions are considered for Project construction and operation. For each topical discussion, potential impacts are evaluated under applicable criteria established above at Section 4.3.5, *Standards of Significance.*

Potential Impact: *Conflict with or obstruct implementation of the applicable air quality plan.*

Impact Analysis: The Federal Particulate Matter Attainment Plan and Ozone Attainment Plan for the Mojave Desert established under the Western Mojave Desert Air Quality Management Plans (AQMPs) set forth a comprehensive set of programs that will lead the MDAB into compliance with federal and state air quality standards.

The control measures and related emission reduction estimates within the Federal Particulate Matter Attainment Plan and Ozone Attainment Plan are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments.

Accordingly, conformance with these attainment plans is determined by demonstrating compliance with: 1) local land use plans and/or population projections, 2) all MDAQMD Rules and Regulations; and 3) demonstrating that the project will not increase the frequency or severity of a violation in the federal or state ambient air quality standards.

Criterion No. 1 - Local Land Use Plan Consistency

The existing General Plan Land Use designation of the Project site is "Commercial/Industrial Business Park" (CIBP). The Project uses are allowed under the site's existing CIBP General Plan Land Use designation. The Project does not propose or require a General Plan Amendment affecting the Project site or any off-site City of Hesperia properties. The Project site lies within the Hesperia Main Street and Freeway Corridor Specific Plan (Specific Plan). Zoning designation of the Project site per the Specific Plan is CIBP. The Project uses are permitted or conditionally permitted under the site's existing CIBP Zoning designation. The Project does not propose or require any Zoning Amendment affecting the Project site or any off-site City of Hesperia properties. The Project Applicant proposes land uses that are consistent with development anticipated under the site's existing General Plan designation. The Project would therefore conform to local land use plans.

Criterion No. 2 - Compliance with MDAQMD Rules and Regulations

Per City and MDAQMD Conditions of Approval, the Project would be required to comply with all applicable MDAQMD Rules and Regulations including, but not limited to, Rules 401 (Visible Emissions), 402 (Nuisance), and 403 (Fugitive Dust). The Project would therefore comply with MDAQMD Rules and Regulations.

Criterion No. 3 - Increase in the Frequency or Severity of a Violation in the Federal or State Ambient Air Quality Standards

Criterion No. 3 refers to violations of the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if regional significance thresholds were exceeded. As substantiated herein, Project construction-source and operational-source emissions would not exceed applicable significance thresholds and would therefore not result in a violation of the CAAQS and NAAQS. The Project would therefore not increase the frequency or severity of a violation in the Federal or State ambient air quality standards.

Based on the preceding discussion, the Project's potential to conflict with or obstruct implementation of the applicable air quality plan is considered less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal [national] or state ambient air quality standard.*

Impact Analysis:

Overview

The MDAQMD relies on SCAQMD guidance in evaluation of the significance of cumulative impacts. The SCAQMD has recognized that there is typically insufficient information to quantitatively evaluate the cumulative contributions of multiple projects because each project applicant has no control over nearby projects. However, related projects could contribute to an existing or projected air quality exceedance because the MDAB is currently a nonattainment area for ozone, PM_{10}, and $PM_{2.5}$.

The SCAQMD published a report on how to address cumulative impacts from air pollution: *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*. In this report, the AQMD clearly states (Page D-3):

> " . . . the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR.[4]
>
> . . . Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant."

The Project area is designated as a non-attainment area for ozone, PM_{10}, and $PM_{2.5}$. The AQIA evaluation of emissions presented herein substantiates that all Project-source emissions would not exceed applicable MDAQMD regional thresholds. Consistent with MDAQMD guidance, less-than-significant non-attainment impacts at the Project level are not cumulatively considerable, and would not result in a cumulatively considerable net increase of criteria pollutant(s) for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

Based on the guidance above, individual projects that do not generate operational or construction emissions that exceed the MDAQMD's recommended daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the MDAB is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact. Conversely,

[4] The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The Project does not propose or require uses or operations that would generate substantive TACs.

individual project-related construction and operational emissions that exceed MDAQMD thresholds for project-specific impacts would be considered cumulatively considerable.

Emissions Modeling Methodology and Protocol

In May 2021, the SCAQMD, in conjunction with the California Air Pollution Control Officers Association (CAPCOA) and other California air districts, released the latest version of the CalEEMod Version 2020.4.0. The purpose of this model is to calculate construction-source and operational-source criteria pollutant (VOCs, NO_X, SO_X, CO, PM_{10}, and $PM_{2.5}$) and GHG emissions from direct and indirect sources; and to quantify emissions reductions achieved through mitigation measures. MDAQMD has approved the latest version of CalEEMod for modeling and evaluation of criteria air pollutant emissions and GHG emissions for projects located in the MDAB. Accordingly, the latest version of CalEEMod has been employed in the analyses of criteria pollutant emissions impacts and GHG emissions impacts presented here. Detailed CalEEMod modeling outputs are provided at Project AQIA Appendices 3.1 and 3.2.

REGIONAL IMPACTS

Construction-Source Air Pollutant Emissions

Construction activities associated with the Project will result in emissions of CO, VOCs, NO_x, SO_x, PM_{10}, and $PM_{2.5}$. These emissions would be generated by the following construction activities:

- Site Preparation;
- Grading;
- Building Construction;
- Paving; and
- Architectural Coating.

Within the scope of the Project activities listed above, vehicular emissions generated by construction worker commutes and construction materials deliveries are also reflected.

The approximate Project construction schedule is summarized at Table 4.3-4. Air pollutant emissions based on the construction schedule presented here represents a likely maximum impact analysis scenario. That is, should construction occur any time after the dates presented here, incremental and aggregate construction-source emissions would likely decrease since emission factors for construction equipment would progressively decrease in the future. This is due to the natural turnover of the older vehicle fleet and replacement with more fuel-efficient equipment with enhanced emissions controls; and implementation of more stringent regulations which collectively act to reduce construction-source (and operational-source) emissions.

Table 4.3-4
Project Construction Schedule

Activity	Start Date	End Date	Total Days
Site Preparation	01/01/2023	02/10/2023	30
Grading	02/11/2023	05/26/2023	75
Building Construction	05/27/2023	05/24/2024	260
Paving	03/11/2024	05/24/2024	55
Architectural Coating	03/11/2024	05/24/2024	55

Source: *Hesperia Industrial Center, Air Quality Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022.

Construction equipment use by activity and duration as modeled in the Project AQIA represents a reasonable approximation of the types and quantity of construction equipment employed on any given day. Modeled construction-source emissions reflect all construction activities and also account for associated construction worker commutes and vendor deliveries. Maximum Daily Project construction-source emissions are summarized at Table 4.3-5. Please refer also to the Project AQIA, Section 3.4 *Construction Emissions* for further details regarding modeling and analysis of Project construction-source emissions.

Table 4.3-5
Maximum Daily Construction-Source Air Pollutant Emissions Summary (pounds per day)

Year	Emissions (lbs./day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer Scenario						
2023	4.94	74.17	47.21	0.25	12.70	5.89
2024	77.01	39.68	67.41	0.19	12.26	4.20
Winter Scenario						
2023	4.75	76.16	43.31	0.25	12.70	5.89
2024	76.79	40.46	63.00	0.19	12.26	4.20
Maximum Daily Emissions	**77.01**	**76.16**	**67.41**	**0.25**	**12.70**	**5.89**
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Source: *Hesperia Industrial Center, Air Quality Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022.

Level of Significance: Less-Than-Significant. As shown at Table 4.3-5, maximum daily Project construction-source air pollutant emissions would not exceed applicable MDAQMD regional thresholds. The potential for Project construction-source emissions to 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 would therefore be less-than-significant.

Operational-Source Air Pollutant Emissions

Project operational activities would result in emissions of VOC, NO_X, CO, SO_X, PM_{10}, and $PM_{2.5}$. Project operational emissions would be generated by the mobile and stationary/area sources listed below:

- Area Sources (Architectural Coatings, Consumer Products, Landscape/Facilities Maintenance Equipment);
- Building Energy Consumption;
- Mobile Sources (Project Traffic);
- On-Site Cargo Handling Equipment (Utility Tractors); and
- Transport Refrigeration Units (TRUs).

Please refer also to the Project AQIA, Section 3.5 *Operational Emissions* for further details regarding modeling and analysis of Project operational-source emissions.

Operational Emissions Summary

Maximum daily Project operational-source air pollutant emissions are summarized at Table 4.3-6. Applicable MDAQMD regional significance thresholds are also indicated.

Table 4.3-6
Maximum Daily Operational-Source Air Pollutant Emissions Summary (pounds per day)

Land Use/Emissions Source	Pollutants					
	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
Summer Scenario						
Area-Source	21.44	1.41E-03	0.16	1.00E-05	5.50E-04	5.50E-04
Energy-Source	0.15	1.41	1.18	8.44E-03	0.11	0.11
Mobile-Source (Trucks)	4.49	36.16	43.84	0.26	15.12	4.40
Mobile-Source (Passenger Cars)	0.27	2.97	3.78	7.17E-04	0.03	0.03
On-Site Equipment	0.22	1.95	1.50	0.01	0.07	0.07
Total Maximum Daily Emissions	**26.57**	**42.49**	**50.46**	**0.27**	**15.33**	**4.60**
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**
Winter Scenario						
Area Source	21.44	1.41E-03	0.16	1.00E-05	5.50E-04	5.50E-04
Energy Source	0.15	1.41	1.18	8.44E-03	0.11	0.11
Mobile (Trucks)	3.96	38.02	40.27	0.25	15.12	4.40
Mobile (Passenger Cars)	0.27	2.97	3.78	7.17E-04	0.03	0.03
On-Site Equipment	0.22	1.95	1.50	0.01	0.07	0.07
Total Maximum Daily Emissions	**26.04**	**44.34**	**46.89**	**0.27**	**15.33**	**4.60**
MDAQMD Regional Threshold	137	137	548	137	82	65
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Source: *Hesperia Industrial Center, Air Quality Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022.

Level of Significance: Less-Than-Significant. As shown at Table 4.3-6, maximum daily Project operational-source air pollutant emissions would not exceed applicable MDAQMD regional thresholds. The potential for Project operational-source emissions

to 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 would therefore be less-than-significant.

Potential Impact: *Expose sensitive receptors to substantial pollutant concentrations.*

Impact Analysis:

Overview

Per the MDAQMD Guidelines, the following project types located within a specified distance to an existing or planned sensitive receptor [residential] land use must be evaluated to determine exposure of substantial pollutant concentrations to sensitive receptors:

- Any industrial project within 1,000 feet;
- A distribution center (40 or more trucks per day) within 1,000 feet;
- A major transportation project (50,000 or more vehicles per day) within 1,000 feet;
- A dry cleaner using perchloroethylene within 500 feet;
- A gasoline dispensing facility within 300 feet.

[MDAQMD Guidelines, p. 8]

The Project comprises an industrial development located within 1,000 feet of residential land uses. Moreover, the Project would generate more than 40 truck trips per day. Consistent with the MDAQD Guidelines noted above, potential impacts of Project-generated air pollutant emissions at sensitive receptors have been evaluated.

Sensitive Receptors

Sensitive receptors can include uses such as long-term health care facilities, rehabilitation centers, and retirement homes. Residences, schools, playgrounds, childcare centers, and athletic facilities can also be considered sensitive receptors.

Receptors in the Project study are presented at Figure 4.3-1 and described below.

R1: Location R1 represents the single-family residence at 9124 Los Banos Avenue, approximately 821 feet west of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, R1 is placed at the residential building façade.

R2: Location R2 represents the single-family residence at 9553 Los Banos Avenue, approximately 1,627 feet northwest of the Project site. R2 is placed in the private outdoor living areas (backyard) facing the Project site.

R3: Location R3 represents the West Main Villas apartments at 9800 Mesa Linda Street, approximately 3,144 feet northeast of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, R3 is placed at the residential building façade.

R4: Location R4 represents the commercial uses approximately 3,682 feet northeast of the Project site.

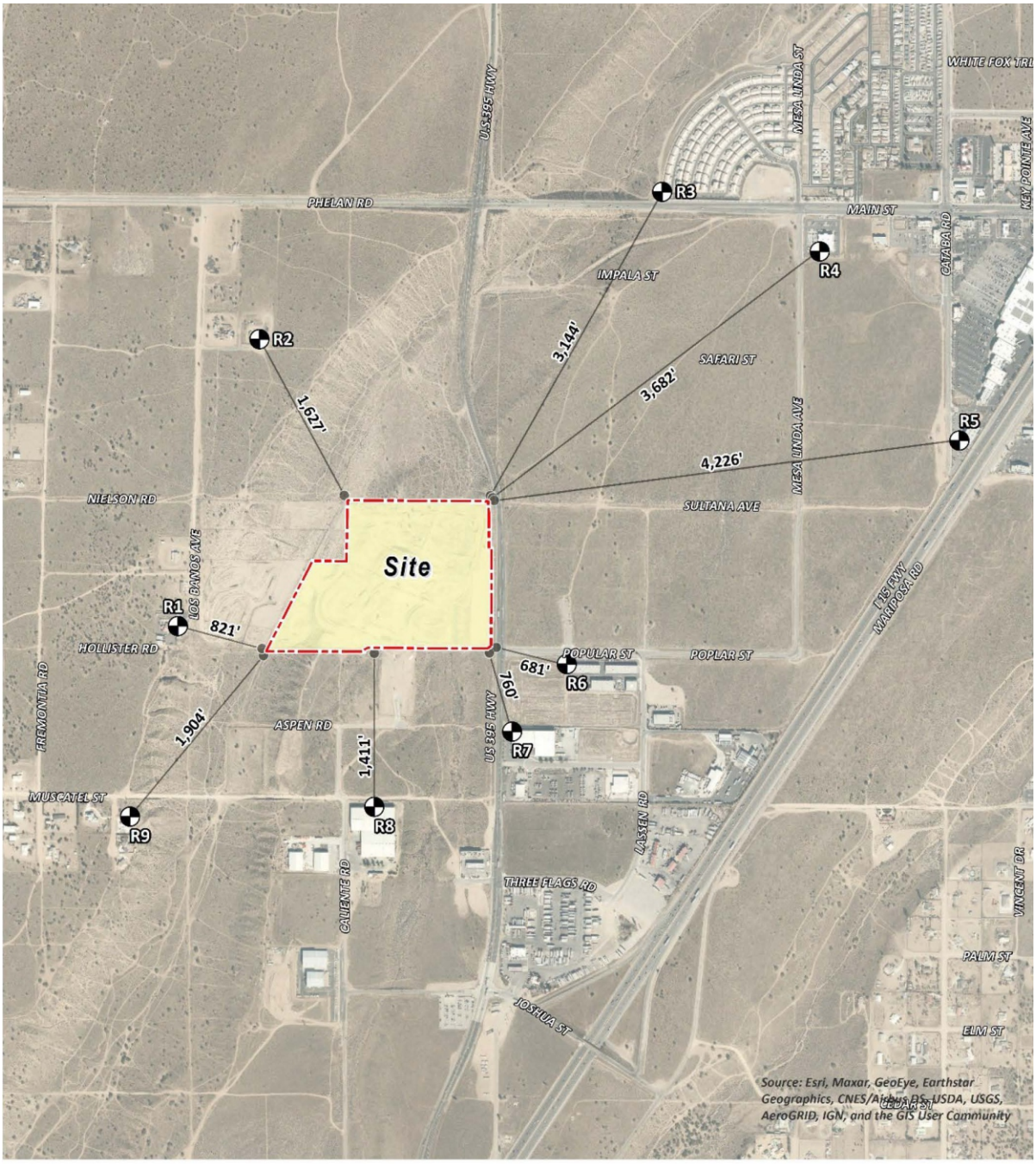
R5: Location R5 represents the commercial uses approximately 4,226 feet northeast of the Project site.

R6: Location R6 represents the light industrial uses approximately 681 feet southeast of the Project site.

R7: Location R7 represents the light industrial uses approximately 760 feet southeast of the Project site.

R8: Location R8 represents the light industrial uses approximately 1,411 feet south of the Project site.

R9: Location R9 represents the single-family residence at 8877 Cactus Drive, approximately 1,904 feet southwest of the Project site. R9 is placed in the private outdoor living areas (backyard) facing the Project site.



LEGEND:

Site Boundary | Receptor Locations | Distance from receptor to Project site boundary (in feet)

N

NOT TO SCALE

Source: Urban Crossroads, Inc.

applied planning inc

Figure 4.3-1
Receptor Locations

TOXIC AIR CONTAMINANTS HEALTH RISK ANALYSIS

Potential Toxic Air Contaminants (TAC) health risks resulting from the Project are presented in detail in *Hesperia Industrial Center, Mobile Source Health Risk Assessment, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022 (Project HRA, EIR Appendix C). The Project HRA was prepared in accordance with methodologies and protocols presented in *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (South Coast Air Quality Management District) 2003. Of primary concern for the Project would be Diesel Particulate Matter (DPM) emissions generated by construction equipment and heavy trucks accessing the Project site. The Project HRA and its conclusions are summarized below.

Localized Diesel Particulate Matter (DPM) Emissions Impacts

Construction equipment employed in development of the Project, and truck traffic associated with Project operations would generate Diesel Particulate Matter (DPM) emissions. In 1998, the California Air Resources Board (ARB) identified DPM as a Toxic Air Contaminant (TAC). In California, DPM has been identified as a carcinogen. Potential effects of Project-source DPM emissions are summarized below. The Project is not a source of other TACs.

Carcinogenic Risks

Consistent with MDAQMD guidance, SCAQMD methodologies and protocols were employed in the Project HRA. The SCAQMD *CEQA Air Quality Handbook* (1993) states that emissions of TACs are considered significant if a Health Risk Assessment shows an increased carcinogenic risk of greater than 10 incidents per million population. Per the stated SCAQMD *Handbook* cancer risk threshold, for the purposes of this analysis, an increase in cancer risk of 10 incidents per million population is considered potentially significant. Also relevant to the Project HRA, specific guidance in determining health risks from diesel emissions is provided in *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD) 2003.

Noncarcinogenic Risks

Evaluation of potential noncarcinogenic effects of chronic TAC exposures was also conducted. Noncarcinogenic adverse health effects are evaluated by comparing a compound's annual concentration with its toxicity factor or Reference Exposure Level (REL).

The REL for diesel particulates was obtained from the California Office of Environmental Health Hazard Assessment (OEHHA). The REL for DPM established by OEHHA is 5 μg/m3 (OEHHA Toxicity Criteria Database, http://www.oehha.org/risk/chemicaldb/index.asp).

The SCAQMD has established non-carcinogenic risk parameters for use in HRAs. Non-carcinogenic risks are quantified by calculating a Hazard Index, expressed as the ratio between the ambient pollutant concentration and its toxicity or Reference Exposure Level (REL). An REL is a concentration at or below which health effects are not likely to occur. A Hazard Index less of than one (1.0) means that adverse health effects are not expected. Within this analysis, non-carcinogenic exposures not exceeding the SCAQMD Hazard Index of 1.0 are considered less-than-significant.

<u>Risk Exposure: Quantification Results</u>

Construction-Source DPM Emissions Impacts

As substantiated in the Project HRA, Project construction-source DPM emissions cancer risk impacts at the maximally exposed individual receptor (MEIR) would be 0.16 in one million, which is less than the SCAQMD threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable SCAQMD threshold of 1.0 (Project HRA, p. 23). As such, Project construction-source DPM emissions would not cause a significant human health or cancer risk at the MEIR.

Operational-Source DPM Emissions Impacts

Residential Exposure

As substantiated in the Project HRA, Project operational-source DPM emissions cancer risk impacts at the MEIR would be 0.16 in one million, which is less than the SCAQMD threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable SCAQMD threshold of 1.0 (Project HRA, p. 23). As such, Project operational-source DPM emissions will not cause a significant human health or cancer risk at any potentially affected receptors.

Worker Exposure

As substantiated in the Project HRA, Project operational-source DPM emissions cancer risk impacts at the Maximum Exposed Individual Worker (MEIW) would be 0.03 in one million, which is less than the SCAQMD threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable SCAQMD threshold of 1.0 (Project HRA, p. 23). As such, the Project operational-source DPM emissions will not cause a significant human health or cancer risk at the MEIW.

School Child Exposure

A one-quarter mile radius, or 1,320 feet, is commonly utilized for identifying sensitive receptors, such as schools, that may be affected by DPM emissions. There are no schools (existing or proposed) within ¼ mile of the Project site. The nearest school is Canyon Ridge High School, which is located approximately 4,960 feet southeast of the Project site. Because there is no reasonable potential that Project-source DPM emissions would cause significant health impacts at distances of more than ¼ mile from the air pollution source, there would be no potentially significant impacts at any schools in the vicinity of the Project (Project HRA, p. 24).

CO "HOT SPOT" ANALYSIS

Background

To establish baseline CO concentrations within the Southern California region, a CO hot spot analysis was conducted in 2003 for four busy intersections in Los Angeles during the peak morning and afternoon traffic periods (2003 Hot Spot Analysis). Table 4.3-7 presents the results of the 2003 Hot Spot Analysis. As indicated, the 2003 Hot Spot Analysis did not predict any violation of CO standards.

Table 4.3-7
2003 Los Angeles Study-Hot Spot Analysis Results

Intersection Location	Carbon Monoxide Concentrations (parts /million, ppm)				
	Morning 1-Hour	Afternoon 1-Hour	CA 1-Hour Std.	8-Hour	CA 8-Hour Std.
Wilshire-Veteran	4.6	3.5	20.0	3.7	9.0
Sunset-Highland	4.0	4.5		3.5	
La Cienega-Century	3.7	3.1		5.2	
Long Beach-Imperial	3.0	3.1		8.4*	

Source: *Hesperia Industrial Center, Air Quality Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022.
Notes: * Of this total, only 0.7 ppm was attributable to the traffic volumes and congestion at this intersection; the remaining 7.7 ppm reflect ambient CO concentrations. Per the 2003 AQMP and the 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan), peak carbon monoxide concentrations affecting the region were a result of unusual meteorological and topographical conditions and not a result of traffic volumes and traffic congestion.

The busiest intersection evaluated within the 2003 Hot Spot Analysis was Wilshire Boulevard and Veteran Avenue. Reported AM/PM traffic volumes at this intersection were 8,062 vehicles per hour and 7,719 vehicles per hour, respectively (see Table 4.3-8). Even at these traffic volumes, exceedance of CO concentration standards and CO hot spots would not result (see previous Table 4.3-7).

In comparison, Project peak hour traffic volumes are estimated at a maximum of 116 trips during the peak hour (Project AIQA, p. 35), and would not approach traffic volumes recorded in the 2003 Hot Spot Analysis.

Table 4.3-8
2003 Los Angeles Study Hot Spot Analysis-Peak Hour Traffic Volumes

Intersection Location	Peak Hour Traffic Volumes (vph)				
	Eastbound (AM/PM)	Westbound (AM/PM)	Southbound (AM/PM)	Northbound (AM/PM)	Total (AM/PM)
Wilshire-Veteran	4,954/2,069	1,830/3,317	721/1,400	560/933	8,062/7,719
Sunset-Highland	1,417/1,764	1,342/1,540	2,304/1,832	1,551/2,238	6,614/5,374
La Cienega-Century	2,540/2,243	1,890/2,728	1,384/2,029	821/1,674	6,634/8,674
Long Beach-Imperial	1,217/2,020	1,760/1,400	479/944	756/1,150	4,212/5,514

Source: *Hesperia Industrial Center, Air Quality Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022.
Notes: vph-vehicles per hour.

The Project considered here would not produce the volume of traffic required to generate a CO hot spot in the context of the 2003 Hot Spot Analysis.[5] Therefore, CO hot spots are not considered to be an environmental concern for the Project. On this basis, the potential for the Project traffic to generate CO hot spots and thereby expose sensitive receptors to substantial pollutant concentrations is considered less-than-significant.

SUMMARY

Project-source DPM emissions would not result in any potentially significant impacts at Study Area receptors. Project-source CO emissions would not result in CO hot spots within the Study Area. The Project would not otherwise be a source of potentially significant pollutant emissions concentrations. Based on the preceding, the potential for the Project to expose sensitive receptors to substantial pollutant concentrations is considered less-than-significant.

Level of Significance: Less-Than-Significant.

[5] Similar considerations are also employed by other Air Districts when evaluating potential CO concentration impacts. More specifically, the Bay Area Air Quality Management District (BAAQMD) concludes that under existing and future vehicle emission rates, a given project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal air does not mix—in order to generate a significant CO impact. The noted peak hour Project traffic volumes (approximately 166 trips) would not approach the BAAQMD CO hot spot significance criteria.

4.4 GREENHOUSE GAS EMISSIONS

4.4 GREENHOUSE GAS EMISSIONS

Abstract

This Section identifies and addresses potential global climate change (GCC) and greenhouse gas (GHG) emissions impacts that may result from construction and implementation of the Project. More specifically, the analysis evaluates the potential for the Project to cause or result in the following impacts:

- *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or*
- *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.*

As substantiated herein, all Project-related GHG impacts are considered less-than-significant.

4.4.1 INTRODUCTION

This Section presents existing greenhouse gas (GHG) conditions and identifies potential GHG impacts resulting from construction and operations of the Project. The information presented in this Section is summarized from: *Hesperia Industrial Center, Greenhouse Gas Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022 (Project GHGA). The Project GHGA and all supporting modeling data are presented at EIR Appendix D.

4.4.2 GREENHOUSE GASES/GLOBAL CLIMATE CHANGE OVERVIEW

Global Climate Change (GCC) is defined as the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. GCC is currently one of the most controversial environmental issues in the United States, and

much debate exists within the scientific community about whether or not GCC is occurring naturally or as a result of human activity. Some data suggests that GCC has occurred in the past over the course of thousands or millions of years. These historical changes to the earth's climate have occurred naturally without human influence, as in the case of an ice age. However, many scientists believe that the climate shift taking place since the industrial revolution (1900) is occurring at a quicker rate and magnitude than in the past. Scientific evidence suggests that GCC is the result of increased concentrations of greenhouse gases in the earth's atmosphere, including carbon dioxide, methane, nitrous oxide, and fluorinated gases. Many scientists believe that this increased rate of climate change is the result of greenhouse gases resulting from human activity and industrialization over the past 200 years.

An individual development proposal, such as the Project considered herein, cannot generate enough greenhouse gas emissions to effect a discernible change in the global climate. However, the Project may contribute to GCC through its increment of greenhouse gases (GHG) in combination with the cumulative increase in GHG from all other sources, which when taken together constitute potential influences on GCC. This Section summarizes the potential for the Project to have a significant effect upon the environment as a result of its potential contribution to GCC.

4.4.2.1 Global Climate Change

GCC refers to the change in average meteorological conditions with respect to temperature, wind patterns, precipitation and storms. Global temperatures are regulated by naturally occurring atmospheric gases such as water vapor, CO_2 (Carbon Dioxide), N_2O (Nitrous Oxide), CH_4 (Methane), hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These particular gases are important due to their residence time (duration) in the atmosphere, which ranges from 10 years to more than 100 years. These gases allow solar radiation into the atmosphere, but prevent heat from escaping, thus warming the atmosphere. GCC can occur naturally, as it has in the past with the previous ice ages.

4.4.2.2 Greenhouse Gases

Gases that trap heat in the atmosphere are often referred to as GHGs. GHGs are released into the atmosphere by both natural and anthropogenic (human) activity. Without the natural greenhouse gas effect, the average temperature would be approximately 61° Fahrenheit (F) cooler than it is currently. The accumulation of these gases in the atmosphere is considered to be the cause for the observed increase in the Earth's temperature.

GHGs have varying global warming potential (GWP) values; GWP values represent the potential of a gas to trap heat in the atmosphere. Carbon dioxide is used as the reference gas for GWP, and thus has a GWP of 1. GWP and atmospheric lifetimes of select GHGs are summarized in Table 4.4-1.

Table 4.4-1
GWP and Atmospheric Lifetime Of Select GHGs

GHG	Atmospheric Lifetime (years)	GWP (100-year time horizon)		
		2nd Assessment Report	4th Assessment Report	5th Assessment Report
CO_2	*	1	1	1
CH_4	12.4	21	25	28
N_2O	121	310	298	265
HFC-23	222	11,700	14,800	12,400
HFC-134a	13.4	1,300	1,430	1,300
HFC-152a	1.5	140	124	138
SF_6	3,200	23,900	22,800	23,500
NF_3	740	-	17,200	16,100

Source: *Hesperia Industrial Center, Greenhouse Gas Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022.
Notes: * Per IPCC's 5th Assessment Report, Appendix 8.A, no single lifetime can be given.

Table 4.4-2 lists common GHGs, their general characteristics, sources, and health effects.

Table 4.4-2
GHGs, Characteristics, Sources, and Health Effects

GHG	Description	Sources	Health Effects
Water	Water is the most abundant, important, and variable GHG in the atmosphere. Water vapor is not considered a pollutant; in the atmosphere it maintains a climate necessary for life. Changes in its concentration are primarily considered to be a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization. Climate feedback is an indirect, or secondary, change, either positive or negative, that occurs within the climate system in response to a forcing mechanism. The feedback loop in which water is involved is critically important to projecting future climate change. As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity can be higher (in essence, the air is able to 'hold' more water when it is warmer), leading to more water vapor in the atmosphere. As a GHG, the higher concentration of water vapor is then able to absorb more thermal indirect energy radiated from the Earth, thus further warming the atmosphere. The warmer atmosphere can then hold more water vapor and so on and so on. This is referred to as a "positive feedback loop." The extent to which this positive feedback loop would continue is unknown as there are also dynamics that hold the positive feedback loop in check. As an example, when water vapor increases in the atmosphere,	The main source of water vapor is evaporation from the oceans (approximately 85%). Other sources include evaporation from other water bodies, sublimation (change from solid to gas) from sea ice and snow, and transpiration from plant leaves.	There are no known direct health effects related to water vapor at this time. It should be noted however that when some pollutants react with water vapor, the reaction forms a transport mechanism for some of these pollutants to enter the human body through water vapor.

Table 4.4-2
GHGs, Characteristics, Sources, and Health Effects

GHG	Description	Sources	Health Effects
	more of it would eventually condense into clouds, which are more able to reflect incoming solar radiation (thus allowing less energy to reach the earth's surface and heat it up).		
CO_2	CO_2 is an odorless and colorless GHG. Since the industrial revolution began in the mid-1700s, the sort of human activity that increases GHG emissions has increased dramatically in scale and distribution. Data from the past 50 years suggests a corollary increase in levels and concentrations. As an example, prior to the industrial revolution, CO_2 concentrations were fairly stable at 280 parts per million (ppm). Today, they are around 370 ppm, an increase of more than 30%. Left unchecked, the concentration of CO_2 in the atmosphere is projected to increase to a minimum of 540 ppm by 2100 as a direct result of anthropogenic sources.	CO_2 is emitted from natural and manmade sources. Natural sources include: the decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources include: the burning of coal, oil, natural gas, and wood. CO_2 is naturally removed from the air by photosynthesis, dissolution into ocean water, transfer to soils and ice caps, and chemical weathering of carbonate rocks.	Outdoor levels of CO_2 are not high enough to result in negative health effects. According to the National Institute for Occupational Safety and Health (NIOSH) high concentrations of CO_2 can result in health effects such as: headaches, dizziness, restlessness, difficulty breathing, sweating, increased heart rate, increased cardiac output, increased blood pressure, coma, asphyxia, and/or convulsions. It should be noted that current concentrations of CO_2 in the earth's atmosphere are estimated to be approximately 370 ppm, the actual reference exposure level (level at which adverse health effects typically occur) is at exposure levels of 5,000 ppm averaged over 10 hours in a 40-hour workweek and short-term reference exposure levels of 30,000 ppm averaged over a 15-minute period.
CH_4	CH_4 is an extremely effective absorber of radiation, although its atmospheric concentration is less than CO_2 and its lifetime in the atmosphere is brief (10-12 years), compared to other GHGs.	CH_4 has both natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants). Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of CH_4. Other anthropocentric sources include fossil-fuel combustion and biomass burning.	CH_4 is extremely reactive with oxidizers, halogens, and other halogen-containing compounds. Exposure to elevated levels of CH_4 can cause asphyxiation, loss of consciousness, headache and dizziness, nausea and vomiting, weakness, loss of coordination, and an increased breathing rate.
N_2O	N_2O, also known as laughing gas, is a colorless GHG. Concentrations of N_2O also began to rise at the	N_2O is produced by microbial processes in soil and water, including those reactions which	N_2O can cause dizziness, euphoria, and sometimes slight hallucinations. In small doses, it is

Table 4.4-2
GHGs, Characteristics, Sources, and Health Effects

GHG	Description	Sources	Health Effects
	beginning of the industrial revolution. In 1998, the global concentration was 314 parts per billion (ppb).	occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is used as an aerosol spray propellant, i.e., in whipped cream bottles. It is also used in potato chip bags to keep chips fresh. It is used in rocket engines and in race cars. N_2O can be transported into the stratosphere, be deposited on the earth's surface, and be converted to other compounds by chemical reaction.	considered harmless. However, in some cases, heavy and extended use can cause Olney's Lesions (brain damage).
Chlorofluorocarbons (CFCs)	CFCs are gases formed synthetically by replacing all hydrogen atoms in CH_4 or ethane (C_2H_6) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble and chemically unreactive in the troposphere (the level of air at the earth's surface).	CFCs have no natural source but were first synthesized in 1928. They were used for refrigerants, aerosol propellants and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and was extremely successful, so much so that levels of the major CFCs are now remaining steady or declining. However, their long atmospheric lifetimes mean that some of the CFCs would remain in the atmosphere for over 100 years.	In confined indoor locations, working with CFC-113 or other CFCs is thought to result in death by cardiac arrhythmia (heart frequency too high or too low) or asphyxiation.
HFCs	HFCs are synthetic, man-made chemicals that are used as a substitute for CFCs. Out of all the GHGs, they are one of three groups with the highest global warming potential (GWP). The HFCs with the largest measured atmospheric abundances are (in order), Fluoroform (HFC-23), 1,1,1,2-tetrafluoroethane (HFC-134a), and 1,1-difluoroethane (HFC-152a). Prior to 1990, the only significant emissions were of HFC-23. HCF-134a emissions are increasing due to its use as a refrigerant.	HFCs are manmade for applications such as automobile air conditioners and refrigerants.	No health effects are known to result from exposure to HFCs.

Table 4.4-2
GHGs, Characteristics, Sources, and Health Effects

GHG	Description	Sources	Health Effects
PFCs	PFCs have stable molecular structures and do not break down through chemical processes in the lower atmosphere. High-energy ultraviolet rays, which occur about 60 kilometers above earth's surface, are able to destroy the compounds. Because of this, PFCs have exceptionally long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF_4) and hexafluoroethane (C_2F_6). The EPA estimates that concentrations of CF_4 in the atmosphere are over 70 parts per trillion (ppt).	The two main sources of PFCs are primary aluminum production and semiconductor manufacture.	No health effects are known to result from exposure to PFCs.
SF_6	SF_6 is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It also has the highest GWP of any gas evaluated. The EPA indicates that concentrations in the 1990s were about 4 ppt.	SF_6 is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.	In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing.
Nitrogen Trifluoride (NF_3)	NF_3 is a colorless gas with a distinctly moldy odor. The World Resources Institute (WRI) indicates that NF_3 has a 100-year GWP of 17,200.	NF_3 is used in industrial processes and is produced in the manufacturing of semiconductors, Liquid Crystal Display (LCD) panels, types of solar panels, and chemical lasers.	Long-term or repeated exposure may affect the liver and kidneys and may cause fluorosis.

Source: *Hesperia Industrial Center, Greenhouse Gas Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022.

4.4.2.3 Existing Greenhouse Gases Emissions Inventories

Global

Worldwide anthropogenic GHG emissions are tracked by the Intergovernmental Panel on Climate Change for industrialized nations (referred to as Annex I) and developing nations (referred to as Non-Annex I). This GHG emission data for Annex I nations is available through 2016. Global GHG emissions are summarized in Table 4.4-3, and are representative of currently available inventory data.

United States

As identified in Table 4.4-3, the United States, as a single country, was the number two producer of GHG emissions in 2017. The primary GHG emitted by human activities in the United States was CO_2, representing approximately 81.6 percent of total GHG emissions. Carbon dioxide from fossil fuel combustion is the largest source of GHG emissions in the United States.

Table 4.4-3
Global GHG Emissions by Major GHG Source Countries

Source Countries	GHG Emissions (Gg CO_2e)
China	11,911,710
United States	6,456,718
European Union (28-member countries)	4,323,163
India	3,079,810
Russian Federation	2,155,470
Japan	1,289,630
Total	**29,216,501**

Source: *Hesperia Industrial Center, Greenhouse Gas Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022.
Note: Gg = Gigagrams; 1 Gigagram = 1,000 Metric Tons.

State of California

Although California's rate of growth of GHG emissions is slowing, the state is still a substantial contributor. The California Air Resources Board (CARB) compiles GHG inventories for the State of California. Year over year, state GHG emissions continue to increase. Based upon the 2019 GHG inventory data (i.e., the latest year for which data are available) for the 2000 – 2017 greenhouse gas emissions inventory, California emitted 424.1 Million Metric Tons Carbon Dioxide Equivalent ($MMTCO_2e$) per year.

City of Hesperia

City of Hesperia GHG emissions inventory data is summarized at Table 4.4-4.

Table 4.4-4
City of Hesperia GHG Emissions Inventory

GHG Emissions Scenario	Greenhouse Gas Emissions ($MTCO_2e$)		
	2009	2020	Buildout
Business as Usual Emissions	639,419	954,648	1,256,312
Population (City and Sphere of Influence)	102,896	176,527	243,465
Business as Usual Per Capita Emissions	6.2	5.4	5.2
Emissions with Reductions from State Regulations and CAP Strategies	—	678,226	—
Per Capita Emissions with Reductions	—	3.8	—
Reduction Target	—	3.8	—

Source: City of Hesperia Climate Action Plan, July 20, 2010.

Notes: $MTCO_2e$ represents the carbon dioxide equivalent in metric tons. Reductions at buildout are unknown at this time and 2009 emissions assume no reductions. For purposes of this analysis, it is assumed that buildout is in 2030, though the City anticipates actual buildout to be much later.

Project Site

The Project site comprises vacant disturbed property, and is not a substantive source of GHG emissions.

4.4.2.4 Effects of Climate Change in California

Public Health

Higher temperatures may increase the frequency, duration, and intensity of conditions conducive to air pollution formation. For example, days with weather conducive to ozone formation could increase from 25 to 35 percent under the lower warming range to 75 to 85 percent under the medium warming range. In addition, if global background ozone levels increase as predicted in some scenarios, it may become impossible to meet local air quality standards. Air quality could be further compromised by increases in wildfires, which emit fine particulate matter that can travel long distances, depending on wind conditions. The Climate Scenarios Report indicates that large wildfires could become more frequent if GHG emissions are not significantly reduced.

In addition, under the higher warming range scenario, there could be up to 100 more days per year with temperatures above 90°F in Los Angeles and 95°F in Sacramento by 2100. This is a large increase over historical patterns and approximately twice the increase projected if temperatures remain within or below the lower warming range. Rising temperatures could increase the risk of death from dehydration, heat stroke/exhaustion, heart attack, stroke, and respiratory distress caused by extreme heat.

Water Resources

A vast network of man-made reservoirs and aqueducts captures and transports water throughout the state from northern California rivers and the Colorado River. The current distribution system relies on Sierra Nevada snowpack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snowpack, increasing the risk of summer water shortages.

If temperatures continue to increase, more precipitation could fall as rain instead of snow, and the snow that does fall could melt earlier, reducing the Sierra Nevada spring snowpack by as much as 70 to 90 percent. Under the lower warming range scenario, snowpack losses could be only half as large as those possible if temperatures were to rise to the higher warming range. How much snowpack could be lost depends in part on future precipitation patterns, the projections for which remain uncertain. However, even under the wetter climate projections, the loss of snowpack could pose challenges to water managers and hamper hydropower generation. It could also adversely affect winter tourism. Under the lower warming range, the ski season at lower elevations could be reduced by as much as a month. If temperatures reach the higher warming range and precipitation declines, there may be years with insufficient snow for skiing and snowboarding.

The State's water supplies are also at risk from rising sea levels. An influx of saltwater could degrade California's estuaries, wetlands, and groundwater aquifers. Saltwater intrusion caused by rising sea levels is a major threat to the quality and reliability of water

within the southern edge of the Sacramento/San Joaquin River Delta – a major fresh water supply.

Agriculture

Increased temperatures could cause widespread changes to the agriculture industry reducing the quantity and quality of agricultural products statewide. First, California farmers could possibly lose as much as 25 percent of its water supply. Although higher CO_2 levels can stimulate plant production and increase plant water-use efficiency, California's farmers could face greater water demand for crops and a less reliable water supply as temperatures rise. Crop growth and development could change, as could the intensity and frequency of pest and disease outbreaks. Rising temperatures could aggravate O_3 pollution, which makes plants more susceptible to disease and pests and interferes with plant growth.

Plant growth tends to be slow at low temperatures, increasing with rising temperatures up to a threshold. However, faster growth can result in less-than-optimal development for many crops, so rising temperatures could worsen the quantity and quality of yield for a number of California's agricultural products. Products likely to be most affected include wine grapes, fruits, and nuts.

In addition, continued GCC could shift the ranges of existing invasive plants and weeds and alter competition patterns with native plants. Range expansion could occur in many species while range contractions may be less likely in rapidly evolving species with significant populations already established. Should range contractions occur, new or different weed species could fill the emerging gaps. Continued GCC could alter the abundance and types of many pests, lengthen pests' breeding season, and increase pathogen growth rates.

Forests and Landscapes

GCC has the potential to intensify the current threat to forests and landscapes by increasing the risk of wildfire and altering the distribution and character of natural vegetation. If temperatures rise into the medium warming range, the risk of large

wildfires in California could increase by as much as 55 percent, which is almost twice the increase expected if temperatures stay in the lower warming range. However, since wildfire risk is determined by a combination of factors, including: precipitation, winds, temperature, terrain, and vegetation, future risks would likely not be uniform throughout the state. For example, wildfires in northern California could increase by up to 90 percent due to decreased precipitation.

Moreover, continued GCC has the potential to alter natural ecosystems and biological diversity within the state. For example, alpine and subalpine ecosystems could decline by as much as 60 to 80 percent by the end of the century as a result of increasing temperatures. The productivity of the state's forests has the potential to decrease as a result of GCC.

Rising Sea Levels

Rising sea levels, more intense coastal storms, and warmer water temperatures could increasingly threaten the state's coastal regions. Under the higher warming range scenario, sea level is anticipated to rise 22 to 35 inches by 2100. Increased sea level elevations of this magnitude would inundate low-lying coastal areas with salt water, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats. Under the lower warming range scenario, sea level could rise 12 to 14 inches.

4.4.3 GCC REGULATORY SETTING

The current GHG regulatory setting is extensive and evolving. The GHG regulatory setting is discussed in detail at Project GHGA Section 2.7, *Regulatory Setting*. Current aspects of the GHG regulatory setting of relevance to the Project are summarized below.

4.4.3.1 State of California

Overview

The State of California legislature has enacted a series of bills and associated actions, described below, that collectively act to reduce GHG emissions. Certain state legislation,

such as Assembly Bill (AB 32) *California Global Warming Solutions Act of 2006*, was specifically enacted to address GHG emissions. Other state legislation, such as Title 24 and Title 20 energy standards, originally adopted for other purposes (energy and water conservation), also facilitate GHG emissions reductions. Additionally, California's Executive Branch has taken several actions to reduce GHGs through the use of Executive Orders. Although not regulatory, Executive Orders set the tone for the state and guide the actions of state agencies.

AB 32. The California State Legislature enacted AB 32, which requires that GHGs emitted in California be reduced to 1990 levels by the year 2020. GHGs, as defined under AB 32, include carbon dioxide, methane, N_2O, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Since AB 32 was enacted, a seventh chemical, nitrogen trifluoride, has also been added to the list of GHGs. The California Air Resources Board (CARB, ARB) is the state agency charged with monitoring and regulating sources of GHGs.

The ARB approved the 1990 GHG emissions level of 427 $MMTCO_2e$ on December 6, 2007 (ARB 2007). Therefore, emissions generated in California in 2020 are required to be equal to or less than 427 $MMTCO_2e$. Emissions in 2020 in a "business as usual" (BAU) scenario were estimated to be 596 $MMTCO_2e$, which do not account for reductions from AB 32 regulations (ARB 2008). At that level, a 28.4 percent reduction was required to achieve the 427 million $MMTCO_2e$ 1990 inventory. In October 2010, ARB prepared an updated 2020 forecast to account for the recession and slower forecasted growth. The forecasted inventory without the benefits of adopted regulation is now estimated at 545 million $MMTCO_2e$. Therefore, under the updated forecast, a 21.7 percent reduction from BAU is required to achieve 1990 levels (ARB 2010).

The State has made steady progress in implementing AB 32 and achieving targets included in Executive Order S-3-05. The progress is shown in updated emission inventories prepared by ARB for 2000 through 2012 (ARB 2014a). The State has achieved the Executive Order S-3-05 target for 2010 of reducing GHG emissions to 2000 levels. As shown below, the 2010 emission inventory achieved this target.

- 1990: 427 million $MMTCO_2e$ (AB 32 2020 target)
- 2000: 463 million $MMTCO_2e$ (an average 8 percent reduction needed to achieve 1990 base)
- 2010: 450 million $MMTCO_2e$ (an average 5 percent reduction needed to achieve 1990 base)

ARB has also made substantial progress in achieving its goal of achieving 1990 emissions levels by 2020. As described earlier in this section, ARB revised the 2020 BAU inventory forecast to account for new lower growth projections, which resulted in a new lower reduction from BAU to achieve the 1990 base. The previous reduction from 2020 BAU needed to achieve 1990 levels was 28.4 percent and the latest reduction from 2020 BAU is 21.7 percent.

- 2020: 545 million $MMTCO_2e$ BAU (an average 21.7 percent reduction from BAU needed to achieve 1990 base)

ARB Scoping Plan. The California Air Resources Board (ARB) Climate Change Scoping Plan (Scoping Plan) contains measures designed to reduce the State's emissions to 1990 levels by the year 2020 and thereby comply with AB 32 GHG emissions reductions targets. The Scoping Plan identifies recommended measures for multiple GHG emission sectors and the associated emission reductions needed to achieve the year 2020 emissions target—each sector has a different emission reduction target. Most of the measures target the transportation and electricity sectors. As stated in the Scoping Plan, the key elements of the strategy for achieving the 2020 GHG target include:

- Expanding and strengthening existing energy efficiency programs as well as building and appliance standards;
- Achieving a statewide renewables energy mix of 33 percent;
- Developing a California cap-and-trade program that links with other Western Climate Initiative partner programs to create a regional market system;

- Establishing targets for transportation-related GHG emissions for regions throughout California and pursuing policies and incentives to achieve those targets;
- Adopting and implementing measures pursuant to existing State laws and policies, including California's clean car standards, goods movement measures, and the Low Carbon Fuel Standard; and
- Creating targeted fees, including a public goods charge on water use, fees on high global warming potential gases, and a fee to fund the administrative costs of the State's long-term commitment to AB 32 implementation.

The ARB approved the First Update to the Scoping Plan (Update) on May 22, 2014. The Update identifies progress made to meet the near-term objectives of AB 32 and defines California's climate change priorities and strategies. The Update does not set new targets for the State, but rather describes a path that would achieve the state's 2050 goal to achieve GHG emissions levels that are 80 percent below 1990 baseline levels.

Forecasting the amount of emissions that would occur in 2020 if no actions are taken was necessary to assess the amount of reductions California must achieve to return to the 1990 emissions level by 2020 as required by AB 32. The no-action scenario is known as "business-as-usual" or BAU. The ARB originally defined the BAU scenario as emissions in the absence of any GHG emission reduction measures discussed in the Scoping Plan.

As part of CEQA compliance for the Scoping Plan, ARB prepared a Supplemental Functional Equivalent Document (FED) in 2011. The FED included an updated 2020 BAU emissions inventory projection based on current economic forecasts (i.e., as influenced by the economic downturn) and emission reduction measures already in place, replacing its prior 2020 BAU emissions inventory. ARB staff derived the updated emissions estimates by projecting emissions growth, by sector, from the State's average emissions from 2006–2008. The new BAU estimate includes emission reductions for the million-solar-roofs program, the AB 1493 (Pavley I) motor vehicle GHG emission standards, and the Low Carbon Fuels Standard. In addition, ARB factored into the 2020 BAU inventory emissions reductions associated with 33 percent Renewable Energy Portfolio Standard (RPS) for

electricity generation. The updated BAU estimate of 507 $MMTCO_2e$ by 2020 requires a reduction of 80 $MMTCO_2e$, or a 16 percent reduction below the estimated BAU levels to return to 1990 levels (i.e., 427 $MMTCO_2e$) by 2020.

To establish a BAU reduction scenario that is consistent with the original definition in the Scoping Plan and with threshold definitions used in thresholds adopted by lead agencies for CEQA purposes and many climate action plans, the updated inventory without regulations was also included in the Supplemental FED. The ARB 2020 BAU projection for GHG emissions in California was originally estimated to be 596 $MMTCO_2e$. The updated ARB 2020 BAU projection in the Supplemental FED is 545 $MMTCO_2e$. Considering the updated BAU estimate of 545 $MMTCO_2e$ by 2020, ARB estimates a 21.7 percent reduction below the estimated statewide BAU levels is necessary to return to 1990 emission levels (i.e., 427 $MMTCO_2e$) by 2020, instead of the approximate 28.4 percent BAU reduction previously reported under the original Climate Change Scoping Plan (2008).

2017 Climate Change Scoping Plan Update. In November 2017, ARB released the final 2017 Scoping Plan Update, which identifies the State's post-2020 reduction strategy. The 2017 Scoping Plan Update reflects the 2030 target of a 40 percent reduction below 1990 levels, set by Executive Order B-30-15 and codified by Senate Bill 32 (SB 32). Key programs that the proposed Second Update builds upon include the Cap-and-Trade Regulation, the Low Carbon Fuel Standard, and much cleaner cars, trucks and freight movement, utilizing cleaner, renewable energy, and strategies to reduce methane emissions from agricultural and other wastes.

The 2017 Scoping Plan establishes a new emissions limit of 260 $MMTCO_2e$ for the year 2030, which corresponds to a 40 percent decrease in 1990 levels by 2030.

California's climate strategy will require contributions from all sectors of the economy, including the land base, and will include enhanced focus on zero- and near-zero-emission (ZE/NZE) vehicle technologies; continued investment in renewables, including solar roofs, wind, and other distributed generation; greater use of low carbon fuels; integrated

land conservation and development strategies; coordinated efforts to reduce emissions of short-lived climate pollutants (methane, black carbon, and fluorinated gases); and an increased focus on integrated land use planning to support livable, transit-connected communities and conservation of agricultural and other lands. Requirements for direct GHG reductions at refineries will further support air quality co-benefits in neighborhoods, including in disadvantaged communities historically located adjacent to these large stationary sources, as well as efforts with California's local air pollution control and air quality management districts (air districts) to tighten emission limits on a broad spectrum of industrial sources. Major elements of the 2017 Scoping Plan framework include:

- Implementing and/or increasing the standards of the Mobile Source Strategy, which include increasing ZEV buses and trucks.
- Low Carbon Fuel Standard (LCFS), with an increased stringency (18 percent by 2030).
- Implementing SB 350, which expands the Renewables Portfolio Standard (RPS) to 50 percent RPS and doubles energy efficiency savings by 2030.
- California Sustainable Freight Action Plan, which improves freight system efficiency, utilizes near-zero emissions technology, and deployment of ZEV trucks.
- Implementing the proposed Short-Lived Climate Pollutant Strategy (SLPS), which focuses on reducing methane and hydrofluorocarbon emissions by 40 percent and anthropogenic black carbon emissions by 50 percent by year 2030.
- Continued implementation of SB 375.
- Post-2020 Cap-and-Trade Program that includes declining caps.
- 20 percent reduction in GHG emissions from refineries by 2030.
- Development of a Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

In addition to the statewide strategies listed above, the 2017 Scoping Plan also recognizes local governments as essential partners in achieving the State's long-term GHG reduction goals and identifies local actions to reduce GHG emissions. As part of the recommended

actions, CARB advocates local government attainment of a community-wide goal of 6 $MMTCO_2e$ or less per capita by 2030, and 2 $MMTCO_2e$ or less per capita by 2050. For CEQA projects, CARB states that lead agencies may develop evidenced-based bright-line numeric thresholds—consistent with the Scoping Plan and the State's long-term GHG goals—and projects with emissions over that amount may be required to incorporate on-site design features and mitigation measures that avoid or minimize project emissions to the extent feasible. Alternatively, a lead agency may employ performance-based metric using a climate action plan or other plan to reduce GHG emissions.

According to research conducted by the Lawrence Berkeley National Laboratory and supported by ARB, California, under its existing and proposed GHG reduction policies, California is on track to meet the 2020 reduction targets established under AB 32 and could achieve the 2030 goals promulgated under SB 32.

Senate Bill 32. On September 8, 2016, Governor Jerry Brown signed the Senate Bill (SB) 32 and its companion bill, Assembly Bill (AB) 197. SB 32 requires the State to reduce statewide greenhouse gas emissions to 40 percent below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15.

Cap-and-Trade Program. The Scoping Plan identifies a Cap-and-Trade Program as one of the key strategies for California to reduce GHG emissions. According to ARB, a cap-and-trade program will help put California on the path to meet its goal of reducing GHG emissions to 1990 levels by the year 2020 and ultimately achieving an 80 percent reduction from 1990 levels by 2050. Under cap-and-trade, an overall limit on GHG emissions from capped sectors is established, and facilities subject to the cap will be able to trade permits to emit GHGs within the overall limit.

ARB adopted a California Cap-and-Trade Program consistent with authority established under AB 32. See 17 California Code of Regulations (CCR) §§ 95800 to 96023. The Cap-and-Trade Program is designed to reduce GHG emissions from major sources (deemed "covered entities") by setting a firm cap on statewide GHG emissions and employing market mechanisms to achieve AB 32's emission-reduction mandate of returning to 1990

levels of emissions by 2020. The statewide cap for GHG emissions from the capped sectors (e.g., electricity generation, petroleum refining, and cement production) commenced in 2013 and will decline over time, achieving GHG emission reductions throughout the program's duration.

Covered entities that emit more than 25,000 $MTCO_2e$ per year must comply with the Cap-and-Trade Program. Triggering of the 25,000 $MTCO_2e$ per year "inclusion threshold" is measured against a subset of emissions reported and verified under the California Regulation for the Mandatory Reporting of GHG Emissions (Mandatory Reporting Rule or "MRR").

Under the Cap-and-Trade Program, ARB issues allowances equal to the total amount of allowable emissions over a given compliance period and distributes these to regulated entities. Covered entities are allocated free allowances in whole or part (if eligible), and may buy allowances at auction, purchase allowances from others, or purchase offset credits. Each covered entity with a compliance obligation is required to surrender "compliance instruments" for each $MTCO_2e$ of GHG they emit. There also are requirements to surrender compliance instruments covering 30 percent of the prior year's compliance obligation by November of each year. For example, in November 2014, a covered entity was required to submit compliance instruments to cover 30 percent of its 2013 GHG emissions.

The Cap-and-Trade Program provides a firm cap, ensuring that the 2020 statewide emission limit will not be exceeded. An inherent feature of the Cap-and-Trade program is that it does not guarantee GHG emissions reductions in any discrete location or by any particular source. Rather, GHG emissions reductions are only guaranteed on an accumulative basis. As summarized by ARB in the 2014 First Update to the Climate Change Scoping Plan (ARB First Update):

> The Cap-and-Trade Regulation gives companies the flexibility to trade allowances with others or take steps to cost-effectively reduce emissions at their own facilities. Companies that emit more have to turn in more

> allowances or other compliance instruments. Companies that can cut their GHG emissions have to turn in fewer allowances. But as the cap declines, aggregate emissions must be reduced. In other words, a covered entity theoretically could increase its GHG emissions every year and still comply with the Cap-and-Trade Program if there is a reduction in GHG emissions from other covered entities. Such a focus on aggregate GHG emissions is considered appropriate because climate change is a global phenomenon, and the effects of GHG emissions are considered cumulative (ARB First Update, p. 86).

The Cap-and-Trade Program works with other direct regulatory measures and provides an economic incentive to reduce emissions. If California's direct regulatory measures reduce GHG emissions more than expected, then the Cap-and-Trade Program will be responsible for relatively fewer emissions reductions. If California's direct regulatory measures reduce GHG emissions less than expected, then the Cap-and-Trade Program will be responsible for relatively more emissions reductions. In this manner, the Cap-and-Trade Program assures that California will meet its 2020 GHG emissions reduction mandate:

> The Cap-and-Trade Program establishes an overall limit on GHG emissions from most of the California economy—the "capped sectors." Within the capped sectors, some of the reductions are being accomplished through direct regulations, such as improved building and appliance efficiency standards, the [Low Carbon Fuel Standard] LCFS, and the 33 percent [Renewables Portfolio Standard] RPS. Whatever additional reductions are needed to bring emissions within the cap is accomplished through price incentives posed by emissions allowance prices. Together, direct regulation and price incentives assure that emissions are brought down cost-effectively to the level of the overall cap. The Cap-and-Trade Regulation provides assurance that California's 2020 limit will be met because the regulation sets a firm limit on 85 percent of California's GHG emissions. In sum, the Cap-and-Trade Program will achieve aggregate, rather than site

> specific or project-level, GHG emissions reductions. Also, due to the regulatory architecture adopted by ARB in AB 32, the reductions attributed to the Cap-and-Trade Program can change over time depending on the State's emissions forecasts and the effectiveness of direct regulatory measures (ARB First Update, p. 88).

As of January 1, 2015, the Cap-and-Trade Program covered approximately 85 percent of California's GHG emissions. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, whether generated in-state or imported. Accordingly, GHG emissions associated with a CEQA projects' electricity usage are covered by the Cap-and-Trade Program.

The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and from combustion of other fossil fuels not directly covered at large sources in the Program's first compliance period. While the Cap-and-Trade Program technically covered fuel suppliers as early as 2012, they did not have a compliance obligation (i.e., they were not fully regulated) until 2015. The Cap-and-Trade Program covers the GHG emissions associated with the combustion of transportation fuels in California, whether refined in-state or imported. The point of regulation for transportation fuels is when they are "supplied" (i.e., delivered into commerce). Accordingly, as with stationary source GHG emissions and GHG emissions attributable to electricity use, virtually all, if not all, of GHG emissions from CEQA projects associated with vehicle-miles traveled (VMT) are covered by the Cap-and-Trade Program (ARB 2015).

In addition, the Scoping Plan differentiates between "capped" and "uncapped" strategies. "Capped" strategies are subject to the proposed cap-and-trade program. The Scoping Plan states that the inclusion of these emissions within the Program will help ensure that the year 2020 emission targets are met despite some degree of uncertainty in the emission reduction estimates for any individual measure. Implementation of the capped strategies is calculated to achieve sufficient GHG emissions reductions by 2020 to achieve the emission target contained in AB 32. "Uncapped" strategies that will not be

subject to the cap-and-trade emissions caps and requirements are provided as a margin of safety by accounting for additional GHG emission reductions.

SB 375 - Sustainable Communities and Climate Protection Act of 2008. Passing the Senate on August 30, 2008, Senate Bill (SB) 375 was signed by the Governor on September 30, 2008. According to SB 375, the transportation sector is the largest contributor of GHG emissions, which emits over 40 percent of the total GHG emissions in California. SB 375 states, "Without improved land use and transportation policy, California will not be able to achieve the goals of AB 32." SB 375 does the following: (1) requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, (2) aligns planning for transportation and housing, and (3) creates specified incentives for the implementation of the strategies.

Concerning CEQA, SB 375, as codified in Public Resources Code Section 21159.28, states that CEQA findings for certain projects are not required to reference, describe, or discuss (1) growth inducing impacts, or (2) any project-specific or cumulative impacts from cars and light-duty truck trips generated by the project on global warming or the regional transportation network, if the project:

1. Is in an area with an approved sustainable communities strategy or an alternative planning strategy that the ARB accepts as achieving the GHG emission reduction targets.
2. Is consistent with that strategy (in designation, density, building intensity, and applicable policies).
3. Incorporates the mitigation measures required by an applicable prior environmental document.

AB 1493 Pavley Regulations and Fuel Efficiency Standards. California AB 1493, enacted on July 22, 2002, required ARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the EPA's denial of an

implementation waiver. The EPA subsequently granted the requested waiver in 2009, which was upheld by the U.S. District Court for the District of Columbia in 2011.

The standards phased in during the 2009 through 2016 model years. When fully phased in, the near-term (2009–2012) standards will result in about a 22 percent reduction compared with the 2002 fleet, and the mid-term (2013–2016) standards will result in about a 30 percent reduction. Several technologies stand out as providing significant reductions in emissions at favorable costs. These include discrete variable valve lift or camless valve actuation to optimize valve operation rather than relying on fixed valve timing and lift as has historically been done; turbocharging to boost power and allow for engine downsizing; improved multi-speed transmissions; and improved air conditioning systems that operate optimally, leak less, and/or use an alternative refrigerant.

The second phase of the implementation for the Pavley bill was incorporated into Amendments to the Low-Emission Vehicle Program referred to as LEV III or the Advanced Clean Cars program. The Advanced Clean Cars program combines the control of smog-causing pollutants and GHG emissions into a single coordinated package of requirements for model years 2017 through 2025. The regulation will reduce GHGs from new cars by 34 percent from 2016 levels by 2025. The new rules will clean up gasoline and diesel-powered cars, and deliver increasing numbers of zero-emission technologies, such as full battery electric cars, newly emerging plug-in hybrid electric vehicles and hydrogen fuel cell cars. The package will also ensure adequate fueling infrastructure is available for the increasing numbers of hydrogen fuel cell vehicles planned for deployment in California.

SB 350 - Clean Energy and Pollution Reduction Act of 2015. In October 2015, the legislature approved and the Governor signed SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the renewables portfolio standard (RPS), higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for electric vehicle charging stations. Provisions for a 50 percent reduction in the use of petroleum statewide were removed from the Bill because

of opposition and concern that it would prevent the Bill's passage. Specifically, SB 350 requires the following to reduce statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33 percent to 50 percent by 2030, with interim targets of 40 percent by 2024, and 25 percent by 2027.
- Double the energy efficiency in existing buildings by 2030. This target will be achieved through the California Public Utility Commission (CPUC), the California Energy Commission (CEC), and local publicly-owned utilities.
- Reorganize the Independent System Operator (ISO) to develop more regional electricity transmission markets and to improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

Executive Order S-3-05. Former California Governor Arnold Schwarzenegger announced on June 1, 2005, through Executive Order S-3-05, the following reduction targets for GHG emissions:

- By 2010, reduce GHG emissions to 2000 levels.
- By 2020, reduce GHG emissions to 1990 levels.
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. The 2020 goal was established to be a mid-term target. Because this is an executive order, the goals are not legally enforceable for local governments or the private sector.

Executive Order S-01-07 – Low Carbon Fuel Standard. The Governor signed Executive Order S-01-07 on January 18, 2007. The order mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020. In particular, the Executive Order established a Low Carbon Fuel Standard and directed the Secretary for Environmental Protection to coordinate the actions of the California Energy Commission, the ARB, the University of California, and

other agencies to develop and propose protocols for measuring the "life-cycle carbon intensity" of transportation fuels. This analysis supporting development of the protocols was included in the State Implementation Plan for alternative fuels (State Alternative Fuels Plan adopted by California Energy Commission on December 24, 2007) and was submitted to ARB for consideration as an "early action" item under AB 32. The ARB adopted the Low Carbon Fuel Standard on April 23, 2009.

The Low Carbon Fuel Standard was challenged in the U.S. District Court in Fresno in 2011. The court's ruling issued on December 29, 2011, included a preliminary injunction against ARB's implementation of the rule. The Ninth Circuit Court of Appeals stayed the injunction on April 23, 2012, pending final ruling on appeal, allowing ARB to continue to implement and enforce the regulation. The Ninth Circuit Court's decision, filed September 18, 2013, vacated the preliminary injunction. In essence, the court held that Low Carbon Fuel Standards adopted by ARB were not in conflict with federal law. On August 8, 2013, the Fifth District Court of Appeal (California) ruled ARB failed to comply with CEQA and the Administrative Procedure Act (APA) when adopting regulations for Low Carbon Fuel Standards. In a partially published opinion, the Court of Appeal reversed the trial court's judgment and directed issuance of a writ of mandate setting aside Resolution 09-31 and two executive orders of ARB approving Low Carbon Fuel Standards (LCFS) regulations promulgated to reduce GHG emissions. However, the court tailored its remedy to protect the public interest by allowing the LCFS regulations to remain operative while ARB complies with the procedural requirements it failed to satisfy.

To address the Court ruling, ARB was required to bring a new LCFS regulation to its Board for consideration in February 2015. The proposed LCFS regulation was required to contain revisions to the 2010 LCFS as well as new provisions designed to foster investments in the production of the low-carbon intensity (low-CI) fuels, offer additional flexibility to regulated parties, update critical technical information, simplify and streamline program operations, and enhance enforcement. The second public hearing was held on September 24 and September 25, 2015, where the LCFS Regulation was adopted. The Final Rulemaking Package adopting the regulation was filed with Office of

Administrative Law (OAL) on October 2, 2015. OAL had until November 16, 2015 to make a determination (ARB 2015d).

Executive Order S-13-08. Executive Order S-13-08 states that "climate change in California during the next century is expected to shift precipitation patterns, accelerate sea level rise and increase temperatures, thereby posing a serious threat to California's economy, to the health and welfare of its population and to its natural resources." As provided for under the Order, the 2009 California Climate Adaptation Strategy (California Natural Resources Agency 2009) was adopted. The Strategy is ". . . first statewide, multi-sector, region-specific, and information-based climate change adaptation strategy in the United States." Objectives include analyzing risks of climate change in California, identifying and exploring strategies to adapt to climate change, and specifying a direction for future research.

Executive Order B-30-15. On April 29, 2015, Governor Edmund G. Brown Jr. issued an executive order to establish a California GHG reduction target of 40 percent below 1990 levels by 2030. The Governor's executive order aligns California's GHG reduction targets with those of leading international governments. The Order sets a new interim statewide GHG emission reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030 in order to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050 and directs ARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of CO_2 equivalent ($MMCO_2e$). The Order also requires the state's climate adaptation plan to be updated every three years, and for the State to continue its climate change research program, among other provisions. As with Executive Order S-3-05, this Order is not legally enforceable for local governments and the private sector. Legislation that would update AB 32 to make post 2020 targets and requirements a mandate is in process in the State Legislature.

Title 20 Appliance Efficiency Standards. California Code of Regulations, Title 20: Division 2, Chapter 4, Article 4, Sections 1601-1608: Appliance Efficiency Regulations regulates the sale of appliances in California. The Appliance Efficiency Regulations

include standards for both federally regulated appliances and non-federally regulated appliances. Twenty-three categories of appliances are included in the scope of these regulations. The standards within these regulations apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the state and those designed and sold exclusively for use in recreational vehicles or other mobile equipment.

Title 24 Energy Efficiency Standards and California Green Building Standards. California Code of Regulations Title 24 Part 6: *California's Energy Efficiency Standards for Residential and Nonresidential Buildings*, was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. For nonresidential buildings, the 2016 Title 24 standards reduce energy consumption by 5 percent when compared to the 2013 Title 24 standards.

California Code of Regulations, Title 24, Part 11: California Green Building Standards Code (CALGreen). CALGreen is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on January 1, 2011. CALGreen is updated on a regular basis, with the most recent update consisting of the 2016 California Green Building Code Standards that became effective January 1, 2017. Under state law, local jurisdictions are permitted to adopt more stringent requirements. Specific CALGreen requirements include, but are not limited to, those listed below. CALGreen Section citations are presented parenthetically.

- Short-term bicycle parking. If a commercial project is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5 percent of visitor motorized vehicle parking capacity, with a minimum of one two-bike capacity rack (5.106.4.1.1).

- Long-term bicycle parking. For new buildings with 10 or more tenant-occupants, provide secure bicycle parking for 5 percent of tenant-occupied motorized vehicle parking capacity, with a minimum of one space (5.106.4.1.2).
- Designated parking. Provide designated parking in commercial projects for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in [CALGreen] Table 5.106.5.2 (5.106.5.2).
- Recycling by Occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage and collection of nonhazardous materials for recycling (5.410.1).
- Construction waste. A minimum 65 percent diversion of construction and demolition waste from landfills, increasing voluntarily to 80 percent for new homes and commercial projects (CALGreen Sections 5.408.1, A5.408.3.1 [nonresidential], A5.408.3.1 [residential]). All (100 percent) of trees, stumps, rocks and associated vegetation and soils resulting from land clearing shall be reused or recycled (5.408.3).
- Wastewater reduction. Each building shall reduce the generation of wastewater by one of the following methods:
    - The installation of water-conserving fixtures (5.303.3) or
    - Using nonpotable water systems (5.303.4).
- Water use savings. 20 percent mandatory reduction of indoor water use with voluntary goal standards for 30, 35 and 40 percent reductions (5.303.2, A5303.2.3 [nonresidential]).
- Water meters. Separate water meters for buildings in excess of 50,000 square feet or buildings projected to consume more than 1,000 gallons per day (5.303.1).
- Irrigation efficiency. Moisture-sensing irrigation systems for larger landscaped areas (5.304.3).
- Materials pollution control. Low-pollutant emitting interior finish materials such as paints, carpet, vinyl flooring, and particleboard (5.404).
- Building commissioning. Mandatory inspections of energy systems (i.e., heat furnace, air conditioner, mechanical equipment) for nonresidential buildings over 10,000 square feet to ensure that all are working at their maximum capacity according to their design efficiencies (5.410.2).

Model Water Efficient Landscape Ordinance. The Model Water Efficient Landscape Ordinance (Model Ordinance) established under the Water Conservation Act, requires local agencies to adopt a local landscape ordinance at least as effective in conserving water as the Model Ordinance. New development projects that include landscape areas of 500 square feet or more are subject to the Model Ordinance.

Reductions in water use of 20 percent consistent with (SBX-7-7) 2020 mandate are expected upon compliance with the ordinance. Governor Brown's Drought Executive Order of April 1, 2015 (EO B-29-15) directed Department of Water Resources (DWR) to update the Ordinance through expedited regulation. The California Water Commission approved the revised Ordinance on July 15, 2015 to be effective December 15, 2015. New development projects that include landscape areas of 500 square feet or more are subject to the Ordinance requirements, including:

- More efficient irrigation systems;
- Incentives for graywater usage;
- Improvements in on-site stormwater capture;
- Limiting landscaping that can be planted with high water use plants; and
- Reporting requirements for local agencies.

ARB Refrigerant Management Program. ARB adopted a regulation in 2009 to reduce refrigerant GHG emissions from stationary sources through refrigerant leak detection and monitoring, leak repair, system retirement and retrofitting, reporting and recordkeeping, and proper refrigerant cylinder use, sale, and disposal. The regulation is set forth in sections 95380 to 95398 of Title 17, California Code of Regulations.

The rules implementing the regulation establish a limit on statewide GHG emissions from stationary facilities with refrigeration systems with more than 50 pounds of a high GWP refrigerant. The refrigerant management program is designed to (1) reduce emissions of high-GWP GHG refrigerants from leaky stationary, non-residential refrigeration equipment; (2) reduce emissions from the installation and servicing of

refrigeration and air-conditioning appliances using high-GWP refrigerants; and (3) verify GHG emission reductions.

Tractor-Trailer GHG Regulation. Tractors and trailers subject to this regulation must either use EPA SmartWay certified tractors and trailers, or retrofit their existing fleet with SmartWay verified technologies. The regulation applies primarily to owners of 53-foot or longer box-type trailers, including both dry-van and refrigerated-van trailers, and owners of the heavy-duty tractors that pull them on California highways. These owners are responsible for replacing or retrofitting their affected vehicles with compliant aerodynamic technologies and low rolling resistance tires. Sleeper cab tractors model year 2011 and later must be SmartWay certified. All other tractors must use SmartWay verified low rolling resistance tires. There are also requirements for trailers to have low rolling resistance tires and aerodynamic devices.

Phase I and 2 Heavy-Duty Vehicle GHG Standards. ARB has adopted a new regulation for greenhouse gas (GHG) emissions from heavy-duty trucks and engines sold in California. It establishes GHG emission limits on truck and engine manufacturers and harmonizes with the U.S. EPA rule for new trucks and engines nationally. Existing heavy-duty vehicle regulations in California include engine criteria emission standards, tractor-trailer GHG requirements to implement SmartWay strategies (i.e., the Heavy Duty Tractor-Trailer Greenhouse Gas Regulation), and in-use fleet retrofit requirements such as the Truck and Bus Regulation.

ARB staff has worked jointly with the U.S. Environmental Protection Agency (U.S. EPA) and the National Highway Traffic Safety Administration (NHTSA) on the next phase of federal greenhouse gas (GHG) emission standards for medium- and heavy-duty vehicles, called federal Phase 2. The federal Phase 2 standards were built on the improvements in engine and vehicle efficiency required by the Phase 1 emission standards and represent a significant opportunity to achieve further GHG reductions for 2018 and later model year heavy-duty vehicles, including trailers.

SB 97 and the CEQA Guidelines Update. Passed in August 2007, SB 97 added Section 21083.05 to the Public Resources Code. The code states "(a) On or before July 1, 2009, the Office of Planning and Research shall prepare, develop, and transmit to the Resources Agency guidelines for the mitigation of GHG emissions or the effects of GHG emissions as required by this division, including, but not limited to, effects associated with transportation or energy consumption. (b) On or before January 1, 2010, the Resources Agency shall certify and adopt guidelines prepared and developed by the Office of Planning and Research pursuant to subdivision (a)." Section 21097 was also added to the Public Resources Code. It provided CEQA protection until January 1, 2010 for transportation projects funded by the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 or projects funded by the Disaster Preparedness and Flood Prevention Bond Act of 2006, in stating that the failure to analyze adequately the effects of GHGs would not violate CEQA.

On April 13, 2009, the Office of Planning and Research submitted to the Secretary for Natural Resources its recommended amendments to the *CEQA Guidelines* addressing GHG emissions. On July 3, 2009, the Natural Resources Agency commenced the Administrative Procedure Act rulemaking process for certifying and adopting these amendments pursuant to Public Resources Code section 21083.05. Following a 55-day public comment period and two public hearings, the Natural Resources Agency proposed revisions to the text of the proposed amendments. The Natural Resources Agency transmitted the adopted amendments and the entire rulemaking file to the Office of Administrative Law on December 31, 2009. On February 16, 2010, the Office of Administrative Law approved the Amendments, and filed them with the Secretary of State for inclusion in the California Code of Regulations. The Amendments became effective on March 18, 2010.

The CEQA Amendments provide guidance to public agencies regarding the analysis and mitigation of the effects of GHG emissions in CEQA documents. The CEQA Amendments fit within the existing CEQA framework by amending existing *CEQA Guidelines* to reference climate change.

A new section, *CEQA Guidelines* Section 15064.4, was added to assist agencies in determining the significance of GHG emissions. The new section allows agencies the discretion to determine whether a quantitative or qualitative analysis is best for a particular project. However, little guidance is offered on the crucial next step in this assessment process—how to determine whether the project's estimated GHG emissions are significant or cumulatively considerable.

Also amended were Sections 15126.4 and 15130, which address mitigation measures and cumulative impacts, respectively. GHG mitigation measures are referenced in general terms, but no specific measures are championed. The revision to the cumulative impact discussion requirement (Section 15130) simply directs agencies to analyze GHG emissions in an EIR when a project's incremental contribution of emissions may be cumulatively considerable, however it does not answer the question of when emissions are cumulatively considerable.

Section 15183.5 permits programmatic GHG analysis and later project-specific tiering, as well as the preparation of GHG Reduction Plans. Compliance with such plans can support a determination that a project's cumulative effect is not cumulatively considerable, according to Section 15183.5(b).

In addition, the amendments revised Appendix F of the *CEQA Guidelines*, which focuses on Energy Conservation. The sample environmental checklist in Appendix G was amended to include GHG questions.

4.4.3.2 City of Hesperia Climate Action Plan

The City of Hesperia Climate Action Plan (CAP) provides a framework for reducing GHG emissions and managing resources to best prepare for a changing climate. The CAP recommends GHG emissions targets that are consistent with recommended the State targets, and provides strategies to achieve those targets. Strategy CAP-1 articulates "projects that are consistent with this CAP could result in less than significant impacts regarding climate change. This is because emissions from these projects are generally accounted for in this CAP and would be consistent with this CAP reduction target. To be

consistent with this CAP, CEQA projects must implement the applicable CAP implementation strategies listed in [CAP] Section 4.2" (CAP, p. 32) Per CAP Implementation Action 1.5 (CAP-1.5), projects that require a discretionary approval shall reduce operational GHG emissions by at least 12%, without accounting for regulations discussed in the CAP (CAP, p. 55).

4.4.4 SOURCES OF PROJECT GHG EMISSIONS

4.4.4.1 Construction-Source GHG Emissions

Project construction activities would generate emissions of CO_2 and CH_4. Project construction-source emissions are quantified and amortized over the life of the Project. To amortize the emissions over the life of the Project, the SCAQMD recommends calculating the total greenhouse gas emissions for the construction activities, dividing it by a 30-year project life, then adding that number to the annual operational GHG emissions. Accordingly, Project construction-source GHG emissions were amortized over a 30-year period and added to the annual operational-source GHG emissions of the Project.

4.4.4.2 Operational-Source GHG Emissions

Project operations would result in emissions of CO_2, CH_4, and N_2O from the following primary sources:

- Area Source Emissions
- Energy Source Emissions
- Mobile Source Emissions
- On-Site Cargo Handling Equipment Emissions
- Transportation Refrigeration Units (TRU) Emissions
- Water Supply, Treatment, and Distribution
- Solid Waste Management

Area Source Emissions

Landscape and site maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shedders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the Project.

Energy Source Emissions

GHGs are emitted from buildings as a result of activities for which electricity and natural gas are typically used as energy sources. Combustion of any type of fuel emits CO2 and other GHGs directly into the atmosphere; these emissions are considered direct emissions associated with a building. GHGs are also emitted during the generation of electricity from fossil fuels; these emissions are considered to be indirect emissions.

Mobile Source Emissions

GHG emissions will also result from mobile sources associated with the Project. Trip characteristics available from the Project VMT Analysis were utilized in this analysis.

On-Site Cargo Handling Equipment Emissions

It is common for warehouse buildings to require the operation of exterior cargo handling equipment in the building's truck court areas. For the Project, on-site modeled cargo handling equipment operational equipment includes up to one (1) 200 horsepower (hp), compressed natural gas or gasoline-powered tractors/loaders/backhoes operating at 4 hours per day, 365 days per year.

TRU Emissions

To account for the possibility of refrigerated uses, a portion of the trucks accessing the Project are assumed to comprise Transportation Refrigeration Units. The TRU emissions calculations are based on the 2017 Off-road Emissions model, version 1.0.1 (Orion), developed by the CARB.

Water Supply, Treatment and Distribution Emissions

Indirect GHG emissions result from the production of electricity used to convey, treat

and distribute water and wastewater. The amount of electricity required depends on the volume of water as well as the sources of the water.

Solid Waste Management Emissions

The Project land uses would result in the generation and disposal of solid waste. A large percentage of solid waste generated by the Project would be diverted and recycled consistent with requirements of AB 39. The remainder of the waste not diverted would be disposed of at area landfills. GHG emissions would be generated by collection and transport of GHG emissions. GHG emissions would also result from anaerobic breakdown of landfilled materials.

4.4.5 PROJECT GHG EMISSIONS IMPACTS

4.4.5.1 California Emissions Estimator Model (CalEEMod) Employed to Estimate GHG Emissions

In May 2021, the SCAQMD, in conjunction with the California Air Pollution Control Officers Association (CAPCOA) and other California air districts, released the latest version of the CalEEMod Version 2020.4.0. The purpose of this Model is to calculate construction-source and operational-source criteria pollutants and GHG emissions from direct and indirect sources; and quantify applicable air quality and GHG reductions achieved from mitigation measures. The latest version of CalEEMod has been employed in this analysis. Detailed Model Outputs are appended to the Project GHGA.

4.4.5.2 Standards of Significance

The criteria used to determine the significance of potential Project-related GHG impacts are taken from the Initial Study Checklist in Appendix G of the State CEQA Guidelines (14 CCR of Regulations §§15000, et seq.). Based on these thresholds, a project would result in a significant impact related to GHG if it would:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or

- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs.

The City has determined that each of the CEQA threshold considerations presented herein establish a separate and independent basis upon which to substantiate the significance of the Project's potential GHG emissions impact.

Potential Impact: *Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.*

Impact Analysis: An individual project cannot generate enough GHG emissions to influence global climate change. A project participates in this potential impact by its incremental contribution combined with the cumulative increase of all other sources of GHGs, which when taken together may have a significant impact on global climate change.

City of Hesperia Climate Action Plan Compliance

The CAP provides a framework for reducing GHG emissions and managing resources to best prepare for a changing climate. Because the City's CAP addresses GHG emissions reduction, is in concert with AB 32 and international efforts to address global climate change and includes specific local requirements that will substantially lessen the cumulative problem, compliance with the CAP fulfills the description of mitigation found in CEQA Guidelines §15130(a)(3) and §15183.5. Projects that comply with the City CAP are considered to have a less-than-significant GHG emissions impact. To be consistent with the City CAP, CEQA projects must implement the applicable CAP implementation strategies listed in [CAP] Section 4.2" (City CAP, p. 32) Per City CAP Implementation Action 1.5 (CAP-1.5), the proposed Dara Industrial Project is required to reduce operational GHG emissions by at least 12%, without accounting for regulations discussed in the City CAP.

Project annual GHG emissions are summarized at Table 4.4-5. As indicated, Project GHG emissions would total approximately 6,498.12 $MTCO_2e$ per year. The Project GHG

emissions estimates presented at Table 4.4-5 reflect contemporary GHG emissions regulatory actions enacted subsequent to adoption of the City's 2010 CAP. These regulatory actions (notably implementation of the 2019 CalGreen building standards for water and energy efficiency) would yield an approximate 13% reduction in Project GHG emissions from sources other than vehicles. An additional 5% reduction in GHG emissions (primarily from vehicular/mobile sources) would be achieved through on-going implementation of the Pavley Fuel Efficiency Standards. These measures, which are not reflected in the CAP, would reduce Project GHG emissions by approximately 18%. The Project therefore complies with the City CAP GHG emissions reduction target of a 12%. Based on compliance with the City CAP GHG emissions reduction target, the potential for the Project to generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment is considered less-than-significant.

Table 4.4-5
Annual Project GHG Emissions

Emission Source	Emissions (metric tons per year)			
	CO_2	CH_4	N_2O	Total CO_2E
Annual construction-related emissions amortized over 30 years	95.58	0.01	0.01	98.27
Area Source	0.03	7.00E-05	0.00	0.03
Energy Source	1,867.27	0.07	0.02	1,874.61
Mobile Source	4,768.04	0.17	0.52	4,928.42
On-Site Equipment Source	101.54	0.03	0.00	102.36
TRU Source	---	---	---	77.76
Solid Waste Management	142.00	8.39	0.00	351.80
Water Supply, Treatment, and Distribution	452.01	5.64	0.14	950.36
Total CO_2E (All Sources)	**8,383.61**			

Source: *Hesperia Industrial Center, Greenhouse Gas Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022.
Note: Totals obtained from CalEEMod™ and may not total 100% due to rounding.

MDAQMD GHG Emissions Threshold Compliance

The MDAQMD has established a GHG emissions significance threshold of 100,000 tons (90,718.5 metric tons) per year. Project emissions that do not exceed the MDAQMD GHG Emissions Threshold would not have a significant impact on the environment.

As presented at Table 4.4-5, Project GHG emissions would total 8,383.61 metric tons per year, and would not exceed the MDAQMD GHG emissions significance threshold of 90,718.5 metric tons per year.

Based on compliance with the MDAQMD GHG Emissions Threshold, the potential for the Project to generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment is considered less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.*

Impact Analysis: For the Project, SB 32 (2017 Scoping Plan) and measures implemented by the City of Hesperia comprise the "applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases."

SB 32 /2017 Scoping Plan Consistency

Project consistency with SB 32/2017 Scoping Plan is summarized at Table 4.4-6.

Table 4.4-6
Project SB 32/2017 Scoping Plan Consistency

Action	Responsible Party(ies)	Remarks
Implement SB 350 by 2030		
Increase the Renewables Portfolio Standard to 50% of retail sales by 2030 and ensure grid reliability.	CPUC, CEC, CARB	Consistent. The Project would use energy from Southern California Edison (SCE). SCE has committed to diversify its portfolio of energy sources by increasing energy from wind and solar sources. The Project would not interfere with or obstruct SCE energy source diversification efforts.
Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.		Consistent. The Project would be designed and constructed to implement the energy efficiency measures for new industrial developments and would include several measures designed to reduce energy consumption. The Project would not interfere with or obstruct policies or strategies to

Table 4.4-6
Project SB 32/2017 Scoping Plan Consistency

Action	Responsible Party(ies)	Remarks
		establish annual targets for statewide energy efficiency savings and demand reduction.
Reduce GHG emissions in the electricity sector through the implementation of the above measures and other actions as modeled in Integrated Resource Planning (IRP) to meet GHG emissions reductions planning targets in the IRP process. Load-serving entities and publicly-owned utilities meet GHG emissions reductions planning targets through a combination of measures as described in IRPs.		Consistent. The proposed Project would be designed and constructed to implement the energy efficiency measures, where applicable by including several measures designed to reduce energy consumption. The proposed Project includes energy efficient field lighting and fixtures that meet the current Title 24 Standards throughout the Project Site and would be a modern development with energy efficient boilers, heaters, and air conditioning systems.
Implement Mobile Source Strategy (Cleaner Technology and Fuels)		
At least 1.5 million zero emission and plug-in hybrid light-duty EVs by 2025.	CARB, California State Transportation Agency (CalSTA), Strategic Growth Council (SGC), California Department of Transportation (Caltrans), CEC, OPR, Local Agencies	Consistent. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB zero emission and plug-in hybrid light-duty EV 2025 targets. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and will therefore comply with the strategy.
At least 4.2 million zero emission and plug-in hybrid light-duty EVs by 2030.		Consistent. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB zero emission and plug-in hybrid light-duty EV 2030 targets. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and will therefore comply with the strategy.
Further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean cars regulations.		Consistent. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB efforts to further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean cars regulations. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and will therefore comply with the strategy.
Medium- and Heavy-Duty GHG Phase 2.		Consistent. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB efforts to implement Medium- and Heavy-Duty GHG Phase 2. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and will therefore comply with the strategy.

Table 4.4-6
Project SB 32/2017 Scoping Plan Consistency

Action	Responsible Party(ies)	Remarks
Innovative Clean Transit: Transition to a suite of to-be-determined innovative clean transit options. Assumed 20% of new urban buses purchased beginning in 2018 will be zero emission buses with the penetration of zero-emission technology ramped up to 100% of new sales in 2030. Also, new natural gas buses, starting in 2018, and diesel buses, starting in 2020, meet the optional heavy-duty low-NOx standard.		Consistent. This Project would not obstruct or interfere with implementation of SB 375 and would therefore not conflict with this measure.
Last Mile Delivery: New regulation that would result in the use of low NOx or cleaner engines and the deployment of increasing numbers of zero-emission trucks primarily for class 3-7 last mile delivery trucks in California. This measure assumes ZEVs comprise 2.5% of new Class 3–7 truck sales in local fleets starting in 2020, increasing to 10% in 2025 and remaining flat through 2030.		Consistent. This Project would not obstruct or interfere with implementation of SB 375 and would therefore not conflict with this measure.
Further reduce VMT through continued implementation of SB 375 and regional Sustainable Communities Strategies; forthcoming statewide implementation of SB 743; and potential additional VMT reduction strategies not specified in the Mobile Source Strategy but included in the document "Potential VMT Reduction Strategies for Discussion."		Consistent. This Project would not obstruct or interfere with implementation of SB 375 and would therefore not conflict with this measure.
Increase stringency of SB 375 Sustainable Communities Strategy (2035 targets).	CARB	Consistent. This Project would not obstruct or interfere with implementation of SB 375 and would therefore not conflict with this measure.
Harmonize project performance with emissions reductions and increase competitiveness of transit and active transportation modes (e.g., via guideline documents, funding programs, project selection, etc.).	CalSTA, SGC, OPR, CARB, Governor's Office of Business and Economic Development (GO-Biz), California Infrastructure and Economic Development Bank (IBank), Department of Finance (DOF),	Consistent. The Project would not obstruct or interfere with agency efforts to harmonize transportation facility project performance with emissions reductions and increase competitiveness of transit and active transportation modes.

Table 4.4-6
Project SB 32/2017 Scoping Plan Consistency

Action	Responsible Party(ies)	Remarks
	California Transportation Commission (CTC), Caltrans	
By 2019, develop pricing policies to support low-GHG transportation (e.g., low-emission vehicle zones for heavy duty, road user, parking pricing, transit discounts).	CalSTA, Caltrans, CTC, OPR, SGC, CARB	Consistent. The Project would not obstruct or interfere with agency efforts to develop pricing policies to support low-GHG transportation.
Implement California Sustainable Freight Action Plan		
Improve freight system efficiency.	CalSTA, CalEPA, CNRA, CARB, Caltrans, CEC, GO-Biz	Consistent. This measure would apply to all trucks accessing the Project site, this may include existing trucks or new trucks that are part of the statewide goods movement sector. The Project would not obstruct or interfere with agency efforts to Improve freight system efficiency.
Deploy over 100,000 freight vehicles and equipment capable of zero emission operation and maximize both zero and near-zero emission freight vehicles and equipment powered by renewable energy by 2030.		Consistent. This measure is not within the purview of this Project. The Project would not obstruct or interfere with agency efforts to deploy zero and/or near-zero emissions freight vehicles.
Adopt a Low Carbon Fuel Standard with a Carbon Intensity reduction of 18%.	CARB	Consistent. When adopted, this measure would apply to all fuel purchased and used by the Project in the state. The Project would not obstruct or interfere with agency efforts to adopt a Low Carbon Fuel Standard with a Carbon Intensity reduction of 18%.
Implement the Short-Lived Climate Pollutant Strategy (SLPS) by 2030		
40% reduction in methane and hydrofluorocarbon emissions below 2013 levels.	CARB, CalRecycle, CDFA, California State Water Resource Control Board (SWRCB), Local Air Districts	Consistent. This measure is not within the purview of this Project. The Project would not obstruct or interfere with agency efforts to reduce methane, hydrofluorocarbon, and black carbon emissions.
50% reduction in black carbon emissions below 2013 levels.		
By 2019, develop regulations and programs to support organic waste landfill reduction goals in the SLCP and SB 1383.	CARB, CalRecycle, CDFA, SWRCB, Local Air Districts	Consistent. This measure is not within the purview of this Project. The Project would not obstruct or interfere with agency efforts to develop regulations and programs to support organic waste landfill reduction goals in the SLCP and SB 1383.
Implement the post-2020 Cap-and-Trade Program with declining annual caps.	CARB	Consistent. The Project would be required to comply with any applicable Cap-and-

Table 4.4-6
Project SB 32/2017 Scoping Plan Consistency

Action	Responsible Party(ies)	Remarks
		Trade Program provisions. The Project would not obstruct or interfere agency efforts to implement the post-2020 Cap-and-Trade Program.
By 2018, develop Integrated Natural and Working Lands Implementation Plan to secure California's land base as a net carbon sink		
Protect land from conversion through conservation easements and other incentives.	CNRA, Departments Within CDFA, CalEPA, CARB	Consistent. This Project would not obstruct or interfere with implementation of this measure. Moreover, the Project site is not an identified property that needs to be conserved.
Increase the long-term resilience of carbon storage in the land base and enhance sequestration capacity.		Consistent. The Project site is vacant disturbed property and does not comprise an area that would effectively provide for carbon sequestration. The Project would not obstruct or interfere agency efforts to increase the long-term resilience of carbon storage in the land base and enhance sequestration capacity.
Utilize wood and agricultural products to increase the amount of carbon stored in the natural and built environments.		Consistent. Where appropriate, Project designs will incorporate wood or wood products. The Project would not obstruct or interfere agency efforts to encourage use of wood and agricultural products to increase the amount of carbon stored in the natural and built environments.
Establish scenario projections to serve as the foundation for the Implementation Plan.		Consistent. This measure is not within the purview of this Project. The Project would not obstruct or interfere with agency efforts to develop a foundation for the Implementation Plan.
Establish a carbon accounting framework for natural and working lands as described in SB 859 by 2018.	CARB	Consistent. This measure is not within the purview of this Project. The Project would not obstruct or interfere with agency efforts to implement the Forest Carbon Plan.
Implement Forest Carbon Plan.	CNRA, California Department of Forestry and Fire Protection (CAL FIRE), CalEPA and Departments Within	Consistent. This measure is not within the purview of this Project. The Project would not obstruct or interfere with agency efforts to Identify and expand funding and financing mechanisms to support GHG reductions.

Table 4.4-6
Project SB 32/2017 Scoping Plan Consistency

Action	Responsible Party(ies)	Remarks
Identify and expand funding and financing mechanisms to support GHG reductions across all sectors.	State Agencies & Local Agencies	Consistent. This Project would not obstruct or interfere with implementation of this measure.

Source: *Hesperia Industrial Center, Greenhouse Gas Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022.

As summarized at Table 4.4-6, the Project would be consistent with and would not interfere or obstruct *SB 32/2017 Scoping Plan* elements that would apply directly or indirectly to the Project.

City of Hesperia Climate Action Plan Consistency

The Project requires City discretionary approvals. Per the City CAP: "Projects that require a discretionary approval shall reduce operational GHG emissions by at least 12%, without accounting for regulations discussed in the CAP. The project inventory should include all potential sources, including but not limited to those identified in this CAP" (CAP Strategy CAP-1.5).

The Project GHG emissions inventory presented in this analysis includes all potential GHG emissions sources. The Project GHG emissions estimates presented at previous Table 4.4-5 reflect contemporary GHG emissions regulatory actions enacted subsequent to adoption of the City's 2010 CAP. These regulatory actions (notably implementation of the 2019 CalGreen building standards for water and energy efficiency) would yield an approximate 13% reduction in Project GHG emissions from sources other than vehicles. An additional 5% reduction in GHG emissions (primarily from vehicular/mobile sources) would be achieved through on-going implementation of the Pavley Fuel Efficiency Standards. These measures, which are not reflected in the CAP, would reduce Project GHG emissions by approximately 18%. The Project therefore complies with the City CAP GHG emissions reduction target of a 12%. The Project does not propose or require uses or operations that would otherwise conflict with the City CAP. On this basis, the Project would not conflict with provisions of the City CAP adopted for the purpose of reducing the emissions of greenhouse gases.

Based on the preceding, the potential for the Project to conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases is considered less-than-significant.

Level of Significance: Less-Than-Significant.

4.5 ENERGY

4.5 ENERGY

Abstract

This Section identifies and addresses potential energy impacts that may result from construction and operation of the Project. More specifically, the energy impact analysis evaluates the potential for the Project to cause or result in the following:

- *A potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or*
- *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.*

As supported by the analysis presented in this Section, potential energy impacts of the Project would be less-than-significant.

4.5.1 BACKGROUND AND INTRODUCTION

In 1975, largely in response to the oil crisis of the 1970s, the State Legislature adopted AB 1575, which created the California Energy Commission (CEC). The statutory mission of the CEC is to forecast future energy needs; license thermal power plants of 50 megawatts or larger; develop energy technologies and renewable energy resources; plan for and direct responses to energy emergencies; and, perhaps most importantly, to promote energy efficiency through the adoption and enforcement of appliance and building energy efficiency standards.

AB 1575 also amended Public Resources Code Section 21100(b)(3) to require EIRs to consider the potential for wasteful, inefficient, and/or unnecessary consumption of energy

caused by or resulting from a project. Appendix F to the *CEQA Guidelines* (Guidelines) assists EIR preparers in this regard. *CEQA Guidelines* (Guidelines) Appendix F, *Energy Conservation* establishes parameters and context for determining whether a project would result in the inefficient, wasteful, and unnecessary consumption of energy.

Guidelines Section 15126.2 *Consideration and Discussion of Significant Environmental Impacts,* as amended December 28, 2018, recognizes the need to consider Guidelines Appendix F *Energy Conservation* when analyzing project impacts (for EIRs). Guidelines Section 15126.2 (b), excerpted below, provides the following guidance:

> **Energy Impacts.** If analysis of the project's energy use reveals that the project may result in significant environmental effects due to wasteful, inefficient, or unnecessary consumption use of energy, or wasteful use of energy resources, the EIR shall mitigate that energy use. This analysis should include the project's energy use for all project phases and components, including transportation-related energy, during construction and operation. In addition to building code compliance, other relevant considerations may include, among others, the project's size, location, orientation, equipment use and any renewable energy features that could be incorporated into the project. (Guidance on information that may be included in such an analysis is presented in Appendix F.) This analysis is subject to the rule of reason and shall focus on energy use that is caused by the project. This analysis may be included in related analyses of air quality, greenhouse gas emissions, transportation or utilities in the discretion of the lead agency.

In summary, the Project would provide for, and promote, energy efficiencies consistent with applicable state or federal standards and regulations. The Project would also conform to City of Hesperia energy efficiency and energy conservation measures.

Moreover, energy consumed by the Project would be comparable to, or less than, energy consumed by other development proposals of similar scale and intensity. On this basis, the

Project would not result in the inefficient, wasteful or unnecessary consumption of energy. Further, the Project would not cause or result in the need for additional energy-producing facilities or energy delivery systems. The Project would therefore not result in significant environmental effects due to wasteful, inefficient, or unnecessary consumption use of energy, or wasteful use of energy resources. Nor would the Project result in significant environmental effects due to conflict with, or obstruction of, a state or local plan for renewable energy or energy efficiency. Please refer also to the discussion of Project energy impacts presented in *Hesperia Industrial Center, Energy Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022 (EIR Appendix E).

4.5.2 EXISTING CONDITIONS

Existing conditions providing general context for the Project energy demands are presented below. The following discussions are summarized from**:** *Final 2020 Integrated Energy Policy Report* [IEPR] *Update* (CEC) March 2021. See also: https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2020-integrated-energy-policy-report-update.

Electricity

Electricity would be provided to the Project by Southern California Edison (SCE). The Project site is vacant and undeveloped and does not contain uses or facilities that consume or produce electricity.

SCE is an investor-owned utility providing electric power to an estimated 15 million persons in 15 counties and in 180 incorporated cities, within a service area encompassing approximately 50,000 square miles.[1] SCE derives electricity from varied energy resources including: fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. SCE also purchases from independent power producers and utilities, including out-of-state suppliers. The California Public

[1] Southern California Edison. (n.d.). Who We Are. Retrieved August 13, 2019, from https://www.sce.com/about-us/who-we-are

Utilities Commission (CPUC) regulates investor-owned electric utilities operating in California, including SCE.

Southern California Edison (SCE) is the electrical utility provider for the City. SCE also provides information on energy efficiency, rotating outages, emergency preparedness, electrical safety tips, and tree planting guidelines to ensure non-interference with electrical utility lines.

Natural Gas

Natural gas would be provided to the Project by The Southwest Gas Corporation (Southwest Gas). The Project site is vacant and undeveloped and does not contain uses or facilities that consume or produce natural gas.

Southwest Gas is a wholesale customer of SoCal Gas. SoCal Gas is the nation's largest natural gas distribution utility, serving approximately 21.8 million consumers through 5.9 million meters in more than 500 communities. The SoCal service territory encompasses approximately 24,000 square miles throughout Central and Southern California, from Visalia to the Mexican border. Natural gas is available from a variety of in-state and out-of-state sources and is provided throughout the state in response to market supply and demand. Complementing available natural gas resources, biogas may soon be available via existing delivery systems, thereby increasing the availability and reliability of resources in total. The CPUC regulates investor-owned natural gas utilities operating in California, including SoCal Gas.

Transportation Energy

California is home to approximately 35.8 million registered vehicles, which consume an estimated 17.4 billion gallons of fuel each year (Project Energy Assessment, p. 14). The state's history has been, in part, a history of the automobile and the associated impacts on personal mobility, land-use planning, and air quality. In recognition of these challenges, California has enacted a suite of policies and goals to shift the transportation sector toward cleaner, sustainable fuels and more efficient technology vehicles. IEPR data indicates very

stable consumption rates for jet fuel and diesel through 2030. Gasoline consumption is forecasted to decline through 2030.

4.5.3 STANDARDS OF SIGNIFICANCE

Appendix G of the California Environmental Quality Act (*CEQA*) Guidelines indicate a Project will normally have a potentially significant effect related to energy if it would:

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or

- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

4.5.4 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.5.4.1 Impact Statements

Potential Impact: *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.*

Impact Analysis:

<u>Project Energy Demands and Energy Efficiency/Conservation Measures</u>

Estimated energy demands of Project construction and Project operations are summarized in the following discussions and are presented in detail in *Hesperia Industrial Center, Energy Analysis, City of Hesperia* (Urban Crossroads, Inc.) May 6, 2022 (Project Energy Assessment, EIR Appendix E).

Project design features and operational programs, as well as regulations that promote energy conservation end energy conservation are also identified. The Project in total would be required to comply with incumbent performance standards established under the Building Energy Efficiency Standards contained in the California Code of Regulations (CCR), Title 24, Part 6 (Title 24, Energy Efficiency Standards). Also, developers and owners/tenants have vested financial incentives to avoid imprudent energy consumption practices. In this regard, there is growing recognition among developers and owners/tenants that efficient and sustainable construction and operational practices yield both environmental and economic benefits. On this basis, and as further supported by the following discussions, the Project would not result in or cause wasteful, inefficient, and unnecessary consumption of energy.

Construction Energy Consumption Estimates and Energy Efficiency/Conservation Measures

Construction Fuel/Power Consumption Estimates

Energy consumption in support of or related to Project construction would include electricity consumption by various equipment and tools; diesel fuel consumed by construction equipment and construction vendor trips; and gasoline consumed by construction worker commutes. As presented in the Project Energy Assessment:

- Over the approximately 17-month construction period, Project construction activities would consume approximately 584,259 kWH of electricity (Project Energy Assessment, p. 23).

- Over the approximately 17-month construction period, Project construction equipment operations would consume approximately 58,207 gallons of diesel fuel (Project Energy Assessment, p. 26).

- Over the approximately 17-month construction period, Project construction vendor trips would consume and estimated 146,356 gallons of diesel fuel (Project Energy Assessment, p. 29).

- Over the approximately 17-month construction period, Project construction worker commutes would consume approximately 260,017 gallons of gasoline (Project Energy Assessment, p. 28).

Diesel fuel and gasoline for construction activities would be provided by existing area vendors. Construction electricity demands would be provided via connection to existing SCE services.

Project construction activities would comprise temporary, single-event demands for diesel fuel and electricity and would not require on-going or permanent commitment of fuel for these purposes.

Construction Energy Efficiency/Conservation Measures

Equipment and vehicles used during Project construction would conform to CARB regulations and California emissions standards, and would demonstrate related fuel efficiencies. There are no unusual Project characteristics or construction processes that would require the use of vehicles or equipment that would be more energy intensive than is used for comparable activities; or equipment that would not conform to incumbent power/fuel efficiency standards. Project construction activities would therefore not result in inefficient, wasteful, or unnecessary consumption of power or fuel.

Additionally, certain incidental construction-source energy efficiencies would likely accrue through implementation of California regulations. More specifically, California Code of Regulations Title 13, Motor Vehicles, section 2449(d)(3) *Idling*, limits idling times of construction vehicles to no more than five minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment.

Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials, and/or in response to citizen complaints.

Indirect construction energy efficiencies and energy conservation would be achieved through the use of recycled/recyclable materials and related procedures, and energy efficiencies realized from bulk purchase, transport and use of construction materials. Use of recycled and recyclable materials and use of materials in bulk also reduces energy demands associated with preparation and transport of construction materials as transport and disposal of construction waste and solid waste in general, with corollary reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations.

Construction Waste Management Plan

A Project Construction Waste Management Plan would be required consistent with Section 5.408.1.1 of the CALGreen Code. Consistent with Section 5.408, *Construction Waste Reduction, Disposal, and Recycling* of the California Green Building Standards Code (CALGreen Code), as adopted by the City of Hesperia. The Project would be required to recycle or salvage for reuse a minimum of 50 percent of the nonhazardous construction and demolition waste.

OPERATIONAL ENERGY CONSUMPTION AND ENERGY EFFICIENCY/CONSERVATION MEASURES

Operational Energy Consumption

Energy consumption in support of or related to Project operations would include transportation energy demands (energy consumed by vehicles accessing the Project site) and facilities energy demands (energy consumed by building operations and site maintenance activities). As presented in the Project Energy Assessment:

- Vehicles accessing the Project site activities would consume approximately 469,812 gallons of fuel annually (Project Energy Assessment, p. 31). Fuel consumption would be approximately 25 percent diesel/75 percent gasoline.

- Project building and site operations would consume approximately 5,236,500 kBTU natural gas annually (Project Energy Assessment, p. 32).

- Project building and site operations would consume approximately 4,951,311 kWh electricity annually (Project Energy Assessment, p. 32).

Operational Energy Efficiency/Conservation Measures

Facilities Energy Demand Efficiencies

The Project would be required to meet or surpass standards established under incumbent California Code Title 24, Part 6 (the California Energy Code) and California Green Building Standards Code (CALGreen; CCR, Title 24, Part 11) as implemented by the City, to include building "solar zones" accommodating on-site photovoltaic energy sources.[2]

Enhanced Vehicle Fuel Efficiencies

Potential maximum vehicle fuel consumption from vehicles accessing the Project would occur under Project Opening Year (2023) Conditions. Under future conditions, average fuel economies of vehicles accessing the Project site can be expected to improve as older, less fuel-efficient vehicles are removed from circulation. Average fuel economies of vehicles accessing the Project site can also be expected to improve over time in response to fuel economy and emissions standards imposed on newer vehicles entering the transportation system.

[2] Per the 2019 California Energy Code, the Project building roof designs would be required to provide "solar zones" reserved for the future installation of a solar electric or solar thermal system. Energy Code Section 110.10 B states that: "The solar zone shall be located on the roof or overhang of the building or on the roof or overhang of another structure located within 250 feet of the building or on covered parking installed with the building project, and shall have a total area no less than 15 percent of the total roof area of the building excluding any skylight area. The solar zone requirement is applicable to the entire building, including mixed occupancy."

Project Design and Access

The Project proposes light industrial uses within an urbanizing context, proximate to, and readily accessible from regional and local roadways. In these regards, the Project setting proximate to transportation corridors facilitates access to the Project generally.

Alternative Transportation Modes

Availability of alternative transportation modes described below would act to generally reduce commuter-related fuel consumption.

Bus Service

Victor Valley Transit Authority (VVTA) provides bus service to the City of Hesperia and surrounding areas. In the vicinity of the Project site, VVTA Route 21 currently provides bus services along Phelan Road/Main Street (E-W) approximately 0.5 miles north of the Project site. VVTA route maps and schedules are available at: https://vvta.org.

Bus service routes and schedules are reviewed and updated by VVTA periodically to address ridership, budget and community demand needs. Changes in land use can affect these periodic adjustments which may lead to either enhanced or reduced service where appropriate. The Project Applicant would work in conjunction with VVTA to potentially accommodate bus service to the site.

Bicycle Access

The City has adopted and implemented a Non-Motorized Transportation Plan. The Non-Motorized Transportation Plan identifies existing and proposed bike paths within the City of Hesperia, and that connect the City of Hesperia with neighboring communities (City of Victorville, City of Apple Valley). The Project area is not currently served by designated bike paths. The Project would not interfere with or obstruct planned or programmed bike paths. The Project would provide on-site bike amenities consistent with requirements of the City Municipal Code and the Hesperia Main Street and Freeway Corridor Specific Plan.

The Non-Motorized Transportation Plan can be accessed at: https://www.cityofhesperia.us/DocumentCenter/View/17455/Non-Motorized_Transportation_Plan_7_30_2019?bidId=.

Pedestrian Access

Road rights-of-way are currently unimproved in the Project vicinity, and as such sidewalk access is not currently provided to the Project site or adjacent properties. The Project would construct sidewalks as part of the required improvement of rights-of-way serving the Project site. Pedestrian access within the Project site would be required to conform to standards and specifications identified in the City Municipal Code and the Hesperia Main Street and Freeway Corridor Specific Plan.

Landscaping Energy Efficiencies

Drought-tolerant plants would be used where appropriate. Project landscaping would be required to conform to standards and specifications identified in the City Municipal Code and the Hesperia Main Street and Freeway Corridor Specific Plan.

Solid Waste Diversion/Recycling

The Project would be required to comply with applicable State of California and City solid waste diversion/recycling rules and regulations. These laws and regulations include but are not limited to: State AB 939, State AB 341; State AB 1826; and CALGreen Code Section 5.408, *Construction Waste Reduction, Disposal, and Recycling*. In combination, these laws and regulations act to reduce the amount of solid waste transported to, and disposed at area landfills. Corollary reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations would likely result.

CONCLUSION

As supported by the preceding analyses, Project construction and operations would not result in the inefficient, wasteful or unnecessary consumption of energy, and potential Project impacts in these regards would be less-than-significant. Further, energy demands of the Project can be accommodated within the context of available resources and energy

delivery systems. The Project would therefore not cause or result in the need for additional energy-producing or energy transmission facilities and would not create or otherwise result in a potentially significant impact affecting energy resources or energy delivery systems. On this basis, the potential for the Project to result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources is considered less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.*

Impact Analysis: Consistency of the Project with state or local plan for renewable energy or energy efficiency is summarized at Table 4.5-1.

Table 4.5-1
State and Local Energy Efficiency/Energy Conservation Plan Consistency

PLANS, POLICES, REGULATIONS	Remarks
STATE of CALIFORNIA	
State Energy Plan The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled and accommodate pedestrian and bicycle access.	**Consistent:** *The Project site is located along major transportation corridors with proximate access to the State Highway system. The site selected for the Project facilitates access; takes advantage of existing infrastructure systems; and as approved by the Lead Agency, would introduce compatible commercial/retail development at the subject site. The Project therefore supports urban design and planning processes identified in the State of California Energy Plan, is consistent with, and would not otherwise interfere with, nor obstruct implementation of the State of California Energy Plan.*
California Code Title 24, Part 6: Energy Efficiency Standards California Code Title 24, Part 6 (also referred to as the California Energy Code), was promulgated by the CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption. To these ends, the California Energy Code provides energy efficiency standards for residential and nonresidential buildings. The Project would be required to comply with energy efficiency	**Consistent:** *The Project would be designed, constructed and operated to meet or exceed incumbent Title 24 Energy Efficiency Standards. On this basis, the Project is determined to be consistent with, and would not interfere with, nor otherwise obstruct implementation of Title 24 Energy Efficiency Standards.*

Table 4.5-1
State and Local Energy Efficiency/Energy Conservation Plan Consistency

PLANS, POLICES, REGULATIONS	Remarks
standards in effect at the time of building permit application(s).	
California Code of Regulations, Title 24, Part 11: California Green Building Standards Code (CALGreen). CALGreen is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on January 1, 2011. CALGreen is updated on a regular basis, with the most recent update consisting of the 2016 California Green Building Code Standards that became effective January 1, 2017. Under state law, local jurisdictions are permitted to adopt more stringent requirements.	**Consistent:** *The Project would be designed, constructed and operated to meet or exceed incumbent Title 24 CALGreen Standards. On this basis, the Project is determined to be consistent with, and would not interfere with, nor otherwise obstruct implementation of Title 24 CALGreen Standards.*
CITY of HESPERIA	
City of Hesperia General Plan	
Implementation Policy LU-6.1: Promote the use of green building standards and Leadership in Energy and Environmental Design (LEED), or other equivalent programs, in both private and public projects.	**Consistent:** *Implementation of this Policy is beyond the purview of the Project. Project designs would comply with or surpass incumbent energy efficiency standards and regulations established by the City of Hesperia and State of California. The Project does not propose or require facilities or operations that would conflict with or obstruct City policies promoting LEED certification programs.* *On this basis, the Project is considered consistent with Implementation Policy LU-6.1.*
Implementation Policy LU-6.2: Promote sustainable building practices that go beyond the requirements of Title 24 of the California Administrative Code, and encourage energy-efficient design elements, consistent with Policy LU-6.1.	**Consistent:** *Implementation of this Policy is beyond the purview of the Project. Project designs would comply with or surpass incumbent energy efficiency standards and regulations established by the City of Hesperia and State of California. The Project does not propose or require facilities or operations that would conflict with or obstruct City policies promoting designs exceeding current energy efficiency and sustainability standards.* *On this basis, the Project is considered consistent with Implementation Policy LU-6.2.*
Implementation Policy LU-6.3: Support sustainable building practices that encourage the use of recycled or other building materials that promote environmental quality, economic vitality, and social benefits. Support construction, and operational practices that limit impacts to the environment.	**Consistent:** *Implementation of this Policy is beyond the purview of the Project. Project construction debris would be recycled consistent with City requirements. Over the life of the Project, all waste would be diverted or recycled consistent with City requirements. As substantiated in this EIR, Project construction and operations would not result in any significant environmental impacts.* *On this basis, the Project is considered consistent with Implementation Policy LU-6.3.*
Implementation Policy LU-6.4: Encourage sustainable development that incorporates green building best practices	**Consistent:** *Implementation of this Policy is beyond the purview of the Project. The Project incorporates green*

Table 4.5-1
State and Local Energy Efficiency/Energy Conservation Plan Consistency

PLANS, POLICES, REGULATIONS	Remarks
and involves the reuse of previously developed property and/or vacant sites within a built-up area.	*building best practices as required by the City. The Project site is vacant and undeveloped, but is located within the area planned to be developed as part of the Hesperia Main Street and Freeway Corridor Specific Plan. The Project land use is consistent with the City General Plan, and development proposed by the Project is permitted or conditionally permitted under the Specific Plan. The Project does not propose or require use or activities that would conflict with or obstruct City policies encouraging energy efficient and sustainable development.* *On this basis, the Project is considered consistent with Implementation Policy LU-6.4.*
Implementation Policy LU-6.5: Encourage development that incorporates green building practices to conserve natural resources as part of sustainable development practices.	**Consistent:** *Please refer to above remarks.*
Implementation Policy LU-6.6: Encourage in-fill development on lands located adjacent to existing developed areas and utilities to maximize the efficiency of land use and infrastructure.	**Consistent:** *Please refer to above remarks.*
Implementation Policy LU-7.2: Promote sustainable building practices that go beyond the requirements of Title 24 of the California Administrative Code, and encourage energy-efficient design elements, consistent with Policy LU-6.1.	**Consistent:** *Please refer to above remarks.*
Implementation Policy LU-7.4: Encourage sustainable development that incorporates green building best practices and involves the reuse of previously developed property and/or vacant sites within a built-up area.	**Consistent:** *Please refer to above remarks.*
Implementation Policy LU-7.5: Encourage development that incorporates green building practices to conserve natural resources as part of sustainable development practices.	**Consistent:** *Please refer to above remarks.*
Implementation Policy CN-6.1: Explore the potential for a green building program in the City to educate the development community and promote the conservation of natural resources.	**Consistent:** *Please refer to above remarks.*
Implementation Policy CN-6.2: Encourage the use of green building standards and Leadership in Energy and Environmental Design (LEED) or similar programs in both private and public projects.	**Consistent:** *Please refer to above remarks.*
Implementation Policy CN-6.3: Provide incentives like technical assistance or low-interest loans for projects that are energy efficient and contain energy conservation measures.	**Consistent:** *Implementation of this Policy is beyond the purview of the Project. The Project would take advantage of applicable and available City incentives promoting energy efficient/sustainable development. The Project would not*

Table 4.5-1
State and Local Energy Efficiency/Energy Conservation Plan Consistency

PLANS, POLICES, REGULATIONS	Remarks
	interfere with or conflict with City incentives promoting energy conservation and sustainability. *On this basis, the Project is considered consistent with Implementation Policy CN-6.3.*
Implementation Policy CN-6.4: Educate the public about energy conservation techniques.	**Consistent:** *Implementation of this Policy is beyond the purview of the Project. The Project would not interfere with or conflict with City efforts to educate the public about energy conservation techniques.* *On this basis, the Project is considered consistent with Implementation Policy CN-6.4.*
Implementation Policy CN-6.5: Coordinate with the local energy provider in developing policies and procedures to reduce energy consumption in existing and future developments.	**Consistent:** *Implementation of this Policy is beyond the purview of the Project. The Project would not interfere with or conflict with City efforts to coordinate with the local energy provider to develop policies and procedures that reduce energy consumption.* *On this basis, the Project is considered consistent with Implementation Policy: CN-6.5.*
Implementation Policy CN-6.6: Encourage residents and businesses to utilize the incentives provided by the local energy providers to retrofit their buildings and businesses for energy efficiency and conservation.	**Consistent:** *Implementation of this Policy is beyond the purview of the Project. The Project would not interfere with or conflict with City efforts to encourage residents and businesses to utilize available incentives providing for energy efficient building retrofits.* *On this basis, the Project is considered consistent with Implementation Policy CN-6.6.*
Implementation Policy CN-7.4: Promote the utilization of alternative energy resources such as wind and solar in new development.	**Consistent:** *Implementation of this Policy is beyond the purview of the Project. The Project would not interfere with or conflict with City efforts promoting utilization of alternative energy resources.* *On this basis, the Project is considered consistent with Implementation Policy CN-7.4.*
Implementation Policy CN-7.6: Preserve land resources for the utilization of energy resources, including wind and solar energy resources.	**Consistent:** *Implementation of this Policy is beyond the purview of the Project. The Project site does not comprise an energy resource. The Project would not interfere with or conflict with City efforts to preserve land resources for the utilization of energy resource.* *On this basis, the Project is considered consistent with Implementation Policy CN-7.6.*
Implementation Policy CN-7.7: Promote energy conservation through site layout, building design, natural light and efficient mechanical and electrical products in development.	**Consistent:** *Implementation of this Policy is beyond the purview of the Project. Project designs would comply with or surpass incumbent energy efficiency standards and regulations established by the City of Hesperia and State of*

Table 4.5-1
State and Local Energy Efficiency/Energy Conservation Plan Consistency

PLANS, POLICES, REGULATIONS	Remarks
	California. The Project does not propose or require facilities or operations that would conflict with or obstruct City policies promoting designs exceeding current energy efficiency and sustainability standards. *On this basis, the Project is considered consistent with Implementation Policy CN-7.7.*
Implementation Policy: CN-7.9: Promote sustainable principles in development that conserves such natural resources as air quality and energy resources.	**Consistent:** *Implementation of this Policy is beyond the purview of the Project. Project designs would comply with or surpass incumbent energy efficiency standards and regulations established by the City of Hesperia and State of California. The Project does not propose or require facilities or operations that would conflict with or obstruct City policies promoting designs of energy efficient, sustainable development. As substantiated in this EIR, the Project would not result in any significant environmental impacts.* *On this basis, the Project is considered consistent with Implementation Policy CN-7.9.*
Hesperia Main Street and Freeway Corridor Specific Plan	
Buildings should be designed and sited to maximize the use of sunlight and shade for energy savings and respect the solar access of adjacent buildings.	**Consistent:** *The Project would meet or surpass standards established under incumbent California Code Title 24, Part 6 (the California Energy Code) and California Green Building Standards Code (CALGreen; CCR, Title 24, Part 11) as implemented by the City, to include building "solar zones" accommodating on-site photovoltaic energy sources.*[3] *Final designs would also include measures for passive cooling to the extent practical.* *On this basis, the Project is considered consistent with the cited Hesperia Main Street and Freeway Corridor Specific Plan Policy.*
The use of sustainable building materials is strongly encouraged. This includes using quality materials with a long-life span, selecting materials that are not energy-intensive to manufacture, using building products made	**Consistent:** *The Project proposes contemporary energy efficient and sustainable site and building designs. The Project would be constructed to meet or surpass City and State building code standards, to include the use of quality,*

[3] Per the 2019 California Energy Code, the Project building roof designs would be required to provide "solar zones" reserved for the future installation of a solar electric or solar thermal system. Energy Code Section 110.10 B states that: "The solar zone shall be located on the roof or overhang of the building or on the roof or overhang of another structure located within 250 feet of the building or on covered parking installed with the building project, and shall have a total area no less than 15 percent of the total roof area of the building excluding any skylight area. The solar zone requirement is applicable to the entire building, including mixed occupancy."

Table 4.5-1
State and Local Energy Efficiency/Energy Conservation Plan Consistency

PLANS, POLICES, REGULATIONS	Remarks
from recycled materials, and repairing and maintaining well-built existing structures to the fullest extent possible.	*long-life materials. To the extent practical, Project designs would incorporate recycled materials.* *On this basis, the Project is considered consistent with the cited Hesperia Main Street and Freeway Corridor Specific Plan Policy.*
City of Hesperia Municipal Code	
The City of Hesperia implements the California Building Cod (Building Code) The Building Code regulations require that all development be designed and constructed consistent with contemporary energy efficiency/energy conservation standards. See also: https://www.cityofhesperia.us/101/Building-Codes	*By ordinance, the Project would be required to comply with all Building Code standards and regulations, including energy efficiency/energy conservation standards. Based on the preceding, the Project is considered to be consistent with the California Building Code as implemented by the City.*

Sources: Plan, Policy/Regulatory information from: State Energy Plan, California Code Title 24, Part 6: Energy Efficiency Standards; California Code of Regulations, Title 24, Part 11: California Green Building Standards Code (CALGreen); City of Hesperia General Plan; Hesperia Main Street and Freeway Corridor Specific Plan; City of Hesperia Building Codes; Remarks by Applied Planning, Inc.

As substantiated at Table 4.5-1, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Additionally, regulatory measures, standards, and policies directed at reducing air pollutant emissions and GHG emissions would also act to promote energy conservation and reduce Project energy consumption. Please refer to related discussions presented at EIR Section 4.3, *Air Quality* and EIR Section 4.4, *Greenhouse Gas Emissions*. Based on the preceding, the potential for the Project to conflict with or obstruct a state or local plan for renewable energy or energy efficiency is considered less-than-significant.

Level of Significance: Less-Than-Significant.

4.6 NOISE

4.6 NOISE

Abstract

This Section assesses whether the Project would substantially increase ambient noise levels, or expose land uses to noise, groundborne noise, or groundborne vibration levels exceeding established standards. Potential impacts considered within this Section include:

- *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project exceeding standards established in the local general plan or noise ordinance, or applicable standards of other agencies; and*

- *Generation of excessive groundborne vibration or groundborne noise.*

Additionally, as substantiated in the Initial Study (EIR Appendix A), the Project's potential impact under the following topic was previously determined to be less-than-significant and is not further discussed here:

- *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.*

As substantiated herein, all potential noise impacts of the Project would be less-than-significant or can be mitigated to levels that are less-than-significant.

4.6.1 INTRODUCTION

This Section presents the noise setting, methodology, standards of significance, and potential noise impacts associated with the Project. Where impacts are determined to be potentially significant, mitigation measures are proposed to avoid or reduce the severity of impacts. The information presented herein has been summarized from the *Hesperia Industrial Center, Noise Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) April 19, 2022 (Project Noise Impact Analysis). The Project Noise Impact Analysis in its entirety is presented at EIR Appendix F.

4.6.2 SETTING

Following are discussions of noise fundamentals applicable to the Project, together with assessments of existing ambient noise levels and noise sources in the Project vicinity.

4.6.2.1 Fundamentals of Noise

Noise levels are measured on a logarithmic scale in decibels which are then weighted and added over a 24-hour period to reflect not only the magnitude of the sound, but also its duration, frequency, and time of occurrence. In this manner, various acoustical scales and units of measurement have been developed, including equivalent sound levels (Leq), day-night average sound levels (Ldn) and community noise equivalent levels (CNEL).

"A-weighted" decibels (dBA) approximate the subjective response of the human ear to a broad frequency noise source by discriminating against the very low and very high frequencies of the audible spectrum. They are adjusted to reflect only those frequencies which are audible to the human ear. The decibel scale has a value of 0.0 dBA at the threshold of hearing and 120 dBA at the threshold of pain. Each interval of 10 decibels indicates a sound energy ten times greater than before, which is perceived by the human ear as being roughly twice as loud. Thus, a 1.0 decibel increase is just audible, whereas a 10-decibel increase means the sound is perceived as being twice as loud as before. Examples of the decibel level of various noise sources are provided in the following Figure 4.6-1.

COMMON OUTDOOR ACTIVITIES	COMMON INDOOR ACTIVITIES	A - WEIGHTED SOUND LEVEL dBA	SUBJECTIVE LOUDNESS	EFFECTS OF NOISE
THRESHOLD OF PAIN		140	INTOLERABLE OR DEAFENING	HEARING LOSS
NEAR JET ENGINE		130		
		120		
JET FLY-OVER AT 300m (1000 ft)	ROCK BAND	110		
LOUD AUTO HORN		100	VERY NOISY	
GAS LAWN MOWER AT 1m (3 ft)		90		
DIESEL TRUCK AT 15m (50 ft), at 80 km/hr (50 mph)	FOOD BLENDER AT 1m (3 ft)	80		SPEECH INTERFERENCE
NOISY URBAN AREA, DAYTIME	VACUUM CLEANER AT 3m (10 ft)	70	LOUD	
HEAVY TRAFFIC AT 90m (300 ft)	NORMAL SPEECH AT 1m (3 ft)	60		
QUIET URBAN DAYTIME	LARGE BUSINESS OFFICE	50	MODERATE	
QUIET URBAN NIGHTTIME	THEATER, LARGE CONFERENCE ROOM (BACKGROUND)	40		SLEEP DISTURBANCE
QUIET SUBURBAN NIGHTTIME	LIBRARY	30	FAINT	NO EFFECT
QUIET RURAL NIGHTTIME	BEDROOM AT NIGHT, CONCERT HALL (BACKGROUND)	20		
	BROADCAST/RECORDING STUDIO	10	VERY FAINT	
LOWEST THRESHOLD OF HUMAN HEARING	LOWEST THRESHOLD OF HUMAN HEARING	0		

Source: Urban Crossroads, Inc.

appliedplanning inc

Figure 4.6-1
Typical Noise Levels

Noise Rating Schemes

Equivalent sound levels are not measured directly but rather, are calculated from sound pressure levels typically measured in dBA. The equivalent sound level (Leq) is the constant level that, over a given period, transmits the same amount of acoustic energy as the actual time-varying sound. Equivalent sound levels are the basis for both the Ldn and CNEL scales.

Day-night average sound levels (Ldn) are a measure of the cumulative noise exposure of the community. The Ldn value results from a summation of hourly Leqs over a 24-hour period with an increased weighting factor applied to the nighttime period between 10:00 p.m. and 7:00 a.m. This noise rating scheme account for subjectively more annoying noise events that may occur during normal sleep hours.

Community noise equivalent levels (CNEL) also carry a weighting penalty for noise that occurs during nighttime hours. In addition, CNEL levels include a penalty for noise events that occur during the evening hours between 10:00 p.m. and 7:00 a.m. Because of the weighting factors applied, CNEL values at a given location will always be larger than Ldn values, which in turn will exceed Leq values. However, CNEL values are typically within one decibel of the Ldn value.

Sound Propagation

For a "line source" of noise such as a heavily traveled roadway, the noise level drops off by a nominal value of 3.0 decibels for each doubling of distance between the noise source and the noise receptor. The nominal value of 3.0 dBA with doubling applies to sound propagation from a line source: (1) over the top of a barrier greater than 3 meters in height; or (2) where there is a clear unobstructed view of the highway, the ground is hard, no intervening structures exist and the line-of-sight between the noise source and receptor averages more than three meters above the ground.

Notwithstanding, environmental factors such as wind conditions, temperature gradients, characteristics of the ground (hard or soft) and the air (relative humidity), and the presence of vegetation combine to typically increase the attenuation achieved outside

laboratory conditions to approximately 4.5 decibels per doubling of distance. The increase in noise attenuation in exterior environments is particularly true: (1) for freeways with an elevated or depressed profile or exhibiting expanses of intervening buildings or topography; (2) where the view of a roadway is interrupted by isolated buildings, clumps of bushes, scattered trees; (3) when the intervening ground is soft or covered with vegetation; or (4) where the source or receptor is located more than three meters above the ground.

In an area which is relatively flat and free of barriers, the sound level resulting from a single "point source" of noise drops by six decibels for each doubling of distance or 20 decibels for each factor of ten in distance. This applies to fixed noise sources and mobile noise sources which are temporarily stationary, such as an idling truck or other heavy-duty equipment operating within a confined area (such as industrial processes or construction).

Noise Barrier Attenuation

Effective noise barriers can reduce noise levels by 10 to 15 dBA. Noise barriers are most effective when placed close to the noise source or receptor. Noise barriers, however, do have limitations. For a noise barrier to work, it must be high enough and long enough to block the view of the noise source.

4.6.2.2 Factors Affecting Motor Vehicle Noise

According to the Highway Traffic Noise Analysis and Abatement Policy and Guidance, provided by the Federal Highway Administration (FHWA), the level of traffic noise depends on three primary factors: (1) the volume of the traffic, (2) the speed of the traffic, and (3) the vehicle mix within the flow of traffic. Generally, the loudness of traffic noise is increased by heavier traffic volumes, higher speeds, and a greater number of trucks. Assuming speed and vehicle mix do not change, a doubling of traffic volumes can be expected to result in a 3.0 dBA increase in noise levels. The vehicle mix on a given roadway may also influence community noise levels. As the number of medium and heavy trucks increases and becomes a larger percentage of the vehicle mix, adjacent noise

levels will increase. Vehicle noise is a combination of the noise produced by the engine, exhaust, and tires on the roadway.

To account for the ground-effect attenuation (absorption), two types of site conditions are commonly used in traffic noise models, soft-site, and hard-site conditions. Soft site conditions account for the sound propagation loss over natural surfaces such as normal earth and ground vegetation. A drop-off rate of 4.5 dBA per doubling of distance is typically observed over soft ground with landscaping, as compared with a 3.0 dBA drop-off rate over hard ground such as asphalt, concrete, stone and very hard packed earth. The Project Noise Study indicates that generally, soft site conditions better reflect predicted noise levels within the Study Area. Related, California Department of Transportation (Caltrans) research has shown that the use of soft site conditions is more appropriate for the application of the FHWA traffic noise prediction model used in this analysis.

4.6.2.3 Community Responses to Noise

Approximately ten percent of the population has a very low tolerance for noise and will object to any noise not of their making. Consequently, even in the quietest environment, some complaints will occur. Another 25 percent of the population will not complain even in very severe noise environments. Thus, a variety of reactions can be expected from people exposed to any given noise environment.

Despite this variability in behavior on an individual level, populations generally can be expected to exhibit the following responses to changes in noise levels. An increase or decrease of 1.0 dBA cannot be perceived except in carefully controlled laboratory experiments. A 3.0 dBA increase may be perceptible outside of the laboratory. An increase of 5.0 dBA is often necessary before any noticeable change in community response (i.e., complaints) would be expected.

Community responses to noise may range from registering a complaint by telephone or letter, to initiating court action, depending upon individual susceptibility to noise and

personal attitudes about noise. Several factors are related to the level of community annoyance including:

- Fear associated with noise-producing activities.
- Noise receptor's perception that they are being unfairly treated.
- Attitudes regarding the usefulness of the noise-producing activity.
- Receptor's belief that the noise source can be controlled.

Recent studies have shown that changes in long-term noise levels are noticeable and are responded to by people. For example, about ten percent of the people exposed to traffic noise of 60 Ldn will report being highly annoyed with the noise, and each increase of one Ldn is associated with approximately two percent more people being highly annoyed. When traffic noise exceeds 60 Ldn or aircraft noise exceeds 55 Ldn, people begin complaining. Group or legal actions to stop the noise should be expected to begin at traffic noise levels near 70 Ldn and aircraft noise levels near 65 Ldn.

4.6.2.4 Land Use Compatibility with Noise

Some land uses are less tolerant of noise than others. For example, schools, hospitals, churches, and residences are more sensitive to noise intrusion than are commercial or industrial activities. As ambient noise levels affect the perceived amenity or liveability of a development, so too can the mismanagement of noise impacts impair the economic health and growth potential of a community by reducing the area's desirability as a place to live, shop and work. For this reason, land use compatibility with the noise environment is an important consideration in the planning and design process.

4.6.2.5 Sensitive Receptors

Land uses classified as noise-sensitive by the State of California include: schools, hospitals, rest homes, long-term care centers, and mental care facilities. Some jurisdictions also consider day care centers, single-family dwellings, mobile home parks, churches, libraries, and recreation areas to be noise-sensitive. Moderately noise-sensitive land uses typically include: multi-family dwellings, hotels, motels, dormitories, out-

patient clinics, cemeteries, golf courses, country clubs, athletic/tennis clubs, and equestrian clubs.

Land uses which are considered relatively insensitive to noise include business, commercial, and professional developments. Land uses that are typically not affected by noise include: industrial, manufacturing, utilities, agriculture, natural open space, undeveloped land, parking lots, warehousing, liquid and solid waste facilities, salvage yards, and transit terminals.

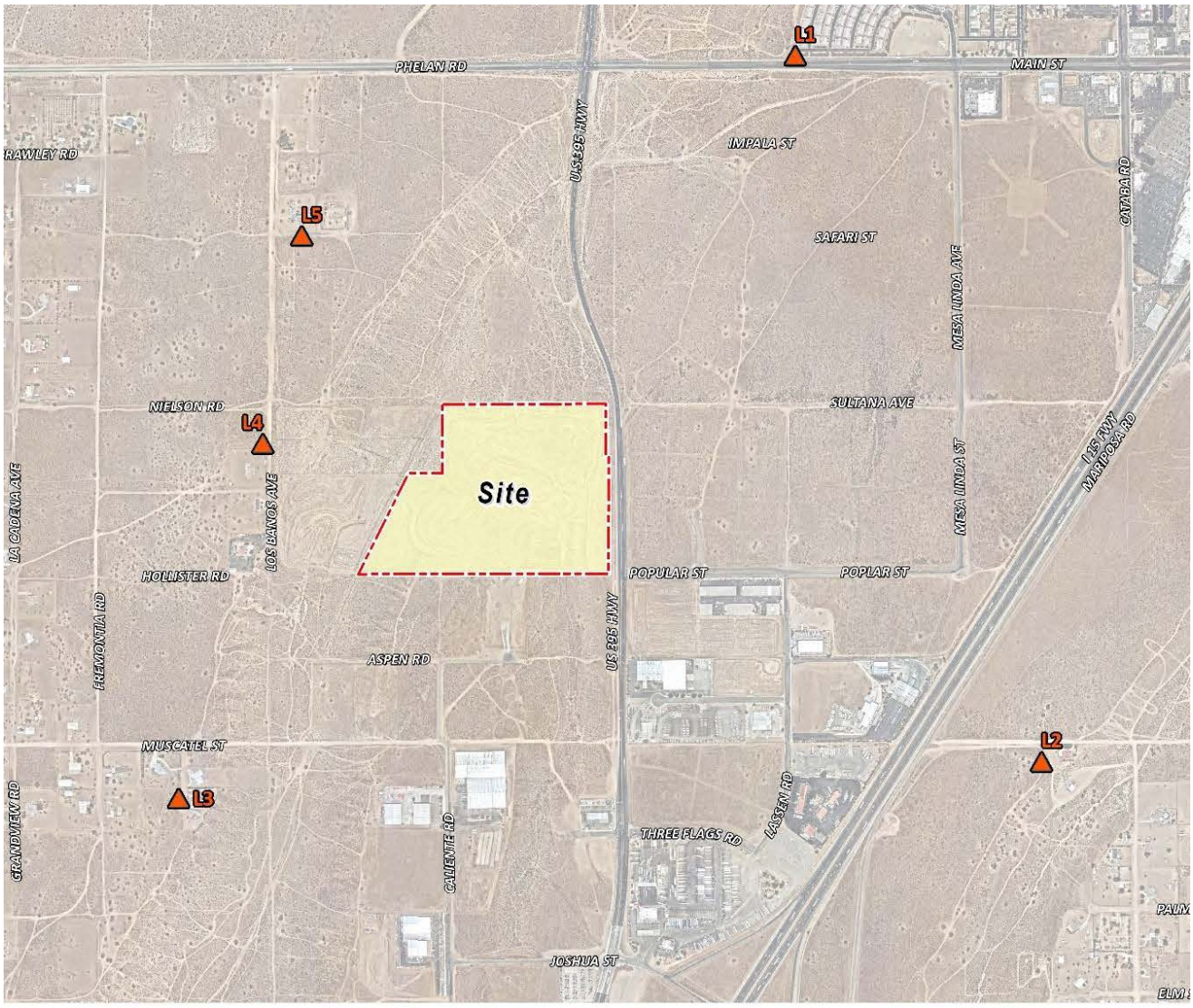
4.6.2.6 Ambient Noise Conditions

To assess existing noise levels in the Project vicinity, four long-term 24-hour measurements were taken at locations throughout the Study Area. These locations are illustrated at Figure 4.6-2 and are representative of sites that may be affected by Project-generated noise. Ambient noise measurements in the Project Study Area are summarized at Table 4.6-1.

Table 4.6-1
24-Hour Ambient Noise Level Measurements

Location	Description	Energy Average Noise Level (dBA L_{eq})[2]	
		Daytime	Nighttime
L1	Located northeast of the Project site near West Main Villas at 9800 Mesa Linda Street.	69.5	65.7
L2	Located southeast of the Project site near single-family residence at 12623 Muscatel Street.	53.1	55.2
L3	Located southwest of the Project site near single-family residence at 8877 Cactus Drive.	44.6	43.2
L4	Located west of the Project site near single-family residence at 9290 Los Banos Avenue.	48.4	45.8
L5	Located northwest of the Project site near single-family residence at 9553 Los Banos Avenue.	48.8	50.8

Source: *Hesperia Industrial Center, Noise Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) April 19, 2022.



LEGEND:

Measurement Locations

N

NOT TO SCALE

Source: Urban Crossroads, Inc.

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Figure 4.6-2
Noise Monitoring Locations

4.6.3 EXISTING POLICIES AND REGULATIONS

To limit population exposure to physically and/or psychologically damaging, as well as intrusive noise levels, the federal government, the State of California, various county governments, and most municipalities in the state have established standards and ordinances to control noise. In most areas, automobile and truck traffic is the major source of environmental noise. Traffic activity generally produces an average sound level that remains fairly constant with time. Air and rail traffic, and commercial and industrial activities are also major sources of noise in some areas. Federal, state, and local agencies regulate different aspects of environmental noise. Federal and state agencies generally set noise standards for mobile sources such as aircraft and motor vehicles, while regulation of stationary sources is left to local agencies.

4.6.3.1 State of California

The State of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards and provides noise/land use compatibility guidance. State law requires that each county and city adopt a General Plan that includes a Noise Element which is to be prepared according to guidelines adopted by the Governor's Office of Planning and Research. The purpose of the Noise Element is to "limit the exposure of the community to excessive noise levels." In addition, the California Environmental Quality Act (CEQA) requires that all known environmental effects of a project be analyzed, including environmental noise impacts.

4.6.3.2 City of Hesperia

General Plan Noise Element

The City of Hesperia General Plan Noise Element establishes goals and policies to control and abate environmental noise and vibration and protect citizens from exposure to excessive noise and vibration. Goals and policies generally applicable to the Project are presented below.

Noise Element Goals

NS-1 To achieve and maintain an environment which is free from excessive or harmful noise through identification, control, and abatement.

NS-2 To achieve and maintain an environment which is free from excessive vibration.

Noise Element Policies

NS-1.2 Control and abate undesirable sounds through the use of the land use compatibility criteria shown in Exhibit NS-1, Table NS-3, and the Municipal Code Section 16.20.125(B).

NS-1.5 Require the design and construction of commercial, industrial, office and mixed-use structures developments with noise attenuation methods to minimize excessive noise upon noise-sensitive land uses.

NS-1.9 Encourage commercial, industrial, office and mixed-use developments to locate loading areas, parking lots, driveways, trash enclosures, mechanical equipment, and other noisier components away from noise-sensitive land uses.

NS-1.10 Limit the hours of construction activity in, and around, residential areas in order to reduce the intrusion of noise in the early morning and late evening hours and on weekends and holidays.

NS-1.11 Limit delivery hours for businesses with loading areas or docks fronting, siding, or bordering or gaining access on driveways adjacent to noise-sensitive areas.

NS-1.12 Implement nighttime and daytime on-site noise level limits to address noise generated by commercial and industrial uses where it affects abutting residential and other noise-sensitive land uses.

The General Plan Noise Element incorporates State of California General Plan Guidelines land use/noise compatibility criteria (General Plan Exhibit NS-1). The compatibility criteria provide the City with a planning tool to gauge the compatibility of land uses

relative to existing and future exterior noise levels. Per the compatibility criteria, the Project industrial land uses are considered normally acceptable when ambient exterior noise levels are below 75 dBA CNEL, and conditionally acceptable when ambient exterior noise levels are between 70 and 80 dBA CNEL. Per the compatibility criteria, for conditionally acceptable land uses, "new construction or development should be undertaken only after a detailed analysis of noise reduction requirements are made."

Municipal Code Operational Noise Standards

Noise impacts originating from a designated fixed location or private property are evaluated against standards established under the City of Hesperia Municipal Code (Municipal Code). Municipal Code Section 16.20.125 establishes noise level standards for stationary noise sources and maximum acceptable noise levels at receiving land uses.

Per the Municipal Code, for non-noise sensitive industrial uses, the maximum exterior noise level shall not exceed 70 dBA L_{eq} at any time, while the maximum exterior noise level exterior noise levels at non-noise sensitive commercial uses shall not exceed 65 dBA L_{eq} at any time. For noise sensitive residential properties, the maximum exterior noise level shall not exceed 60 dBA L_{eq} during the daytime hours (7:00 a.m. to 10:00 p.m.) and shall net exceed 50 dBA L_{eq} during the nighttime hours (10:00 p.m. to 7:00 a.m.). In addition, except for the nighttime hours from 10:00 p.m. to 7:00 a.m.) the maximum permissible noise levels due to wind noise may be adjusted so that it is no greater than five dB(A) above the ambient noise level. Municipal Code operational noise level standards are summarized at Table 4.6-2.

Table 4.6-2
Municipal Code Operational Noise Standards

Receiving Land Use	Time Period	Exterior Noise Level Standard (dBA L_{eq})[2]
A-1, A-2, R-1, R-3, and RR Zone Districts	Daytime (7:00 a.m. - 10:00 p.m.)	60
	Nighttime (10:00 p.m. - 7:00 a.m.)	55
C-1, C-2, C-3, C-4, C-R, AP, and P-I Zone Districts	Anytime	65
I-1 and I-2 Zone	Anytime	70

Source: *Hesperia Industrial Center, Noise Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) April 19, 2022.

Municipal Code Construction Noise Standards

Municipal Code Section 16.20.125.E.3 exempts construction-source noise from Municipal Code standards, provided construction activities are limited to between the hours of seven a.m. and seven p.m. and do not occur at any time on Sundays and federal holidays. Neither the General Plan nor Municipal Code establish construction-source noise thresholds. Relevant construction-source threshold criteria is however presented in the Federal Transit Administration (FTA) *Transit Noise and Vibration Impact Assessment Manual*, and is employed in this analysis. The FTA considers a daytime exterior construction noise level of 80 dBA Leq as a reasonable threshold for noise sensitive residential land use (Project Noise Impact Analysis, p. 17).

Municipal Code Vibration Standards

Municipal Code Section 16.20.130 establishes an operational vibration threshold of 0.2 in/sec PPV. Per the Municipal Code, vibration resulting from construction, maintenance, or demolition activities are exempt from Municipal Code standards provided that source activities are limited to between the hours of seven a.m. and seven p.m., and do not occur on Sundays and federal holidays.

4.6.4 STANDARDS OF SIGNIFICANCE

Based on the noise criteria presented above, and direction provided within the *CEQA Guidelines* as implemented by the City of Hesperia, Project noise impacts would be considered potentially significant if the Project is determined to result in or cause the following conditions:

- Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project exceeding standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

- Generation of excessive groundborne vibration or groundborne noise levels.

- 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.

Noise Impact Thresholds

Noise impact thresholds applicable to the Project are summarized at Table 4.6-3. Thresholds derive first from criteria established by the City of Hesperia. In instances where criteria have not been established by the City, relevant standards established by other agencies are cited and applied– in this case, standards established by the Federal Interagency Committee on Noise (FICON) and the Federal Transit Administration (FTA). Please refer also to the discussion of thresholds presented at Project Noise Impact Analysis Section 4, *Significance Criteria.*

Table 4.6-3
Noise Impact Thresholds

Analysis	Receiving Land Use	Condition(s)	Significance Criteria	
			Daytime	Nighttime
Off-Site Traffic	Noise-Sensitive[1]	If ambient is < 60 dBA Leq	≥ 5 dBA L_{eq} Project increase	
		If ambient is 60 - 65 dBA Leq	≥ 3 dBA L_{eq} Project increase	
		If ambient is > 65 dBA Leq	≥ 1.5 dBA L_{eq} Project increase	
	Office[2]	if ambient is > 70 dBA CNEL	≥ 3 dBA CNEL Project increase	
	Industrial[2]	if ambient is > 75 dBA CNEL	≥ 3 dBA CNEL Project increase	
Operational	Multiple	Exterior Noise Level Standards	See Table 4.6-2.	
	Noise-Sensitive[1]	If ambient is < 60 dBA Leq	≥ 5 dBA L_{eq} Project increase	
		If ambient is 60 - 65 dBA Leq	≥ 3 dBA L_{eq} Project increase	
		If ambient is > 65 dBA Leq	≥ 1.5 dBA L_{eq} Project increase	
		Vibration Level Threshold[3]	0.2 in/sec PPV	
Construction	All	Permitted hours of 7:00 a.m. to 7:00 p.m. except Sunday or a federal holiday[4]		
		Noise Level Threshold[5]	80 dBA L_{eq}	n/a
		Vibration Level Threshold[3]	0.2 in/sec PPV	n/a

Source: *Hesperia Industrial Center, Noise Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) April 19, 2022.
Notes:
[1] Federal Interagency Committee on Noise (FICON), 1992.
[2] City of Hesperia General Plan Noise Element Exhibit NS-1 Land Use Compatibility Criteria.
[3] City of Hesperia Municipal Code, Section 16.20.130.A (Appendix 3.1).
[4] City of Hesperia Municipal Code, Section 16.20.125.E.3 (Appendix 3.1).
[5] Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual.
"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.; "PPV" = peak particle velocity.

4.6.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.6.5.1 Introduction

The following discussions focus on areas where it has been determined that the Project may result in potentially significant noise/vibration impacts, based on the analysis presented within this Section and included within the EIR Initial Study (EIR Appendix A, Initial Study Checklist Item XIII. *Noise*).

Of the CEQA threshold considerations identified above at Section 4.6.4, and as substantiated in the Initial Study (EIR Appendix A), the Project's potential impacts under the following topic are determined to have no impact and are not further substantively discussed here:

- 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.

All other CEQA topics concerning the Project's potential noise impacts are discussed below.

4.6.5.2 Impact Statements

Following is an analysis of potential noise impacts that are expected to occur as a result of the Project. Noise levels will change both on-site and off-site if the Project is approved and implemented. The discussion of potential noise impacts is organized to reflect categories or types of noise sources, including:

- Construction-Source Noise;
- Vehicular-Source Noise;
- Operational/Area-Source Noise; and
- Vibration.

For each topical discussion, potential impacts are evaluated under applicable criteria established above at Section 4.6.4, *Standards of Significance*.

To assess the potential for long-term operational noise and short-term construction noise and vibration impacts, five receiver locations were identified for focused analysis, as shown at Figure 4.6-3 and described below.

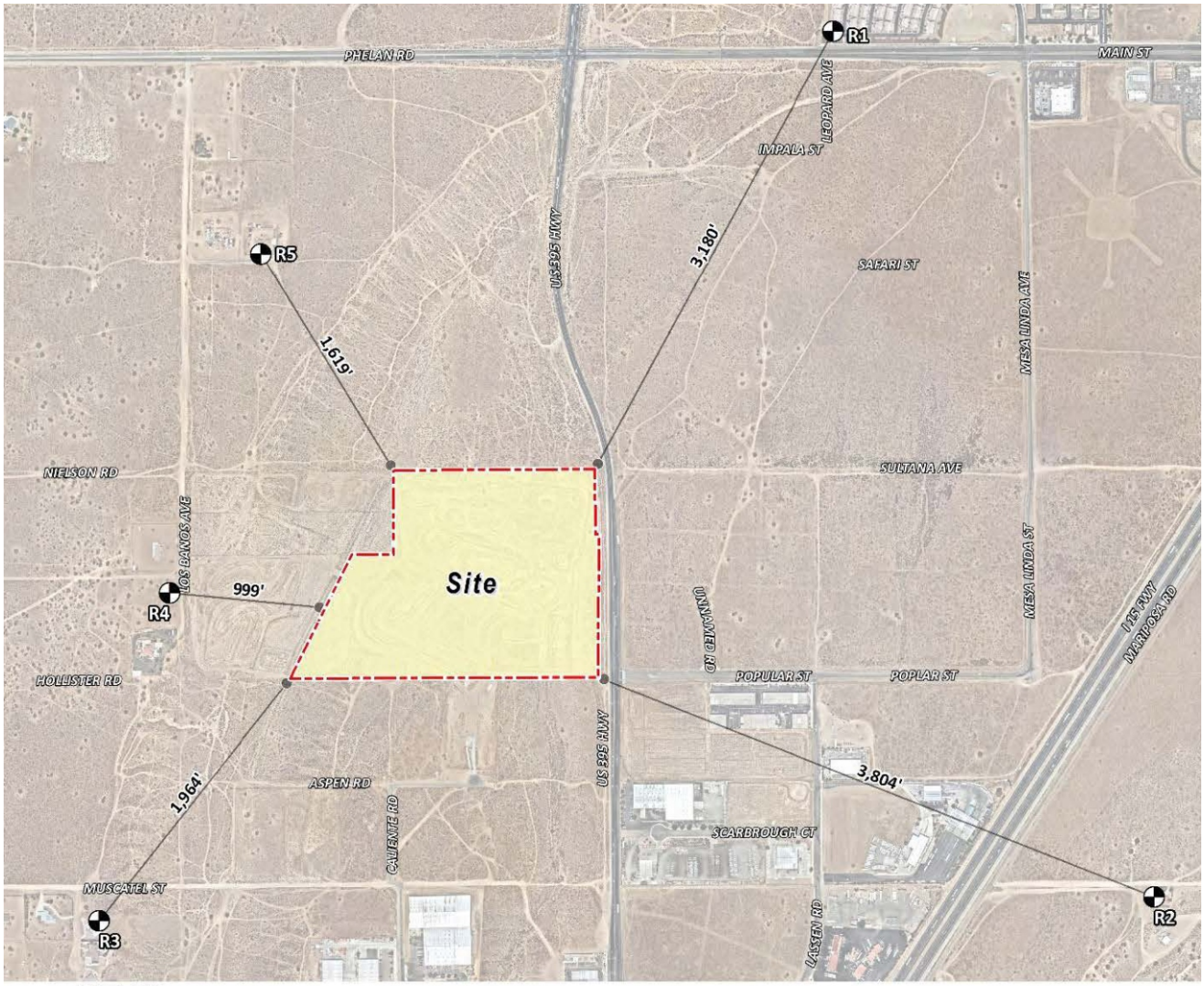
R1: Location R1 represents the existing noise sensitive West Main Villas at 9800 Mesa Linda Street, approximately 3,180 feet northeast of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, R1 is placed at the residential building façade. A 24-hour noise measurement was taken near this location, L1, to describe the existing ambient noise environment.

R2: Location R2 represents the existing noise sensitive residence at residence at 12623 Muscatel Street, approximately 3,804 feet southeast of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, R2 is placed at the residential building façade. A 24-hour noise measurement was taken near this location, L2, to describe the existing ambient noise environment.

R3: Location R3 represents the existing noise sensitive residence at 8877 Cactus Drive, approximately 1,964 feet southwest of the Project site. R3 is placed at the private outdoor living areas (backyards) facing the Project site. A 24-hour noise measurement was taken near this location, L3, to describe the existing ambient noise environment.

R4: Location R4 represents the existing noise sensitive residence at 9174 Los Banos Avenue, approximately 999 feet west of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, R4 is placed at the residential building façade. A 24-hour noise measurement was taken near this location, L4, to describe the existing ambient noise environment.

R5: Location R5 represents the existing noise sensitive residence at 9553 Los Banos Avenue, approximately 1,619 feet northwest of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, R5 is placed at the residential building façade. A 24-hour noise measurement was taken near this location, L5, to describe the existing ambient noise environment.



LEGEND:

Site Boundary

Distance from receiver to Project site boundary (in feet)

Receiver Locations

N

NOT TO SCALE

Source: Urban Crossroads, Inc.

applied planning inc

Figure 4.6-3
Receiver Locations

CONSTRUCTION-SOURCE NOISE

Potential Impact: *Construction activities and associated noise would result in exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.*

Impact Analysis: Noise generated by the Project construction equipment will include a combination of trucks, power tools, concrete mixers, and portable generators that, when combined, can reach high levels. Construction is expected to occur in the following stages:

- Site Preparation;
- Grading;
- Building Construction;
- Architectural Coating; and
- Paving.

The construction-source noise analysis was prepared using reference noise level measurements to describe the typical construction activity noise levels for each stage of Project construction. Please refer to Noise Impact Analysis Section 10.2, *Construction Reference Noise Levels* for a listing of reference noise levels employed in the evaluation of construction-source noise.

Noise levels generated by heavy construction equipment can range from approximately 70 dBA to more than 80 dBA when measured at 50 feet. However, these noise levels diminish with distance from the construction site at a rate of 6 dBA per doubling of distance. For example, a noise level of 80 dBA measured at 50 feet from the noise source to the receiver would be reduced to 74 dBA at 100 feet from the source to the receiver, and would be further reduced to 68 dBA at 200 feet from the source to the receiver.

Based on the construction equipment reference noise levels and distance to the Project site, peak noise levels at the receiver locations have been developed, and are summarized at Table 4.6-4.

Table 4.6-4
Construction-Source Noise Levels (dBA L_{eq})

Location	Site Prep	Grading	Building Construction	Paving	Architectural Coating	Peak Noise Levels	Threshold	Threshold Exceeded
R1	36.5	39.5	37.5	39.5	33.5	39.5	80	**NO**
R2	34.9	37.9	35.9	37.9	31.9	37.9	80	**NO**
R3	39.6	42.6	40.6	42.6	36.6	42.6	80	**NO**
R4	45.2	48.2	46.2	48.2	42.2	48.2	80	**NO**
R5	41.9	44.9	42.9	44.9	38.9	44.9	80	**NO**

Source: *Hesperia Industrial Center, Noise Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) April 19, 2022.

As indicated at Table 4.6-4, peak received construction-source noise levels would range from 37.9 to 48.2 dBA Leq. These levels would not exceed the applicable threshold of 80 dBA Leq, as presented at Table 4.6-3. Please refer to Noise Impact Analysis Section 10.3, *Construction Noise Analysis* for a detailed analysis of construction-source noise impacts.

Other Considerations

Nighttime Concrete Pour Noise Analysis

In addition to permitted daytime construction activities evaluated above, nighttime concrete pouring activities are proposed as a part of Project building construction activities. Nighttime concrete pouring activities are often used to support reduced concrete mixer truck transit times and lower air temperatures than during the daytime hours. Since the nighttime concrete pours would take place outside the time frames permitted under the Municipal Code, the Applicant would be required to obtain specific authorization for nighttime work.

Nighttime Concrete Pour Reference Noise Level Measurements

To estimate the noise levels due to nighttime concrete pour activities, sample reference noise level measurements were taken during a nighttime concrete pour at a representative construction site. The reference noise levels describe the expected concrete

pour noise sources that may include concrete mixer truck movements and pouring activities, concrete paving equipment, rear mounted concrete mixer truck backup alarms, engine idling, air brakes, generators, and workers communicating/whistling.

Nighttime Concrete Pour Noise Level Compliance

Per the Project Noise Impact Analysis, received noise levels at the nearest residences due to nighttime concrete pour activities are estimated to range from 22.6 to 30.7 dBA L_{eq} (Project Noise Impact Analysis, p. 57.) These noise levels would not exceed the City's nighttime noise standard. Contingent upon approval by the City to permit nighttime concrete pours, the resulting noise levels would not exceed applicable noise ordinance thresholds or otherwise conflict with applicable noise regulations. On this basis, noise impacts of nighttime concrete pours would be less-than-significant.

Based on the preceding, the potential for Project construction activities to result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies is considered less-than-significant.

Level of Significance: Less-Than-Significant.

VEHICULAR-SOURCE NOISE

Potential Impact: *Vehicular source noise would result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.*

Impact Analysis: To assess the off-site transportation CNEL noise level impacts, noise contours were developed based on traffic analyses presented in *Hesperia Industrial Center, Traffic Analysis* (Urban Crossroads, Inc.) April 25, 2022. Noise contour boundaries represent the equal levels of noise exposure and are measured in CNEL from the center of the roadway. Noise contours were developed for the following traffic scenarios:

- Existing Conditions 2021
- Existing Conditions plus Project
- Opening Year Cumulative (2024) Without Project Conditions
- Opening Year Cumulative (2024) With Project Conditions
- Horizon Year (2040) Without Project Conditions
- Horizon Year (2040) With Project Conditions

Project Noise Impact Analysis Tables 7-1 through 7-6 present the noise contours developed for the above scenarios for all Study area roadways. Based on these noise contours, Tables 4.6-5 through 4.6-7 present a comparison of noise conditions along Study Area roadways without and with development realized pursuant to the Project under the above-described scenarios.

Table 4.6-5
Existing Conditions
Traffic Noise Impacts Without and With Project

Roadway	Roadway Segment	Receiving Land Use Noise Sensitivity	CNEL at Receiving Land Use (dBA)[1]			Incremental Noise Level Increase	
			No Project	With Project	Project Addition	Limit	Threshold Exceeded?
US Highway 395	n/o Main St.	Non-Sensitive	76.6	76.6	0.0	3.0	**NO**
US Highway 395	s/o Main St.	Non-Sensitive	75.9	76.0	0.1	3.0	**NO**
US Highway 395	s/o Poplar St.	Non-Sensitive	76.0	76.5	0.5	3.0	**NO**
US Highway 395	s/o Joshua St.	Non-Sensitive	75.8	76.1	0.3	3.0	**NO**
Phelan Rd.	w/o US Highway 395	Non-Sensitive	76.2	76.2	0.0	3.0	**NO**
Main St.	e/o US Highway 395	Sensitive	76.2	76.2	0.0	1.5	**NO**

Source: *Hesperia Industrial Center, Noise Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) April 19, 2022.

Table 4.6-6
Opening Year Cumulative Conditions (2024)
Traffic Noise Impacts Without and With Project

Roadway	Roadway Segment	Receiving Land Use Noise Sensitivity	Threshold Exceeded?			Incremental Noise Level Increase	
			No Project	Limit	Threshold Exceeded?	Limit	Threshold Exceeded?
US Highway 395	n/o Main St.	Non-Sensitive	78.4	78.4	0.0	3.0	**NO**
US Highway 395	s/o Main St.	Non-Sensitive	77.0	77.1	0.1	3.0	**NO**
US Highway 395	s/o Poplar St.	Non-Sensitive	76.8	77.3	0.5	3.0	**NO**
US Highway 395	s/o Joshua St.	Non-Sensitive	76.5	76.7	0.2	3.0	**NO**
Phelan Rd.	w/o US Highway 395	Non-Sensitive	78.4	78.4	0.0	3.0	**NO**
Main St.	e/o US Highway 395	Sensitive	79.1	79.1	0.0	1.5	**NO**

Source: *Hesperia Industrial Center, Noise Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) April 19, 2022.

Table 4.6-7
Horizon Year Conditions (2040)
Traffic Noise Impacts Without and With Project

Road	Segment Segment	Receiving Land Use Noise Sensitivity	Threshold Exceeded?			Incremental Noise Level Increase	
			No Project	With Project	Project Addition	Limit	Threshold Exceeded?
US Highway 395	n/o Main St.	Non-Sensitive	80.5	80.5	0.0	3.0	**NO**
US Highway 395	s/o Main St.	Non-Sensitive	79.8	79.8	0.0	3.0	**NO**
US Highway 395	s/o Poplar St.	Non-Sensitive	77.5	77.8	0.3	3.0	**NO**
US Highway 395	s/o Joshua St.	Non-Sensitive	76.9	77.1	0.2	3.0	**NO**
Phelan Rd.	w/o US Highway 395	Non-Sensitive	78.8	78.8	0.0	3.0	**NO**
Main St.	e/o US Highway 395	Sensitive	79.5	79.5	0.0	1.5	**NO**

Source: *Hesperia Industrial Center, Noise Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) April 19, 2022.

As shown above, Project traffic would not result in increased noise levels that would exceed the thresholds presented at Table 4.6-3. As such, the potential for Project-related vehicular source noise to result in generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies is considered less-than-significant.

Level of Significance: Less-Than-Significant.

OPERATIONAL/AREA-SOURCE NOISE

Potential Impact: *Project operational noise would result in exposure of persons to, or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.*

Impact Analysis: To estimate the Project operational/area-source noise impacts, reference noise level measurements were collected from similar types of activities to represent the noise levels expected with the development of the proposed Project. Please refer to Noise Impact Analysis Section 9.2, *Reference Noise Levels* for a listing of reference noise levels employed in the evaluation of operational/area-source noise.

It is important to note that the following projected noise levels assume the worst-case noise environment with the idling trucks, delivery truck activities, backup alarms, as well as loading and unloading of dry goods, roof-top air conditioning units, and parking lot vehicle movements all operating simultaneously. These noise levels will likely vary throughout the day.

Using the reference noise levels, it is possible to estimate the operational source noise levels generated at the Project site and the Project-related noise level increases that would be experienced at each of the sensitive receiver locations. Please refer also to Noise Impact Analysis Appendix 9.1 for detailed calculations of the Project operational/area-source noise levels

Daytime and nighttime operational/area-source noise levels that can be expected to be generated by the various Project noise sources, and received at area receptors are presented at Tables 4.6-8, 4.6 -9 below.

Table 4.6-8
Daytime Project Operational/Area-Source Noise Levels

Noise Source	Operational Noise Levels by Receiver Location (dBA Leq)				
	R1	R2	R3	R4	R5
Loading Dock Activity	37.7	35.9	39.6	45.3	42.2
Roof-Top Air Conditioning Units	13.7	13.5	16.3	20.4	15.1
Trash Enclosure Activity	10.8	8.0	11.8	17.3	15.6
Parking Lot Vehicle Movements	19.0	18.9	25.5	30.9	26.3
Truck Movements	21.7	20.0	23.4	27.8	26.4
Total (All Noise Sources)	**37.9**	**36.1**	**39.9**	**45.5**	**42.4**

Source: *Hesperia Industrial Center, Noise Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) April 19, 2022.

Table 4.6-9
Nighttime Project Operational/Area-Source Noise Levels

Noise Source	Operational Noise Levels by Receiver Location (dBA Leq)				
	R1	R2	R3	R4	R5
Loading Dock Activity	37.7	35.9	39.6	45.3	42.2
Roof-Top Air Conditioning Units	11.3	11.1	13.9	18.0	12.7
Trash Enclosure Activity	9.8	7.0	10.8	16.3	14.6
Parking Lot Vehicle Movements	19.0	18.9	25.5	30.9	26.3
Truck Movements	21.7	20.0	23.4	27.8	26.4
Total (All Noise Sources)	**37.9**	**36.1**	**39.9**	**45.5**	**42.4**

Source: *Hesperia Industrial Center, Noise Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) April 19, 2022.

To demonstrate compliance with local noise regulations, the Project operational/area-source noise levels received at area receptors were evaluated against City of Hesperia exterior noise level thresholds. Please refer to Table 4.6-10.

Table 4.6-10
Operational/Area-Source Noise Level Compliance

Receiver Location	Project Operational Noise Levels (dBA Leq)		Noise Level Standards (dBA Leq)		Noise Level Standards Exceeded?	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
R1	37.9	37.9	60	55	No	**NO**
R2	36.1	36.1	60	55	No	**NO**
R3	39.9	39.9	60	55	No	**NO**
R4	45.5	45.5	60	55	No	**NO**
R5	42.4	42.4	60	55	No	**NO**

Source: *Hesperia Industrial Center, Noise Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) April 19, 2022.

As shown at Table 4.6-10, Project operational/area-source noise levels at area receptors would range from 36.1 to 45.5 dBA Leq. These noise levels would not exceed the City of Hesperia 65 dBA Leq daytime or 55 dBA Leq nighttime exterior noise standards. It is specifically noted that the received noise level estimates do not take credit for or account for any existing or planned noise barriers.

As such, the potential for Project operational noise to result in exposure of persons to, or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies is considered less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *Project operational noise would result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.*

Impact Analysis: To describe the Project operational noise level contributions, the Project operational noise levels were combined with the existing ambient noise levels measurements for the off-site receiver locations potentially impacted by Project operational noise sources. Tables 4.6-11 and 4.6-12 present the daytime and nighttime operational noise level increases associated with the Project.

Table 4.6-11
Daytime Noise Level Contributions

Location	Total Project Operational Noise Level	Measurement Location	Reference Ambient Noise Levels	Combined Project and Ambient	Project Increase	Threshold	Threshold Exceeded?
R1	37.9	L1	69.5	69.5	0.0	1.5	**NO**
R2	36.1	L2	53.1	53.2	0.1	5.0	**NO**
R3	39.9	L3	44.6	45.9	1.3	5.0	**NO**
R4	45.5	L4	48.4	50.2	1.8	5.0	**NO**
R5	42.4	L5	48.8	49.7	0.9	5.0	**NO**

Source: *Hesperia Industrial Center, Noise Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) April 19, 2022.

Table 4.6-12
Nighttime Noise Level Contributions

Location	Total Project Operational Noise Level	Measurement Location	Reference Ambient Noise Levels	Combined Project and Ambient	Project Increase	Threshold	Threshold Exceeded?
R1	37.9	L1	65.7	65.7	0.0	1.5	**NO**
R2	36.1	L2	55.2	55.3	0.1	5.0	**NO**
R3	39.9	L3	43.2	44.9	1.7	5.0	**NO**
R4	45.5	L4	45.8	48.7	2.9	5.0	**NO**
R5	42.4	L5	50.8	51.4	0.6	5.0	**NO**

Source: *Hesperia Industrial Center, Noise Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) April 19, 2022.

As indicated at Tables 4.6-11 and 4.6-12, Project contributions to the ambient noise environment would range from 0.0 to 2.9 dBA Leq at nearby receiver locations. This increase would not exceed the threshold conditions presented at previous Table 4.6-3. On this basis, the potential for Project operational noise to result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project is considered less-than-significant.

Level of Significance: Less-Than-Significant.

VIBRATION

Potential Impact: *The Project would result in exposure persons to, or generation of, excessive ground-borne vibration or ground-borne noise.*

Impact Analysis:

Construction

Vibration

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. It is expected that groundborne vibration from Project construction activities would cause only intermittent, localized intrusion. The proposed Project's construction activities most likely to cause vibration impacts are:

- Heavy Construction Equipment: Although all heavy mobile construction equipment has the potential of causing at least some perceptible vibration while operating close to buildings, the vibration is usually short-term and is not of sufficient magnitude to cause building damage.

- Trucks: Trucks hauling building materials to construction sites can be sources of vibration intrusion if the haul routes pass through residential neighborhoods on streets with bumps or potholes. Repairing the bumps and potholes generally eliminates the problem.

The Project does not propose or require uses or operations that would result in substantial on-going vibration or groundborne noise.

Groundborne vibration levels resulting from construction activities occurring within the Project site were estimated by data published by the Federal Transit Administration.

Table 4.6-13 presents the expected Project-related vibration levels at the nearby receiver locations.

Table 4.6-13
Construction Vibration Levels

Receiver	Distance to Const. Activity (feet)	Received Peak Particle Velocity (PPV) Levels (in/sec)					Thresholds (PPV in/sec)	Threshold Exceeded?
		Small Bulldozer	Jack-hammer	Loaded Trucks	Large Bulldozer	Peak Vibration		
R1	3,451	0.000	0.000	0.000	0.000	0.000	0.2	**NO**
R2	4,056	0.000	0.000	0.000	0.000	0.000	0.2	**NO**
R3	2,712	0.000	0.000	0.000	0.000	0.000	0.2	**NO**
R4	1,746	0.000	0.000	0.000	0.000	0.000	0.2	**NO**
R5	1,918	0.000	0.000	0.000	0.000	0.000	0.2	**NO**

Source: *Hesperia Industrial Center, Noise Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) April 19, 2022.

As shown above, peak construction vibration velocity levels are estimated at 0.000 in/sec PPV and would remain below the City threshold of 0.02 in/sec PPV at all receiver locations. On this basis, the potential for the Project to result in exposure persons to, or generation of, excessive groundborne vibration or groundborne noise is considered less-than-significant.

Level of Significance: Less-Than-Significant.

4.7 BIOLOGICAL RESOURCES

4.7 BIOLOGICAL RESOURCES

Abstract

This Section identifies and addresses potential impacts to biological resources resulting from the Project. More specifically, the analysis presented here examines whether the Project would:

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

- *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;*

- *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) though direct removal, filling, hydrological interruption, or other means;*

- *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 wildlife nursery sites;*

- *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;*

- *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.*

As supported by the analysis presented in this Section, with application of proposed mitigation measures, the Project's potential impacts to biological resources are determined to be less-than-significant.

4.7.1 INTRODUCTION

Following are discussions of existing biological resources characteristic of the Project area, with focused consideration on species of special interest known to occur, or that could potentially occur on the Project site. Potential impacts to biological resources are identified, and mitigation of potentially significant impacts is proposed. Information presented in this Section is summarized and excerpted from: *Biological Resources Assessment for the Proposed Project located at the Southeast Corner of the Intersection of Los Banos Avenue and Sultana Street in the City of Hesperia, San Bernardino County, California* (ELMT Consulting) November 2, 2021 (Project Biological Resources Assessment). The Project Biological Resources Assessment is included in its entirety at EIR Appendix G.

4.7.2 SETTING

4.7.2.1 Overview

The Project site is almost entirely undeveloped, but has been heavily impacted by historic and ongoing land uses (i.e., grading for storage and staging activities, fill dirt extraction, and off highway recreational vehicle access). Further, in 2006, the site was converted to a racetrack for off-highway recreational vehicles and continues today. Several foundations occur on-site in association with racing activities.

4.7.2.2 Biologic Setting

The following discussions provide the existing biologic setting for the Project site.

Topography and Soils

Elevation ranges from approximately 3,550 to 3,648 feet above mean sea level. On-site topography follows that of the Oro Grande Wash; the eastern and western boundaries generally slope towards the center, and the site overall slopes south to north. Within the Oro Grande Wash, topography is highly variable due to an array of racetracks and flat

areas that formerly supported spectating and other miscellaneous recreation. In areas that support large plant species, grading often resulted in hummocks being formed.

The Project site is historically underlain by Cajon sand (9 to 15 percent slopes) and Hesperia loamy fine sand (2 to 5 percent slopes). Soils on-site have been compacted by anthropogenic disturbances such as grading, fill dirt extraction, storage and staging activities, racetrack construction, and surrounding development.

Vegetation

Two plant communities were observed on-site during the field investigation: rubber rabbitbrush scrub and creosote bush Joshua tree woodland. In addition, two land cover types were observed that would be classified as disturbed and developed.

A rubber rabbitbrush scrub plant community is the dominant plant community on the site. Rubber rabbitbrush (*Ericameria nauseosa*) is the primary plant species. Other common plant species observed in this plant community include Joshua tree (*Yucca brevifolia*), desert tea (*Ephedra nevadensis*), Mexican bladder sage (*Scutellaria mexicana*), spiny hop sage *(Grayia spinosa*), peach thorn (*Lycium cooperi*), rattlesnake sandmat (*Euphorbia albomarginata*), chia (*Salvia columbariae*), chaparral yucca (*Hesperoyucca whipplei*), California buckwheat (*Eriogonum fasciculatum*), narrowleaf goldenbush (*Ericameria linearifolia*), sticky lessingia (*Lessingia glandulifera*), desert croton (*Croton californicus*), Mediterranean mustard (*Hirschfeldia incana*), western ragweed (*Ambrosia psilostachya*), California juniper (*Juniperus californica*), and cottonwood (*Populus fremontii*).

Western Joshua trees are scattered throughout the Project site. There are a total of 65 trees on-site. A Joshua tree woodland plant community is classified as having an overall vegetative cover of ≥1 percent of Joshua tree canopy. Visually, the density of the Joshua tree canopy is greater than 1 percent on the northwest corner of the Project site, and, therefore, this area was determined to support a Joshua tree woodland. Decades of recreational use has had a detrimental impact on the Joshua tree population within the site. However, the western Joshua tree was recently proposed for listing as an endangered species by the California Department of Fish and Wildlife (CDFW). As a candidate species, western

Joshua trees have the same protection as listed species. Joshua trees are also considered a significant resource under CEQA, and are a covered species under the Desert Plant Protection Act.

The Project site supports disturbed areas throughout the racetrack, in addition to parking, staging, and storage areas. These areas range from unvegetated density to densely vegetated with weedy/early successional species in addition to a few large perennials. Common species observed in the disturbed areas include Mediterranean mustard, desert croton, rattlesnake sandmat, rubber rabbitbrush, Joshua tree, and juniper.

The Project site has several developed areas in association with former racing activities, including an observation tower, remnant foundations, and a compacted gravel parking lot.

Wildlife

Plant communities provide foraging habitat, nesting/denning sites, and shelter from adverse weather or predation. This section provides a discussion of those wildlife species that were observed, or are expected to occur, within the Project site. Wildlife detections were based on calls, songs, scat, tracks, burrows, and direct observation. The Project site provides limited habitat for wildlife species except those adapted to a high degree of anthropogenic disturbances and development.

Fish

No fish or hydrogeomorphic features (e.g., perennial creeks, ponds, lakes, reservoirs) that would provide suitable habitat for fish were observed on or within the vicinity of the site. Therefore, no fish are expected to occur and are presumed absent from the Project site.

Amphibians

No amphibians or hydrogeomorphic features (e.g., perennial creeks, ponds, lakes, reservoirs) that would provide suitable habitat for amphibian species were observed on or within the vicinity of the site. Therefore, no amphibians are expected to occur on the Project site and are presumed absent.

Reptiles

The survey area provides suitable foraging and cover habitat for local reptile species adapted to conditions within the Mojave Desert. The only reptilian species observed was western side-blotched lizard (*Uta stansburiana elegans*). Common reptilian species that could be expected to occur include Great Basin fence lizard (*Sceloporus occidentalis longipes*), ellow-backed spiny lizard (*Sceloporus uniformis*), Great basin gopher snake (*Pituophis catenifer deserticola*), red racer (*Coluber flagellum piceus*), and southwestern speckled rattlesnake (*Crotalus mitchellii pyrrhus*).

Birds

The Project site provides suitable foraging and nesting habitat for bird species adapted to conditions within the Mojave Desert. Bird species detected during the field investigation include house finch (*Haemorhous mexicanus*), common raven (*Corvus corax*), California quail (*Callipepla californica*), Costa's hummingbird (*Calypte costae*), red-tailed hawk (*Buteo jamaicensis*), mourning dove (*Zenaida macroura*), Say's phoebe (*Sayornis saya*), cactus wren (*Campulorhynchys brunneicapillus*), white-crowned sparrow (*Zonotrichia leucophrys*), northern harrier (*Circus hudsonius*), European starling (*Sturnus vulgaris*), and American kestrel (*Falco sparverius*).

Mammals

The survey area provides suitable foraging and cover habitat for mammalian species adapted to conditions within the Mojave Desert. Mammalian species detected during the field investigation include California ground squirrel (*Otospermophilus beecheyi*), black-tailed jackrabbit (*Lepus californicus*), desert cottontail (*Sylvilagus audubonii*), feral domestic cat (*Felis catus*), pocket gopher (*Thomomys bottae*), and coyote (*Canis latrans*). Common mammalian species that could be expected to occur include canyon bat (*Parastrellus hesperus*) and big-eared woodrat (*Neotoma macrotis*).

Nesting Birds

No active nests or birds displaying nesting behavior were observed during the field survey, which was conducted outside of breeding season. The plant communities and land cover types found on-site have the potential to provide suitable nesting habitat for year-round

and seasonal avian residents, as well as migrating songbirds that could occur in the area that are adapted to urban environments. No raptors are expected to nest on-site due to lack of suitable nesting opportunities.

Nesting birds are protected pursuant to the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (Sections 3503, 3503.5, 3511, and 3513 prohibit the take, possession, or destruction of birds, their nests or eggs).

Migratory Corridors and Linkages

Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors are similar to linkages but provide specific opportunities for animals to disperse or migrate between areas. A corridor can be defined as a linear landscape feature of sufficient width to allow animal movement between two comparatively undisturbed habitat fragments. Adequate cover is essential for a corridor to function as a wildlife movement area. According to the San Bernardino County General Plan, the Project site has not been identified as occurring within a Wildlife Corridor or Linkage. The nearest wildlife corridor is Cajon Wash, located approximately 7 miles to the southwest, and the Mojave River, located approximately 9 miles to the east.

The Project site spans the southern portion of the Oro Grande Wash in a relatively undeveloped area on the western outskirts of the City of Hesperia. While the Oro Grande Wash historically served as a migratory corridor from the San Gabriel Mountains to the Mojave River, the northern portion of the wash has been channelized in association with flood control efforts and is almost entirely surrounded by existing development. Due to these conditions, the functionality of Oro Grande Wash as a migratory corridor between the San Gabriel Mountains and the Mojave River has been significantly altered and no longer plays a role as a linkage or wildlife corridor. In addition, there are no riparian corridors, creeks, or useful patches of steppingstone habitat (natural areas).

Jurisdictional Areas

One riverine resource within the boundaries of the Project site, the Oro Grande Wash, was identified. The Wash enters in the southwest portion of the site, traverses to the northeast, and exits the site near the middle of the northern boundary.

Based on historic aerials, this feature was channelized during the construction of the racetrack to convey flows beneath existing racetracks and dirt access roads. Oro Grande Wash will fall under the regulatory authority of the United States Army Corps of Engineers (Corps), Regional Water Quality Control Board, and/or CDFW.

Special-Status Biological Resources

Twenty-five (25) special-status plant species and forty (40) special-status wildlife species were identified as having potential to occur within the Project area. No special-status plant communities were identified as having potential to occur. Special-status plant and wildlife species were evaluated for their potential to occur within the Project site based on habitat requirements, availability and quality of suitable habitat, and known distributions.

Special-Status Plants

Of the 25 special-status plant species that have been recorded in the Project area, the only special-status plant species observed on-site during the field investigation was the Joshua tree. As noted previously, the western Joshua tree is now a State Candidate species. A total of 65 western Joshua trees were found on the Project site.

The Project site has been subject to anthropogenic disturbances from grading, off-highway recreational vehicle racing, illegal dumping, and surrounding development. These disturbances have reduced the suitability of the habitat to support special-status plant species known to occur in the general vicinity and has significantly reduced the density of the on-site Joshua tree population. Based on habitat requirements for the other 24 special-status plant species and the availability and quality of habitats needed by each species, it was determined that the Project site does not to have the potential to support any of the remaining special-status plant species.

Special-Status Wildlife

Of the 40 special-status wildlife species that have been reported in the Project area, the only special-status wildlife species observed on-site during the field investigation was Costa's hummingbird (*Calypte costae*). The previously-described on-site anthropogenic disturbances have eliminated the natural plant communities that once occurred on-site, which has reduced potential foraging and nesting/denning opportunities for wildlife species. Based on habitat requirements for specific species and the availability and quality of on-site habitats, it was determined that the Project site has a high potential to provide foraging habitat for Cooper's hawk (*Accipiter cooperii*), California horned lark (*Eremophila alpestris actia*), and loggerhead shrike (*Lanius ludovicianus*); a low potential to support pallid bat (*Antrozous pallidus*), burrowing owl (*Athene cunicularia*), and prairie falcon (*Falco mexicanus*). Due to several decades of heavy recreational use of the site, the desert tortoise and Mohave ground squirrel are not expected to occur.

None of the special-status wildlife species are state or federally listed as threatened or endangered.

Critical Habitats

Under the federal Endangered Species Act, "Critical Habitat" is designated at the time of listing of a species or within one year of listing. Critical Habitat refers to specific areas within the geographical range of a species at the time it is listed that include the physical or biological features that are essential to the survival and eventual recovery of that species. Maintenance of these physical and biological features requires special management considerations or protection, regardless of whether individuals or the species are present or not. All federal agencies are required to consult with the USFWS regarding activities they authorize, fund, or permit which may affect a federally listed species or its designated Critical Habitat. The purpose of the consultation is to ensure that projects will not jeopardize the continued existence of the listed species or adversely modify or destroy its designated Critical Habitat. The designation of Critical Habitat does not affect private landowners, unless a project they are proposing is on federal lands, uses federal funds, or requires federal authorization or permits (e.g., funding from the Federal Highways Administration or a Clean Water Act Permit from the United States Army Corps of

Engineers). If a there is a federal nexus, then the federal agency that is responsible for providing the funding or permit would consult with the USFWS.

The Project site is not located within federally designated Critical Habitat. Further, the nearest Critical Habitat designations are located approximately 6.48 miles to the south for arroyo toad (*Anaxyrus californicus*) and 8.0 miles to the southwest for southwestern willow flycatcher (*Empidonax traillii extimus*).

4.7.3 EXISTING POLICIES AND REGULATIONS

Federal Endangered Species Act/California Endangered Species Act

The United States Congress passed the Federal Endangered Species Act (ESA) in 1973 to protect those species that are endangered or threatened with extinction. The State of California enacted a similar law, the California Endangered Species Act (CESA) in 1984. The State and Federal Endangered Species Acts are intended to operate in conjunction with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) to help protect the ecosystems upon which endangered and threatened species depend. The United States Fish and Wildlife Service (USFWS) is responsible for implementation of ESA, while the CDFW implements CESA. During Project review, each agency is given the opportunity to comment on the potential for the Project to affect listed plants and animals.

State of California, Fish and Game Code Section 1600 *et seq.*

The CDFW has jurisdiction under Section 1600 *et seq.* of the California Fish and Game Code over fish and wildlife resources of the state. Under Section 1602, a private party must notify the CDFW if a project will "substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake designated by the department, or use any material from the streambeds, except when the department has been notified pursuant to Section 1601." If an existing fish or wildlife resource may be substantially adversely affected by the activity, the CDFW may propose reasonable measures that will allow protection of those resources. If these measures are agreeable to

the initiating party, they may enter into an agreement with the CDFW identifying the approved activities and associated mitigation measures.

City of Hesperia, Joshua Tree Protection

City of Hesperia Municipal Code Section 16.24, *Protected Plants*, prohibits damage to, and harvest of, any Joshua tree without the prior written consent of the City.

4.7.3.1 Other Statutes, Codes, and Policies

In addition to ESA and CESA listings, plant and wildlife species receive consideration during the CEQA review processes, as discussed below.

Species of Special Concern

Species of Special Concern are generally defined as those California species whose numbers, reproductive success, or habitat may be threatened. Potential impacts to Species of Special Concern receive consideration under CEQA review.

CNPS-Listed Plants

The California Native Plant Society (CNPS) maintains a list of plant species native to California with minimal populations, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Vascular Plants of California. Potential impacts to populations of CNPS-listed plants receive consideration under CEQA review.

Raptors and Migratory Birds

Raptors (birds of prey), migratory birds, and other avian species are protected by state and federal laws. The federal Migratory Bird Treaty Act (MBTA) prohibits the killing, possessing, or trading of migratory birds except in accordance with regulations prescribed by the Secretary of Interior. Section 3503.5 of the California Fish and Game Code states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Potential impacts to raptors and migratory birds receive consideration under CEQA review.

4.7.4 STANDARDS OF SIGNIFICANCE

CEQA has identified the following significance thresholds relative to biological resources. If the Project would result in any one of the following, its impacts to biological resources would be considered significant.

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife (CDFW; formerly California Department of Fish and Game, CDFG) or United States Fish and Wildlife Service (USFWS);

- Have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or California plans, policies or regulations or by the CDFW or USFWS;

- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means;

- 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;

- Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance; or

- Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

4.7.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.7.5.1 Introduction

All CEQA topics concerning the Project's potential impacts to biological resources are discussed below. Please refer also to Draft EIR Appendix A, Initial Study Checklist Item IV., *Biological Resources*.

4.7.5.2 Impact Statements

Potential Impact: *Substantially affect, either directly or through habitat modifications, any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife (CDFW, formerly California Department of Fish and Game) or United States Fish and Wildlife Service (USFWS).*

Impact Analysis: Although on-site activities have reduced the suitability of habitat to support special-status species known to occur in the general vicinity, the following special status-species may be affected by the Project:

- A total of 65 western Joshua trees were identified at the Project site.
- The Costa's hummingbird (*Calypte costae*) was observed during the field investigation.
- The Project site has a high potential to provide foraging habitat for Cooper's hawk (*Accipiter cooperii*), California horned lark (*Eremophila alpestris actia*), and loggerhead shrike (*Lanius ludovicianus*).
- The Project site has a low potential to support pallid bat (*Antrozous pallidus*), burrowing owl (*Athene cunicularia*), and prairie falcon (*Falco mexicanus*).

The western Joshua tree was recently proposed for listing as an endangered species by CDFW. As a candidate species, western Joshua trees have the same protection as listed

species. Joshua trees are also considered a significant resource under CEQA, and are a covered species under the Desert Plant Protection Act. Impacts to the western Joshua tree will require the issuance of a State Incidental Take Permit (ITP) from the CDFW, as required by Mitigation Measure 4.7.1.

No nesting birds were observed on-site. Regardless, raptors (birds of prey), migratory birds, and other avian species are protected by the federal Migratory Bird Treaty Act (MBTA). Mitigation Measure 4.7.2 has been incorporated to ensure avoidance of any potential impacts, in accordance with MBTA requirements.

Although no burrowing owls and/or sign were observed during the field investigation, the Project Site and surrounding area does contain some habitat that would be considered suitable. Therefore, Mitigation Measure 4.7.3 has been incorporated to ensure avoidance of any potential impacts.

Level of Significance before Mitigation: Potentially Significant.

Mitigation Measures:

4.7.1 A State Incidental Take Permit (ITP) shall be obtained prior to any ground-disturbing activities that would be expected to impact the western Joshua tree.

4.7.2 If construction occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds should be conducted within three (3) days of the start of any vegetation removal or ground-disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities should stay outside of a no-disturbance buffer. The size of the no-disturbance buffer will be determined by the wildlife biologist and will depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, type and duration of construction activity, ambient

noise, species habituation, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A biological monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.

4.7.3 A pre-construction burrowing owl survey will be conducted within 30-days prior to construction to avoid any potential project-related impacts to this species. If burrowing owls are documented on-site, the Applicant shall prepare and implement a plan for avoidance or passive exclusion, in coordination with CDFW. Methodology for surveys, impact analysis, and reporting shall follow the recommendations and guidelines provided within the California Department of Fish and Game Staff Report on Burrowing Owl Mitigation (CDFW 2012 Staff Report).

Level of Significance after Mitigation: With the implementation of Mitigation Measures 4.7.1 through 4.7.3, the Project's potential impacts to species identified as a candidate, sensitive, or special-status species are considered less-than-significant.

Potential Impact: *Have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or California plans, policies or regulations or by the California Department of Fish and Wildlife (CDFW) or the United States Fish and Wildlife Service (USFWS); Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.*

Impact Analysis: The Oro Grande Wash enters in the southwest portion of the site, traverses to the northeast, and exits the site near the middle of the northern boundary. The Wash was channelized during the construction of the racetrack to convey flows beneath existing racetracks and dirt access roads. Oro Grande Wash will fall under the regulatory

authority of the Corps, Regional Board, and/or CDFW. Regulatory approvals will be required for impacts to this resource, as required by Mitigation Measure 4.7.4.

No other wetlands, riparian habitat or other sensitive communities exist within the Project site. Nor does the Project propose uses or activities that would substantially or adversely affect any other off-site wetlands or riparian areas.

Level of Significance before Mitigation: Potentially Significant.

Mitigation Measure:

4.7.4 *If Oro Grande Wash will be impacted by Project development, the Project Applicant shall obtain the following regulatory approvals prior to impacts occurring within the identified jurisdictional area: Corps CWA Section 404 Permit, Regional Board CWA Section 401 Water Quality Certification, and/or CDFW Section 1602 Streambed Alteration Agreement.*

Level of Significance after Mitigation: Less-Than-Significant.

Potential Impact: *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 wildlife nursery sites.*

Impact Analysis: No wildlife habitat linkages or movement corridors have been identified at the Project site. Nor does the Project propose facilities or activities that would substantively and adversely affect any off-site designated wildlife habitat linkage or movement corridor. Impacts to potential nesting birds are addressed by Mitigation Measure 4.7.2, presented previously.

Based on the preceding, impacts to wildlife corridors, habitat linkages, or wildlife nursery sites that would occur as a result of the Project are determined to be less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance; Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.*

Impact Analysis: In addition to being covered under the Desert Plant Protection Act, City of Hesperia Municipal Code Section 16.24, *Protected Plants*, regulates the removal of Joshua trees. Under the requirements of the City's Municipal Code, damage to, and harvest of, any Joshua tree without the prior written consent of the City is prohibited. As required by Mitigation Measure 4.7.5, on-site Joshua trees will be removed/salvaged in consultation with the City and in compliance with City guidelines.

Level of Significance before Mitigation: Potentially Significant.

Mitigation Measure:

4.7.5 *No Joshua Trees shall be removed from the site without first obtaining a State Incidental Take Permit (ITP) from the CDFW. The removal/salvage of any Joshua Trees shall occur in compliance with Hesperia Municipal Code Section 16.24.*

Level of Significance after Mitigation: With the implementation of Mitigation Measure 4.7.5, the potential for the Project to conflict with any local policies or ordinances protecting biological resources, or with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan is considered less-than-significant.

4.8 CULTURAL RESOURCES/TRIBAL CULTURAL RESOURCES

4.8 CULTURAL RESOURCES/ TRIBAL CULTURAL RESOURCES

Abstract

This Section examines the potential for implementation of the Project to impact cultural resources in the Project area. Specifically, this analysis seeks to determine whether the Project would result in any of the following:

- *Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5.*
- *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.*
- *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.*
- *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*
    - *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or*
    - *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 § 5024.1. In applying the criteria set forth in subdivision (c)*

of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Information contained within this Section is based on Cultural Resources Assessment, Hesperia Project, Hesperia, San Bernardino County, California *(BCR Consulting, Inc.) March 25, 2022. The Cultural Resources Assessment is presented at EIR Appendix H. As supported by the analysis presented in this Section, as mitigated, the Project's potential to impact cultural resources is determined to be less-than-significant.*

4.8.1 INTRODUCTION

Cultural resources can be of scientific, aesthetic, educational, archaeological, architectural, or historical significance to the community. The following discussion identifies and classifies the significance of prehistoric and/or historic cultural resources which may exist on the subject site, and assesses the Project's potential to impact such resources.

4.8.2 BACKGROUND

Prehistory

The prehistoric cultural setting of the Mojave Desert has been organized into many chronological frameworks, although there is no definitive sequence for the region. The difficulties in establishing cultural chronologies for the Mojave are a function of its enormous size and the small amount of archaeological excavations conducted there. Moreover, throughout prehistory many groups have occupied the Mojave and their territories often overlap spatially and chronologically resulting in mixed artifact deposits. Due to dry climate and capricious geological processes, these artifacts rarely become integrated in-situ. The Cultural Resources Assessment relies on a commonly cited and relatively comprehensive chronology, as follows.

Paleoindian (12,000 to 10,000 BP) and Lake Mojave (10,000 to 7,000 BP) Periods. Climatic warming characterizes the transition from the Paleoindian Period to the Lake Mojave Period. This transition also marks the end of Pleistocene Epoch and ushers in the

Holocene. The Paleoindian Period has been loosely defined by isolated fluted projectile points, dated by their association with similar artifacts discovered in-situ in the Great Plains. Some fluted bifaces have been associated with fossil remains of Rancholabrean mammals approximately dated to ca. 13,300-10,800 BP near China Lake in the northern Mojave Desert. The Lake Mojave Period has been associated with cultural adaptations to moist conditions, and resource allocation pointing to more lacustrine environments than previously. Artifacts that characterize this period include stemmed points, flake and core scrapers, choppers, hammerstones, and crescentics. Projectile points associated with the period include the Silver Lake and Lake Mojave styles. Lake Mojave sites commonly occur on shorelines of Pleistocene lakes and streams, where geological surfaces of that epoch have been identified.

Pinto Period (7,000 to 4,000 BP). The Pinto Period has been largely characterized by desiccation of the Mojave. As formerly rich lacustrine environments began to disappear, the artifact record reveals more sporadic occupation of the Mojave, indicating occupants' recession to the more hospitable fringes. Pinto Period sites are rare, and are characterized by surface manifestations that usually lack significant in-situ remains. Artifacts from this era include Pinto projectile points and a flake industry similar to the Lake Mojave tool complex, though use of Pinto projectile points as an index artifact for the era has been disputed. Milling stones have also occasionally been associated with sites of this period.

Gypsum Period (4,000 to 1,500 BP). A temporary return to moister conditions during the Gypsum Period is postulated to have encouraged technological diversification afforded by the relative abundance of resources. Lacustrine environments reappear and begin to be exploited during this era. Concurrently, a more diverse artifact assemblage reflects intensified reliance on plant resources. The new artifacts include milling stones, mortars, pestles, and a proliferation of Humboldt Concave Base, Gypsum Cave, Elko Eared, and Elko Corner-notched dart points. Other artifacts include leaf-shaped projectile points, rectangular-based knives, drills, large scraper planes, choppers, hammer stones, shaft straighteners, incised stone pendants, and drilled slate tubes. The

bow and arrow appears around 2,000 BP, evidenced by the presence of a smaller type of projectile point, the Rose Spring point.

Saratoga Springs Period (1,500 to 800 BP). During the Saratoga Springs Period regional cultural diversifications of Gypsum Period developments are evident within the Mojave. Basketmaker III (Anasazi) pottery appears during this period, and has been associated with turquoise mining in the eastern Mojave Desert. Influences from Patayan/Yuman assemblages are apparent in the southern Mojave, and include buff and brown wares often associated with Cottonwood and Desert Side-notched projectile points. Obsidian becomes more commonly used throughout the Mojave and characteristic artifacts of the period include milling stones, mortars, pestles, ceramics, and ornamental and ritual objects. More structured settlement patterns are evidenced by the presence of large villages, and three types of identifiable archaeological sites (major habitation, temporary camps, and processing stations) emerge. Diversity of resource exploitation continues to expand, indicating a much more generalized, somewhat less mobile subsistence strategy.

Shoshonean Period (800 BP to Contact). The Shoshonean period is the first to benefit from contact-era ethnography – as well as be subject to its inherent biases. Interviews of living informants allowed anthropologists to match artifact assemblages and particular traditions with linguistic groups, and plot them geographically. During the Shoshonean Period, continued diversification of site assemblages and reduced Anasazi influence both coincide with the expansion of Numic (Uto-Aztecan language family) speakers across the Great Basin, Takic (Uto-Aztecan language family) speakers into southern California, and the Hopi across the Southwest. Hunting and gathering continued to diversify, and the diagnostic arrow points include desert side-notch and cottonwood triangular. Ceramics continue to proliferate, though are more common in the southern Mojave during this period. Trade routes have become well established across the Mojave, particularly the Mojave Trail, which transported goods and news across the desert via the Mojave River, to the west of the current Project site. Trade in the western Mojave was more closely related to coastal groups than others.

Ethnography

The Uto-Aztecan "Serrano" people occupied the western Mojave Desert periphery. The generic term "Serrano" applies to four groups, each with distinct territories: the Kitanemuk, Tataviam, Vanyume, and Serrano. Only one group, in the San Bernardino Mountains and West-Central Mojave Desert, ethnically claims the term Serrano. Bean and Smith (1978) indicate that the Vanyume, an obscure Takic population, was found along the Mojave River at the time of Spanish contact. The Kitanemuk lived to the north and west, while the Tataviam lived to the west. The Serrano lived mainly to the south (Bean and Smith 1978). All may have used the western Mojave area seasonally. Historical records are unclear concerning precise territory and village locations. It is doubtful that any group, except the Vanyume, actually lived in the region for several seasons yearly.

History

Historic-era California is generally divided into three periods: the Spanish or Mission Period (1769 to 1821), the Mexican or Rancho Period (1821 to 1848), and the American Period (1848 to present).

Spanish Period. The first European to pass through the Project area is thought to be a Spaniard called Father Francisco Garces. Having become familiar with the area, Garces acted as a guide to Juan Bautista de Anza, who had been commissioned to lead a group across the desert from a Spanish outpost in Arizona to set up quarters at the Mission San Gabriel in 1771 near what today is Pasadena. This is the first recorded group crossing of the Mojave Desert and, according to Father Garces' journal, they camped at the headwaters of the Mojave River, one night less than a day's march from the mountains. Today, this is estimated to have been approximately 11 miles southeast of Victorville. Garces was followed by Alta California Governor Pedro Fages, who briefly explored the western Mojave region in 1772. Searching for San Diego Presidio deserters, Fages had traveled north through Riverside to San Bernardino, crossed over the mountains into the Mojave Desert, and then journeyed westward to the San Joaquin Valley.

Mexican Period. In 1821, Mexico overthrew Spanish rule and the missions began to decline. By 1833, the Mexican government passed the Secularization Act, and the missions, reorganized as parish churches, lost their vast land holdings, and released their neophytes.

American Period. The American Period, 1848–Present, began with the Treaty of Guadalupe Hidalgo. The Gold Rush had attracted huge numbers of American settlers and in 1850, California was accepted into the Union. The cattle industry reached its greatest prosperity during the first years of the American Period. Mexican Period land grants had created large pastoral estates in California, and demand for beef during the Gold Rush led to a cattle boom that lasted from 1849–1855. However, beginning about 1855, the demand for beef began to decline due to imports of sheep and cattle from the eastern U.S. When the beef market collapsed, many California ranchers lost their ranchos. A series of disastrous floods in 1861–1862, followed by a significant drought diminished the economic impact of local ranching. This decline combined with ubiquitous agricultural and real estate developments of the late 19th century, set the stage for diversified economic pursuits that have continued to proliferate to this day.

4.8.3 EXISTING POLICIES AND REGULATIONS

4.8.3.1 Federal

National Historic Preservation Act

The National Historic Preservation Act (NHPA) requires federal agencies to consider the effects of their undertakings on historic properties. Historic properties are cultural resources (e.g., archeological sites, historic built environment features, or Native American sites) that are listed, or determined to be eligible for listing, on the National Register of Historic Places. The implementing regulations of this mandate, found in the Code of Federal Regulations (36 CFR 800), outline an involved consultation process known as the Section 106 process. The Section 106 process requires a project lead federal agency to consult with the State Historic Preservation Officer.

American Indian Religious Freedom Act

The American Indian Religious Freedom Act, passed in 1978, serves to protect and preserve the traditional religious rights of American Indians, Eskimos, Aleuts, and Native Hawaiians. Before the Act was passed, certain federal laws interfered with the traditional religious practices of many American Indians.

Native American Graves Protection and Repatriation Act of 1990

The Native American Graves Protection and Repatriation Act establishes a federal policy of respect for, and protection of, Native American religious practices. It also has provisions for allowing limited access to Native American religious sites. The Act provides for the repatriation of certain items from the federal government and certain museums to the native groups to which they once belonged. The Act defines "cultural items," "sacred objects," and "objects of cultural patrimony" and establishes a means for determining ownership of these items. However, the provisions for repatriation only apply to items found on federal lands.

Executive Order 13007 and Executive Order 13084

Executive Order 13007 requires federal agencies with land management responsibilities to allow access to and use of Indian sacred sites on public lands, and to avoid adversely affecting these sites. Executive Order 13084 reaffirms the government-to-government relationship between the federal government and recognized Indian tribes, and requires federal agencies to establish procedures for consultation with tribes. These executive orders only apply to projects that include federal undertakings.

4.8.3.2 State

CEQA and the California Register of Historical Resources

Historical resources are recognized as part of the environment under the California Environmental Quality Act (CEQA). The California Register of Historical Resources (California Register) is the authoritative guide for the State's historical resources, and properties included in the California Register are considered significant for the purposes of CEQA. The California Register includes resources listed, or formally

determined eligible for listing, on the National Register of Historic Places, and some California State Landmarks and Points of Historical Interest. Properties of local significance designated under a local preservation ordinance (local landmarks or landmark districts), or that have been identified in a local historical resources inventory, may be eligible for listing in the California Register and are presumed to be significant resources for the purposes of CEQA unless a preponderance of evidence indicates otherwise (PRC § 5024.1, 14 CCR § 4850).

An archaeological site may be considered a historical resource if it is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California (PRC § 5020.1(j)), or if it meets the criteria for listing on the California Register (14 CCR § 4850).

The *CEQA Guidelines* direct lead agencies to evaluate an archaeological site to determine if it meets the criteria for listing in the California Register. If it does, potential adverse impacts must be considered. If an archaeological site is not a historical resource, but meets the definition of a "unique archaeological resource" as defined in PRC §21583.2, then it should be treated in accordance with the provisions of that section.

Substantial adverse change includes demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired (PRC § 5020.1(q)). While demolition and destruction would constitute significant impacts, it is sometimes more difficult to assess when change, alteration, or relocation results in a substantial adverse change. The *CEQA Guidelines* provide that a project that alters those physical characteristics of historical resources that convey its significance (i.e., its character-defining features) can be considered to materially impair the resource's significance.

California Native American Graves Protection and Repatriation Act (2001)

The California Health and Safety Code, Division 7, Part 2, Chapter 5 (Sections 8010-8030) contains broad provisions for the protection of Native American cultural resources. The California Native American Graves Protection and Repatriation Act establishes policy to ensure that California Native American human remains and

cultural items are treated with respect and dignity. The Act also provides the mechanism for disclosure and return of these items held by publicly-funded agencies and museums in California. Additionally, the Act outlines the mechanism by which California Native American tribes not recognized by the federal government may file claims for human remains and cultural items held in agencies or museums.

California Public Resources Code

The California Public Resources Code contains several sections applicable to the preservation of cultural resources and human remains. These sections detail procedures to be followed whenever Native American remains are found, and delineate the unauthorized disturbance or removal of archaeological, historical, paleontological resources, or human remains as an act punishable by law (Sections 5020, 5097.5, 5097.9-5097.996, 7050.5, 7051). As matter of law, the Project would comply with applicable provisions of the California Public Resources Code addressing preservation and protection of cultural resources and human remains.

California Code of Regulations

Under Title 14, Division 3, Section 4308, no person shall remove, injure, disfigure, deface, or destroy any object of archeological or historical interest or value.

Assembly Bill 52 (AB 52) Tribal Cultural Resources

Enacted as of July 1, 2015, AB 52 established a new category of resources under CEQA called "tribal cultural resources" that considers the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigation. The Bill was built on the concept that California Native American tribes have the expertise "with regard to tribal history and practices" to identify significant cultural resources. To this end, AB 52 requires early consultation in the CEQA process to ensure that local and Tribal governments, public agencies, and project proponents have information available, early in the CEQA environmental review process, for the purpose of identifying and addressing potential adverse impacts to tribal cultural resources.

AB 52 requires that the lead agency contact (in writing) all culturally affiliated tribes that could be affected by a project, within 14 days of deeming a development application complete. The notice commences a 30-day period for the tribe to request consultation. Upon receipt of a request consultation, the lead agency has an additional 30 days to begin the consultation process. AB 52 states that the consultation concludes when either "1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal resource, or 2) a party, acting on good faith and after a reasonable effort, concludes that mutual agreement cannot be reached." AB 52 notes that the consultation can be ongoing throughout the CEQA process.

4.8.4 STANDARDS OF SIGNIFICANCE

Consistent with the standards of significance outlined in the *CEQA Guidelines*, Project-related impacts to cultural resources would be considered potentially significant if they cause or result in any of the following:

- Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5;
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5;
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature;
- Disturb any human remains, including those interred outside of formal cemeteries; or
- Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074.

For the purposes of CEQA, an "important archaeological, historical, or paleontological resource" is defined as follows.

A) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources.

B) A resource included in a local register of historical resources, or identified as significant in an historical resource survey, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

C) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources, including the following:

1) A resource is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.

2) A resource is associated with the lives of persons important in our past.

3) A resource embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values, or has yielded, or may be likely to yield, information important in prehistory or history.

4.8.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.8.5.1 Introduction

The following analysis is focused on areas where it has been determined that the Project may result in potentially significant impacts, based on the analysis included within the Initial Study. In this regard, as substantiated in the Initial Study, the Project's potential to disturb any human remains, including those interred outside of formal cemeteries was previously determined to be less-than-significant. Please refer to EIR Appendix A, Initial Study Checklist Items V., *Cultural Resources* and XVIII., *Tribal Cultural Resources*. All other potential cultural resources impacts of the Project are discussed below.

4.8.5.2 Impact Statements

Potential Impact: *Would the Project cause a substantial adverse change in the significance of historic and archaeological resources as defined in §15064.5?*

Impact Analysis: As part of the Cultural Resources Assessment undertaken for the Project site, both a records search and field survey were conducted. Data from the South Central Coastal Information Center (SCCIC) revealed that the Project site has not been previously assessed, nor have any cultural resources been identified within its boundaries.

During the field survey, no cultural resources (including historic-period or prehistoric archaeological sites, or historic-period architectural resources) of any kind were identified within the Project site boundaries. The site has been subject to severe artificial disturbances associated with the construction of the modern dirt bike race-track that occupies the entire Project site, and with modern refuse dumping and offroad vehicle use.

Although no resources were yielded during the records search or field survey, ground-disturbing activities have the potential to reveal buried deposits not observed on the

surface. As such, the Cultural Resources Assessment recommended mitigation to preclude impacts to potential buried resources.

Level of Significance: Potentially Significant.

Mitigation Measures:

4.8.1 *Prior to the initiation of ground-disturbing activities, field personnel shall be alerted to the possibility of buried prehistoric or historic cultural deposits. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work in the other portions of the Project site outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed at Mitigation Measure 4.8.5, regarding any pre-contact and/or historic-era finds. SMBMI shall be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment of the find(s).*

4.8.2 *If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be assured, the archaeologist shall develop a Monitoring and Treatment Plan (Plan), a draft of which shall be provided to SMBMI for review and comment, as detailed at Mitigation Measure 4.8.5. The archaeologist shall monitor the remainder of the Project site disturbing activities and shall implement the Plan accordingly.*

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

Level of Significance After Mitigation: Less-Than-Significant.

Potential Impact: *Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Impact Analysis: The geologic units underlying the Project site are mapped entirely as alluvial deposits dating from the Pleistocene to Holocene epochs. Pleistocene alluvial units are considered to be of high paleontological sensitivity and are well known throughout southern California to contain abundant fossil resources. The Western Science Center does not have localities within the Project area or within a 1-mile radius, but does have numerous localities throughout the region in similarly mapped alluvial units associated with mastodon (*Mammut pacificus*), mammoth (*Mammuthus columbi*), ancient horse (*Equus* sp.), camel (*Camelops hesternus*) and many more.

Excavation activity associated with the development of the Project area could impact the paleontologically-sensitive Pleistocene sandstone units. Any fossil specimens recovered from the Project site would be scientifically significant. As such, the Cultural Resources Assessment recommended that a paleontological resource mitigation program be put in place to monitor, salvage, and curate any recovered fossils from the study area.

Level of Significance: Potentially Significant.

Mitigation Measure:

4.8.4 *A qualified paleontologist shall be retained to conduct a pre-construction meeting prior to ground disturbance to instruct workers on proper fossil identification and subsequent notification of a trained professional. If paleontological resources (fossils) are discovered during Project site-disturbing activities, work shall be halted in that area until a qualified paleontologist can be retained to assess the significance of the find. The Project paleontologist shall monitor remaining site-disturbing activities at the Project site and shall be equipped to record and salvage fossil resources that may be unearthed during*

site-disturbing activities. The paleontologist shall be empowered to temporarily halt or divert site-disturbing activities to allow recording and removal of the unearthed resources. Any fossils found shall be evaluated in accordance with the CEQA Guidelines and offered for curation at an accredited facility approved by the City. Once site-disturbing activities have ceased or the paleontologist determines that monitoring is no longer necessary, monitoring activities may be discontinued.

Level of Significance After Mitigation: Less-Than-Significant.

Potential Impact: *Would the Project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074?*

Impact Analysis: Findings were positive during the Sacred Lands File search with the Native American Heritage Commission (NAHC). The NAHC did not indicate the nature or location of the resources(s), but recommended contacting representatives of the San Manuel Band of Mission Indians and the Chemehuevi Indian Tribe for more information.

Representatives from both entities were emailed on February 8, 2022 and no response has been received to date from the Chemehuevi Indian Tribe. A request to initiate formal consultation regarding the Project site was subsequently received from the San Manuel Band of Mission Indians. Mitigation presented in this Section reflects San Manuel Band of Mission Indians requirements identified through the consultation process. These measures establish monitoring protocols, and provisions for avoidance, protection, or curation of Tribal Cultural Resources (TCRs).

Level of Significance: Potentially Significant.

Mitigation Measures:

4.8.5 The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed at Mitigation Measure 4.8.1, of any pre-contact and/or

historic-era cultural resources discovered during Project site disturbing activities. SMBMI shall be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment of the find(s). Should the find(s) be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to provisions of this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the Project site disturbing activities, should SMBMI elect to place a monitor on-site.

4.8.6 Any and all archaeological/cultural documents created as a part of the Project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the Applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or Applicant shall, in good faith, consult with SMBMI throughout the life of the Project.

Level of Significance After Mitigation: Less-Than-Significant.

4.9 UTILITIES & SERVICE SYSTEMS

4.9 UTILITIES & SERVICE SYSTEMS

Abstract

This Section of the EIR addresses the Project's potential impacts to utilities and service systems. Specifically, the utilities and service systems analysis examines whether the Project would:

- *Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects;*

- *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years;*

- *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;*

- *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; or*

- *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.*

This EIR evaluates likely maximum impacts associated with all Project actions and operations, including but not limited to construction and operation of utilities and service systems distribution and conveyance lines. Construction and operation of the Project utilities and service

systems distribution and conveyance lines described in this Section would not result in conditions or environmental impacts not already considered and addressed elsewhere in this EIR. Project water supply impacts are specifically addressed in the Project Water Supply Assessment (WSA, EIR Appendix I) and are substantiated to be less-than-significant. As discussed in this Section, all Project impacts to utilities and service systems would be less-than-significant.

4.9.1 INTRODUCTION

For each of the utilities and service systems discussed, existing conditions are described, any improvements required to accommodate the Project are identified, and any resulting or associated impacts and required mitigation are discussed. The analysis is based on physical and operational attributes presented at EIR Section 3.0 *Project Description*; information presented in the City of Hesperia General Plan and related environmental analyses.

4.9.2 EXISTING CONDITIONS

4.9.2.1 Water Supply and Water Service

The City of Hesperia is served by the Hesperia Water District (HWD), which manages the City's potable water system. The City derives all of its water supply from underground aquifers through groundwater wells located throughout the City. Water is conveyed from the wells to the consumers via a City distribution system.

The City of Hesperia 2015 Urban Water Management Plan (2015 UWMP) substantiates water supply adequacy to support the City under Buildout Conditions, including development proposed by the Project, during average, single-dry, and multiple-dry years throughout the 25-year planning period.

The Victor Valley Wastewater Reclamation Authority (VVWRA) provides the treatment and distribution of reclaimed water within the City of Hesperia. The VVWRA is a California Joint Powers Authority that owns and operates regional water collection and treatment facilities which serve the Victor Valley. During peak demand, recycled water

is used to irrigate landscaping, offsetting potable water demands. During low water demand, the recycled water is used to recharge the groundwater basin.

4.9.2.2 Wastewater Collection and Wastewater Treatment

Wastewater services are provided to the City by the VVWRA. The VVWRA operates a 14.5 million gallon per day wastewater treatment plant that serves the City and adjacent jurisdictions. An interceptor system currently extends approximately 15 miles from the regional treatment facility in Victorville south to the City of Hesperia. The interceptor system consists of both gravity and force main pipelines.

The City's wastewater collection system includes approximately 60 miles of gravity sewer pipe, 882 manholes, 51 cleanouts, an operational lift station, and a force main. The City's sewer system collects to the VVWRA's 3-mile interceptor that runs along the northeast boundary of the City.

4.9.2.3 Storm Water Management

The City's storm drain and flood control systems are administered by Hesperia's Public Works Department. The San Bernardino County Department of Public Works Flood Control District is responsible for providing flood control and related services throughout the County, including the incorporated areas within cities. The San Bernardino Flood Control District has developed a very extensive system of facilities including dams, conservation basins, channels, and storm drains. These facilities intercept and convey storm water through the area away from the major developed areas.

In August 2003, the Lahontan Region Water Quality Control Board approved the Storm Water Management Program (SWMP) prepared by the Mojave River Watershed Group (MRWG), which consists of the cities of Hesperia and Victorville, the Town of Apple Valley, and the County of San Bernardino.

The City of Hesperia has completed the SWMP and has accomplished the goals set forth in the program plan in compliance with the General Permit. The program was designed

to effectively decrease runoff, especially nuisance flows, sediment deposit and erosion during the construction and operations of new development. The City's Public Works, Engineering, Building and Safety, Planning, and Code Enforcement divisions play a vital role in the efforts of maintaining high water quality in the community.

4.9.2.4 Solid Waste Management

Advance Disposal Company currently provides residential and commercial waste collection and recycling programs under a franchise agreement with the City. After waste is collected, it is delivered to a Materials Recovery Facility (MRF), owned and operated by Advance Disposal, located within the City.

According to the Draft EIR prepared for the General Plan Update, approximately 63 percent of the solid waste generated in Hesperia is being recycled, exceeding the 50 percent requirement pursuant to the California Integrated Waste Management Act of 1989 (AB939). Currently, about 150 tons of the solid waste generated by the City per day is sent to the Victorville Sanitary Landfill.

4.9.2.5 Dry Utilities (electric power, natural gas, telecommunications, fiber optic)

Electric power, natural gas, telecommunications, and fiber optic services are generally available to the Project site and surrounding areas. Utility purveyors currently servicing the Project area include:

- Southern California Edison (SCE) – Electric power;
- Southwest Gas Corporation – Natural gas; and
- Fiber optic system and Telecommunications – various private providers.

4.9.3 STANDARDS OF SIGNIFICANCE

Consistent with the standards of significance outlined in the *CEQA Guidelines*, public services impacts resulting from implementation of the Project could be considered potentially significant if they caused or resulted in any of the following:

- 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;

- Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years;

- 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;

- 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; and

- Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

4.9.4 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.9.4.1 Introduction

The following discussions focus on areas where it has been determined that the Project may result in potentially significant utilities and service systems impacts, pursuant to comments received through the NOP process, and based on the analysis presented within this Section and included within the EIR Initial Study. All CEQA checklist considerations addressing utilities and service systems were determined to have potentially significant impacts warranting further analysis, and are discussed below. Please also refer to Initial Study Checklist Item XIX. *Utilities and Service Systems*.

4.9.4.2 Impact Statements

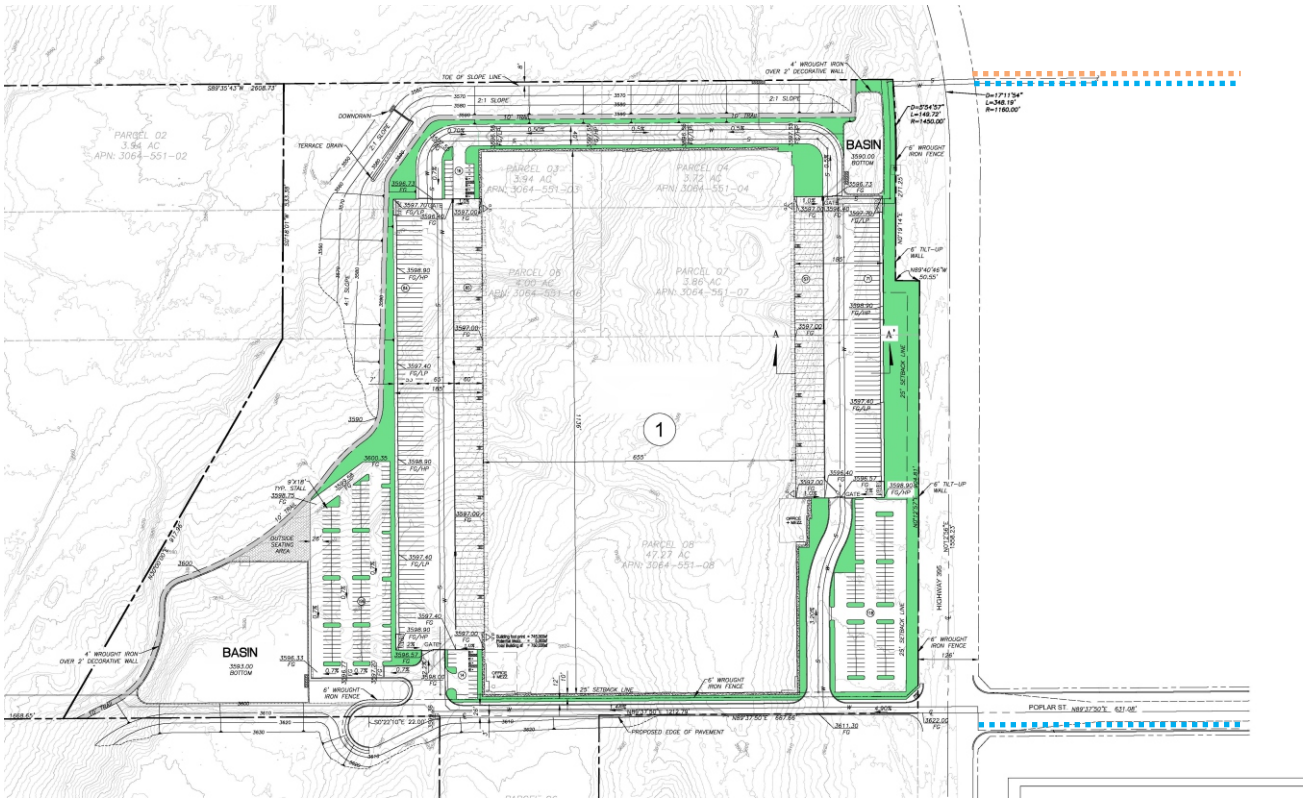
Potential Impact: *Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.*

Impact Analysis:
The following discussions address utilities improvements or modifications needed to serve the Project. Utilities lines currently serving the Project area, and utility extensions/connection that would be constructed by the Project are illustrated at Figure 4.9-1, and are described below.

Water Distribution and Wastewater Collection
The City of Hesperia is served by the Hesperia Water District (HWD), which manages the City's potable water system and sanitary sewer system. The City derives all of its water supply from underground aquifers through groundwater wells located throughout the City. Water is conveyed from the wells to the consumers via a City distribution system. Wastewater collection and conveyance is provided by connection to the City sanitary sewer system. Wastewater collected by the City sewer system is conveyed to and treated at one of Victor Valley Wastewater Reclamation Authority's wastewater treatment facilities.

City water lines exist at the northeast and southeast corners of the Project site, opposite the site across US-395. These lines would be extended westerly under US-395 to and within the Project site, forming a looped system around the Project perimeter.[1]

[1] Recycled water service is not currently available to the Project area. The Project would construct on-site "purple pipe" recycled water system improvements, and would connect to the City recycle water system when this system is available to the Project.



Existing Water Line

Existing Sewer Line

N

NOT TO SCALE

Source: SRD Design Studio, Inc.; Applied Planning, Inc.

Figure 4.9-1
Utility Extensions/Connections

A City sewer line exists opposite the northeast corner of the Project site, across US-395. This sewer line would be extended westerly under US-395 to serve the Project. It is specifically noted that the Applicant would coordinate with Caltrans regarding any actions within or that would affect Caltrans rights-of-ways, and would comply with any Caltrans permitting requirements.

All construction of water and sewer lines would occur within the Project site, or within dedicated public easements/right-of-way. All Project water and sewer system improvements would be designed and constructed consistent with City requirements. Extension and construction of water and sewer lines necessary to serve the Project would not result in potential impacts greater than or different than impacts resulting from the Project generally. These impacts are addressed within the body of this EIR, and are substantiated to be less-than-significant, or less-than-significant as mitigated.

The Project would pay applicable impact fees, water and sewer connection fees, and service fees, which act to fund water and sewer improvement plans, operations, and maintenance generally. The City, in consultation with VVWRA, would determine when and in what manner area-serving facilities would be constructed and/or upgraded to meet increasing demands of areawide development.

Dry Utilities/Fiber Optics

Electric power, natural gas, telecommunications, and fiber optic services are generally available to the Project site and surrounding areas. Utility purveyors currently servicing the Project area include:

- Southern California Edison (SCE) – Electric power;
- Southwest Gas Corporation – Natural gas; and
- Fiber optic system and Telecommunications – various private providers.

Dry utilities internal to the site would be installed underground in accordance with applicable purveyor standards and specifications, and to the satisfaction of the City Engineer. The locations and configurations of utilities connections, transformers,

switches, pull boxes, and manholes would be determined in conjunction with final Project designs and engineering.

Extension and construction of dry utilities/fiber optics necessary to serve the Project would not result in potential impacts greater than or different than impacts resulting from the Project generally. These impacts are addressed within the body of this EIR, and are substantiated to be less-than-significant, or less-than-significant as mitigated.

Wastewater Treatment/Reclamation

Wastewater services are provided to the City by the VVWRA. The VVWRA operates a 14.5 million gallon per day wastewater treatment plant that serves the City and adjacent jurisdictions.

A City sewer line exists opposite the northeast corner of the Project site, across US-395. This sewer line would be extended westerly under US-395 to serve the Project. Wastewater generated by the Project would be conveyed to the Hesperia Subregional Water Reclamation Plant (WRP-1) operated by VVWRA. "The Hesperia Subregional Water Recycling facility is located on the west side of the City near Maple Avenue. It is capable of producing one million gallons per day [mgd] of recycled water. The recycled water produced at this facility will be pumped to a large storage tank managed by the City of Hesperia and then piped to ponds at the Hesperia Golf Course, where it will be used to irrigate the grounds. The water recycling facility is a "scalping plant", meaning only wastewater is treated here. No solid waste will be treated at this site. Solid waste will be returned to the sewer line where it continues to the main VVWRA plant in Victorville for treatment."[2] The WRP-1 capacity is expandable to 4.0 mgd.[3]

The Project WSA (EIR Appendix I) indicates the water duty factor for the Project is 866 gallons per day. Conservatively assuming that wastewater generated by the Project would equal the Project water demand, the Project wastewater demand would be approximately 866 gallons/day/acre x 43.28 acres = 37,481 gallons per day. This equates

[2] Recycled water | City of Hesperia. (n.d.). Retrieved from https://www.cityofhesperia.us/1384/Recycled-Water

[3] Hesperia 2015 Urban Water Management Plan, p. 34.

to approximately 0.26 percent (0.0026) of the VVWRA regional plant capacity of 14.5 mgd; and approximately 0.038 (3.8 percent) of the current WRP-1 subregional plant capacity of 1.0 mgd. The VVWRA regional wastewater treatment plant and Hesperia subregional water reclamation plant capacities are planned to meet and accommodate buildout of the City as envisioned under the City General Plan. The Project land uses are consistent with development anticipated under the City General Plan, and wastewater demands of the Project are by extension reflected in the VVWRA regional wastewater treatment plant and Hesperia subregional water reclamation plant capacities. The nominal wastewater treatment demands of the Project would not require relocation or construction of new or expanded wastewater treatment facilities, the construction or relocation of which could cause significant environmental effects.

Further, as discussed in the General Plan EIR, implementation of the General Plan would not result in potentially adverse impacts to VVWRA wastewater treatment facilities (General Plan EIR, p. 3.16-16). The Project is consistent with development anticipated under the General Plan, by extension the Project would not result in adverse impacts to VVWRA wastewater treatment facilities.

The Project would pay applicable sewer connection fees and service fees, which act to fund wastewater treatment/reclamation improvement plans, operations, and maintenance generally. The City, in consultation with VVWRA, would determine when and in what manner area-serving facilities would be constructed and/or upgraded to meet increasing demands of areawide development.

Storm Water Management

The Project's on-site storm water management system includes two water retention basins to be located at the site's northeasterly (0.6 acre) and southwesterly (2.0 acres) corners. These basins would ensure that post-development storm water discharge rates would not exceed pre-development conditions. The Project uses would generate typical storm water urban pollution constituents. The Project would implement required storm water quality control measures, minimizing potential effects of any discharged constituents.

Project improvements would include the construction of storm drain laterals necessary to connect the Project to the existing storm drains located in adjacent roadways. This construction would occur within the Project site, or within dedicated public easements/right-of-way.

Extension and construction storm drains necessary to serve the Project would not result in potential impacts greater than or different than impacts resulting from the Project generally. These impacts are addressed within the body of this EIR, and are substantiated to be less-than-significant, or less-than-significant as mitigated.

Impacts Summary

The Draft EIR prepared for the Hesperia General Plan determined that buildout pursuant to the General Plan would result in less-than-significant utility infrastructure impacts. The Dara Industrial Project land uses are consistent with the adopted General Plan and the utility demands are reflected in the General Plan EIR conclusion regarding utility impacts.

As previously mentioned, Project improvements would include the construction of utility lines and laterals necessary to connect the Project to the existing proximate services. Construction of such improvements would occur within the Project site, or within dedicated public easements/right-of-way. Constructions of these improvements would not result in potential impacts greater than or different than impacts resulting from the Project generally. These impacts are addressed within the body of this EIR, and are substantiated to be less-than-significant, or less-than-significant as mitigated.

The Project would pay applicable impact fees, connection fees, and service fees, which act to fund utility improvement plans, operations, and maintenance. The City, in consultation with affected purveyors, would determine when and in what manner facilities would be constructed and/or upgraded to meet increasing demands of areawide development, including the incremental demands of the Project.

Based on the preceding, the potential for the Project to require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage,

electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects is considered less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years.*

Impact Analysis: The City of Hesperia 2015 Urban Water Management Plan (UWMP) substantiates water supply adequacy to support the City under Buildout Conditions, including development proposed by the Project, during average, single-dry, and multiple-dry years throughout the 25-year planning period. The Project is consistent with the City General Plan and as such the Project water demands are reflected in the UWMP.

Pursuant to requirements of SB 610 (Costa, 2001), a Water Supply Assessment has been prepared for the Project. SB 610 requirements provide that a WSA must "include a discussion with regard to whether the public water system's total projected water supplies available during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand associated with the proposed project, in addition to the water system's existing and planned future uses, including agricultural and manufacturing uses." Per Section 10910 (c) (2) of the California Water Code: "If the projected water demand associated with the proposed project was accounted for in the most recently adopted urban water management plan, the public water system may incorporate the requested information from the urban water management plan in preparing the elements of the assessment required to comply with subdivisions (d), (e), (f), and (g)."

The Project WSA concludes that there would be sufficient supplies to meet the anticipated demand for the Project (Project WSA, p. 14). No new or expanded entitlements would be needed to serve the Project. Impacts in this regard are considered less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.*

Impact Analysis: Wastewater treatment services for the Project would be provided by VVWRA. Wastewater services are provided to the City by the VVWRA. The VVWRA operates a 14.5 million gallon per day wastewater treatment plant that serves the City and adjacent jurisdictions.

A City sewer line exists opposite the northeast corner of the Project site, across US-395. This sewer line would be extended westerly under US-395 to serve the Project.

Wastewater generated by the Project would be conveyed to the Hesperia Subregional Water Reclamation Plant (WRP-1) operated by VVWRA. Development proposed by the Project is consistent with, and anticipated under the City General Plan. As discussed in the General Plan EIR, implementation of the General Plan would not result in potentially adverse impacts to VVWRA wastewater treatment facilities (General Plan EIR, p. 3.16-16). The Project is consistent with development anticipated under the General Plan, by extension the Project would not result in adverse impacts to VVWRA wastewater treatment facilities.

The Project would pay applicable sewer connection fees and service fees, which act to fund wastewater treatment/reclamation improvement plans, operations, and maintenance generally. The City, in consultation with VVWRA, would determine when and in what manner area-serving facilities would be constructed and/or upgraded to meet increasing demands of areawide development.

Based on the preceding, the potential for the Project to 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 is less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *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.*

Impact Analysis: Solid waste generated by the Project would be collected by Advance Disposal Co. and disposed of at the Victorville Sanitary Landfill, operated by the County of San Bernardino Public Works Department.

The Project would be required to comply with State and local solid waste reduction, diversion, and recycling policies and regulations. The Project proposes conventional light industrial uses and would not generate volumes or types of waste not already considered and addressed under existing policies, regulations, and infrastructure systems.

Moreover, the Project is consistent land uses and development anticipated by the City General Plan. The City General Plan EIR concludes that buildout of the City would not result in significant impacts related to solid waste management and landfills (General Plan EIR, p. 4-17). The Project is consistent with development anticipated under the General Plan, by extension the Project would not result in adverse impacts to solid waste management and landfills.

On this basis, the potential for the Project to 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 is considered less-than-significant.

Potential Impact: *Comply with federal, state, and local statutes and regulations related to solid waste.*

Impact Analysis: The City has implemented programs to ensure compliance with statewide solid waste source reduction and recycling strategies and targets. The Project

would be required to comply with applicable City and state waste diversion and recycling mandates. Moreover, the Project would implement conventional light industrial uses and would not establish uses or activities that would conflict with or obstruct local, state and federal solid waste management regulations. All solid waste generated by the Project would be collected and disposed of as part of the City's municipal waste stream. In this latter regard, solid waste management services are provided throughout the City including collection and transfer of refuse, greenwaste, and bulky items. Recycling services are also provided. The potential for the Project to conflict with federal, state, and local management and reduction statutes and regulations related to solid waste is therefore considered less-than-significant.

Level of Significance: Less-Than-Significant.

5.0 OTHER CEQA CONSIDERATIONS

5.0 OTHER CEQA CONSIDERATIONS

This Section of the EIR addresses other environmental considerations and topics mandated under the California Environmental Quality Act (CEQA). These topics include Cumulative Impacts, Alternatives to the Project, Growth Inducement, Significant Environmental Effects of the Project, and Significant and Irreversible Environmental Changes.

5.1 CUMULATIVE IMPACT ANALYSIS

The *CEQA Guidelines* require that an EIR identify any significant cumulative impacts associated with a project [*CEQA Guidelines*, Section 15130(a)]. When cumulative impacts are not deemed potentially significant, the document should explain the basis for that conclusion. Cumulative impacts are "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." [*CEQA Guidelines*, Section 15355]. Thus, a legally adequate cumulative impact analysis is an analysis of a given project viewed over time and with other related past, present, and foreseeable probable future projects, whose impacts might compound or interrelate with those of the Project considered here.

CEQA notes that the discussion of cumulative impacts should be guided by standards of practicality and reasonableness [*CEQA Guidelines*, Section 15130(b)]. Only those projects whose impacts might compound or interrelate with those of the Project under consideration require evaluation. CEQA does not require as much detail in the analysis of cumulative environmental impacts as must be provided for the Project alone.

The *CEQA Guidelines* identify two basic methods for satisfying the cumulative impacts analysis requirement: the list-of-projects methodology, and the summary-of-projections methodology. Because each environmental resource is affected by its surroundings in different manners, either of the two methodologies, or a combination of both, may be applied to the analysis of cumulative impacts to each resource. For example, because the approval and construction elements of development typically takes at least one to two years, the list-of-projects method is likely to provide a more accurate projection of growth in the near term. This method may overstate potential cumulative impacts because the considered list-of-projects may include proposals that would never be developed. Because development proposals are rarely publicly known until within five years of the expected development, the summary-of-projections method provides a more accurate projection of growth over the long term. This method may not accurately predict growth in any given year but aggregates various growth trends over the long term.

Where appropriate to the analysis in question, cumulative impacts are assessed with reference to "[a] list of past, present, and probable future projects producing related or cumulative impacts" as described at *CEQA Guidelines* §15130(b). Within the context of the cumulative impacts analysis, varied criteria are employed in determining the scope and type of related projects considered. For example, the analysis of cumulative transportation impacts evaluates the Project's transportation impacts in the context of other known or probable related development proposals that would discernibly affect area transportation operations or systems. As another example, cumulative air quality impacts are considered in terms of the Project's contribution to other air emissions impacts affecting the encompassing Air Basin.

For each topical discussion, the cumulative geographic context is identified. This in turn relates to the amount and type of growth and/or related projects anticipated within the geographic area under consideration. The manner in which each resource may be affected also dictates the geographic scope of the cumulative impact analysis.

5.1.1 DISCUSSION OF CUMULATIVE IMPACTS

Unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City of Hesperia (City) as envisioned under the City of Hesperia General Plan. Specific cumulative projects have also been identified where this information may be different, is more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Potential cumulative impacts for each of the EIR's environmental topics are discussed below and include:

- Air Quality;
- Biological Resources;
- Cultural Resources/Tribal Cultural Resources;
- Energy;
- Greenhouse Gas Emissions;
- Land Use and Planning;
- Noise;
- Transportation; and
- Utilities and Service Systems.

Under other environmental topics, Project impacts have been previously determined through the Initial Study process not to be potentially significant. Further, under these topics, there are no known or anticipated projects or conditions whose impacts might compound or interrelate with those of the Project, and thereby result in potentially significant cumulative impacts. No further substantive analysis is provided under these topics, which include:

<u>Aesthetics</u>

- Potential to have a substantial effect upon a scenic highway corridor within which it is located.

- Potential to substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view.

- Potential to substantially degrade the existing visual character or quality of public views of the site and its surroundings.

- Potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Agriculture and Forest Resources

- Potential to 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.

- Potential to conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve.

- Potential to 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 Govt. Code section 51104(g)).

- Potential to result in the loss of forest land or conversion of forest land to non-forest use.

- Potential to involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use.

Air Quality

- Potential to result in other emissions adversely affecting a substantial number of people.

Cultural Resources

- Potential to disturb any human remains, including those interred outside of formal cemeteries.

Geology and Soils

- Potential to expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving earthquake fault rupture, seismic ground shaking, seismic-related ground failure, or landslides.

- Potential to result in substantial soils erosion or loss of topsoil.

- Potential to 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.

- Potential to be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.

- Potential to have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

Hazards and Hazardous Materials

- Potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

- Potential to 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.

- Potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

- Potential to be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.

- If located within an airport land use plan, or within two miles of a public airport or public use airport – potential to result in a safety hazard for people residing or working in the project area.

- Potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

- Potential to expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires

Hydrology and Water Quality

- Potential to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

- Potential to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

- Potential to substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

    - Result in a substantial erosion or siltation on- or off-site;
    - Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
    - Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
    - Impede or redirect flood flows.

- If located in a flood hazard, tsunami, or seiche zone – potential to risk release of pollutants due to project inundation.

- Potential to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Land Use and Planning[1]

- Potential to physically divide an established community.

- Potential to 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

Mineral Resources

- Potential to result in loss of availability of a known mineral resource that would be of value to the region and to the residents of the state.

[1] The Initial Study substantiates that the Project Land Use and Planning impacts would be less-than-significant. EIR Section 4.1, *Land Use and Planning* is provided for descriptive and context purposes.

- Potential to result in loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Noise

- If located within the vicinity of a private airstrip – potential to expose people residing or working in the Project area to excessive noise levels from public airport or public use airport operations.

Population and Housing

- Potential to induce substantial 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).

- Potential to displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Public Services

- Potential to result in substantial adverse physical impacts associated with the provision of the new or physically altered:

    - Fire protection facilities;
    - Police protection facilities;
    - School facilities;
    - Park facilities; or
    - "Other" public facilities.

Recreation

- Potential to increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

- Potential to include or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

Wildfire

- Potential to substantially impair an adopted emergency response plan or emergency evacuation plan.

- Potential to exacerbate wildfire risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.

- 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.

- Potential to 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.

Please refer also to EIR Section 1.7, *Impacts Not Found to be Potentially Significant*.

5.1.1.1 Cumulative Impacts Related to Land Use and Planning

The cumulative impact area when considering potential cumulative land use and planning issues includes areas that are currently, or are anticipated to be, subject to provisions of the City of Hesperia General Plan, Zoning Ordinance, and/or Special Planning Documents (e.g., Specific Plans). The cumulative impact area includes incorporated areas of the City of Hesperia and the City of Hesperia Sphere of Influence.

General Plan and Zoning Considerations

The Hesperia General Plan designates the Project site as Specific Plan (Main Street and Freeway Corridor Specific Plan). Within the Specific Plan, the site is zoned for Commercial/Industrial Business Park (CIBP) uses. This zone is intended to provide for service commercial, light industrial, light manufacturing, and industrial support uses, mainly conducted in enclosed buildings.

The Project is conditionally permitted by the site's existing land use designations. The Project does not propose or require any General Plan or Specific Plan land use modifications.

The Project is consistent with, and appropriately responds to, applicable General Plan Goals and Policies for site's existing General Plan Land Use designation. Additionally, the Project would conform to applicable provisions of the Specific Plan.

The City comprehensively updates and amends General Plan and Zoning documents to reflect cumulative land use changes within the impact area. Regional agencies employ development-specific information and General Plan/Zoning information provided by the City in developing regional plans and growth projections. In combination, these actions ensure that potential cumulative effects of evolving land use plans are appropriately addressed at local and regional levels. Compliance with the applicable land use plans is discussed at EIR Section 4.1, *Land Use and Planning*.

Based on the preceding discussions, the Project's contributions to potential cumulative land use and planning impacts is not considerable, and the cumulative effects of the Project would be less-than-significant.

There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. Other development projects within the cumulative impact area would incorporate, and would be required to comply with requirements of necessary land use and planning

discretionary actions and permits, acting to preclude or minimize potential land use and planning impacts.

5.1.1.2 Cumulative Impacts Related to Transportation

The Project Vehicle Miles Traveled (VMT) Assessment includes an evaluation of cumulative VMT impacts. The VMT cumulative impact area is reflected in the SBTAM modeling protocol employed in the Project cumulative VMT analysis.

Cumulative VMT Impacts

As summarized at EIR Section 4.2, *Transportation*, the Project-level and cumulative VMT impacts are substantiated to be less-than-significant.

Other Transportation Topics

Cumulative Impacts Related to:

- Potential to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;

- Potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); and

- Potential to result in inadequate emergency access.

Under the above-listed topics, as discussed at EIR Section 4.2, *Transportation*, Project impacts would be less-than-significant. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. Related projects in the cumulative impact area would similarly be required to demonstrate compliance with City programs, plans, policies and ordinances addressing the above topics, thereby minimizing potential cumulative impacts.

On this basis, the Project would not result in or cause cumulatively significant impacts related to:

- Potential to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;

- Potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); and

- Potential to result in inadequate emergency access.

5.1.1.3 Cumulative Impacts Related to Air Quality

The cumulative impact area for air quality considerations is generally defined by the encompassing Air Basin and boundaries of the jurisdictional air quality management agency. In this case, the Mojave Desert Air Basin (Basin) and the Mojave Desert Air Quality Management District (MDAQMD), respectively. Project air pollutant emissions within the context of MDAQMD's regional emissions thresholds provide an indicator of potential cumulative impacts in the Basin. Due to the defining geographic and meteorological characteristics of the Basin, criteria pollutant emissions that could cumulatively impact air quality would be, for practical purposes, restricted to the Basin. Accordingly, the geographic area encompassed by the Basin is the appropriate limit for the cumulative Air Quality analysis.

<u>Construction-source Air Quality Impacts</u>

Regional Impacts

As discussed at EIR Section 4.3, *Air Quality*, Project construction-source air pollutant emissions would not exceed applicable MDAQMD regional thresholds and would be less-than-significant. Per MDAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result

in cumulatively significant impacts. Related projects in the cumulative impact area would be required to minimize regional construction-source air pollutant emissions consistent with MDAQMD programs and strategies, thereby minimizing potential cumulative impacts. Mitigation would be implemented, if applicable.

Based on the preceding, regional construction-source air quality impacts of the Project are not cumulatively considerable and the Project cumulative regional construction-source air quality impacts would be less-than-significant.

Nonattainment Impacts

The Project is located within ozone and PM_{10}/$PM_{2.5}$ nonattainment areas (NO_x is a precursor to ozone and PM_{10}/$PM_{2.5}$). As discussed at EIR Section 4.3, *Air Quality*, Project construction-source emissions would not exceed applicable MDAQMD thresholds, and would therefore not result in a cumulatively considerable net increase in criteria pollutants (ozone and PM_{10}/$PM_{2.5}$) for which the encompassing region is nonattainment. Project-level and cumulative impacts would be less-than-significant. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. Related projects in the cumulative impact area would be required to minimize localized construction-source air pollutant emissions consistent with MDAQMD programs and strategies, thereby minimizing potential cumulative impacts.

AQMP Consistency Impacts

As discussed at EIR Section 4.3, *Air Quality*, and summarized here, Project construction-source emissions would not exceed applicable MDAQMD thresholds. Project construction activities would not otherwise be inconsistent with or obstruct implementation of the AQMPs. Project-level and cumulative impacts would be less-than-significant. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. Related projects in the cumulative impact area would be required to minimize construction-source air pollutant emissions consistent with MDAQMD programs and strategies, thereby minimizing potential cumulative impacts.

Operational-Source Air Quality Impacts

Regional Impacts

The Project AQIA and the discussions at EIR Section 4.3, *Air Quality*, substantiate that the Project operational-source air quality impacts would be less-than-significant. The Project would incorporate design features including contemporary energy-efficient technologies and operational programs, and would be required to comply with MDAQMD emissions reductions measures and rules. These measures would further reduce already less-than-significant Project operational-source air pollutant emissions.

Per MDAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. Related projects in the cumulative impact area would be required to minimize operational-source air pollutant emissions consistent with MDAQMD programs and strategies, thereby minimizing potential cumulative impacts.

Based on the preceding, Project operational-source air quality impacts are not cumulatively considerable and the Project cumulative operational-source air quality impacts would be less-than-significant.

Nonattainment Impacts

The Project is located within ozone and $PM_{10}/PM_{2.5}$ nonattainment areas (NO_x is a precursor to ozone and $PM_{10}/PM_{2.5}$). As discussed at EIR Section 4.3, *Air Quality*, and summarized here, Project operational-source emissions would not exceed applicable MDAQMD thresholds, and would therefore not result in a cumulatively considerable net increase in criteria pollutants (ozone and $PM_{10}/PM_{2.5}$) for which the encompassing region is nonattainment. Project-level and cumulative impacts would be less-than-significant. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. Related projects in the cumulative impact area would be required to minimize localized

construction-source air pollutant emissions consistent with MDAQMD programs and strategies, thereby minimizing potential cumulative impacts.

AQMP Consistency Impacts

Project operational-source emissions would not exceed applicable MDAQMD thresholds. Project operational activities would not otherwise be inconsistent with or obstruct implementation of the AQMPs. Project-level and cumulative impacts would be less-than-significant. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. Related projects in the cumulative impact area would be required to minimize operational-source air pollutant emissions consistent with MDAQMD programs and strategies, thereby minimizing potential cumulative impacts.

Health Risk Impacts/Exposure of Sensitive Receptors to Substantial Pollutant Concentrations

Potential Toxic Air Contaminants (TAC) health risks resulting from the Project are presented at EIR Section 4.3, *Air Quality*. Of primary concern for the Project would be Diesel Particulate Matter (DPM) emissions generated by construction equipment and heavy trucks accessing the Project site. The Project HRA and its conclusions are summarized below.

Construction-Source Emissions

Project construction activities would yield a total maximum increased DPM-source cancer risk exposure of 0.16 incidents per million population. The applicable MDAQMD significance threshold for Project-level TAC-source cancer risk impacts is 10 incidents per million population. The 0.16 incidents per million population increment resulting from Project construction activities is therefore less-than-significant. Per MDAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable.

The maximum non-cancer risk from Project construction activities would total <0.01, and would not exceed the MDAQMD Hazard Index of 1.0. The non-cancer risk exposure resulting from the Project construction activities is therefore less-than-significant. Per

MDAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable.

Operational-Source Emissions

Project operations would yield a total maximum increased DPM-source cancer risk exposure of 0.16 incidents per million population. The applicable MDAQMD significance threshold for Project-level TAC-source cancer risk impacts is 10 incidents per million population. The 0.16 incidents per million population increment resulting from the Project operations is therefore less-than-significant. Per MDAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable.

The maximum non-cancer risk from Project operations activities would total <0.01 and would not exceed the MDAQMD Hazard Index of 1.0. The non-cancer risk exposure resulting from Project operations is therefore less-than-significant. Per MDAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable.

There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. Related projects in the cumulative impact area would be required to minimize DPM emissions consistent with MDAQMD programs and strategies, thereby minimizing potential cumulative impacts.

As discussed at EIR Section 4.3, *Air Quality*, and summarized here, all other air pollutant emissions generated by the Project would not exceed applicable thresholds and would therefore be less-than-significant at the Project level. Per MDAQMD criteria, less-than-significant at the Project level are not cumulatively considerable.

Based on the preceding, air quality health risk impacts of the Project are not cumulatively considerable and the Project cumulative health risk impacts would be less-than-significant. Additionally, impacts of other emissions generated by the Project are not

cumulatively considerable, and would not result in exposure of sensitive receptors to substantial pollutant concentrations.

5.1.1.4 Cumulative Impacts Related to GHG Emissions/Global Climate Change

CEQA emphasizes that the effects of greenhouse gas emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis. (*CEQA Guidelines* Section 15130(f)). The Project Greenhouse Gas (GHG) Analysis (EIR Appendix D) is by nature a cumulative analysis. Because GHG emissions and climate change are a global issue, any approved project regardless of its location has the potential to contribute to a cumulative global accumulation of GHG emissions. The geographic context of the cumulative contributions to GHGs and climate change is worldwide. Practically however, lead agencies and responsible agencies are only able to regulate GHG emissions within their respective jurisdictions. Accordingly, for the purposes of this analysis, the cumulative impact area for GHG/Global Climate Change considerations is the City and the encompassing MDAQMD jurisdictional area.

Consistent with *CEQA Guidelines* direction, the Project GHG Analysis and this EIR evaluate Project GHG emissions under the following topical headings:

- Potential for the Project to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and

- Potential for the Project to conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The City has further determined that each of the above thresholds establish a separate and independent basis upon which to substantiate the significance of the Project's potential GHG emissions impact. Project impacts within the context of the above threshold considerations are evaluated in the following discussions.

As discussed at EIR Section 4.4, *Greenhouse Gas Emissions*, the Project would not generate GHG emissions that may directly or indirectly have a significant impact on the

environment. In this respect, the Project's potential to contribute considerably (either individually or cumulatively) to global climate change impacts through GHG emissions is therefore considered less-than-significant.

As also discussed at EIR Section 4.4, *Greenhouse Gas Emissions,* the Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The Project's potential GHG emissions impacts in this respect are therefore determined to be less-than-significant as mitigated and would not be cumulatively considerable.

There are no known or probable related projects that would interact with effects of the Project and thereby result in potentially significant cumulative impacts. Related projects in the cumulative impact area would be required to minimize GHG emissions and demonstrate compliance with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

5.1.1.5 Cumulative Impacts Related to Energy

Primary natural gas and electricity providers for the Project facilities would be:

- Southwest Gas Company (natural gas); and
- Southern California Edison (SCE, electricity).

The geographic scope of cumulative energy impacts is generally limited to the energy provider service area(s). The analysis at EIR Section 4.5, *Energy,* substantiates that the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. These plans and policies address development-level and cumulative impacts to energy resources. Project consistency with state and local plans for renewable energy and energy efficiency demonstrates that the Project cumulative energy impacts would not be cumulatively considerable and the Project cumulative energy impacts would be less-than-significant.

There are no known or probable related projects that would interact with less-than-significant effects of the Project and thereby result in cumulatively significant impacts. As with the Project, other developments within the energy provider service areas would be required to demonstrate compliance with state and local plans for renewable energy and energy efficiency.

Based on the preceding, energy impacts of the Project are not cumulatively considerable and the Project cumulative energy impacts would be less-than-significant.

5.1.1.6 Cumulative Impacts Related to Noise

The cumulative impact area for noise considerations is generally defined as surrounding properties that could receive Project-generated noise (either construction-source or operational-source), and would also include roadway corridors affected by Project-related traffic and associated vehicular noise. Potential noise impacts of the Project are discussed at EIR Section 4.6, *Noise*, and EIR Appendix F.

Construction-Source Noise

As discussed at EIR Section 4.6, *Noise*, Project construction-source noise would not exceed applicable thresholds, and would not substantially contribute to ambient noise conditions or to other related noise sources. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. Related projects in the cumulative impact area would be required to minimize construction noise consistent with City policies and regulations, thereby minimizing cumulative impacts.

Based on the preceding, the potential for Project construction-source noise to result in or cause cumulatively significant impacts is considered less-than-significant.

Operational Noise-Area Sources

As discussed at EIR Section 4.6, *Noise*, Project operational noise from area sources would not exceed applicable thresholds. Noise levels resulting from Project operations would not substantially contribute to ambient noise conditions or to other related noise sources.

There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. Related projects in the cumulative impact area would be required to minimize construction noise consistent with County policies and regulations, thereby minimizing cumulative impacts.

Based on the preceding, the potential for Project operational area-source noise to result in or cause cumulatively significant impacts is considered less-than-significant.

Operational Noise-Mobile Sources

Maximum cumulative effects of vehicular (mobile-source) noise are demonstrated by comparing noise levels under Existing Conditions (2022) and Horizon Year Conditions (2040). Noise contours for Study Area roadway segments are based on roadway average daily trip (ADT) estimates, Project trip generation, and projected trip distribution.

When ambient noise conditions are within acceptable parameters (less than 60 dBA CNEL) and cumulative effects of vehicular-source noise received at noise-sensitive land uses would be readily perceptible (≥ 5 dBA CNEL), cumulative vehicular-source noise impacts would be considered potentially significant. When ambient baseline conditions already exceed minimum acceptable standards (60 – 65 dBA CNEL) and subsequent increases in noise levels received at noise-sensitive land uses would be barely perceptible (≥ 3 dBA CNEL), cumulative vehicular-source noise impacts would be considered potentially significant. When ambient baseline conditions already exceed minimum acceptable standards (> 65 dBA CNEL), increases in noise levels of ≥ 1.5 dBA CNEL received at noise-sensitive land uses would be considered potentially significant.

As indicated at Table 5.1-1, the maximum cumulative noise increases along roadways within the Study Area would range from 1.3 dBA CNEL to 3.9 dBA CNEL. With the exception of land uses along Main Street e/o US Highway 395, no sensitive land uses would be affected by cumulative vehicular-source noise increases and effects would be less-than significant. Along Main Street e/o US Highway 395 cumulative vehicular-source noise increase would be considered potentially significant over the considered 18-

year time frame (2022 – 2040). However, Project contributions to cumulative noise impacts would be 0.0 dBA CNEL, and would therefore not contribute to cumulative noise conditions.

Table 5.1-1
Cumulative Vehicular-Source Noise Impacts

Roadway	Segment	CNEL at Affected Property Line					Noise Sensitive Receptor Land Use?
		Existing	2040 w/o Project	2040 w/Project	Max. Cumulative CNEL Increase	Max. Project Increment	
US Highway 395	n/o Main St.	76.6	80.5	80.5	3.9	0.0	No
US Highway 395	s/o Main St.	75.9	79.8	79.8	3.9	0.0	No
US Highway 395	s/o Poplar St.	76.0	77.5	77.8	2.8	0.3	No
US Highway 395	s/o Joshua St.	75.8	76.9	77.1	1.3	0.2	No
Phelan Rd.	w/o US Highway 395	76.2	78.8	78.8	2.6	0.0	No
Main St.	e/o US Highway 395	76.2	79.5	79.5	3.3	0.0	Yes

Source: *Hesperia Industrial Center, Noise Impact Analysis, City of Hesperia* (Urban Crossroads, Inc.) April 19, 2022.
Notes: e/o = east of; w/o = west of; n/o = north of; s/o = south of.
Values rounded to the nearest one-tenth and may not total due to rounding.

Based on the preceding, the Project's potential contribution to cumulative operational mobile-source noise impacts is not considerable, and the cumulative effects of the Project are less-than-significant.

5.1.1.7 Cumulative Impacts Related to Biological Resources

The cumulative impact areas for biological resources are generally defined by available habitat, species' range(s), physical constraints, and other limiting factors as discussed within the Project Biological Resources Assessment, EIR Appendix G.

As discussed at EIR Section 4.7, *Biological Resources*, mitigation proposed in the EIR reduces potential impacts to biological resources to levels that would be less-than-significant. Mitigation of Project-specific biological resources impacts would also reduce the Project's potential incremental contributions to cumulative biological resources impacts within the region.

To the extent that each development proposal within the cumulative impact area(s) provides appropriate mitigation, cumulative impacts to biological resources are reduced below significance thresholds. Pursuant to the provisions of CEQA, each development project within the cumulative impact area that requires a discretionary action by a public agency will be assessed for its potential impacts on biological resources. Appropriate biological resources mitigation will also be required of other projects within the cumulative impact areas. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts.

Based on the preceding, the Project's potential contribution to cumulative impacts in regard to biological resources is not considerable, and the cumulative effects of the Project are determined to be less-than-significant.

5.1.1.8 Cumulative Impacts Related to Cultural Resources/Tribal Cultural Resources

The cumulative impact area for prehistoric, archaeological, historic, and tribal cultural resources generally includes the County and surrounding areas. Impacts to any cultural resources or tribal cultural resources within this area would be site-specific. In the event that potentially significant cultural or tribal resources are encountered at any development sites within the cumulative impact area, specific mitigation measures would be applied before construction activities could proceed. Potential impacts to cultural resources and tribal cultural resources are determined to be less-than-significant as mitigated. In this regard, mitigation proposed for the Project (i.e., monitoring of construction activities; and recordation, cataloguing, and curation of any potentially significant cultural resources) is typical of, and consistent with, mitigation required for construction within urban and suburban areas within the City and surrounding region.

The Lead Agency has initiated Tribal Cultural Consultation processes pursuant to AB 52 (Gatto, 2014) Native Americans: California Environmental Quality Act. The City has contacted applicable tribes on its most current AB 52 Consultation list. Mitigation presented in the EIR establishes monitoring protocols, and provisions for avoidance,

protection, or curation of Tribal Cultural Resources (TCRs) that may be identified through the AB 52 Consultation process. These mitigation measures reduce Project potential impacts to TCRs to levels that would be less-than-significant.

There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. Related projects in the cumulative impact area would be required to minimize cultural resources/tribal cultural resources impacts consistent with State, County and potentially affected Tribe policies and regulations, thereby minimizing cumulative impacts. Mitigation would be implemented, if applicable.

Based on the preceding, cultural resources/tribal cultural resources impacts of the Project are not cumulatively considerable and the Project cumulative cultural resources/tribal cultural resources impacts would be less-than-significant.

5.1.1.9 Cumulative Impacts Related to Utilities and Service Systems

The cumulative impact area when considering potential cumulative utilities and service systems impacts comprises affected purveyor service areas including service sources/supplies, and service conveyance/distribution/treatment facilities.

As discussed at EIR Section 4.9, *Utilities & Service Systems,* the Project would implement all necessary on-site infrastructure improvements and would also construct area-serving off-site master plan infrastructure improvements. Utilities and service systems distribution and conveyance lines implemented by the Project would be constructed, operated, and maintained pursuant to purveyor requirements and consistent with applicable infrastructure master plans. Infrastructure improvements would be located within existing improved streets or otherwise disturbed properties, thereby limiting or avoiding potential environmental impacts.

This EIR evaluates likely maximum impacts associated with all Project actions and operations, including but not limited to construction and operation of utilities and service systems distribution and conveyance lines. Construction and operation of the Project

utilities and service systems distribution and conveyance lines would not result in conditions or environmental impacts not already considered and addressed elsewhere in this EIR.

The EIR discussion of potential utilities and services impacts also substantiates the following:

- Water supplies would be available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years. Details in these regards are presented in the Project Water Supply Assessment (WSA), EIR Appendix I.

- There exists sufficient wastewater treatment capacity to serve the Project's projected demand in addition to the provider's existing commitments;

- Landfills serving the Project have sufficient permitted capacity to accommodate the Project's solid waste disposal needs; and

- The Project would comply with federal, state, and local statutes and regulations related to solid waste.

Other related projects within the cumulative impact area would be required to minimize utilities and services impacts consistent with City, State, and service purveyor requirements, thereby minimizing potential cumulative utilities and services impacts. Mitigation would be implemented, if applicable. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts.

On this basis, Project contributions to cumulative impacts regarding utilities and service systems would not be considerable, and the cumulative effects of the Project would be less-than-significant.

5.2 ALTERNATIVES ANALYSIS

5.2.1 Alternatives Overview

CEQA Guidelines Section 15126.6(a) states:

> "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives."

As substantiated in this EIR, the Project would not result in any significant environmental impacts. As such, there are no significant impacts that would be lessened by an Alternative to the Project or by relocating the Project to an Alternative Site. Nonetheless, for illustrative purposes, and to provide context for the Project's environmental impacts, the Alternatives analysis presented here describes likely environmental impacts that would result from differing development scenarios at the Project site. Alternatives considered here include:

- No Project Alternatives (No Build Scenario, and High-Cube Warehouse Uses Development Scenario);
- Reduced Intensity Alternative; and
- Alternative Sites.

The above-listed Alternatives are summarized below, and are described in greater detail at Section 5.2.2, *Description of Alternatives*.

5.2.2 Description of Alternatives

Alternatives to the Project that are considered in this analysis are described below.

5.2.2.1 No Project Alternative

Overview

The *CEQA Guidelines* specifically require that an EIR include evaluation of a No Project Alternative. The No Project Alternative should make a reasoned assessment as to future disposition of the subject site should the Project under consideration not be developed. In this latter regard, the *CEQA Guidelines* state in pertinent part:

> "If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the "no project" alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this "no project" consequence should be discussed. In certain instances, the no project alternative means "no build" wherein the existing environmental setting is maintained. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project's non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment." (*CEQA Guidelines*, Section 15126.6 (e)(3)(B)).

Within this analysis, two No Project Scenarios are considered – "No Build" and "High-Cube Warehouse Development Scenario."

No Project Alternative: No Build Scenario

The No Project Alternative: No Build Scenario assumes the site remains in its current undeveloped condition. If a No Build Scenario were maintained, its comparative environmental impacts would replicate the existing conditions discussions for each of the environmental topics evaluated in this EIR; and comparative impacts of the Project would be as presented under each of the EIR environmental topics.

No Project Alternative: High-Cube Warehouse Development Scenario

The No Project Alternative: High-Cube Warehouse Development Scenario assumes development of the subject site with a building area equal to that of the Project (750,000 total square feet). The No Project Alternative: High-Cube Warehouse Development Scenario would however comprise high-cube fulfillment warehouse uses only, rather than the mix of 90% high-cube fulfillment warehouse uses/10% refrigerated warehouse uses assumed under the Project.

5.2.2.2 Reduced Intensity Alternative

Overview

The Project would not result in any significant environmental impacts. The Reduced Intensity Alternative considered in this EIR would diminish the Project's already less-than-significant impacts.

Evaluated Reduced Intensity Alternative

For illustrative purposes, the Reduced Intensity Alternative assumes development of the Project site at a 25 percent reduction in building area when compared to the Project. This would yield an approximately 187,500-square-foot warehouse building. As with the Project, it is assumed that 90 percent of the building (168,750 square feet) would comprise high-cube fulfillment warehouse uses; the remaining 10 percent (18,750 square feet) would comprise refrigerated warehouse uses.

5.2.2.3 Alternative Sites

As stated in the *CEQA Guidelines* §15126.6 (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR." *CEQA Guidelines* §15126.6 (f) (1) also provides that when considering the feasibility of potential alternative sites, the factors that may be taken into account include: "site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site (or the site is already owned by the proponent). None of these factors establishes a fixed limit on the scope of reasonable alternatives."

As discussed in the body of the Draft EIR, the Project would not result in any significant environmental impacts. As such, there are no significant impacts that would be reduced by relocation of the Project. Moreover, there is no indication that relocation of the Project would discernibly diminish any of the Project's already less-than-significant impacts. Lastly, in this case, there are no suitable alternatives sites that the proponent can reasonably acquire, control, or otherwise access. Alternative sites are not further considered here.

5.2.3 Comparative Impacts of Alternatives

For each environmental topic addressed in the EIR, environmental impacts associated with each of the considered Alternatives are described relative to impacts of the Project. Comparative attainment of the Project Objectives is presented at Table 5.2-1. At the conclusion of these discussions, Table 5.2-2 summarizes and compares relative impacts of the considered Alternatives.

5.2.3.1 Land Use and Planning

PROJECT

The Hesperia General Plan designates the Project site as Specific Plan (Main Street and Freeway Corridor Specific Plan). Within the Specific Plan, the site is zoned for Commercial/Industrial Business Park (CIBP) uses. This zone is intended to provide for service commercial, light industrial, light manufacturing, and industrial support uses, mainly conducted in enclosed buildings.

The Project is conditionally permitted by the site's existing land use designations. The Project does not propose or require any General Plan or Specific Plan land use modifications. As substantiated at EIR Section 4.1, *Land Use and Planning*, the Project land use and planning impacts would be less-than-significant.

NO PROJECT ALTERNATIVE: NO BUILD SCENARIO

There would be no new development of the subject site under this Alternative. This Alternative would maintain existing land use and planning conditions. No discretionary actions or permitting would be required under this Alternative. Land use and planning impacts would be less-than-significant and would be diminished when compared to the Project.

NO PROJECT ALTERNATIVE: HIGH-CUBE WAREHOUSE DEVELOPMENT SCENARIO

This Alternative would result in development of the subject site with warehouse uses at a scope and intensity equal to that resulting from the Project. The substantive difference under this Alternative being that warehouse uses would not have a refrigerated component. This Alternative would require discretionary actions and permitting similar to that required under the Project. Land use and planning impacts would be similar to impacts resulting from the Project, and would be less-than-significant.

REDUCED INTENSITY ALTERNATIVE

This Alternative would result in development of the subject site with warehouse uses at a 25% reduction of the Project development intensity. This Alternative would require discretionary actions and permitting similar to that required under the Project. Land use

and planning impacts would be similar to impacts resulting from the Project, and would be less-than-significant.

5.2.3.2 Comparative Transportation Impacts

PROJECT

VMT Impacts

As substantiated at EIR Section 4.2, *Transportation*, Project VMT impacts would be less-than-significant.

Other Transportation Topics

The Project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

The Project does not propose inherently hazardous transportation design features. The Project would not impair or conflict with emergency access. The Project Site Plan Concept provides for adequate and safe access. Final Site Plan design, including site access, internal circulation, and parking are subject to review and approval by the City. On this basis, the potential for the Project to result in or cause adverse impacts related to hazardous features or improper access and internal circulation features would be less-than-significant. Please refer also to EIR Section 4.2, *Transportation*.

NO PROJECT ALTERNATIVE: NO BUILD SCENARIO

VMT Impacts

This Alternative would maintain existing areawide VMT/employee conditions. This Alternative would result in decreased total areawide VMT when compared to the Project because no new development at the Project site and no new vehicle trips would occur. VMT impacts would be less-than-significant.

Other Transportation Topics

No new traffic would be generated, and no new or additional impacts related to other transportation topics would result under this Alternative. As with the Project, airport land use compatibility, traffic hazards, and emergency access impacts would be less-than-significant.

NO PROJECT ALTERNATIVE: HIGH-CUBE WAREHOUSE USES DEVELOPMENT SCENARIO

VMT Impacts

This Alternative would result in development of the subject site with warehouse uses at a scope and intensity equal to that resulting from the Project. The substantive difference under this Alternative being that warehouse uses would not have a refrigerated component. Trip generation under this Alternative would be substantially the same as the Project. The number of employees under this Alternative would likely be consistent with employee estimates for the Project. VMT impacts under this Alternative would be comparable to the Project and would be less-than-significant.

Other Transportation Topics

This Alternative would result in development of the subject site with warehouse uses at a scope and intensity equal to that resulting from the Project. The substantive difference under this Alternative being that warehouse uses would not have a refrigerated component. As with the Project, this Alternative would be designed and implemented pursuant to City Standards, Policies, and Conditions of Approval thereby minimizing or avoiding potential traffic hazards and emergency access impacts. As with the Project, this Alternative would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. This Alternative would result in "other transportation" impacts similar to the Project. As with the Project, these impacts would be less-than-significant.

REDUCED INTENSITY ALTERNATIVE

Based on the 25% in development intensity, trip generation under this Alternative is assumed to be similarly reduced (by approximately 25%) when compared to the Project.

VMT and employment would be reduced proportionally. VMT impacts would be comparable to the Project and would be less-than-significant.

Other Transportation Topics

As with the Project, this Alternative would be designed and implemented pursuant to City Standards, Policies, and Conditions of Approval thereby minimizing or avoiding potential traffic hazards and emergency access impacts. As with the Project, this Alternative would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. This Alternative would result in "other transportation" impacts similar to the Project. As with the Project, these impacts would be less-than-significant.

5.2.3.3 Comparative Air Quality Impacts

PROJECT

As substantiated at EIR Section 4.3, *Air Quality*, all Project air quality impacts would be less-than-significant.

NO PROJECT ALTERNATIVE: NO BUILD SCENARIO

Under this Alternative existing air quality conditions would be maintained. This Alternative would realize no new development and would generate no additional air pollutant emissions. This Alternative would result in reduced air quality impacts when compared to the Project. Air quality impacts would be diminished when compared to the Project and would be less-than-significant.

NO PROJECT ALTERNATIVE: HIGH-CUBE WAREHOUSE USES DEVELOPMENT SCENARIO

This Alternative would result in development of the subject site with warehouse uses at a scope and intensity equal to that resulting from the Project. The substantive difference under this Alternative being that warehouse uses would not have a refrigerated component. The absence of a refrigerated warehouse component under this Alternative would tend to reduce building energy consumption, and would also preclude or substantially diminish the number of trucks with transport refrigerated units (TRUs)

accessing the site. In combination, reduced building energy consumption, and reduced TRU truck access under this Alternative would act to generally reduce air pollutant emissions when compared to the Project. Less-than-significant air quality impacts under the Project would be diminished under this Alternative.

REDUCED INTENSITY ALTERNATIVE

Under this Alternative, construction activities and use of construction equipment would be similar to the Project. As with the Project, construction-source air pollutant emissions would not exceed MDAQMD emissions thresholds, and impacts would be less-than-significant.

Under the Reduced Intensity Alternative, development intensity and overall trip generation would be reduced by approximately 25% when compared to the Project. The reduction in development intensity and vehicular trips under the Reduced Intensity Alternative would reduce operational-source air pollutant emissions. The approximately 25% reduction in development scope under the Reduced Intensity Alternative would translate to a roughly proportional decrease in air pollutant emissions. Related contributions to non-attainment conditions would be similarly reduced under this Alternative. This Alternative would not result in violation of air quality standards or result in air pollutant emissions not reflected in the AQMP. This Alternative would therefore be consistent with the AQMP. Less-than-significant air quality impacts under the Project would be diminished under this Alternative.

5.2.3.4 Comparative Greenhouse Gas/Global Climate Change Impacts

PROJECT

As discussed at EIR Section 4.4, *Greenhouse Gas Emissions*, all Project-source GHG emissions impacts would be less-than-significant.

NO PROJECT ALTERNATIVE: NO BUILD SCENARIO

Under this Alternative, existing GHG emissions conditions would be maintained. This Alternative would realize no new development and would generate no additional GHG

emissions. This Alternative would result in diminished GHG emissions impacts when compared to the Project. GHG emissions impacts would be less-than-significant.

NO PROJECT ALTERNATIVE: HIGH-CUBE WAREHOUSE USES DEVELOPMENT SCENARIO

This Alternative would result in development of the subject site with warehouse uses at a scope and intensity equal to that resulting from the Project. The substantive difference under this Alternative being that warehouse uses would not have a refrigerated component. The absence of a refrigerated warehouse component under this Alternative would tend to reduce building energy consumption, and would also preclude or substantially diminish the number of trucks with transport refrigerated units (TRUs) accessing the site. In combination, reduced building energy consumption, and reduced TRU truck access under this Alternative would act to generally reduce GHG emissions when compared to the Project. GHG emissions impacts of this Alternative would not exceed City of Hesperia significance thresholds. This Alternative would therefore not conflict with or obstruct policies or strategies to control and reduce GHG emissions. Less-than-significant GHG emissions impacts under the Project would be diminished under this Alternative.

REDUCED INTENSITY ALTERNATIVE

Under this Alternative, construction activities and use of construction equipment would be similar to the Project. As with the Project, construction-source GHG emissions would not exceed City of Hesperia GHG emissions thresholds, and impacts would be less-than-significant.

Under the Reduced Intensity Alternative, development intensity and overall trip generation would be reduced by approximately 25% when compared to the Project. The reduction in development scope and vehicular trips under the Reduced Intensity Alternative would reduce operational-source GHG emissions. The approximately 25% reduction in scope under the Reduced Intensity Alternative would translate to a roughly proportional decrease in GHG emissions. GHG emissions impacts of this Alternative would not exceed City of Hesperia significance thresholds. This Alternative would therefore not conflict with or obstruct policies or strategies to control and reduce GHG

emissions. Less-than-significant GHG emissions impacts under the Project would be diminished under this Alternative.

5.2.3.5 Comparative Energy Impacts

PROJECT

The analysis presented at EIR Section 4.5, *Energy* substantiates that the Project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Further, the analysis substantiates that the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

NO PROJECT ALTERNATIVE: NO BUILD SCENARIO

Under this Alternative, existing energy conditions would be maintained. This Alternative would realize no new development and would not result in increased energy demands. Less-than-significant energy impacts resulting from the Project would be diminished under this Alternative.

NO PROJECT ALTERNATIVE: HIGH-CUBE WAREHOUSE USES DEVELOPMENT SCENARIO

Due to the absence of refrigeration units within the Project warehouse building, energy use under this Alternative may be reduced when compared to the Project. As with the Project, proposed development under this Alternative would be required to substantiate compliance with state or local plan for renewable energy or energy efficiency. Impacts would be similar to the Project and would be less-than-significant.

REDUCED INTENSITY ALTERNATIVE

The approximately 25% reduction in development scope under the Reduced Intensity Project Alternative would likely reduce total energy demands and total energy consumption. As with the Project, the Reduced Intensity Alternative uses would be required to implement energy-efficient facilities, and to otherwise demonstrate effective energy use. Under the Reduced Intensity Alternative, proposed development would also be required to substantiate compliance with state or local plan for renewable energy or

energy efficiency. Impacts would be similar to the Project and would be less-than-significant.

5.2.3.6 Comparative Noise/Vibration Impacts

PROJECT

EIR Section 4.6, *Noise* substantiates the following conclusions:

- Project construction-source noise and construction-source vibration impacts would be less-than-significant.
- Project operational area-source noise impacts and vehicular-source noise would be less-than-significant.
- Project operational-source vibration impacts would be less-than-significant.

NO PROJECT ALTERNATIVE: NO BUILD SCENARIO

Under this Alternative, existing noise/vibration conditions would be maintained. This Alternative would realize no new development and would generate no additional noise/vibration. This Alternative would result in reduced noise/vibration impacts when compared to the Project. Less-than-significant noise/vibration impacts resulting from the Project would be diminished under this Alternative.

NO PROJECT ALTERNATIVE: HIGH-CUBE WAREHOUSE USES DEVELOPMENT SCENARIO

Under this Alternative, the types of construction activities and equipment employed would likely be similar to those associated with construction of the Project. Maximum construction-source noise/vibration levels received at off-site locations would be comparable to those resulting from construction of the Project. Under this Alternative and the Project, construction-source noise/vibration impacts would be less-than-significant.

Under this Alternative being that warehouse uses would not have a refrigerated component. Trucks with TRUs would be largely excluded from the site. Noise generated by these refrigeration units would be eliminated, resulting in a general diminishment of

noise emanating from the site. This Alternative does not propose uses that would generate or result in operational area-source noise or vibration impacts substantively different than would result from uses proposed by the Project. This Alternative would not require or implement uses that would be substantive vibration sources. Less-than-significant operational area-source noise impacts and operational area-source vibration impacts resulting from the Project would be diminished under this Alternative.

Under this Alternative, total trip generation would likely be similar to the Project. Vehicular-source noise impacts resulting from this Alternative would be similar to those of the Project, and would be less-than-significant.

REDUCED INTENSITY ALTERNATIVE

Under the Reduced Intensity Alternative, the types of construction activities and equipment employed would likely be similar to those associated with construction of the Project. Maximum construction-source noise/vibration levels received at off-site locations would be comparable to those resulting from construction of the Project. Under the Reduced Intensity Alternative and the Project, construction-source noise/vibration impacts would be less-than-significant.

The Reduced Intensity Alternative would result in a 25% reduction in development intensity, and may reduce overall activity at the site and operational-source noise received at area receptors. The Reduced Intensity Alternative would not require or implement uses that would be substantive vibration sources. Under the Reduced Intensity Alternative and the Project, operational area-source noise impacts and operational vibration impacts would be less-than-significant.

The estimated 25% reduction in vehicle trips under the Reduced Intensity Alternative may reduce perceived vehicular (mobile-source) noise levels along area roadways. Under the Reduced Intensity Alternative and the Project, vehicular-source noise impacts would be less-than-significant.

5.2.3.7 Comparative Biological Resources Impacts

PROJECT

The analysis presented at EIR Section 4.7, *Biological Resources* substantiates that the Project could result in potentially significant impacts affecting protected species (the western Joshua tree and nesting birds), and jurisdictional areas (Oro Grande Wash). With application of mitigation, Project impacts to these biological resources would be less-than-significant. All other project impacts to biological resources would be less-than-significant.

NO PROJECT ALTERNATIVE: NO BUILD SCENARIO

Under this Alternative, existing biological resources conditions would be maintained. This Alternative would realize no new development and would have no incremental effects on biological resources. This Alternative would result in reduced biological resources impacts when compared to the Project. Impacts would be less-than-significant.

NO PROJECT ALTERNATIVE: HIGH-CUBE WAREHOUSE USES DEVELOPMENT SCENARIO

Maximum site disturbance and potential impacts to biological resources would be similar to those of the Project. It is assumed that this Alternative would incorporate mitigation that would reduce potential impacts to biological resources to levels that would be less-than-significant. Biological resources impacts of this Alternative and the Project would be comparable and would be less-than-significant as mitigated.

REDUCED INTENSITY ALTERNATIVE

Maximum site disturbance and potential impacts to cultural resources would be similar to those of the Project. It is assumed that the Reduced Intensity Alternative would incorporate mitigation that would reduce potential impacts to biological resources to levels that would be less-than-significant. Biological resources impacts of the Reduced Intensity Alternative and the Project would be comparable and would be less-than-significant as mitigated.

5.2.3.8 Comparative Cultural Resources/Tribal Cultural Resource Impacts

PROJECT

Tribal consultation is in process as required under *AB 52, Gatto. Native Americans: California Environmental Quality Act*. The Project incorporates mitigation that reduces potential impacts to cultural resources/tribal cultural resources to levels that would be less-than-significant. See also EIR Section 4.8, *Cultural Resources/Tribal Cultural Resources*.

NO PROJECT ALTERNATIVE: NO BUILD SCENARIO

Under this Alternative, existing cultural resources/tribal cultural resources conditions would be maintained. This Alternative would realize no new development and would result in no new or additional cultural resources/tribal cultural resources impacts. This Alternative would result in reduced cultural resources/tribal cultural resources impacts when compared to the Project. Impacts would be less-than-significant.

NO PROJECT ALTERNATIVE: HIGH-CUBE WAREHOUSE USES DEVELOPMENT SCENARIO

Maximum site disturbance and potential impacts to cultural resources would be similar to those of the Project. It is assumed that this Alternative would incorporate mitigation that would reduce potential impacts to cultural resources/tribal cultural resources to levels that would be less-than-significant. Cultural resources/tribal cultural resources impacts of this Alternative and the Project would be comparable and would be less-than-significant as mitigated.

REDUCED INTENSITY ALTERNATIVE

Maximum site disturbance and potential impacts to cultural resources would be similar to those of the Project. It is assumed that the Reduced Intensity Alternative would incorporate mitigation that would reduce potential impacts to cultural resources/tribal cultural resources to levels that would be less-than-significant. Cultural resources/tribal cultural resources impacts of the Reduced Intensity Alternative and the Project would be comparable and would be less-than-significant as mitigated.

5.2.3.9 Comparative Utilities and Service Systems Impacts

PROJECT

Potentially increased demands utilities and services resulting from the Project are addressed through the Project's physical design features, payment of connection and service fees, and compliance with purveyor requirements and conformance with existing regulations and performance standards

As required by the City and serving utility purveyors, the Project would construct all utilities extensions and connections necessary to serve the Project uses. Further, development impact fees (DIF) and taxes paid by the Applicant would provide funds available for public services and utilities expansion and enhancement, acting to offset the Project demands.

The Project would construct those utilities extensions or modifications necessary to serve the Project. Construction of these utilities extensions or modifications would not result in impacts greater than or different than impacts resulting from the Project in total. Construction and operation of the Project utilities and service systems distribution and conveyance lines would not result in conditions or environmental impacts not already considered and addressed elsewhere in this EIR. As substantiated in the EIR, all Project impacts would be less-than-significant or less-than-significant as mitigated. Project water supply impacts are specifically addressed in the Project WSA (EIR Appendix I) and are substantiated to be less-than-significant. On this basis, Project impacts to utilities and service systems are less-than-significant.

NO PROJECT ALTERNATIVE: NO BUILD SCENARIO

Under this Alternative, existing utilities and service systems conditions would be maintained. No new utilities and service systems would occur. Less-than-significant utilities and service systems result from the Project would be diminished under this Alternative.

NO PROJECT ALTERNATIVE: HIGH-CUBE WAREHOUSE USES DEVELOPMENT SCENARIO

This Alternative would implement warehouse uses at the same scale and intensity as the Project, but absent a refrigerated warehouse component. Resulting utilities and service systems demands would be comparable to demands of the Project. As with the Project, this Alternative would be required to construct all utilities extensions and connections necessary to serve the proposed uses. DIF and taxes paid under this Alternative would provide funds available for public services and utilities expansion and enhancement, acting to offset demands of this Alternative. Impacts would be similar to the Project.

REDUCED INTENSITY ALTERNATIVE

The Reduced Intensity Alternative would result in development of warehouse uses at a lower intensity than the Project. The Reduced Intensity Alternative can be expected to have similar, though reduced, utilities and service systems impacts when compared to the Project. Potential utilities and service systems impacts of the Project are determined to be less-than-significant. The Reduced Intensity Alternative would diminish already less-than-significant impacts resulting from the Project.

Table 5.2-1 Comparative Attainment of Project Objectives			
	EVALUATED ALTERNATIVES		
	No Project Alternative: No Build Scenario	**No Project Alternative: High-Cube Warehouse Development Scenario**	**Reduced Intensity Alternative**
	The No Project Alternative: No Build Scenario assumes the site remains in its current undeveloped condition. If a No Build Scenario were maintained, its comparative environmental impacts would replicate the existing conditions discussions for each of the environmental topics evaluated in this EIR; and comparative impacts of the Project would be as presented under each of the EIR environmental topics.	The No Project Alternative: High-Cube Warehouse Development Scenario assumes development of the subject site with a building area equal to that of the Project (750,000 total square feet). The No Project Alternative: High-Cube Warehouse Development Scenario would however comprise high-cube fulfillment warehouse uses only, rather than the mix of 90% high-cube fulfillment warehouse uses/10% refrigerated warehouse uses assumed under the Project.	The Project would not result in any significant environmental impacts. The Reduced Intensity Alternative considered in this EIR would diminish the Project's already less-than-significant impacts. For illustrative purposes, the Reduced Intensity Alternative assumes development of the Project site at a 25 percent reduction in building area when compared to the Project. This would yield an approximately 187,500-square-foot warehouse building. As with the Project, it is assumed that 90 percent of the building (168,750 square feet) would comprise high-cube fulfillment warehouse uses; the remaining 10 percent (18,750 square feet) would comprise refrigerated warehouse uses.
PROJECT OBJECTIVES	**Attainment of Project Objectives**		
	No Project Alternative: No Build Scenario	**No Project Alternative: High-Cube Warehouse Development Scenario**	**Reduced Intensity Alternative**
Implement the City's General Plan through development that is consistent with the site's General Plan land use designation, and applicable General Plan Goals and Implementation Policies.	No new development would be implemented. ***Attainment of this Objective would not be realized.***	High-cube warehouse uses implemented under this Alternative are allowed under and are consistent with the General Plan Land Use Element and applicable General Plan Goals, Objectives, Policies and Programs. *Attainment of this Objective would be comparable to the Project.*	Warehouse uses implemented under this Alternative are allowed under and are consistent with the General Plan Land Use Element and applicable General Plan Goals, Objectives, Policies and Programs. *Attainment of this Objective would be comparable to the Project.*

Table 5.2-1
Comparative Attainment of Project Objectives

	EVALUATED ALTERNATIVES		
	No Project Alternative: No Build Scenario	**No Project Alternative: High-Cube Warehouse Development Scenario**	**Reduced Intensity Alternative**
Implement the Main Street and Freeway Corridor Specific Plan through development that is consistent with the Specific Plan land uses and development concepts, and in total supports the Specific Plan vision.	No new development would be implemented. ***Attainment of this Objective would not be realized.***	High-cube warehouse uses implemented under this Alternative are consistent with the Main Street and Freeway Corridor Specific Plan with the Specific Plan land uses and development concepts, and in total supports the Specific Plan Vision. *Attainment of this Objective would be comparable to the Project.*	Warehouse uses implemented under this Alternative are consistent with the Main Street and Freeway Corridor Specific Plan with the Specific Plan land uses and development concepts, and in total supports the Specific Plan Vision. *Attainment of this Objective would be comparable to the Project.*
Provide adequate roadway and wet and dry utility infrastructure to serve the Project.	No new development would be implemented. Additional or enhanced infrastructure systems would not be constructed. ***Attainment of this Objective would not be realized.***	All necessary roadway and wet and dry utility infrastructure systems would be implemented under this Alternative. *Attainment of this Objective would be comparable to the Project.*	All necessary roadway and wet and dry utility infrastructure systems would be implemented under this Alternative. *Attainment of this Objective would be comparable to the Project.*
Provide industrial uses that are compatible with planned adjacent land uses.	No new development would be implemented. ***Attainment of this Objective would not be realized.***	As with the Project, uses under this Alternative would be designed and implemented in a manner that is compatible with adjacent land uses. *Attainment of this Objective would be comparable to the Project.*	As with the Project, uses under this Alternative would be designed and implemented in a manner that is compatible with adjacent land uses. *Attainment of this Objective would be comparable to the Project.*
Provide an attractive, efficient and safe environment for industrial uses that is cognizant of natural and man-made conditions.	No new development would be implemented. ***Attainment of this Objective would not be realized.***	As with the Project, uses under this Alternative would be designed and implemented to provide a safe and efficient development that is cognizant of natural and man-made conditions. *Attainment of this Objective would be comparable to the Project.*	As with the Project, uses under this Alternative would be designed and implemented to provide a safe and efficient development that is cognizant of natural and man-made conditions. *Attainment of this Objective would be comparable to the Project.*

Table 5.2-1 Comparative Attainment of Project Objectives			
	EVALUATED ALTERNATIVES		
	No Project Alternative: No Build Scenario	**No Project Alternative: High-Cube Warehouse Development Scenario**	**Reduced Intensity Alternative**
Provide industrial uses responsive to current and anticipated market demands.	No new development would be implemented. ***Attainment of this Objective would not be realized.***	Uses would be implemented under this Alternative would not have a refrigeration component, would not respond to market demands for refrigerated warehouse uses. ***Attainment of this Objective would be constrained when compared to the Project.***	The 25 percent reduction in development scope under this Alternative would limit response to current and anticipated market demands for warehouse/manufacturing uses. ***Attainment of this Objective would be constrained when compared to the Project.***
Establish new development providing construction and long-term employment opportunities; and that would further the City's near-term and long-range fiscal goals and objectives.	No new development would be implemented. ***Attainment of this Objective would not be realized.***	Uses implemented under this Alternative would be similar in scope to development resulting from the Project. This Alternative would likely result in maximum potential buildout of the site consistent with protection of natural features. Total employment opportunities would be similar to the Project. Fiscal benefits would be similar to the Project. *Attainment of this Objective would be comparable to the Project.*	The 25 percent reduction in development scope under this Alternative would result in less efficient use of available land by limiting rather than maximizing buildout potential of the site. The 25 reduction in development scope under this Alternative would comparably reduce total available employment opportunities as well as the range of available employment opportunities. Fiscal benefits would be reduced when compared to the Project. ***Attainment of this Objective would be constrained when compared to the Project.***

5.2.4 Comparison of Alternatives

Table 5.2-2 summarizes by topic, of the preceding alternatives analysis, indicating comparative impacts of the Project and the considered Alternatives.

5.2.5 Environmentally Superior Alternative

The *CEQA Guidelines* require that the environmentally superior alternative (other than the No Project Alternatives) be identified among the Project and other Alternatives considered in an EIR.

As indicated at Table 5.2-2, with exclusion of the No Project Alternatives as provided under CEQA[2], the Reduced Intensity Alternative would likely result in a general reduction in already less-than-significant environmental effects of the Project. For the purposes of CEQA, the Reduced Intensity Alternative could be identified as the "environmentally superior alternative." In this regard, the Reduced Intensity Alternative may incrementally reduce impacts of the Project. However, the Project impacts are already less-than-significant or less-than-significant as mitigated. There is no basis for implementing the Reduce Intensity Alternative as means for reducing the Project's significant environmental impacts since the Project would not result in or cause any significant environmental impacts. Moreover, the Reduced Intensity Alternative would diminish attainment of the Project Objectives.

Summary and Conclusions

All Project environmental impacts would be less-than-significant or less-than-significant as mitigated. The Reduced Intensity Alternative may incrementally reduce already less-than-significant impacts of the Project, the Reduced Intensity Alternative would also diminish attainment of the Project Objectives. The Reduced Intensity Alternative would not reduce any significant Project environmental impacts since the Project would not result in or cause any significant environmental impacts.

[2] If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (*CEQA Guidelines* Section 15126.6 (e)(2)).

Table 5.2-2
Summary of Potential Impacts, Alternatives Compared to Project, By Topic

EIR Topic: Project Impacts	No Project Alternative: No Build Scenario	No Project Alternative: High-Cube Warehouse Scenario	Reduced Intensity Alternative
Transportation/Traffic			
VMT Impacts Project VMT impacts would be less-than-significant. ***Other Transportation Topics*** All other impacts would be less-than-significant.	***VMT Impacts*** This Alternative would maintain existing areawide VMT/employee conditions. VMT impacts would be reduced when compared to the Project and would be less-than-significant. ***Other Transportation Topics*** All other impacts would be less-than-significant.	***VMT Impacts*** VMT impacts would be comparable to the Project and would be less-than-significant. ***Other Transportation Topics*** All other impacts would be less-than-significant.	***VMT Impacts*** VMT impacts would be comparable to the Project and would be less-than-significant. ***Other Transportation Topics*** All other impacts would be less-than-significant.
Air Quality			
Project impacts would be less-than-significant.	Existing air quality conditions would be maintained Air quality impacts would be reduced when compared to the Project. Air quality impacts would be less-than-significant.	Air quality impacts would be reduced when compared to the Project and would be less-than-significant.	Air quality impacts would be reduced when compared to the Project and would be less-than-significant.
Greenhouse Gas Emissions (GHG)/Global Climate Change (GCC)			
Project impacts would be less-than-significant.	Existing GHG emissions conditions would be maintained. This Alternative would result in reduced GHG emissions impacts when compared to the Project. All GHG emissions impacts would be less-than-significant.	GHG impacts would be reduced when compared to the Project and would be less-than-significant.	GHG impacts would be reduced when compared to the Project and would be less-than-significant.
Noise/Vibration			
Project impacts would be less-than-significant.	Existing noise/vibration conditions would be maintained. This Alternative would realize no new development and would generate no additional noise/vibration. All noise/vibration impacts would be reduced when compared to the Project. Noise/vibration impacts under this Alternative would be less-than-significant.	Noise/vibration impacts would be comparable to the Project and would be less-than-significant.	Noise/vibration impacts would be comparable to the Project and would be less-than-significant.

Table 5.2-2
Summary of Potential Impacts, Alternatives Compared to Project, By Topic

EIR Topic: Project Impacts	No Project Alternative: No Build Scenario	No Project Alternative: High-Cube Warehouse Scenario	Reduced Intensity Alternative
Public Services and Utilities			
Project impacts would be less-than-significant.	Existing public services and utilities conditions would be maintained. This Alternative would realize no new development and would generate no additional public services and utilities impacts. Impacts would be reduced when compared to the Project and would be less-than-significant.	Public services and utilities impacts would be similar to those of the Project and would be less-than-significant.	Public services and utilities impacts would be similar to those of the Project and would be less-than-significant.
Biological Resources			
Project impacts would be less-than-significant as mitigated.	Existing biological resources conditions would be maintained. This Alternative would realize no new development and would generate no additional biological resources impacts. Impacts would be reduced when compared to the Project and would be less-than-significant.	Biological resources impacts would be similar to those of the Project and would be less-than-significant as mitigated.	Biological resources impacts would be similar to those of the Project and would be less-than-significant as mitigated.
Cultural Resources/Tribal Cultural Resources			
Project impacts would be less-than-significant as mitigated.	Existing cultural resources/tribal cultural resources conditions would be maintained. This Alternative would realize no new development and would generate no additional cultural resources/tribal cultural resources impacts. Impacts would be reduced when compared to the Project and would be less-than-significant.	Cultural resources/tribal cultural resources impacts would be similar to those of the Project and would be less-than-significant as mitigated.	Cultural resources/tribal cultural resources impacts would be similar to those of the Project and would be less-than-significant as mitigated.
Energy			
Project impacts would be less-than-significant.	Existing energy resources conditions would be maintained. This Alternative would realize no new development and would generate no additional energy resources impacts. Impacts would be reduced when compared to the Project and would be less-than-significant.	Facility energy impacts would be similar to the Project. Increased trip generation may translate to increased vehicular-source energy demands. As with the Project, energy impacts would be less-than-significant.	Total energy demands and energy consumption would likely be reduced. As with the Project, energy impacts would be less-than-significant.
Wildfire			
Project wildfire impacts would be less-than-significant.	Existing wildfire conditions would be maintained This Alternative would realize no new development and would not result in increased wildfire impacts.	Wildfire impacts would be similar to the Project and would be less-than-significant.	The reduction in development scope would likely result in reduced exposure to wildfire hazards.

Table 5.2-2
Summary of Potential Impacts, Alternatives Compared to Project, By Topic

EIR Topic: Project Impacts	No Project Alternative: No Build Scenario	No Project Alternative: High-Cube Warehouse Scenario	Reduced Intensity Alternative
	Impacts would be reduced when compared to the Project and would be less-than-significant.		Impacts would be similar to the Project and would be less-than-significant.
Relative Attainment of Project Objectives: All Project Objectives would be realized	The Project Objectives would not be realized.	Uses would be implemented under this Alternative would not have a refrigeration component, and would not respond to market demands for refrigerated warehouse uses. Attainment of other Objectives would be similar to the Project.	The Reduced Intensity Alternative would tend to generally constrain attainment of the Project Objectives.

5.3 GROWTH-INDUCING IMPACTS OF THE PROPOSED ACTION

5.3.1 Overview

CEQA Guidelines Section 15126.2 (e) *Growth-Inducing Impact of the Proposed Project* requires that an EIR:

> "Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a recycled water plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment."

Potential growth-inducing aspects and elements of the Project would include:

- Construction of infrastructure systems;
- Job creation; and
- Economic stimulus/other.

Infrastructure Improvements

The Project would implement infrastructure improvements that are consistent with City and purveyor master plans, and that are consistent with development anticipated under the General Plan. This EIR evaluates likely maximum impacts associated with all Project actions and operations, including but not limited to construction and operation of utilities and service systems distribution and conveyance lines. Construction and operation of the

Project utilities and service systems distribution and conveyance lines described in this EIR would not result in conditions or environmental impacts not already considered and addressed elsewhere in this EIR. Mitigation proposed in this EIR under other environmental topics would also address potential impacts associated with construction and operation of utilities and service systems distribution and conveyance lines. There are no unique or atypical conditions or aspects of the Project utilities and service systems distribution and conveyance lines that would result in significant environmental impacts. Growth resulting from or facilitated by Project infrastructure improvements is anticipated under the General Plan, and environmental impacts attributable to such growth is considered and addressed in the General Plan EIR. Further, new development that may be facilitated by availability of infrastructure constructed by the Project would be required to conduct CEQA analyses substantiating less-than-significant impacts to infrastructure systems themselves or to customers served by those infrastructure systems.

Job Creation

In general terms, job creation resulting from the Project furthers growth via wages, salaries and general fiscal benefits; increased demands for housing; and increased demands for consumer goods and services. Because the Project does not propose or require amendment of the General Plan Land Use Element, Project job creation would not exceed the General Plan employment forecasts for the subject site. Project employment and any associated growth are therefore reflected in the General Plan and impacts of such growth are considered and addressed in the General Plan EIR. Project job creation and associated growth would not result in impacts not already considered and addressed in the General Plan EIR.

Economic Stimulus/Other

Construction and operation of the Project would act generally as economic stimulus for the City and region. As noted above, Project job creation provide local and regional fiscal benefits and would contribute generally to increased demands for housing, goods and services. Salaries and wages paid to employees, taxes, and other revenue streams generated by the Project would provide incentive for creation of second tier businesses

with accompanying economic stimulus, which in turn would create third tier businesses, with accompanying economic stimulus, etc.

Economic stimulus and related growth resulting from the Project would create additional demands for City services. As noted previously, growth resulting from the Project is comprehensively reflected in the General Plan, and environmental impacts of this growth, including demands on County services are considered and addressed in the General Plan EIR. Growth due to Project economic stimulus factors would not result in impacts not already considered and addressed in the General Plan EIR.

The Project would not otherwise encourage and facilitate known or probable activities that could significantly affect the environment, either individually or cumulatively. To the satisfaction of the City, as-yet unknown activities or developments that may derive from the Project would be independently required to evaluate and address their potential environmental impacts.

Summary

The Project could induce growth through the construction of infrastructure improvements, job creation, and economic stimulus. Project infrastructure improvements would not of themselves result in impacts not considered and addressed within the EIR body text. There are no unique or atypical conditions or aspects of the Project utilities and service systems distribution and conveyance lines that would result in significant environmental impacts. Growth resulting from or facilitated by Project infrastructure improvements is anticipated under the General Plan, and environmental impacts attributable to such growth is considered and addressed in the General Plan EIR. Further, new development that may be facilitated by availability of infrastructure constructed by the Project would be required to conduct CEQA analyses substantiating less-than-significant impacts to infrastructure systems themselves or to customers served by those infrastructure systems.

Project job creation would not exceed employment projection developed under the General Plan. Growth resulting from Project job creation is anticipated under the General

Plan, and such growth would not result in environmental impacts not already considered and addressed in the General Plan EIR.

The Project would provide economic stimulus that would directly and indirectly contribute to growth. However, growth due to Project economic stimulus factors would not result in impacts not already considered and addressed in the General Plan EIR.

The Project would not otherwise encourage and facilitate known or probable activities that could significantly affect the environment, either individually or cumulatively. To the satisfaction of the City, as-yet unknown activities or developments that may derive from the Project would be independently required to evaluate and address their potential environmental impacts.

5.4 SIGNIFICANT ENVIRONMENTAL EFFECTS

An EIR must identify any significant environmental effects that would result from the Project. (Pub. Resources Code, §21100, subd. (b)(2)(B).) As substantiated in this EIR, the Project would not result in any significant environmental impacts.

5.5 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

CEQA Guidelines § § 15126, subd. (c), 15126.2, subd. (c), 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the Project be implemented. As presented at *Guidelines* §15127, the topic of Significant Irreversible Environmental Changes need be addressed in EIRs prepared in connection with any of the following activities:

(a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. 4321-4347.

The Project does not propose or require any of the above actions, and is not subject to *CEQA Guidelines* § § 15126, subd. (c), 15126.2, subd. (c), 15127 requirements.

6.0 ACRONYMS AND ABBREVIATIONS

6.0 ACRONYMS AND ABBREVIATIONS

ACMs	Asbestos Containing Materials
ADT	Average Daily Traffic
ALUCP	Airport Land Use Compatibility Plan
AQMD	Air Quality Management District
AQMP	Air Quality Management Plan
ARB	California Air Resources Board
AST	above-ground storage tank
AVO	Average Vehicle Occupancy
BAT	best available technology
BCT	best conventional pollutant control technology
BMP	Best Management Practice
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CalARP	California Accidental Release Prevention Program
CalEPA	California Environmental Protection Agency
CALINE4	California Line Source Dispersion Model
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health Administration
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CAT	Climate Action Team
CBC	California Building Code
CCAA	California Clean Air Act
CCAR	California Climate Action Registry
CCR	California Code of Regulations
CC&Rs	Covenants, Conditions and Restrictions

CDC	California Department of Conservation
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
cfs	cubic feet per second
CH_4	Methane
CIWMB	California Integrated Waste Management Board
CMP	Congestion Management Plan
CNEL	Community Noise Equivalent Level
CO	Carbon monoxide
CO_2	Carbon dioxide
CPUC	California Public Utilities Commission
CRA	Community Redevelopment Agency
CRWQCB	California Regional Water Quality Control Board
CTP	Comprehensive Transportation Plan
CUP	Conditional Use Permit
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
dB	decibel
dBA	A-weighted decibel
DHS	California Department of Health Services
DIF	Development Impact Fees
DOT	U. S. Department of Transportation
DPM	Diesel Particulate Matter
DTSC	California Department of Toxic Substances Control
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
ESA	Environmental Site Assessment
FCAA	Federal Clean Air Act

Fed/OSHA	Federal Occupational Safety and Health Administration
FEIR	Final Environmental Impact Report
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FICON	Federal Interagency Committee on Noise
FIRM	Flood Insurance Rating Map
FMMP	Farmland Mapping & Monitoring Program
fpm	feet per minute
GCC	Global Climate Change
GHG	Greenhouse Gas
GMP	Growth Management Plan
gpd	gallons per day
HCM	Highway Capacity Manual
HDV	Heavy-Duty Vehicle
HOV	High Occupancy Vehicle
HRA	Health Risk Assessment
HSC	Health and Safety Code
HSWA	Hazardous and Solid Waste Amendments Act
HUD	U. S. Department of Housing and Urban Development
ICU	Intersection Capacity Utilization
IEUA	Inland Empire Utilities Agency
IS	Initial Study
ISTEA	Intermodal Surface Transportation Efficiency Act
ITE	Institute of Transportation Engineers
kV	kilovolt
kVA	kilovolt-ampere
LBP	Lead-Based Paint
Ldn	day/night average sound level
LDV	Light-Duty Vehicle
LEA	Local Enforcement Agency
Leq	equivalent sound level
LEED	Leadership in Energy and Environmental Design

LOS	Level of Service
LST	Localized Significance Threshold
M	Richter Magnitude
MBTA	Migratory Bird Treaty Act
mgd	million gallons per day
MOE	Measure of Effectiveness
MPE	maximum probable earthquake
mph	miles per hour
MPO	Metropolitan Planning Organization
MPODC	Master Plan and Overall Design Concept
MRF	Material Recovery Facility
msl	mean sea level
MSW	Municipal Solid Waste
MTA	Metropolitan Transit Authority
$\mu g/m^3$	micrograms per cubic meter
NAAQS	National Ambient Air Quality Standards
NDFE	Non-Disposal Facility Element
NIH	National Institutes of Health
NO_2	Nitrogen dioxide
NOI	Notice of Intent
NOP	Notice of Preparation
NO_x	Oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
NRC	Nuclear Regulatory Commission
NTS	Natural Treatment System
O_3	Ozone
OAP	Ozone Attainment Plan
OEHHA	California Office of Environmental Health Hazard Assessment
OES	Office of Emergency Services
OSHA	Occupational Safety and Health Administration
PA	Preliminary Assessment
Pb	Lead

PCE	passenger car equivalency
$PM_{2.5}$	Particulate Matter Less Than 2.5 Microns in Diameter
PM_{10}	Particulate Matter Less Than 10 Microns in Diameter
ppm	parts per million
PV	Photovoltaic
RCRA	Resource Conservation and Recovery Act
REMEL	Reference Energy Mean Emission Level
RMP	Resources Management Plan
ROG	Reactive Organic Gases
RWMP	Regional Water Management Plan
RWQCB	Regional Water Quality Control Board
SARA	Superfund Amendments & Reauthorization Act
SARWQCB	Santa Ana Regional Water Quality Control Board
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCH	State Clearinghouse
SCUP	Special Conditional Use Permit
SIP	State Implementation Plan
SLM	Sound Level Meter
SO_x	Oxides of sulfur
SRRE	Source Reduction and Recycling Element
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
TDS	total dissolved solids
TEA-21	Transportation Equity Act for the 21st Century
TIA	Traffic Impact Analysis
TPD	tons per day
UBC	Uniform Building Code
UFC	Uniform Fire Code
USEPA	United States Environmental Protection Agency

USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	underground storage tank
V/C	Volume to Capacity
VdB	vibration decibel
VMT	vehicle miles traveled
VOC	Volatile Organic Compound
WQMP	Water Quality Management Plan
WSA	Water Supply Assessment

7.0 REFERENCES

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PERSONS AND ORGANIZATIONS CONSULTED

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APPENDICES

Please refer to accompanying CD-ROM