

CITY OF VICTORVILLE DEVELOPMENT DEPARTMENT
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MITIGATED NEGATIVE DECLARATION
Preparation Date: June 2, 2022

Name or Title of Project: Site Plan Case No. PLAN22-00004

Location: Southeast corner of Ottawa Street and Enterprise Way (APN No. 3090-431-07)

Entity or Person Undertaking Project: Duke Engineering; 44732 Yucca Avenue; Lancaster, CA 93534

Description of Project: A Site Plan with an Initial Study and Mitigated Negative Declaration to allow for the development of an approximately 18,000 sq. ft. warehouse and distribution facility on an undeveloped property zoned M-2 (Heavy Industrial).

Statement of Findings: The City of Victorville Planning Commission has reviewed the Initial Study for this proposed project and has found that there are no adverse environmental impacts to either the man-made or physical environmental setting if the following mitigation measures are implemented in conformance with the Mitigation Monitoring Policy, and does hereby direct staff to file a Notice of Determination, pursuant to the California Environmental Quality Act (CEQA).

A copy of the Initial Study and other applicable documents used to support the proposed Negative Declaration is available for review at the City of Victorville Planning Division.

Mitigation Measures:

Air Quality Measures:

1. **(AIR-1)** Facility must obtain permits for all miscellaneous process equipment not exempt under Rule 219.
2. **(AIR-2)** Prepare and submit a dust control plan acceptable to the MDAQMD which includes all applicable dust control measures to be implemented.
3. **(AIR-3)** Signage compliant with Rule 403 Attachment B shall be erected at each project site entrance not later than the commencement of construction.
4. **(AIR-4)** Use a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.
5. **(AIR-5)** All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.
6. **(AIR-6)** All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel

and wind erosion. Take actions to prevent project-related trackout onto paved surfaces, and clean any project-related trackout within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.

Biological Measures:

7. **(BIO-1)** A burrowing owl survey shall be accomplished within 30 days prior to construction activities to ensure burrowing owls have not moved into the study area. If burrowing owls are discovered the guidance outlined in the California Department of Fish and Wildlife titled "Staff Report on Burrowing Owl Mitigation" will be used for addressing burrowing owl issues on the study site (California Department of Fish and Game 2012).

Cultural Resource Measures:

8. **(CUL-1)** Inadvertent Discovery of Archaeological Resources. If archaeological resources are encountered during implementation of the Project, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, to provide Tribal input with regards to significance and treatment.
9. **(CUL-2)** Human Remains. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.
10. **(CUL-3)** Archeological Treatment Plan. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

Geology and Soils Measures:

11. **(GEO-1)** Inadvertent Discovery of Paleontological Resources. If paleontological resources are encountered during implementation of the Project, ground-disturbing activities will be temporarily redirected from the vicinity of the find. A qualified paleontologist (the "Project Paleontologist") shall be retained by the developer to make an evaluation of the find. If the resource is significant, Mitigation Measure GEO-2 shall apply.
12. **(GEO-2)** Paleontological Treatment Plan. If a significant paleontological resource(s) is discovered on the property, in consultation with the Project proponent and the City, the qualified paleontologist shall develop a plan of mitigation which shall include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation in the find a local qualified repository, and preparation of a report summarizing the find.

Greenhouse Gas Measures:

13. **(GHG-1)** Prior to the issuance of building permits, the applicant/developer shall complete a Greenhouse Gas Emissions Screening Table in accordance with the City's adopted version of the San Bernardino County Regional Greenhouse Gas Reduction Plan 2021, while achieving the minimum number of points necessary to comply with the City of Victorville Greenhouse Gas reductions goals.
14. **(GHG-2)** To the extent feasible, the City of Victorville Planning Department shall verify incorporation of the identified Screening Table Measures within the Project building plans/site designs and/or verify compliance with an updated version of the City's Greenhouse Gas Screening Table prior to the issuance of building permit(s).

Water Quality Measures:

15. **(WQ-1)** Prior to issuance of a grading permit the applicant shall obtain coverage under the statewide general NPDES permit for control of construction and post-construction related storm water in accordance with the requirements of the Small MS4 General Permit. In addition, the applicant shall:
- Prepare a project specific Storm Water Pollution Prevention Plan (SWPPP) as required in the NPDES permit and shall identify site-specific erosion and sediment control best management practices that will be implemented;
 - The SWPPP shall be applicable to all areas of the project site including construction areas, access roads to and through the site, and staging and stockpile areas;
 - Temporary best management practices for all components of the project must be implemented until such time as permanent post-construction best management practices are in place and functioning; and
 - All excess sediment excavated as part of the Project that is not used onsite should be stockpiled in a location such that it will not be transported by wind or water into a surface water. An adequate combination of sediment and erosion control BMPs must be implemented and maintained to temporarily stabilize all stockpiled sediment until such time that it is reused and/or permanently stabilized.
16. **(WQ-2)** The applicant/developer shall prepare and implement a comprehensive Spill Prevention and Response Plan for the Project, subject to review and approval by the City Planner and City Engineer (or their designee) prior to the issuance of any associated building or grading permit. This plan should outline the site-specific monitoring requirements and list the best management practices necessary to prevent hazardous material spills or to contain and cleanup a hazardous material spill, should one occur.

Transportation Measures:

17. **(TR-1)** Post "No Parking Anytime" along the east side of Enterprise Way.
18. **(TR-2)** The onsite strip adjacent to the curve needs to be clear of any objects, such as shrubs.

Tribal Cultural Resources Measures:

19. **(TCR-1)** Discovery of Cultural Resources. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact and/or

historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.

- 20. (TCR-2)** Archaeological/cultural Documents. 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.

Public Review Period: June 3, 2022, through July 5, 2022.

Tentative Public Hearing Date: July 13, 2022