



11.0 Appendices



11.1 NOP and Comment Letters



NOTICE OF PREPARATION WESTSIDE ANNEXATION AND SPECIFIC PLAN PROJECT

DATE: **SEPTEMBER 3, 2024**

TO: **STATE CLEARINGHOUSE AND INTERESTED PARTIES**

FROM: **CITY OF LANCASTER
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING AND PERMITTING DIVISION**

SUBJECT: **NOTICE OF PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL
IMPACT REPORT (EIR) FOR THE WESTSIDE ANNEXATION AND
SPECIFIC PLAN PROJECT**

The City of Lancaster (City) is the lead agency in charge of environmental review for the Westside Annexation and Specific Plan Project (project). The City is preparing an Environmental Impact Report (EIR) for the proposed project. The City is soliciting comments from reviewing agencies and the public regarding the scope and content of the environmental document. For reviewing agencies, the City requests comments with respect to your agency's statutory responsibility as related to the proposed projects in accordance with California Code of Regulations, Title 14, Section 15082(b). Your agency may need to use the EIR when considering relevant permits or other approvals for the project. The City is also seeking the views of residents, property owners, developers, and concerned citizens regarding issues that should be addressed in the EIR.

Comment Period: Comments may be sent anytime during the 30-day Notice of Preparation (NOP) comment period. The NOP review and comment period begins on September 3, 2024 and ends on October 3, 2024. All comments must be received during the comment period and no later than 6:00 PM on October 3, 2024. Please include the name of a contact for your agency, if applicable. All comments should be directed to:

City of Lancaster
Attention: Jocelyn Swain, Senior Planner
44933 Fern Avenue
Lancaster, California 93534

Comments may also be emailed to jswain@cityoflanasterca.gov.

Scoping Meeting: Oral comments may be provided at the Scoping Meeting to be held on September 26, 2024 from 6:00 PM to 7:00 PM in the City Council Chambers at Lancaster City Hall. The address is 44933 Fern Avenue, Lancaster, CA, 93534.

Project Location:

As shown on Exhibit 1, *Regional Vicinity*, the project site encompasses approximately 7,153 acres in the Antelope Valley of unincorporated Los Angeles County. The site consists of the following Assessor's Parcel Numbers (APNs):

- 3114-006-001, 002, 004, 005, 006, 008 thru 017, 901, 902, 903;
- 3114-007-008, 009, 010, 012, 013, 018 thru 027;
- 3114-008-002, 007 thru 011, 014 thru 021;
- 3114-009-001 thru 004, 006 thru 024;
- 3114-010-013, 026, 029, 036, 039, 040, 043, 045 thru 048, 053, 055, 060, 061;
- 3115-005-002 thru 006, 008, 010, 011, 012;
- 3115-006-001, 003 thru 009, 011 thru 032, 034 thru 043;
- 3115-007-053, 054;
- 3115-011-003, 005, 008 thru 024;
- 3115-012-003 thru 006, 008 thru 011, 013 thru 040;
- 3116-005-002 thru 006, 008 thru 014, 018 thru 021, 023, 024, 026, 027;
- 3116-006-064 thru 069, 900 thru 940;
- 3116-007-900 thru 904;
- 3116-008-013 thru 015, 017 thru 022, 024, 025, 026, 028, 029, 030, 032, 038, 040, 042 thru 045, 062, 063, 068 thru 072, 082 thru 085;
- 3116-009-001 thru 011, 014, 017, 019 thru 025, 027 thru 030, 033 thru 040;
- 3116-010-002 thru 007, 009, 010, 011, 013 thru 019, 022, 024, 025, 026, 031 thru 035, 038 thru 045, 047, 049 thru 054, 056 thru 063, 065, 066, 068, 070 thru 076;
- 3116-011-003, 005, 006, 010, 011, 013, 015, 016, 017, 019 thru 029, 031 thru 047, 049 thru 052, 054, 055;
- 3116-012-002 thru 005, 007 thru 011, 013, 015, 016, 018 thru 031, 033, 035, 036, 038, 041, 042, 044 thru 051, 053 thru 060;
- 3116-013-003, 004, 005, 007, 009 thru 015, 017, 019, 023, 025 thru 029, 031, 034 thru 040, 042, 044, 045, 046, 900, 901;
- 3116-014-001 thru 016, 018 thru 025, 028 thru 040;
- 3116-015-002, 003;
- 3116-016-002 thru 016;
- 3116-017-001 thru 016;
- 3116-018-001 thru 032;
- 3116-019-002 thru 021;
- 3116-020-002, 004 thru 012, 015 thru 021, 023 thru 026, 028, 029, 031, 032, 033, 035 thru 045, 047, 048, 049, 052, 053, 055 thru 059;
- 3116-021-002 thru 028, 030, 031, 032;
- 3116-022-001 thru 006;
- 3116-023-900 thru 946;
- 3116-024-900 thru 938;
- 3116-025-900 thru 903;
- 3117-005-001, 003 thru 035, 040 thru 044;
- 3117-006-001, -005 thru 014, 016 thru 036, 038 thru 042;
- 3117-007-001, 005, 007, 011, 016, 019, 020, 027, 030, 032 thru 039;

- 3118-001-006, 007, 010 thru 013;
- 3118-002-002 thru 009, 011, 013, 022, 024, 027, 029 thru 032, 035, 036, 037, 040, 042 thru 045, 047 thru 056, 058 thru 063, 065, 066, 067, 070 thru 076;
- 3118-003-049, 051, 061 thru 064, 069, 088, 093, 094, 095, 104, 113 thru 117, 121, 125 thru 128, 131 thru 134, 143 thru 147;
- 3118-015-003, 010, 011, 012;
- 3118-016-001 thru 010, 012 thru 017, 019 thru 022, 024 thru 027, 029 thru 036;
- 3118-017-003, 005 thru 010, 012 thru 019, 021 thru 031;
- 3118-018-001, 002, 004, 007 thru 021, 023 thru 028;
- 3145-005-035, 046, 051, 058, 061, 063, 073, 074, 076 thru 079, 081, 082, 085, 086, 087, 089, 090, 091, 800, 802, 901 thru 921;
- 3145-009-001 thru 016, 800;
- 3145-011-028, 033, 036, 038, 041, 048, 051 thru 054, 073, 074, 077, 078, 081, 082, 084, 085, 089, 091 thru 096, 099, 100, 105, 106, 108, 110, 113, 117, 119, 120, 124 thru 127, 129 thru 135, 801, 802, 906 thru 920;
- 3145-012-014, 026 thru 032, 034, 043, 044, 045, 048, 051, 052, 056 thru 059, 061 thru 064, 067, 068, 071 thru 075, 077 thru 080, 801; and
- 3145-040-801, 900 thru 921.

The site is generally bound by Avenue B to the north, Sierra Highway and Edwards Air Force Base to the east, Avenue G to the south, and 30th Street West to the west. State Route 14 (SR-14), Sierra Highway, 10th Street West, and 20th Street West transect the site in a north-south direction. The City of Lancaster is located south of the site.

As shown on Exhibit 2, *Project Site Boundaries*, the project site consists of two areas as described below:

- **Annexation Area:** The annexation area encompasses the entirety of the approximately 7,153-acre project site.
- **Specific Plan Area:** The approximately 1,860-acre Specific Plan area is generally located in the center of the project site. The Specific Plan area is bounded by Avenue D to the north, Sierra Highway to the east, Avenue F-8 to the south, and 20th Street West to the west.

Much of the project site is vacant and undeveloped with scattered rural residences, mobile home parks, and industrial uses. The Lancaster Water Reclamation Plant is located in the northern portion of the site.

As stated, the entire project site is located in unincorporated Los Angeles County. According to the *Los Angeles County Department of Regional Planning GIS-NET Public*, the site is designated: Rural Land 10 (RL10), Public and Semi-Public (P), Residential 5 (R5), Mixed-Use Rural (MU-R), Light Industrial (IL), and Heavy Industrial (IH). Additionally, the site is zoned Heavy Agricultural (A-2-2), Residential Agricultural (R-A), Light Manufacturing (M-1), Heavy Manufacturing (M-2), and Rural Mixed Use Development (MXD-RU).

According to the *City of Lancaster General Plan Land Use Map*, the project site is located in the City's Sphere of Influence (SOI) and is designated Non-Urban Residential (NU), Heavy Industrial

(HI), Specific Plan (SP), and Multi-Residential (MR-1). The City does not currently identify any zoning for the project site given that the site is outside of the City's jurisdiction.

Project Description:

The proposed project involves two components: 1) annexation of the project site from unincorporated Los Angeles County into the City of Lancaster jurisdiction and 2) adoption of the proposed North Lancaster Industrial Specific Plan, which would allow up to approximately 38.5 million square feet of industrial development.

Annexation (ANX24-002)

The proposed project includes the annexation of approximately 7,153 acres currently in unincorporated Los Angeles County into the City's jurisdiction.

General Plan Amendment (GPA24-002)

A General Plan Amendment would be required to amend the General Plan Land Use Map to reflect annexation of the project site and application of the proposed land use designations, including non-urban residential, mixed use, industrial, public uses, multiple family residential, and specific plan. Other General Plan elements would be amended as required to reflect the project.

Pre-Zoning (PZ24-001)

The proposed Specific Plan area would be pre-zoned Specific Plan to allow for implementation of the proposed North Lancaster Industrial Specific Plan while the remainder of the annexation area would be pre-zoned a mix of public uses, residential, commercial, and industrial zones.

Specific Plan (SP24-002)

The North Lancaster Industrial Specific Plan would encompass approximately 1,860 acres in the central portion of the annexation area and would consist of the following APNs:

- 3116-008-013 thru 015, 017 thru 022, 024, 025, 026, 028, 029, 030, 032, 038, 043, 044, 045, 062, 063, 068, 069, 082 thru 085;
- 3116-009-001 thru 011, 014, 017, 019 thru 025, 027 thru 030, 033 thru 040;
- 3116-010-002 thru 007, 009, 010, 011, 013 thru 019, 022, 024, 025, 026, 031 thru 035, 038 thru 045, 047, 049 thru 054, 056 thru 063, 065, 066, 068, 070 thru 076;
- 3116-011-003, 005, 006, 010, 011, 013, 015, 016, 017, 019 thru 029, 031 thru 047, 049 thru 052, 054, 055;
- 3116-012-002 thru 005, 007 thru 011, 013, 015, 016, 018 thru 031, 033, 035, 036, 038, 041, 042, 044 thru 051, 053 thru 060;
- 3116-013-003, 004, 005, 007, 009 thru 015, 017, 019, 023, 025 thru 029, 031, 034 thru 040, 042, 044, 045, 046, 900, 901;
- 3116-014-001 thru 016, 018 thru 025, 028 thru 040;
- 3116-017-001 thru 016;
- 3116-018-001 thru 032;
- 3116-019-002 thru 021;

- 3116-020-002, 004 thru 012, 015 thru 021, 023 thru 026, 028, 029, 031, 032, 033, 035 thru 045, 047, 048, 049, 052, 053, 055 thru 059;
- 3116-021-003 thru 028;
- 3116-022-001 thru 006;
- 3118-001-006, 007, 010 thru 013; and
- 3118-015-003, 010, 011, 012.

The Specific Plan is proposed to allow for a site-specific land use plan, development standards, design guidelines, infrastructure systems, and implementation strategies on which subsequent development activities would be implemented. Exhibit 3, *Conceptual Land Use Plan*, illustrates the proposed land use plan for the Specific Plan area. As shown, the Specific Plan area would be separated into eight planning areas with Light Industrial and Heavy Industrial land use designations.

Table 1, *Specific Plan Buildout Potential*, details maximum buildout potential in each of the eight planning areas based on a proposed 0.5 floor area ratio. In total, the Specific Plan would allow for approximately 38.5 million square feet of industrial uses.

Table 1
Specific Plan Buildout Potential

Planning Area	Land Use	Proposed Density	Acreage	Maximum Buildout
1	Light Industrial (LI)	0.5 FAR	313.6	6,830,208
2	Light Industrial (LI)		317.3	6,910,794
3	Light Industrial (LI)		123.4	2,687,652
4	Light Industrial (LI)		115.8	2,522,124
5	Light Industrial (LI)		512.4	11,160,072
6	Light Industrial (LI)		233.0	5,074,740
7	Heavy Industrial (HI)		75.9	1,653,102
8	Heavy Industrial (HI)		77.7	1,692,306
	Roadway	--	91.6	--
	TOTAL		1,860.7 acres	38,530,998 SF

Notes: FAR = floor area ratio; SF = square feet

Within Planning Areas 2, 4, 6, 7, and 8, the project proposes to construct approximately 11.3 million square feet of industrial warehouse buildings and associated site improvements. The proposed development would be constructed over a 5-year duration.

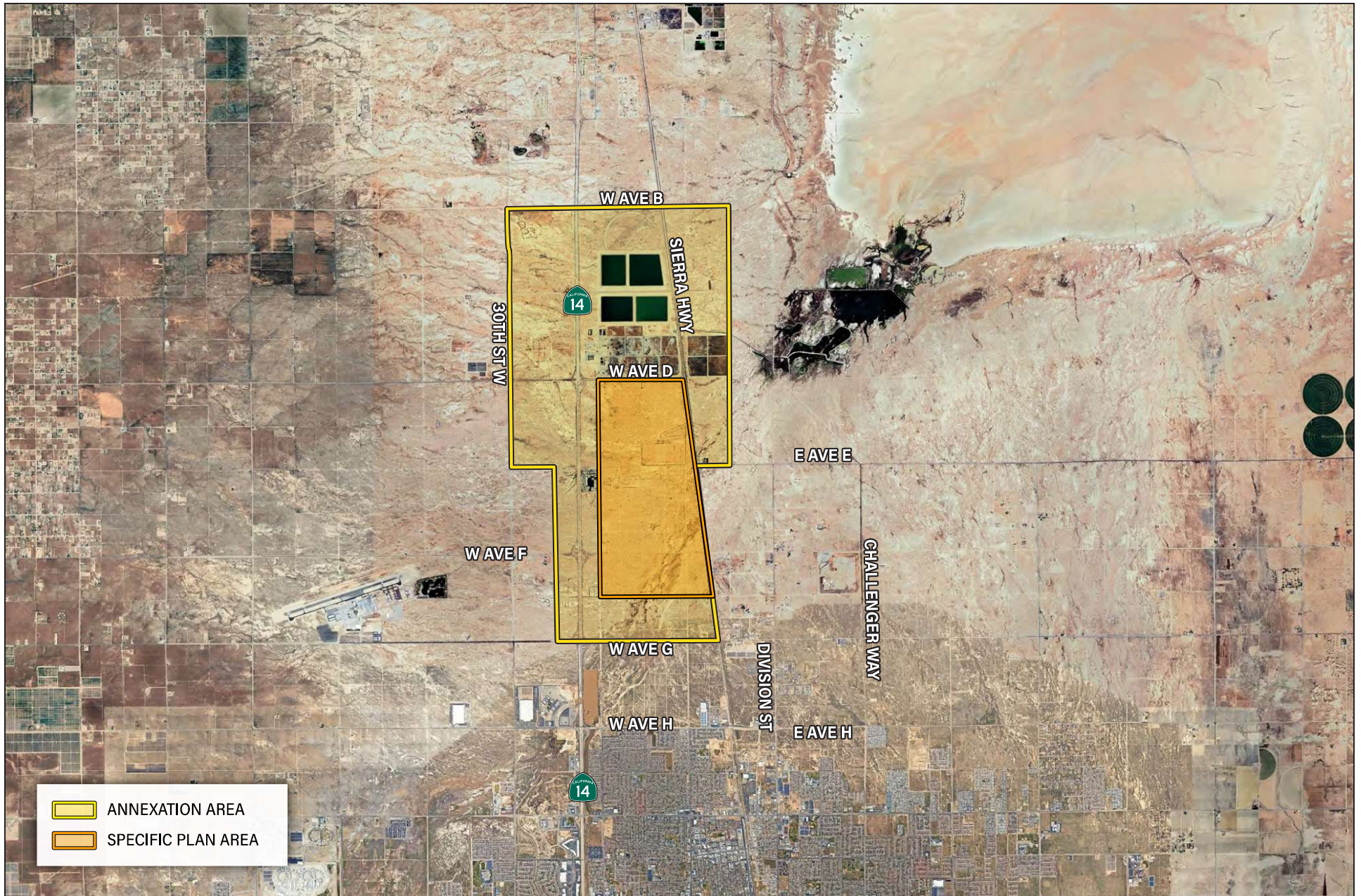
Environmental Review:

It is anticipated that the EIR will address potentially significant impacts associated the following topical areas:

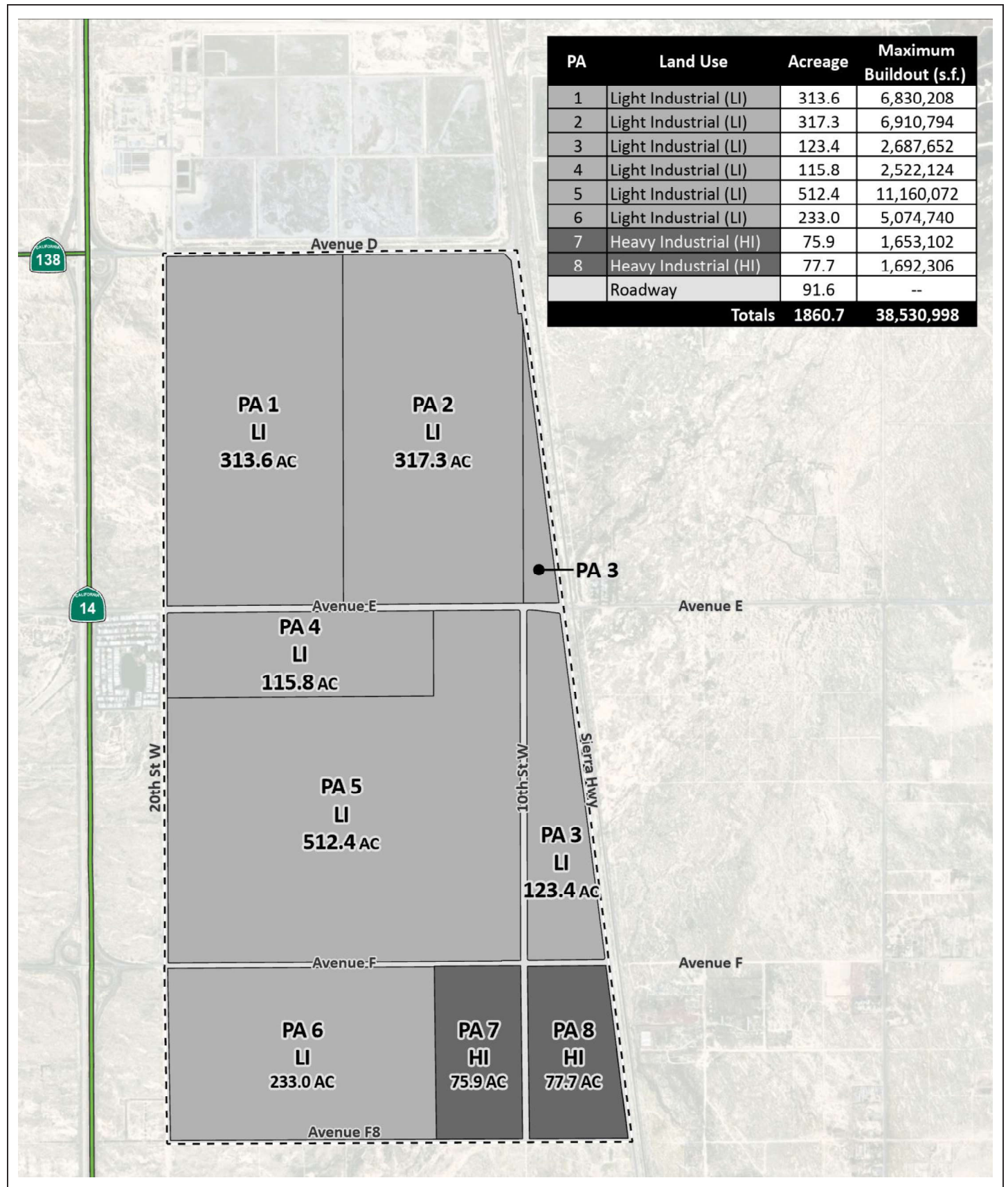
- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources

- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

Based on the project location, the proposed project would not result in significant impacts with respect to Mineral Resources and Wildfire. Therefore, these topics will be address in the Effects Found Not To Be Significant Section of the EIR.



Source: Google Earth Pro, August 2024



Source: T&B Planning, August 2024





September 10, 2024

Jocelyn Swain, Senior Planner
City of Lancaster
44933 Fern Avenue
Lancaster, CA 93534

RE: Westside Annexation and Specific Plan Project, SCH #2024081372

Dear Ms. Swain:

Thank you for the opportunity to provide comments on the Notice of Preparation for the Westside Annexation and Specific Plan project. While the logistics industry is an important component of our modern economy, warehouses can bring various environmental impacts to the communities where they are located. For example, diesel trucks visiting warehouses emit nitrogen oxide (NO_x)—a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation—and diesel particulate matter (a subset of fine particulate matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.¹ Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.² The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate can contribute to traffic jams, deterioration of road surfaces, traffic accidents, and unsafe conditions for pedestrians and bicyclists. Depending on the circumstances of an individual project, warehouses may also have other environmental impacts.

To help lead agencies avoid, analyze, and mitigate warehouses' environmental impacts, the Attorney General Office's Bureau of Environmental Justice has published a document containing best practices and mitigation measures for warehouse projects. We have attached a

¹ California Air Resources Board, Nitrogen Dioxide & Health, <https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health> (NO_x); California Air Resources Board, Summary: Diesel Particulate Matter Health Impacts, <https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts>; Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, <https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf> (DPM).

² Noise Sources and Their Effects, <https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm> (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

copy of this document to this letter, and it is also available online.³ We encourage you to consider the information in this document as you prepare the draft environmental impact report for this project.

Priority should be placed on avoiding land use conflicts between warehouses and sensitive receptors and on mitigating the impacts of any unavoidable land use conflicts. However, even projects located far from sensitive receptors may contribute to harmful regional air pollution, so you should consider measures to reduce emissions associated with the project to help the State meet its air quality goals. A distant warehouse may also impact sensitive receptors if trucks must pass near sensitive receptors to visit the warehouse.

The Bureau will continue to monitor proposed warehouse projects for compliance with the California Environmental Quality Act and other laws. We are available to discuss as you prepare the draft environmental impact report and consider how to guide warehouse development in your jurisdiction. Please do not hesitate to contact the Environmental Justice Bureau at ej@doj.ca.gov if you have any questions.

Sincerely,



CHRISTIE VOSBURG
Supervising Deputy Attorney General

For ROB BONTA
Attorney General

³ <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>.



Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act

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In carrying out its duty to enforce laws across California, the California Attorney General's Bureau of Environmental Justice (Bureau)¹ regularly reviews proposed warehouse projects for compliance with the California Environmental Quality Act (CEQA) and other laws. When necessary, the Bureau submits comment letters to lead agencies regarding warehouse projects, and in rare cases the Bureau has filed litigation to enforce CEQA.² This document builds upon the Bureau's work on warehouse projects, collecting information gained from the Bureau's review of hundreds of warehouse projects across the state.³ It is meant to help lead agencies pursue CEQA compliance and promote environmentally-just development as they confront warehouse project proposals.⁴ While CEQA analysis is necessarily project-specific, this document provides information on feasible best practices and mitigation measures, nearly all of which have been adapted from actual warehouse projects in California.

I. Background

In recent years, the proliferation of e-commerce and rising consumer expectations of rapid shipping have contributed to a boom in warehouse development.⁵ California, with its ports, population centers, and transportation network, has found itself at the center of this trend. In 2020, the Ports of Los Angeles, Long Beach, and Oakland collectively accounted for over 34% of all United States international container trade.⁶ The Ports of Los Angeles and Long Beach alone generate about 35,000 container truck trips every day.⁷ Accordingly, the South Coast Air Basin now contains approximately 3,000 warehouses of over 100,000 square feet each, with a total warehouse capacity of approximately 700 million square feet, an increase of 20 percent over the last five years.⁸ This trend has only accelerated, with e-commerce growing to

¹ <https://oag.ca.gov/environment/justice>.

² <https://oag.ca.gov/environment/ceqa>; *People of the State of California v. City of Fontana* (Super. Ct. San Bernardino County, No. CIVSB2121829); *South Central Neighbors United et al. v. City of Fresno et al.* (Super. Ct. Fresno County, No. 18CECG00690).

³ This September 2022 version revises and replaces the prior March 2021 version of this document.

⁴ Anyone reviewing this document to determine CEQA compliance responsibilities should consult their own attorney for legal advice.

⁵ As used in this document, "warehouse" or "logistics facility" is defined as a facility consisting of one or more buildings that stores cargo, goods, or products on a short- or long-term basis for later distribution to businesses and/or retail customers.

⁶ Data from the Bureau of Transportation Statistics, Container TEUs (Twenty-foot Equivalent Units) (2020), <https://data.bts.gov/stories/s/Container-TEU/x3fb-aeda/> (Ports of Los Angeles, Long Beach, and Oakland combined for 14.157 million TEUs, 34% of 41.24 million TEUs total nationwide) (last accessed September 18, 2022).

⁷ U.S. Dept. of Transportation, Federal Highway Administration, *FHWA Operations Support – Port Peak Pricing Program Evaluation* (2020), available at <https://ops.fhwa.dot.gov/publications/fhwahop09014/sect2.htm> (last accessed September 18, 2022).

⁸ South Coast Air Qual. Mgmt. Dist., *Final Socioeconomic Assessment for Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program and Proposed Rule 316 – Fees for Rule 2305*, at 7-8, 41 (May 2021).

13% of all retail sales and 2021 being a second consecutive record year for new warehouse space leased.⁹ The latest data and forecasts predict that the next wave of warehouse development will be in the Central Valley.¹⁰

When done properly, these activities can contribute to the economy and consumer welfare. However, imprudent warehouse development can harm local communities and the environment. Among other pollutants, diesel trucks visiting warehouses emit nitrogen oxide (NO_x)—a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation—and diesel particulate matter (a subset of fine particular matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.¹¹ Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.¹² The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate contribute to traffic jams, deterioration of road surfaces, and traffic accidents.

These environmental impacts also tend to be concentrated in neighborhoods already suffering from disproportionate health impacts and systemic vulnerability. For example, a comprehensive study by the South Coast Air Quality Management District found that communities located near large warehouses scored far higher on California’s environmental justice screening tool, which measures overall pollution and demographic vulnerability.¹³ That

⁹ U.S. Census Bureau News, Quarterly Retail E-Commerce Sales 4th Quarter 2021 (February 22, 2022), https://www.census.gov/retail/mrts/www/data/pdf/ec_current.pdf (last accessed September 18, 2022); CBRE Research, *2022 North America Industrial Big Box Report: Review and Outlook*, at 2-3 (March 2022), available at <https://www.cbre.com/insights/reports/2022-north-america-industrial-big-box#download-report> (last accessed September 18, 2022).

¹⁰ CBRE Research, *supra* note 9, at 4, 36; New York Times, *Warehouses Are Headed to the Central Valley, Too* (Jul. 22, 2020), available at <https://www.nytimes.com/2020/07/22/us/coronavirus-ca-warehouse-workers.html>.

¹¹ California Air Resources Board, Nitrogen Dioxide & Health, <https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health> (last accessed September 18, 2022) (NO_x); California Air Resources Board, Summary: Diesel Particulate Matter Health Impacts, <https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts> (last accessed September 18, 2022); Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, <https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf> (last accessed September 18, 2022) (DPM).

¹² Noise Sources and Their Effects, <https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm> (last accessed September 18, 2022) (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

¹³ South Coast Air Quality Management District, “Final Socioeconomic Assessment for Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program and Proposed Rule 316 – Fees for Rule 2305” (May 2021), at 4-5.

study concluded that, compared to the South Coast Air Basin averages, communities in the South Coast Air Basin near large warehouses had a substantially higher proportion of people of color; were exposed to more diesel particulate matter; had higher rates of asthma, cardiovascular disease, and low birth weights; and had higher poverty and unemployment rates.¹⁴ Each area has its own unique history, but many of these impacts and vulnerabilities reflect historic redlining practices in these communities, which devalued land and concentrated poverty, racial outgroups, and pollution into designated areas.¹⁵

II. Proactive Planning: General Plans, Local Ordinances, and Good Neighbor Policies

To systematically guide warehouse development, we encourage local governing bodies to proactively plan for logistics projects in their jurisdictions. Proactive planning allows jurisdictions to prevent land use conflicts before they materialize and direct sustainable development. Benefits also include providing a predictable business environment, protecting residents from environmental harm, and setting consistent expectations jurisdiction-wide.

Proactive planning can take many forms. Land use designation and zoning decisions should channel development into appropriate areas. For example, establishing industrial districts near major highway and rail corridors but away from sensitive receptors¹⁶ can help attract investment while avoiding conflicts between warehouse facilities and residential communities. Transition zones with lighter industrial and commercial land uses may also help minimize conflicts between residential and industrial uses.

In addition, general plan policies, local ordinances, and good neighbor policies should set minimum standards for logistics projects. General plan policies can be incorporated into existing economic development, land use, circulation, or other related general plan elements. Many jurisdictions alternatively choose to consolidate policies in a separate environmental justice element. Adopting general plan policies to guide warehouse development may also help

¹⁴ *Id.* at 5-7.

¹⁵ Beginning in the 1930s, federal housing policy directed investment away from Black, immigrant, and working-class communities by color-coding neighborhoods according to the purported “riskiness” of loaning to their residents. In California cities where such “redlining” maps were drawn, nearly all of the communities where warehouses are now concentrated were formerly coded “red,” signifying the least desirable areas where investment was to be avoided. See University of Richmond Digital Scholarship Lab, Mapping Inequality, <https://dsl.richmond.edu/panorama/redlining/#loc=12/33.748/-118.272&city=los-angeles-ca> (Los Angeles), <https://dsl.richmond.edu/panorama/redlining/#loc=13/32.685/-117.132&city=san-diego-ca> (San Diego), <https://dsl.richmond.edu/panorama/redlining/#loc=11/37.81/-122.38&city=oakland-ca> (Oakland), <https://dsl.richmond.edu/panorama/redlining/#loc=13/37.956/-121.326&city=stockton-ca> (Stockton), <https://dsl.richmond.edu/panorama/redlining/#loc=12/36.751/-119.86&city=fresno-ca> (Fresno) (all last accessed September 18, 2022).

¹⁶ In this document, “sensitive receptors” refers to residences, schools, public recreation facilities, health care facilities, places of worship, daycare facilities, community centers, or incarceration facilities.

jurisdictions comply with their obligations under SB 1000, which requires local government general plans to identify objectives and policies to reduce health risks in disadvantaged communities, promote civil engagement in the public decision making process, and prioritize improvements and programs that address the needs of disadvantaged communities.¹⁷

Local ordinances and good neighbor policies that set development standards for all warehouses in the jurisdiction are a critical and increasingly common tool that serve several goals. When well-designed, these ordinances direct investment to local improvements, provide predictability for developers, conserve government resources by streamlining project review processes, and reduce the environmental impacts of industrial development. While many jurisdictions have adopted warehouse-specific development standards, an ordinance in the City of Fontana provides an example to review and build upon.¹⁸ Good neighbor policies in Riverside County and by the Western Riverside Council of Government include additional measures worth consideration.¹⁹

The Bureau encourages jurisdictions to adopt their own local ordinances that combine the strongest policies from those models with measures discussed in the remainder of this document.

III. Community Engagement

Early and consistent community engagement is central to establishing good relationships between communities, lead agencies, and warehouse developers and tenants. Robust community engagement can give lead agencies access to community residents' on-the-ground knowledge and information about their concerns, build community support for projects, and develop creative solutions to ensure new logistics facilities are mutually beneficial. Examples of best practices for community engagement include:

- Holding a series of community meetings at times and locations convenient to members of the affected community and incorporating suggestions into the project design.
- Posting information in hard copy in public gathering spaces and on a website about the project. The information should include a complete, accurate project description, maps and drawings of the project design, and information about how the public can provide input and be involved in the project approval process. The

¹⁷ For more information about SB 1000, see <https://oag.ca.gov/environment/sb1000>.

¹⁸ <https://oag.ca.gov/system/files/attachments/press-docs/Final%20Signed%20Fontana%20Ordinance.pdf> (last accessed September 18, 2022).

¹⁹ For example, the Riverside County policy requires community benefits agreements and supplemental funding contributions toward additional pollution offsets, and the Western Riverside Council of Governments policy sets a minimum buffer zone of 300 meters between warehouses and sensitive receptors. <https://www.rivcocob.org/wp-content/uploads/2020/01/Good-Neighbor-Policy-F-3-Final-Adopted.pdf> (last accessed September 18, 2022) (Riverside County); <http://www.wrcog.cog.ca.us/DocumentCenter/View/318/Good-Neighbor-Guidelines-for-Siting-Warehouse-Distribution-Facilities-PDF?bidId=> (last accessed September 18, 2022) (Western Riverside Council of Governments).

information should be in a format that is easy to navigate and understand for members of the affected community.

- Providing notice by mail to residents and schools within a certain radius of the project and along transportation corridors to be used by vehicles visiting the project, and by posting a prominent sign on the project site. The notice should include a brief project description and directions for accessing complete information about the project and for providing input on the project.
- Providing translation or interpretation in residents' native language, where appropriate.
- For public meetings broadcast online or otherwise held remotely, providing for access and public comment by telephone and supplying instructions for access and public comment with ample lead time prior to the meeting.
- Partnering with local community-based organizations to solicit feedback, leverage local networks, co-host meetings, and build support.
- Considering adoption of a community benefits agreement, negotiated with input from affected residents and businesses, by which the developer provides benefits to the affected community.
- Creating a community advisory board made up of local residents to review and provide feedback on project proposals in early planning stages.
- Identifying a person to act as a community liaison concerning on-site construction activity and operations, and providing contact information for the community liaison to the surrounding community.
- Requiring signage in public view at warehouse facilities with contact information for a local designated representative for the facility operator who can receive community complaints, and requiring any complaints to be answered by the facility operator within 48 hours of receipt.

IV. Warehouse Siting and Design Considerations

The most important consideration when planning a logistics facility is its location. Warehouses located in residential neighborhoods or near sensitive receptors expose community residents and those using or visiting sensitive receptor sites to the air pollution, noise, traffic, and other environmental impacts they generate. Therefore, placing facilities away from sensitive receptors significantly reduces their environmental and quality of life harms on local communities. The suggested best practices for siting and design of warehouse facilities does not relieve lead agencies' responsibility under CEQA to conduct a project-specific analysis of the project's impacts and evaluation of feasible mitigation measures and alternatives; lead agencies' incorporation of the best practices must be part of the impact, mitigation and alternatives analyses to meet the requirements of CEQA. Examples of best practices when siting and designing warehouse facilities include:

- Per California Air Resources Board (CARB) guidance, siting warehouse facilities so that their property lines are at least 1,000 feet from the property lines of the nearest sensitive receptors.²⁰
- Providing adequate amounts of on-site parking to prevent trucks and other vehicles from parking or idling on public streets and to reduce demand for off-site truck yards.
- Establishing setbacks from the property line of the nearest sensitive receptor to warehouse dock doors, loading areas, and truck drive aisles, and locating warehouse dock doors, loading areas, and truck drive aisles on the opposite side of the building from the nearest sensitive receptors—e.g., placing dock doors on the north side of the facility if sensitive receptors are near the south side of the facility.
- Placing facility entry and exit points from the public street away from sensitive receptors—e.g., placing these points on the north side of the facility if sensitive receptors are adjacent to the south side of the facility.
- Ensuring heavy duty trucks abide by the on-site circulation plans by constructing physical barriers to block those trucks from using areas of the project site restricted to light duty vehicles or emergency vehicles only.
- Preventing truck queuing spillover onto surrounding streets by positioning entry gates after a minimum of 140 feet of space for queuing, and increasing the distance by 70 feet for every 20 loading docks beyond 50 docks.
- Locating facility entry and exit points on streets of higher commercial classification that are designed to accommodate heavy duty truck usage.
- Screening the warehouse site perimeter and onsite areas with significant truck traffic (e.g., dock doors and drive aisles) by creating physical, structural, and/or vegetative buffers that prevent or substantially reduce pollutant and noise dispersion from the facility to sensitive receptors.
- Planting exclusively 36-inch box evergreen trees to ensure faster maturity and four-season foliage.
- Requiring all property owners and successors in interest to maintain onsite trees and vegetation for the duration of ownership, including replacing any dead or unhealthy trees and vegetation.
- Posting signs clearly showing the designated entry and exit points from the public street for trucks and service vehicles.
- Including signs and drive aisle pavement markings that clearly identify onsite circulation patterns to minimize unnecessary onsite vehicle travel.
- Posting signs indicating that all parking and maintenance of trucks must be conducted within designated on-site areas and not within the surrounding community or public streets.

²⁰ CARB, Air Quality and Land Use Handbook: A Community Health Perspective (April 2005), at ES-1. CARB staff has released draft updates to this siting and design guidance which suggests a greater distance may be warranted in some scenarios. CARB, Concept Paper for the Freight Handbook (December 2019), available at https://ww2.arb.ca.gov/sites/default/files/2020-03/2019.12.12%20-%20Concept%20Paper%20for%20the%20Freight%20Handbook_1.pdf (last accessed September 18, 2022).

V. Air Quality and Greenhouse Gas Emissions Analysis and Mitigation

Emissions of air pollutants and greenhouse gases are often among the most substantial environmental impacts from new warehouse facilities. CEQA compliance demands a proper accounting of the full air quality and greenhouse gas impacts of logistics facilities and adoption of all feasible mitigation of significant impacts. Although efforts by CARB and other authorities to regulate the heavy-duty truck and off-road diesel fleets have made excellent progress in reducing the air quality impacts of logistics facilities, the opportunity remains for local jurisdictions to further mitigate these impacts at the project level. Lead agencies and developers should also consider designing projects with their long-term viability in mind. Constructing the necessary infrastructure to prepare for the zero-emission future of goods movement not only reduces a facility's emissions and local impact now, but it can also save money as demand for zero-emission infrastructure grows. In planning new logistics facilities, the Bureau strongly encourages developers to consider the local, statewide, and global impacts of their projects' emissions.

Examples of best practices when studying air quality and greenhouse gas impacts include:

- Fully analyzing all reasonably foreseeable project impacts, including cumulative impacts. In general, new warehouse developments are not ministerial under CEQA because they involve public officials' personal judgment as to the wisdom or manner of carrying out the project, even when warehouses are permitted by a site's applicable zoning and/or general plan land use designation.²¹
- When analyzing cumulative impacts, thoroughly considering the project's incremental impact in combination with past, present, and reasonably foreseeable future projects, even if the project's individual impacts alone do not exceed the applicable significance thresholds.
- Preparing a quantitative air quality study in accordance with local air district guidelines.
- Preparing a quantitative health risk assessment in accordance with California Office of Environmental Health Hazard Assessment and local air district guidelines.
- Refraining from labeling compliance with CARB or air district regulations as a mitigation measure—compliance with applicable regulations is required regardless of CEQA.
- Disclosing air pollution from the entire expected length of truck trips. CEQA requires full public disclosure of a project's anticipated truck trips, which entails calculating truck trip length based on likely truck trip destinations, rather than the distance from the facility to the edge of the air basin, local jurisdiction, or other truncated endpoint. All air pollution associated with the project must be considered, regardless of where those impacts occur.

²¹ CEQA Guidelines § 15369.

- Accounting for all reasonably foreseeable greenhouse gas emissions from the project, without discounting projected emissions based on participation in California’s Cap-and-Trade Program.

Examples of measures to mitigate air quality and greenhouse gas impacts from construction are below. To ensure mitigation measures are enforceable and effective, they should be imposed as permit conditions on the project where applicable.

- Requiring off-road construction equipment to be hybrid electric-diesel or zero-emission, where available, and all diesel-fueled off-road construction equipment to be equipped with CARB Tier IV-compliant engines or better, and including this requirement in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities.
- Prohibiting off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day.
- Using electric-powered hand tools, forklifts, and pressure washers, and providing electrical hook ups to the power grid rather than use of diesel-fueled generators to supply their power.
- Designating an area in the construction site where electric-powered construction vehicles and equipment can charge.
- Limiting the amount of daily grading disturbance area.
- Prohibiting grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area.
- Forbidding idling of heavy equipment for more than three minutes.
- Keeping onsite and furnishing to the lead agency or other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications.
- Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts.
- Using paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L.
- Providing information on transit and ridesharing programs and services to construction employees.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations for construction employees.

Examples of measures to mitigate air quality and greenhouse gas impacts from operation include:

- Requiring all heavy-duty vehicles engaged in drayage²² to or from the project site to be zero-emission beginning in 2030.

²² “Drayage” refers generally to transport of cargo to or from a seaport or intermodal railyard.

- Requiring all on-site motorized operational equipment, such as forklifts and yard trucks, to be zero-emission with the necessary charging or fueling stations provided.
- Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.
- Forbidding trucks from idling for more than three minutes and requiring operators to turn off engines when not in use.
- Posting both interior- and exterior-facing signs, including signs directed at all dock and delivery areas, identifying idling restrictions and contact information to report violations to CARB, the local air district, and the building manager.
- Installing solar photovoltaic systems on the project site of a specified electrical generation capacity that is equal to or greater than the building's projected energy needs, including all electrical chargers.
- Designing all project building roofs to accommodate the maximum future coverage of solar panels and installing the maximum solar power generation capacity feasible.
- Constructing zero-emission truck charging/fueling stations proportional to the number of dock doors at the project.
- Running conduit to designated locations for future electric truck charging stations.
- Unless the owner of the facility records a covenant on the title of the underlying property ensuring that the property cannot be used to provide refrigerated warehouse space, constructing electric plugs for electric transport refrigeration units at every dock door and requiring truck operators with transport refrigeration units to use the electric plugs when at loading docks.
- Oversizing electrical rooms by 25 percent or providing a secondary electrical room to accommodate future expansion of electric vehicle charging capability.
- Constructing and maintaining electric light-duty vehicle charging stations proportional to the number of employee parking spaces (for example, requiring at least 10% of all employee parking spaces to be equipped with electric vehicle charging stations of at least Level 2 charging performance)
- Running conduit to an additional proportion of employee parking spaces for a future increase in the number of electric light-duty charging stations.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, air filtration systems at sensitive receptors within a certain radius of facility for the life of the project.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the affected community by providing information that can be used to improve air quality or avoid exposure to unhealthy air.
- Requiring all stand-by emergency generators to be powered by a non-diesel fuel.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of

- trucks.
- Requiring operators to establish and promote a rideshare program that discourages single-occupancy vehicle trips and provides financial incentives for alternate modes of transportation, including carpooling, public transit, and biking.
- Meeting CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking.
- Designing to LEED green building certification standards.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations.
- Posting signs at every truck exit driveway providing directional information to the truck route.
- Improving and maintaining vegetation and tree canopy for residents in and around the project area.
- Requiring that every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. Also require facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.
- Requiring tenants to enroll in the United States Environmental Protection Agency's SmartWay program, and requiring tenants who own, operate, or hire trucking carriers with more than 100 trucks to use carriers that are SmartWay carriers.
- Providing tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets.

VI. Noise Impacts Analysis and Mitigation

The noise associated with logistics facilities can be among their most intrusive impacts to nearby sensitive receptors. Various sources, such as unloading activity, diesel truck movement, and rooftop air conditioning units, can contribute substantial noise pollution. These impacts are exacerbated by logistics facilities' typical 24-hour, seven-days-per-week operation. Construction noise is often even greater than operational noise, so if a project site is near sensitive receptors, developers and lead agencies should adopt measures to reduce the noise generated by both construction and operation activities.

Examples of best practices when studying noise impacts include:

- Preparing a noise impact analysis that considers all reasonably foreseeable project noise impacts, including to nearby sensitive receptors. All reasonably foreseeable project noise impacts encompasses noise from both construction and operations, including stationary, on-site, and off-site noise sources.
- Adopting a lower significance threshold for incremental noise increases when baseline noise already exceeds total noise significance thresholds, to account for the cumulative impact of additional noise and the fact that, as noise moves up the decibel scale, each decibel increase is a progressively greater increase in sound

pressure than the last. For example, 70 dBA is ten times more sound pressure than 60 dBA.

- Disclosing and considering the significance of short-term noise levels associated with all aspects of project operation (i.e. both on-site noise generation and off-site truck noise). Considering only average noise levels may mask noise impacts sensitive receptors would consider significant—for example, the repeated but short-lived passing of individual trucks or loading activities at night.

Examples of measures to mitigate noise impacts include:

- Constructing physical, structural, or vegetative noise barriers on and/or off the project site.
- Planning and enforcing truck routes that avoid passing sensitive receptors.
- Locating or parking all stationary construction equipment as far from sensitive receptors as possible, and directing emitted noise away from sensitive receptors.
- Verifying that construction equipment has properly operating and maintained mufflers.
- Requiring all combustion-powered construction equipment to be surrounded by a noise protection barrier
- Limiting operation hours to daytime hours on weekdays.
- Paving roads where truck traffic is anticipated with low noise asphalt.
- Orienting any public address systems onsite away from sensitive receptors and setting system volume at a level not readily audible past the property line.

VII. Traffic Impacts Analysis and Mitigation

Warehouse facilities inevitably bring truck and passenger car traffic. Truck traffic can present substantial safety issues. Collisions with heavy-duty trucks are especially dangerous for passenger cars, motorcycles, bicycles, and pedestrians. These concerns can be even greater if truck traffic passes through residential areas, school zones, or other places where pedestrians are common and extra caution is warranted.

Examples of measures to mitigate traffic impacts include:

- Designing, clearly marking, and enforcing truck routes that keep trucks out of residential neighborhoods and away from other sensitive receptors.
- Installing signs in residential areas noting that truck and employee parking is prohibited.
- Requiring preparation and approval of a truck routing plan describing the facility's hours of operation, types of items to be stored, and truck routing to and from the facility to designated truck routes that avoids passing sensitive receptors. The plan should include measures for preventing truck queuing, circling, stopping, and parking on public streets, such as signage, pavement markings, and queuing analysis and enforcement. The plan should hold facility operators responsible for violations of the truck routing plan, and a revised plan should be required from any new tenant that occupies the property before a business license

is issued. The approving agency should retain discretion to determine if changes to the plan are necessary, including any additional measures to alleviate truck routing and parking issues that may arise during the life of the facility.

- Constructing new or improved transit stops, sidewalks, bicycle lanes, and crosswalks, with special attention to ensuring safe routes to schools.
- Consulting with the local public transit agency and securing increased public transit service to the project area.
- Designating areas for employee pickup and drop-off.
- Implementing traffic control and safety measures, such as speed bumps, speed limits, or new traffic signs or signals.
- Placing facility entry and exit points on major streets that do not have adjacent sensitive receptors.
- Restricting the turns trucks can make entering and exiting the facility to route trucks away from sensitive receptors.
- Constructing roadway improvements to improve traffic flow.
- Preparing a construction traffic control plan prior to grading, detailing the locations of equipment staging areas, material stockpiles, proposed road closures, and hours of construction operations, and designing the plan to minimize impacts to roads frequented by passenger cars, pedestrians, bicyclists, and other non-truck traffic.

VIII. Other Significant Environmental Impacts Analysis and Mitigation

Warehouse projects may result in significant environmental impacts to other resources, such as to aesthetics, cultural resources, energy, geology, or hazardous materials. All significant adverse environmental impacts must be evaluated, disclosed and mitigated to the extent feasible under CEQA. Examples of best practices and mitigation measures to reduce environmental impacts that do not fall under any of the above categories include:

- Appointing a compliance officer who is responsible for implementing all mitigation measures, and providing contact information for the compliance officer to the lead agency, to be updated annually.
- Creating a fund to mitigate impacts on affected residents, schools, places of worship, and other community institutions by retrofitting their property. For example, retaining a contractor to retrofit/install HVAC and/or air filtration systems, doors, dual-paned windows, and sound- and vibration-deadening insulation and curtains.
- Sweeping surrounding streets on a daily basis during construction to remove any construction-related debris and dirt.
- Directing all lighting at the facility into the interior of the site.
- Using full cut-off light shields and/or anti-glare lighting.
- Requiring submission of a property maintenance program for agency review and approval providing for the regular maintenance of all building structures, landscaping, and paved surfaces.
- Using cool pavement to reduce heat island effects.

- Planting trees in parking areas to provide at least 35% shade cover of parking areas within fifteen years to reduce heat island impacts.
- Using light colored roofing materials with a solar reflective index of 78 or greater.
- Including on-site amenities, such as a truck operator lounge with restrooms, vending machines, and air conditioning, to reduce the need for truck operators to idle or travel offsite.
- Designing skylights to provide natural light to interior worker areas.
- Installing climate control and air filtration in the warehouse facility to promote worker well-being.

IX. Conclusion

California's world-class economy, ports, and transportation network position it at the center of the e-commerce and logistics industry boom. At the same time, California is a global leader in environmental protection and environmentally just development. The guidance in this document furthers these dual strengths, ensuring that all can access the benefits of economic development. The Bureau will continue to monitor proposed projects for compliance with CEQA and other laws. Lead agencies, developers, community advocates, and other interested parties should feel free to reach out to us as they consider how to guide warehouse development in their area.

Please do not hesitate to contact the Environmental Justice Bureau at ej@doj.ca.gov if you have any questions.

DEPARTMENT OF TRANSPORTATION

DISTRICT 7- OFFICE OF REGIONAL PLANNING
100 S. MAIN STREET, SUITE 100
LOS ANGELES, CA 90012
PHONE (213) 266-3574
FAX (213) 897-1337
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*Making Conservation
a California Way of Life.*

October 1, 2024

City of Lancaster
Attention: Jocelyn Swain, Senior Planner
44933 Fern Avenue
Lancaster, California 93534

RE: Westside Annexation and Specific Plan
Project – NOP
SCH# 2024081372
GTS# 07-LA-2024-04616
Vic. LA 14 PM: Multiple
LA 138 PM: 36.957

Dear Jocelyn Swain,

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project would include annexation of the project site from unincorporated Los Angeles County into the City of Lancaster jurisdiction and adoption of the proposed North Lancaster Industrial Specific Plan, which would allow up to approximately 38.5 million square feet of industrial development.

After reviewing the NOP, Caltrans has the following comments:

- The project is adjacent to two State Highway facilities: SR 14 and SR 138. Caltrans right-of-way shall be excluded from annexation. Please see attached ROW maps for reference.
- Caltrans looks forward to reviewing the project's transportation impact analysis, and will closely monitor the following topics:
 - VMT impacts from the project, including induced freight trips from associated development. As required by SB 743, Caltrans recommends the Lead Agency develop a verifiable performance based VMT criteria. Significant transportation impacts should warrant consideration of mitigation measures, including transportation demand management and transportation system management. Projects anticipating a significant volume of induced freight trips may consider additional modes for goods

movement, including enhancing connections to existing or proposed freight rail facilities.

- Queuing analysis as well as potential back-up and resulting speed differentials at the following interchanges:
 - SR 14 / SR 138
 - SR 14 / Ave A
 - SR 14 / Ave D
 - SR 14 / Ave F
 - SR 14 / Ave G
 - SR 14 / Ave H
- Analysis of potential transportation safety impacts at the SR 14 / SR 138 (Ave D) interchange
- Multimodal transportation analysis, including review of potential generation of pedestrian / bicycle / transit trips. Consideration of complete streets features in related street improvements (ADA curb ramps, sidewalks, bicycle lanes, high-visibility crosswalks, etc.)
- Portions of the of the Project site lie within Safety Zone C, Safety Zone D, and Safety Zone E of the General William J. Fox Airfield. Pursuant to the State Aeronautics Act, CPUC Code §21676(b), any development within safety zones or airport influence areas must comply with the safety criteria and restrictions outlined in the Airport Land Use Compatibility Plan. Therefore, the project must adhere to the safety criteria and restrictions outlined in the 2004 General William J. Fox Airfield Land Use Compatibility Plan (ALUCP), adopted by the ALUC pursuant to the PUC, Section 21674.

California Public Utilities Code §21659 prohibits structural hazards near airports. Structures should not be at a height that will result in penetration of the airport imaginary surfaces. In accordance with Federal Aviation Regulation, Part 77 "Objects Affecting Navigable Airspace" a Notice of Proposed Construction or Alteration (Form 7460-1) may be required by the Federal Aviation Administration (FAA). For further information or a copy of Form 7460-1, please refer to the FAA website <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.

Caltrans recommends further review of potential compatibility concerns related to airport obstructions and hazards to flight, such as:

- Wildlife attractants: Project elements (e.g., open waste disposal areas) that could attract wildlife, posing a hazard to aircraft.
- Lighting: Improper lighting design or excessive light intensity could interfere with night-time airport operations and can cause safety hazards to pilots.
- Glare: Reflective surfaces (e.g., extensive use of solar panels) could create glare that disrupts pilots' visibility.

Finally, The Project area is located adjacent to SR 14 and SR 138. Caltrans has the jurisdiction for review and approval of any work that would affect the freeways and its facilities. Any transportation of heavy construction equipment and/or materials which requires use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. We recommend large size truck trips be limited to off-peak commute periods.

If you have any questions, please contact project coordinator Jan Yonan, at jan.yonan@dot.ca.gov and refer to GTS# 07-LA-2024-04616.

Sincerely,

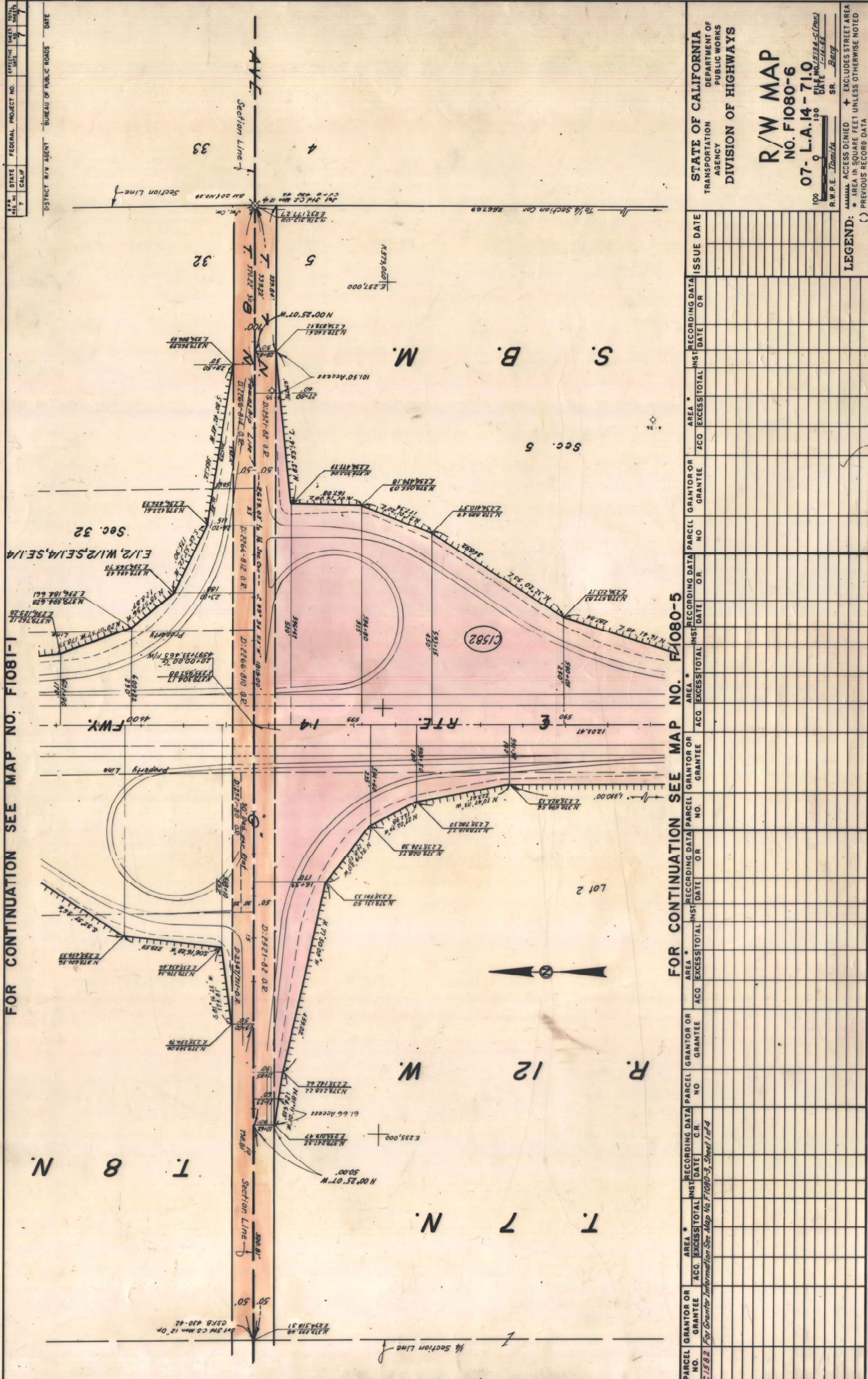
A handwritten signature in black ink that reads "Anthony Higgins". The script is fluid and cursive, with the first letter of each word being capitalized and prominent.

Anthony Higgins
Acting LDR/CEQA Branch Chief

Cc: State Clearinghouse

FOR CONTINUATION SEE MAP NO. F1081-I

STATE PROJECT NO. 7
FEDERAL PROJECT NO. 7
DISTRICT R/W AGENT
BUREAU OF PUBLIC ROADS
DATE



FOR CONTINUATION SEE MAP NO. F1080-5

STATE OF CALIFORNIA TRANSPORTATION DEPARTMENT AGENCY PUBLIC WORKS DIVISION OF HIGHWAYS																															
PARCEL NO.		GRANTOR OR GRANTEE		ACQ. EXCESS TOTAL		INST. DATE		RECORDING DATA		PARCEL NO.		GRANTOR OR GRANTEE		ACQ. EXCESS TOTAL		INST. DATE		RECORDING DATA		PARCEL NO.		GRANTOR OR GRANTEE		ACQ. EXCESS TOTAL		INST. DATE		RECORDING DATA		ISSUE DATE	

STATE OF CALIFORNIA
TRANSPORTATION
DEPARTMENT OF
PUBLIC WORKS
DIVISION OF HIGHWAYS

R/W MAP
NO. F1080-6
07-L.A.14-71.0
DATE 10/1/54
R.W.P.E. 100
SR. 100

LEGEND:
ACCESS DENIED
EXCLUDES STREET AREA
EXCLUDES FEET UNLESS OTHERWISE NOTED
() PREVIOUS RECORD DATA

September 30, 2024

Jocelyn Swain
Senior Planner
Community Development Department
City of Lancaster
44933 Fern Avenue
Lancaster, California 93534
jswain@cityoflanasterca.gov

Dear Jocelyn Swain:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Notice of Preparation (NOP) for the Westside Annexation and Specific Plan Project (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2024081372. The Project proposes the development of up to 38.5 million square feet of industrial uses. The Project site is located within the City of Lancaster (City), California, which is the lead agency for California Environmental Quality Act (CEQA) purposes.

Industrial developments, such as the Project, can result in high daily volumes of heavy-duty diesel truck traffic and operation of on-site equipment (e.g., forklifts and yard tractors) that emit toxic diesel particulate matter, and contribute to regional air pollution and global climate change.¹ The Project will expose nearby communities to elevated levels of air pollution. Existing residences are located north, south, east and west of the Project with the closest residence located within 1,000 feet from the Project's eastern boundary. In addition to residences, the Desert View Elementary School is located within one mile of the Project. Due to the Project's proximity to existing residences, CARB is concerned with the potential health impacts associated with the construction and operation of the Project.

The DEIR Should Quantify and Discuss the Potential Cancer Risks from Project Operation

Since the Project could generate diesel powered truck traffic along roadways adjacent to residential communities, CARB urges the City to prepare a health risk assessment (HRA) for the Project. The HRA should account for all potential health risks from Project-related diesel particulate matter (diesel PM) emission sources, including, but not limited to, back-up generators, on-site diesel-powered equipment, and heavy-duty trucks. The HRA should also

¹. With regard to greenhouse gas emissions from this project, CARB has been clear that local governments and project proponents have a responsibility to properly mitigate these impacts. CARB's guidance, set out in detail in the Scoping Plan, explains that in CARB's expert view, local mitigation is critical to achieving climate goals and reducing greenhouse gases below levels of significance.

determine if the operation of the Project in conjunction with past, present, and reasonably foreseeable future projects or activities would result in a cumulative cancer risk impact on nearby residences. To reduce diesel PM exposure and associated cancer risks, CARB urges the City to include all the air pollution reduction measures listed in Attachment A.

Since the Project description provided in the NOP does not explicitly state that the proposed land uses would not include cold storage, there is a possibility that trucks and trailers visiting the Project site would be equipped with Transport Refrigeration units (TRU).² TRUs on trucks and trailers can emit large quantities of diesel exhaust while operating within the Project site. Residences and other sensitive receptors (e.g., daycare facilities, senior care facilities, and schools) located near where these TRUs could be operating, would be exposed to diesel emissions that would result in a significant cancer risk impact. If the Project would be used for cold storage, CARB urges the City to model air pollutant emissions from on- and off-site TRUs in the DEIR, and to include potential cancer risks from on- and off-site TRUs in the Project's HRA. If the Project will not be used for cold storage, CARB urges the City to include one of the following design measures in the DEIR:

- A Project design measure requiring contractual language in tenant lease agreements that prohibits tenants from operating diesel-powered TRUs within the Project site; or
- A condition requiring a restrictive covenant over the parcel that prohibits the applicant's use of diesel-powered TRUs on the property unless the applicant seeks and receives an amendment to its conditional use permit allowing such use.

The HRA prepared in support of the Project should be based on the latest Office of Environmental Health Hazard Assessment's (OEHHA) guidance (2015 Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments).³ The mobile diesel PM emissions used to estimate the Project's cancer risk impacts should be based on CARB's latest 2021 Emission Factors model (EMFAC2021). Mobile emission factors can be obtained by running the EMFAC2021 Web Database: <https://arb.ca.gov/emfac/>.

The DEIR Should Quantify and Discuss the Potential Cancer Risks from Project Construction

In addition to the health risks associated with operational diesel PM emissions, health risks associated with construction diesel PM emissions should be included in the air quality section of the DEIR and the Project's HRA. Construction of the Project would result in short-term diesel PM emissions from the use of both on-road and off-road diesel

² TRUs are refrigeration systems, these systems may be powered by integral diesel engines; TRUs protect perishable goods during transport in insulated trucks, trailer vans, rail cars, and domestic shipping containers.

³ Office of Environmental Health Hazard Assessment (OEHHA). Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments. February 2015. Accessed at: <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>.

equipment. The OEHHA guidance recommends assessing cancer risks for construction projects lasting longer than two months. Since construction would very likely occur over a period lasting longer than two months, the HRA prepared for the Project should include health risks for existing residences near the Project site during construction including, but not limited to, off-road mobile equipment, diesel generators, and on-road heavy-duty trucks. The cancer risks evaluated in the construction HRA should be based on the latest OEHHA guidance, using emission factors obtained from CARB's latest EMFAC (currently EMFAC 2021) and off-road models.

Conclusion

To reduce the exposure of toxic diesel PM emissions in disadvantaged communities already impacted by air pollution, the final design of the Project should include all existing and emerging zero-emission technologies to minimize diesel PM and NOx emissions, as well as the greenhouse gases that contribute to climate change. CARB encourages the City and the applicant to implement the applicable measures listed in Attachment A of this letter.

Given the breadth and scope of projects subject to CEQA review throughout California that have air quality and greenhouse gas impacts, coupled with CARB's limited staff resources to substantively respond to all issues associated with a project, CARB must prioritize its substantive comments here based on staff time, resources, and its assessment of impacts. CARB's deliberate decision to substantively comment on some issues does not constitute an admission or concession that it substantively agrees with the lead agency's findings and conclusions on any issues on which CARB does not substantively submit comments.

CARB appreciates the opportunity to comment on the NOP for the Project and can provide assistance on zero-emission technologies and emission reduction strategies, as needed. Please include CARB on your State Clearinghouse list of selected State agencies that will receive the DEIR as part of the comment period. If you have questions, please contact Stanley Armstrong, Air Pollution Specialist via email at stanley.armstrong@arb.ca.gov.

Sincerely,



Matthew O'Donnell, Chief, Risk Reduction Branch

Attachment

cc: State Clearinghouse
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Attachment A

Recommended Air Pollution Emission Reduction Measures for Warehouses and Distribution Centers

The California Air Resources Board (CARB) recommends developers and government planners use all existing and emerging zero to near-zero emission technologies during project construction and operation to minimize public exposure to air pollution. Below are some measures, currently recommended by CARB, specific to warehouse and distribution center projects. These recommendations are subject to change as new zero-emission technologies become available.

Recommended Construction Measures

1. Ensure the cleanest possible construction practices and equipment are used. This includes eliminating the idling of diesel-powered equipment and providing the necessary infrastructure (e.g., electrical hookups) to support zero and near-zero equipment and tools.
2. Implement, and plan accordingly for, the necessary infrastructure to support the zero and near-zero emission technology vehicles and equipment that will be operating on site. Necessary infrastructure may include the physical (e.g., needed footprint), energy, and fueling infrastructure for construction equipment, on-site vehicles and equipment, and medium-heavy and heavy-heavy duty trucks.
3. In construction contracts, include language that requires all off-road diesel-powered equipment used during construction to be equipped with Tier 4 or cleaner engines, except for specialized construction equipment in which Tier 4 engines are not available. In place of Tier 4 engines, off-road equipment can incorporate retrofits, such that, emission reductions achieved are equal to or exceed that of a Tier 4 engine.
4. In construction contracts, include language that requires all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers) used during project construction be battery powered.
5. In construction contracts, include language that requires all heavy-duty trucks entering the construction site during the grading and building construction phases be model year 2014 or later. All heavy-duty haul trucks should also meet CARB's

lowest optional low-oxides of nitrogen (NO_x) standard starting in the year 2022.⁴

6. In construction contracts, include language that requires all construction equipment and fleets to be in compliance with all current air quality regulations. CARB is available to assist in implementing this recommendation.

Recommended Operation Measures

1. Include contractual language in tenant lease agreements that requires tenants to use the cleanest technologies available, and to provide the necessary infrastructure to support zero-emission vehicles and equipment that will be operating on site.
2. Include contractual language in tenant lease agreements that requires all loading/unloading docks and trailer spaces be equipped with electrical hookups for trucks with transport refrigeration units (TRUs) or auxiliary power units. This requirement will substantially decrease the amount of time that a TRU powered by a fossil-fueled internal combustion engine can operate at the project site. Use of zero-emission all-electric plug-in TRUs, hydrogen fuel cell transport refrigeration, and cryogenic transport refrigeration are encouraged and can also be included in lease agreements.⁵
3. Include contractual language in tenant lease agreements that requires all TRUs entering the project-site be plug-in capable.
4. Include contractual language in tenant lease agreements that requires future tenants to exclusively use zero-emission light and medium-duty delivery trucks and vans.
5. Include contractual language in tenant lease agreements that requires all service equipment (e.g., yard hostlers, yard equipment, forklifts, and pallet jacks) used within the project site to be zero-emission. This equipment is widely available and can be purchased using incentive funding from CARB's Clean Off-Road Equipment Voucher Incentive Project (CORE).⁶
6. Include contractual language in tenant lease agreements that requires all heavy-duty trucks entering or on the project site to be zero-emission vehicles, and be fully zero-emission. A list of commercially available zero-emission trucks can be obtained

⁴ In 2013, CARB adopted optional low-NO_x emission standards for on-road heavy-duty engines. CARB encourages engine manufacturers to introduce new technologies to reduce NO_x emissions below the current mandatory on-road heavy-duty diesel engine emission standards for model-year 2010 and later. CARB's optional low-NO_x emission standard is available at: <https://ww2.arb.ca.gov/our-work/programs/optional-reduced-nox-standards>

⁵ CARB's technology assessment for transport refrigerators provides information on the current and projected development of TRUs, including current and anticipated costs. The assessment is available at: https://www.arb.ca.gov/msprog/tech/techreport/tru_07292015.pdf

⁶ Clean Off-Road Equipment Voucher Incentive Project. Accessible at: <https://californiacore.org/how-to-participate/>

from the Hybrid and Zero-emission Truck and Bus Voucher Incentive Project (HVIP).⁷ Additional incentive funds can be obtained from the Carl Moyer Program and Voucher Incentive Program.⁸

7. Include contractual language in tenant lease agreements that requires the tenant to be in, and monitor compliance with, all current air quality regulations for on-road trucks including CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation,⁹ Advanced Clean Trucks Regulation,¹⁰ Periodic Smoke Inspection Program (PSIP),¹¹ and the Statewide Truck and Bus Regulation.¹²
8. Include contractual language in tenant lease agreements restricting trucks and support equipment from idling longer than two minutes while on site.
9. Include rooftop solar panels for each proposed warehouse to the extent feasible, with a capacity that matches the maximum allowed for distributed solar connections to the grid.
10. Include contractual language in tenant lease agreements, requiring the installing of vegetative walls¹³ or other effective barriers that separate loading docks and people living or working nearby.

⁷ Zero-Emission Truck and Bus Voucher Incentive Project. Accessible at: <https://californiahvip.org/>

⁸ Carl Moyer Program and Voucher Incentive Program. <https://ww2.arb.ca.gov/carl-moyer-program-apply>

⁹ In December 2008, CARB adopted a regulation to reduce greenhouse gas emissions by improving the fuel efficiency of heavy-duty tractors that pull 53-foot or longer box-type trailers. 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. CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation is available at: <https://ww2.arb.ca.gov/our-work/programs/ttghg>

¹⁰ On June 25, 2020, CARB approved the Advanced Clean Trucks Regulation. The regulation requires manufacturers to start the transition from diesel trucks and vans to zero-emission trucks beginning in 2024. The rule is expected to result in about 100,000 electric trucks in California by the end of 2030 and about 300,000 by 2035. CARB is expected to consider a fleet regulation in 2021 that would be compatible with the Advanced Clean Trucks regulation, requiring fleets to purchase a certain percentage of zero-emission trucks and vans for their fleet operations. <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks>

¹¹ The PSIP program requires that diesel and bus fleet owners conduct annual smoke opacity inspections of their vehicles and repair those with excessive smoke emissions to ensure compliance. CARB's PSIP program is available at: <https://www.arb.ca.gov/enf/hdvp/hdvp.htm>

¹² The regulation requires that newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model-year engines or equivalent. CARB's Statewide Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>

¹³ Effectiveness of Sound Wall-Vegetation Combination Barriers as Near-Roadway Pollutant Mitigation Strategies (2017) is available at: <https://ww2.arb.ca.gov/sites/default/files/classic/research/apr/past/13-306.pdf>



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October 1, 2024

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**SUBJECT: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT
REPORT FOR THE WESTSIDE ANNEXATION AND SPECIFIC PLAN
PROJECT, SCH NO. 2024081372, LOS ANGELES COUNTY, CALIFORNIA**

Dear Jocelyn Swain:

The California Department of Fish and Wildlife (CDFW) reviewed the Notice of Preparation (NOP) from the City of Lancaster (City) for the Westside Annexation and Specific Plan Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Fish & G. Code, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law² of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.) or the Native Plant Protection Act (NPPA; Fish & G. Code, §1900 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: City of Lancaster

Objective: The objective of the Project is to annex approximately 7,153 acres currently in unincorporated Los Angeles County into the City's jurisdiction and to adopt the proposed North Lancaster Industrial Specific Plan (Specific Plan), which would allow for industrial development. The Specific Plan would encompass approximately 1,860 acres in the center of the annexed area and is split into eight planning areas. Of the eight planning areas, six will be zoned as light industrial (planning areas 1 through 6) and two will be zoned as heavy industrial (planning areas 7 and 8). Primary Project activities include conversion of mostly vacant and undeveloped land with scattered rural residences to industrial development. With a proposed floor area ratio of 0.5, the maximum buildout of all planning zones totals approximately 884 acres. Within planning areas 2, 4, 6, 7, and 8, the Project proposes to construct approximately 260 acres of industrial warehouse buildings and associated site improvements over a 5-year period. The NOP does not describe the construction proposal for planning areas 1 and 5.

Location: The Project is located to the north of the City of Lancaster in the County of Los Angeles. The Specific Plan area is generally bound by Avenue B to the north, Sierra Highway and Edwards Air Force Base to the east, Avenue G to the south, and 30th Street West to the west. Piute Ponds and Rosamond Lake are located approximately one and two miles east of the Project, respectively.

Biological Setting: No biological resource assessment of the Project area was provided. The Project is within the Mojave Desert section of the American Semi-Desert and Desert Province. CDFW's [Vegetation Classification and Mapping Program](#)³ (VegCAMP) indicates the predominant vegetation groups within the Specific Plan area are shadscale-saltbush cool semi-desert scrub, intermontane seral shrubland, and Mediterranean California naturalized annual and perennial grassland. The dominant

² "Take" is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

³ <https://wildlife.ca.gov/Data/VegCAMP>

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vegetation alliance is *Atriplex confertifolia*. Based on aerial imagery, the Specific Plan area may also include several tree stands of unknown species.

CDFW's [California Streams Dataset](#)⁴ indicates Amargosa Creek and unnamed streams, tributaries to Piute Ponds, are within the Specific Plan area. Additionally, the United States Fish and Wildlife Service's (USFWS's) [National Wetlands Inventory](#)⁵ indicates there are freshwater ponds within the Specific Plan area. These freshwater ponds may be claypans hydrologically connected to the Amargosa Creek and the unnamed streams.

The Project is within the [Antelope Valley Regional Conservation Investment Strategy](#)⁶ (AVRCIS) area. The northeast portion of the annexation area abuts the [Antelope Valley Significant Ecological Area](#).⁷

CDFW is concerned that the Project has the potential to impact the following special-status species: alkali mariposa-lily (*Calochortus striatus*; California Rare Plant Rank (CRPR) 1B.2), Rosamond eriastrum (*Eriastrum rosamondense*; CRPR 1B.1), Parry's spineflower (*Chorizanthe parryi* var. *parryi*; CRPR 1B.1), Lancaster milk-vetch (*Astragalus preussii* var. *laxiflorus*; CRPR 1B.1), sagebrush loeflingia (*Loeflingia squarrosa* var. *artemisiarum*; CRPR 2.B.2), Crotch's bumble bee (*Bombus crotchii*; CESA candidate species), northern California legless lizard (*Anniella pulchra*; California Species of Special Concern (SSC)), least Bell's vireo (*Vireo bellii pusillus*; Federal Endangered Species Act (ESA) and CESA Endangered), tricolored blackbird (*Agelaius tricolor*; CESA Threatened), Swainson's hawk (*Buteo swainsoni*; CESA Threatened), mountain plover (*Charadrius montanus*; SSC), burrowing owl (*Athene cunicularia*; SSC), white-faced ibis (*Plegadis chihi*; California Watch List), merlin (*Falco columbarius*; California Watch List), and other raptors and migratory birds.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

Specific Comments

- 1) [Programmatic EIR](#). Planning areas 2, 4, 6, 7, and 8 would be developed over a 5-year period. The NOP does not indicate when planning areas 1 or 5 would be developed. Given that Project activities would occur during different phases and would have similar environmental effects, the City should consider developing a Programmatic EIR (PEIR) for public review and comment (California Code of

⁴ <https://data.cnra.ca.gov/dataset/california-streams>

⁵ <https://www.fws.gov/program/national-wetlands-inventory>

⁶ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=197234>

⁷ <https://egis-lacounty.hub.arcgis.com/datasets/c01bf32eee6d4768ac0a82470c810648>

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Regulations. Title 14 §15168(a)(4)). The PEIR should provide a complete discussion of the direct and indirect impacts on biological resources for all phases of the Project. The Project may continually impact biological resources through activities such as, but not limited to, ground disturbance, continuous elevated noise, encroachment, vegetation clearing, and/or stream alteration. Mitigation measures incorporated into the PEIR should be drafted in a manner that would reduce Project impacts to a level less than significant for all phases. In the absence of a programmatic environmental document, the DEIR should analyze and discuss every phase of the Project such that CDFW can ascertain whether impacts to biological resources have been adequately avoided, minimized, and/or mitigated.

- 2) Crotch's Bumble Bee. Crotch's bumble bee is a generalist bee species that can utilize a variety of habitats including open areas and desert scrub communities for nesting and foraging opportunities. CNDDDB indicates there is a historical observation of Crotch's bumble bee within four miles of the Project area. Additionally, the Project area falls within the current range for Crotch's bumble bee based on CDFW's [Crotch's Bumble Bee Range Dataset](#).⁸ Focused surveys should be conducted to determine Crotch's bumble bee presence/absence within each planning area. Without a focused survey, Project activities could result in permanent loss of floral resources and nesting sites, nest abandonment, and/or direct injury or mortality of Crotch's bumble bee.

In preparation of the DEIR, CDFW recommends the City require the Project proponent to retain a biologist with the appropriate handling permits to conduct focused surveys. Focused surveys should follow CDFW's [Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species](#).⁹

Focused surveys should also be conducted within each planning area during the appropriate flying season to ensure no missed detection of Crotch's bumble bee occurs. Findings from the focused survey should be included in the DEIR for complete public disclosure and review.

The DEIR should also provide a discussion of habitat suitability for Crotch's bumble bee. Additionally, the DEIR should provide a discussion of the Project's potential direct and indirect impacts on Crotch's bumble bee. If the Project would impact Crotch's bumble bee, the DEIR should provide measures to minimize, and/or mitigate potential impacts to Crotch's bumble bee as well as habitat supporting the species. Coordination with CDFW is recommended and may include obtaining appropriate take authorization under CESA.

Appropriate authorization from CDFW may include an Incidental Take Permit (ITP) or a consistency determination in certain circumstances, among other options [Fish

⁸ <https://data.ca.gov/dataset/crotchs-bumble-bee-range-cdfw-ds3095>

⁹ nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline

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& G. Code, §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to a Project and mitigation measures may be required to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP unless the Project CEQA document addresses all Project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements of a CESA ITP.

- 3) Burrowing Owl. CNDDDB indicates burrowing owl was observed approximately four miles from the Specific Plan area. Additionally, the Project area may support open grassland with inactive small mammal burrows, which is suitable habitat for burrowing owls. Due to various factors including habitat loss and population decline, burrowing owls were recently petitioned to be listed as an endangered or threatened species under CESA by the Center of Biological Diversity (CBD 2024). Project activities may adversely impact burrowing owl through misdetention of burrowing owl, burrow destruction, construction disturbance (i.e., elevated noise, vibration), permanent removal of habitat, and injury and/or mortality.

To ensure that burrowing owls do not occupy the Project area, CDFW recommends that the City require the Project proponent to retain a biologist to conduct focused surveys for burrowing owls. The focused surveys should be conducted prior to the preparation of the Project's environmental document. A qualified biologist should survey for burrowing owls adhering to survey methods described in CDFW's [Staff Report on Burrowing Owl Mitigation](#)¹⁰ (CDFW 2012). A focused burrowing owl survey should be conducted no more than one year from the date of the DEIR. The survey area should include the Project area and a 150-meter buffer around the Project area, where suitable habitat is present. Survey protocol for breeding season owl surveys states to conduct four survey visits: 1) at least one site visit between February 15 and April 15, and 2) a minimum of three survey visits, at least three weeks apart, between April 15 and July 15, with at least one visit after June 15.

The DEIR should provide data on the presence or absence of burrowing owls and discuss the Project's impact on burrowing owls and suitable owl habitat. An impact assessment for burrowing owls should consider that this species is somewhat transitory seasonally and should evaluate impacts resulting from Project construction (e.g., grading) activities, as well as from habitat loss on site and cumulatively in the surrounding region. Adequate disclosure in the DEIR is recommended so CDFW may review data pertaining to burrowing owls and provide comments and recommendations specific to the Project's potential alternatives, mitigation measures, and any potential significant effects.

¹⁰ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843&inline>

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The DEIR should also provide measures to minimize and mitigate potential impacts on burrowing owls and further address the loss of suitable habitat from a perspective of cumulative impacts in Lancaster and the broader Antelope Valley. CDFW recommends mitigation methods described in the Staff Report on Burrowing Owl Mitigation.

- 4) Swainson's Hawk. CNDDDB indicates Swainson's hawk was observed approximately one mile from the Specific Plan area. The Project could impact nesting and foraging habitat for Swainson's hawk. To ensure that Swainson's hawk does not occupy the Project area, CDFW recommends the City conduct focused surveys for Swainson's hawk prior to the preparation of the DEIR. According to the [Swainson's Hawk Survey Protocols, Impact Avoidance, and Minimization Measures for Renewable Energy Projects in the Antelope Valley of Los Angeles and Kern Counties, California](#)¹¹ (CEC 2010), a biologist should conduct surveys in a manner that maximizes the potential to observe the adult Swainson's hawks and the nest/chicks via visual and audible cues within a five-mile radius of the project. All potential nest trees within the five-mile radius should be surveyed for presence of nests. Surveys should be repeated within the five-mile radius if a survey season ensues or elapses before the onset of project related activities. If construction begins mid-survey season the year after the initial surveys, then the surveys should continue for that part of the season before construction. Findings and potential impacts should be included in the DEIR. If the Project would impact Swainson's hawk, directly or indirectly, the DEIR should provide measures to minimize, and/or mitigate potential impacts to Swainson's hawk as well as habitat supporting the species. If "take" of Swainson's hawk would occur from Project construction or operation, the Project proponent should obtain CESA authorization (i.e., ITP). CDFW may consider the City's CEQA documentation for its CESA-related actions if it adequately analyzes/discloses impacts and mitigation to CESA-listed species. Additional documentation may be required as part of an ITP application for the Project for CDFW to adequately develop an accurate take analysis and identify measures that would fully mitigate for take of a CESA-listed species.
- 5) Nesting Birds and Raptors. The Project area may provide suitable habitat for nesting birds and raptors. Implementation of the Project during bird breeding and nesting season may result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. California Fish and Game Code (Sections 3503, 3503.5, and 3513) prohibits take of all birds and their active nests, including raptors and other migratory nongame birds as listed under the Federal Migratory Bird Treaty Act of 1918 (Code of Federal Regulations, Title 50, § 10.13). It is unlawful to take, possess, or needlessly destroy the nest or eggs of any nesting bird.

¹¹ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83991&inline>

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CDFW recommends the City provide a discussion of the Project's impacts on nesting birds and raptors. Additionally, the City should incorporate measures in the DEIR to fully avoid impacts on nesting birds and raptors. To avoid impacts to nesting birds, CDFW recommends that clearing of vegetation occur outside of the peak avian breeding season, which general runs from February 1 through September 1 (as early as January 1 for some raptors). If Project construction is necessary during the bird breeding season, a biologist with experience in conducting breeding bird surveys should conduct a nesting bird survey within three days prior to work in the area. If an active nest is identified, a buffer should be established between the construction activities and the nest so that nesting activities are not interrupted. Buffers should be delineated by temporary fencing and remain in effect as long as construction is occurring. No Project construction should occur within the fenced nest zone until the young have fledged, are no longer being fed by the parents, have left the nest, and will no longer be impacted by the Project. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.

- 6) Species of Special Concern. Northern California legless lizards were observed and recorded through CNDDDB within the Annexation area and adjacent to the Specific Plan area. Mountain plover was also observed within two miles of the Specific Plan area. Project activities, such as grading, may result in death or injury of adults, juveniles, eggs, or hatchlings of these SSC. Moreover, buildout of the Project may eliminate foraging, breeding, or nesting habitat and refugia for these SSC. In preparation of the DEIR, CDFW recommends that City thoroughly discuss the potential impacts to SSC. The City should also incorporate suitable mitigation measures to offset the impacts on sensitive reptile species and their habitats. It should be noted that the temporary relocation of wildlife does not constitute effective mitigation for the purpose of offsetting permanent Project impacts associated with habitat loss.
- 7) Rare Plants. CNDDDB indicates alkali mariposa-lily and sagebrush loeflingia were observed within the Specific Plan area and are presumed extant. Additionally, CNDDDB indicates Lancaster milk-vetch (possibly extirpated), Parry's spineflower (presumed extant), and Rosamond eriastrum (presumed extant) were observed within two miles of the Specific Plan area. Project activities, such as grading, may impact plant species with a CRPR of 1B.1, 1B.2, and 2B.2, and should be analyzed in the DEIR as they meet the definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380). CDFW recommends that the City provide full disclosure of the Project's impact on rare plants and their associated seedbank. CDFW also recommends the City incorporate measures in the DEIR that avoid, minimize, and mitigate potential impacts on rare plants and supporting habitat. The City should also retain a biologist with the appropriate handling permits to conduct a rare plant survey throughout the Project area to confirm presence/absence of rare plants.

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Surveys should adhere to CDFW's [*Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*](#)¹² (CDFW 2018). Findings of the rare plant survey should be disclosed in the DEIR.

- 8) Adjacency to Sensitive Ecological Areas. The Project area contains Amargosa Creek and ponds and abuts the Antelope Valley Significant Ecological Area. The area adjacent to the Project within Antelope Valley Significant Ecological Area is generally open space. The DEIR should thoroughly analyze potential direct and indirect impacts the Project may have on Amargosa Creek, the ponds, claypans, and the adjacent open space within Antelope Valley Significant Ecological Area. Water features and open space lands, particularly those with sensitive habitats and species, can be significantly affected by the proximity and intensity of industrial activities. Minimally, analysis for the following elements should be included:
 - a. Lighting Impacts. The introduction of industrial development adjacent to stream resources and open space areas can result in increased light pollution, which can disrupt the natural behaviors and lifecycles of nocturnal wildlife species. The DEIR should quantify the amount of new lighting that would be introduced and analyze the effects on sensitive species and habitats.
 - b. Noise Impacts. Similarly, the increased human activity, traffic, and operational noise associated with construction and ongoing industrial activities can adversely impact wildlife within Amargosa Creek and adjacent open space areas. The DEIR should model the anticipated noise levels at stream and open space boundaries and assess the impacts on species that are sensitive to disturbance. Mitigation measures should be incorporated to guide future development projects adjacent to open space areas.
 - c. Invasive Species Introduction. Land use changes, particularly the introduction of landscaped areas and ornamental plants, can facilitate the spread of non-native, invasive plant species into stream areas and adjacent open space. Invasive species may outcompete native vegetation, which can result in degraded habitat quality. The DEIR should identify potential pathways for invasive species introduction and propose mitigation measures to prevent introduction and control their spread.
 - d. Altered Hydrology and Water Quality. Changes in impervious surface coverage, stormwater drainage patterns, and landscape irrigation can alter the hydrology of adjacent Amargosa Creek and the open space areas. This can affect the availability of water resources, soil moisture, and overall habitat integrity. Industrial activities can also degrade water quality and impact sensitive species. The DEIR should model hydrological changes that may result from the Project and analyze the impact of the proposed light and heavy industrial activities on water quality within Amargosa Creek and its effects on sensitive species. The

¹² <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>

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DEIR should also consider water quality impacts on the downstream Piute Ponds and potential impacts on sensitive species within Piute Ponds.

- 9) CESA. The Project area may support CESA-listed and candidate species, such as tricolor blackbird, Swainson's hawk, Crotch's bumble bee, and least Bell's vireo. CDFW considers adverse impacts to a species protected by CESA to be significant. Take of any endangered, threatened, candidate species, or NPPA-listed plant species that results from the Project is prohibited, except as authorized by state law (Fish & G. Code §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9). Consequently, if the Project or any Project-related activity will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the Project proponent seek appropriate take authorization under CESA prior to implementing the Project. Appropriate authorization from CDFW may include an Incidental Take Permit (ITP) or a consistency determination in certain circumstances, among other options (Fish & G. Code, §§ 2080.1, 2081, subds. (b) and (c)). Early consultation is encouraged, as significant modification to a Project and mitigation measures may be required to obtain a CESA Permit.

To ensure CDFW will be able to use the City's CEQA document for the issuance of an ITP, the DEIR should address all Project impacts to CESA-listed species and specify a mitigation, monitoring, and reporting program that will meet the requirements of an ITP.

- 10) Lake and Streambed Alteration. The Project area supports streams, including claypans that may be hydrologically connected to streams. The Project should be designed to avoid impacts to these resources. If avoidance is not feasible the Project proponent must provide written notification to CDFW pursuant to § 1600 et seq. of the Fish and Game Code. CDFW has regulatory authority over activities in streams that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of any river, stream, or lake or use material from a river, stream, or lake. For any such activities, the Project applicant (or "entity") must provide written notification to CDFW pursuant to section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, CDFW determines whether a Lake and Streambed Alteration Agreement (LSAA) with the applicant is required prior to conducting the proposed activities. CDFW's issuance of a LSAA for a project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. A Notification package for a LSAA may be obtained by accessing CDFW's [Lake and Streambed Alteration Program website](http://www.wildlife.ca.gov/Conservation/LSA).¹³

General Comments

- 1) Disclosure. The DEIR should provide an adequate, complete, and detailed disclosure about the effects which a proposed project is likely to have on the

¹³ <http://www.wildlife.ca.gov/Conservation/LSA>

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environment (Pub. Resources Code, § 20161; CEQA Guidelines, § 15151). Such disclosure is necessary so CDFW may provide comments on the adequacy of proposed avoidance, minimization, or mitigation measures, as well as assess the significance of the specific impact relative to plant and wildlife species impacted (e.g., current range, distribution, population trends, and connectivity).

- 2) Project Description and Alternatives. To enable adequate review and comment on the proposed Project from the standpoint of the protection of fish, wildlife, and plants, CDFW recommends the following information be included in the DEIR.
 - a. A complete discussion of the purpose and need for, and description of the proposed Project.
 - b. A range of feasible alternatives to the Project location to avoid or otherwise minimize direct and indirect impacts on sensitive biological resources and wildlife movement areas. CDFW recommends the City select Project designs and alternatives that would avoid or otherwise minimize direct and indirect impacts on biological resources. CDFW also recommends the City consider establishing appropriate setbacks from sensitive and special status biological resources. Setbacks should not be impacted by ground disturbance or hydrological changes from any future Project-related construction, activities, maintenance, and development. As a general rule, CDFW recommends reducing or clustering a development footprint to retain unobstructed spaces for vegetation and wildlife and provide connections for wildlife between properties and minimize obstacles to open space.
 - c. Project alternatives should be thoroughly evaluated, even if an alternative would impede, to some degree, the attainment of the Project objectives or would be more costly (CEQA Guidelines, § 15126.6). The DEIR shall include sufficient information about each alternative to allow meaningful evaluation, public participation, analysis, and comparison with the proposed Project (CEQA Guidelines, § 15126.6).
 - d. Where the Project may impact aquatic and riparian resources, CDFW recommends the City select Project designs and alternatives that would fully avoid impacts to such resources. CDFW also recommends an alternative that would not impede, alter, or otherwise modify existing surface flow, watercourse and meander, and water-dependent ecosystems and natural communities. Project designs should consider elevated crossings to avoid channelizing or narrowing of watercourses. Any modifications to a river, creek, or stream may cause or magnify upstream bank erosion, channel incision, and drop in water level, which may cause the watercourse to alter its course of flow.
- 3) Biological Baseline Assessment. An adequate biological resources assessment should provide a complete assessment and impact analysis of the flora and fauna within and adjacent to the Project site and where the Project may result in ground

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disturbance. The assessment and analysis should place emphasis on identifying endangered, threatened, rare, and sensitive species; regionally and locally unique species; and sensitive habitats. An impact analysis will aid in determining the Project's potential direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. CDFW also considers impacts to Species of Special Concern (SSC) a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures. The DEIR should include the following information.

- a. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines, § 15125(c)). The DEIR should include measures to fully avoid and otherwise protect Sensitive Natural Communities. CDFW considers Sensitive Natural Communities as threatened habitats having both regional and local significance. Natural communities, alliances, and associations with a State-wide rarity ranking of S1, S2, and S3 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by visiting the [Vegetation Classification and Mapping Program - Natural Communities webpage](#).¹⁴
- b. A thorough, recent, floristic-based assessment of special status plants and natural communities following CDFW's [Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities](#).¹⁵ Botanical field surveys should be comprehensive over the entire Project site, including areas that will be directly or indirectly impacted by the Project. Adjoining properties should also be surveyed where direct or indirect Project effects could occur, such as those from fuel modification, herbicide application, invasive species, and altered hydrology. Botanical field surveys should be conducted in the field at the times of year when plants will be both evident and identifiable. Usually, this is during flowering or fruiting. Botanical field survey visits should be spaced throughout the growing season to accurately determine what plants exist in the Project site. This usually involves multiple visits to the Project site (e.g., in early, mid, and late season) to capture the floristic diversity at a level necessary to determine if special status plants are present.
- c. Floristic alliance- and/or association-based mapping and vegetation impact assessments conducted in the Project site and within adjacent areas. The [Manual of California Vegetation](#),¹⁶ second edition, (Sawyer, Keeler-Wolf, & Evens, 2009) should also be used to inform this mapping and assessment.

¹⁴ <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities>

¹⁵ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>

¹⁶ <https://vegetation.cnps.org/>

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Adjoining habitat areas should be included in this assessment where the Project's construction and activities could lead to direct or indirect impacts offsite.

- d. A complete and recent assessment of the biological resources associated with each habitat type in the Project site and within adjacent areas. A full literature review includes but is not limited to CNDDDB. The CNDDDB should be accessed to obtain current information on any previously reported sensitive species and habitat. An assessment should include a minimum nine-quadrangle search of the CNDDDB to determine a list of species potentially present in the Project site. A nine-quadrangle search should be provided in the Project's CEQA document for adequate disclosure of the Project's potential impact on biological resources.
 - e. A complete, recent, assessment of endangered, rare, or threatened species and other sensitive species within the Project site and adjacent areas, including SSC and California Fully Protected Species (Fish & G. Code, §§ 3511, 4700, 5050, and 5515). Species to be addressed should include all those which meet the CEQA definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380). Seasonal variations in use of the Project site should also be addressed such as wintering, roosting, nesting, and foraging habitat. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, may be required if suitable habitat is present. See [CDFW's Survey and Monitoring Protocols and Guidelines](#)¹⁷ for established survey protocol. Acceptable species-specific survey procedures may be developed in consultation with CDFW and USFWS.
 - f. A recent wildlife and rare plant survey. Field verification for the presence or absence of sensitive species is necessary to provide a complete biological assessment for adequate CEQA review (CEQA Guidelines, § 15003(i)). CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if Project implementation build out could occur over a protracted time frame or in phases.
- 4) Direct and Indirect Impacts on Biological Resources. The DEIR should provide a thorough discussion of direct and indirect impacts expected to affect biological resources with specific measures to offset such impacts. The DEIR should address the following.
- a. A discussion of potential impacts from lighting, noise, temporary and permanent human activity, and exotic species, and identification of any mitigation measures. A discussion regarding Project-related indirect impacts on biological resources. These include resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or

¹⁷ <https://wildlife.ca.gov/conservation/survey-protocols>

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proposed or existing reserve lands (e.g., preserve lands associated with a Natural Community Conservation Plan (Fish & G. Code, § 2800 et. seq.)).

- b. A discussion of both the short-term and long-term effects of the Project on species population distribution and concentration, as well as alterations of the ecosystem supporting those species impacted (CEQA Guidelines, § 15126.2(a)).
 - c. Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in areas adjacent to the Project, should be fully analyzed and discussed in the DEIR.
 - d. A discussion of post-Project fate of drainage patterns, surface flows, and soil erosion and/or sedimentation in streams and water bodies. The discussion should also address the potential water extraction activities and the potential resulting impacts on habitat supported by the groundwater. Measures to mitigate such impacts should be included.
 - e. An analysis of impacts from proposed changes to land use designations and zoning, and existing land use designation and zoning located nearby or adjacent to natural areas that may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the DEIR.
- 5) Cumulative Impact. Cumulative impacts on biological resources can result from collectively significant projects which are individually insignificant. The Project, when considered collectively with prior, concurrent, and probable future projects, may have a significant cumulative effect on biological resources. The Project may have the potential to substantially reduce the number or restrict the range of endangered, rare, or threatened species. Species that may be impacted by the Project include, but are not limited to, the biological resources described in this letter.

Accordingly, CDFW recommends the DEIR evaluate the Project's potential cumulative impacts on biological resources. The Project may have a "significant effect on the environment" if the possible effects of the Project are individually limited but cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects (Pub. Resources Code, § 21083(b)). The City's conclusions regarding the significance of the Project's cumulative impact should be justified and supported by evidence to make those conclusions. Specifically, if the City concludes that the Project would not result in cumulative impacts on biological resources, the City, "shall identify facts and analysis supporting the Lead Agency's conclusion that the cumulative impact is less than significant" (CEQA Guidelines section § 15130(a)(2)).

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- 6) Mitigation Measures. Public agencies have a duty under CEQA to prevent significant, avoidable damage to the environment by requiring changes in a project through the use of feasible alternatives or mitigation measures (CEQA Guidelines, §§ 15002(a)(3), 15021). Pursuant to CEQA Guidelines section 15126.4, an environmental document shall describe feasible measures which could mitigate impacts below a significant level under CEQA. Mitigation measures must be feasible, effective, implementable, and fully enforceable/imposed by the lead agency through permit conditions, agreements, or other legally binding instruments (Pub. Resources Code, § 21081.6(b); CEQA Guidelines, § 15126.4).
 - a. The DEIR should provide mitigation measures that are specific and detailed (i.e., responsible party, timing, specific actions, location) in order for a mitigation measure to be fully enforceable and implemented successfully via a mitigation monitoring and/or reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097).
 - b. If a proposed mitigation measure would cause one or more significant effects, in addition to impacts caused by the proposed Project, the DEIR should include a discussion of the effects of proposed mitigation measures (CEQA Guidelines, § 15126.4(a)(1)). In that regard, the DEIR should provide an adequate, complete, and detailed disclosure about the Project's proposed mitigation measure(s). Adequate disclosure is necessary so CDFW may assess the potential impacts of proposed mitigation measures.
- 7) Compensatory Mitigation. The DEIR should include compensatory mitigation measures for the Project's significant impacts (direct and/or through habitat modification) to sensitive and special status plants, animals, and habitats. Mitigation measures should emphasize avoidance and minimization of Project-related impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore inadequate to mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Areas proposed as mitigation lands should be protected in perpetuity with a conservation easement and financial assurance and dedicated to a qualified entity for long-term management and monitoring.
- 8) Long-term Management of Mitigation Lands. For proposed mitigation lands, the DEIR should include measures to protect the targeted habitat values in perpetuity. The mitigation should offset Project-induced qualitative and quantitative losses of biological resources. Issues that should be addressed include (but are not limited to) restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, and increased human intrusion. An appropriate endowment should be set aside to provide for long-term management of mitigation lands.

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- 9) Translocation/Salvage of Plants and Animal Species. Translocation and transplantation is the process of removing plants and wildlife from one location and permanently moving it to a new location. CDFW generally does not support the use of translocation or transplantation as the primary mitigation strategy for unavoidable impacts to endangered, rare, or threatened plants and animals. These efforts are experimental, and the outcome is unreliable. CDFW has found that permanent preservation and management of habitat capable of supporting these species is often a more effective long-term strategy for conserving plants and animals and their habitats.

- 10) Scientific Collecting Permit. A Scientific Collecting Permit would be necessary if there is a plan to capture and relocate wildlife. Pursuant to the California Code of Regulations, title 14, section 650, biologist(s) must obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project-related activities. CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & G. Code, §§ 1002, 1002.5, 1003). A Scientific Collecting Permit is required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650). For more information, please see CDFW's [Scientific Collecting Permit webpage](#).¹⁸

- 11) Wetland Resources. CDFW, as described in Fish and Game Code section 703(a), is guided by the [Fish and Game Commission's \(Commission\) policies](#).¹⁹ Through its Wetlands Resources policy, the Commission "...seek[s] to provide for the protection, preservation, restoration, enhancement, and expansion of wetland habitat in California" (California Fish and Game Commission, 2005). It is the policy of the Commission to strongly discourage development in or conversion of wetlands. It opposes, consistent with its legal authority, any development or conversion that would result in a reduction of wetland acreage or wetland habitat values. To that end, the Commission opposes wetland development proposals unless, at a minimum, project mitigation assures there will be 'no net loss' of either wetland habitat values or acreage. The Commission strongly prefers mitigation which would achieve expansion of wetland acreage and enhancement of wetland habitat values."
 - a. The Wetlands Resources policy provides a framework for maintaining wetland resources and establishes mitigation guidance. CDFW encourages avoidance of wetland resources as a primary mitigation measure and discourages the development or type conversion of wetlands to uplands. CDFW encourages activities that would avoid the reduction of wetland acreage, function, or habitat

¹⁸ <https://wildlife.ca.gov/Licensing/Scientific-Collecting>

¹⁹ <https://fgc.ca.gov/About/Policies/Miscellaneous>

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values. Once avoidance and minimization measures have been exhausted, a project should include mitigation measures to assure a “no net loss” of either wetland habitat values, or acreage, for unavoidable impacts to wetland resources. Conversions include, but are not limited to, conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether ephemeral, intermittent, or perennial, should be retained and provided with substantial setbacks, which preserve the riparian and aquatic values and functions benefiting local and transient wildlife populations. CDFW recommends mitigation measures to compensate for unavoidable impacts be included in the DEIR and these measures should compensate for the loss of function and value.

- b. The Fish and Game Commission’s Water policy guides CDFW on the quantity and quality of the waters of this State that should be apportioned and maintained respectively so as to produce and sustain maximum numbers of fish and wildlife; to provide maximum protection and enhancement of fish and wildlife and their habitat; encourage and support programs to maintain or restore a high quality of the waters of this State; prevent the degradation thereof caused by pollution and contamination; and, endeavor to keep as much water as possible open and accessible to the public for the use and enjoyment of fish and wildlife. CDFW recommends avoidance of water practices and structures that use excessive amounts of water, and minimization of impacts that negatively affect water quality, to the extent feasible (Fish & G. Code, § 5650).

- 12) Use of Native Plants and Trees. CDFW recommends the City require the Project Applicant to provide a native plant palette for the Project. The Project’s landscaping plan should be disclosed and evaluated in the DEIR for potential impacts on biological resources such as natural communities adjacent to the Project site (e.g., introducing non-native, invasive species). CDFW supports the use of native plants for the Project especially considering the Project’s location adjacent to protected open space and natural areas. CDFW strongly recommends avoiding non-native, invasive species for landscaping and restoration, particularly any species listed as ‘Moderate’ or ‘High’ by the [California Invasive Plant Council](https://www.cal-ipc.org/plants/inventory/).²⁰ CDFW supports the use of native species found in naturally occurring plant communities within or adjacent to the Project site. In addition, CDFW supports planting species of trees, such as oaks (*Quercus* genus), and understory vegetation (e.g., ground cover, subshrubs, and shrubs) that create habitat and provide a food source for birds. CDFW recommends retaining any standing, dead, or dying tree (snags) where possible because snags provide perching and nesting habitat for birds and raptors. Finally, CDFW supports planting species of vegetation with high insect and pollinator value.

²⁰ <https://www.cal-ipc.org/plants/inventory/>

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ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB website provides direction regarding the types of information that should be reported and allows on-line submittal of field survey forms.

In addition, information on special status native plant populations and sensitive natural communities, should be submitted to CDFW's Vegetation Classification and Mapping Program using the [Combined Rapid Assessment and Relevé Form](#).²¹

The City should ensure data collected for the preparation of the DEIR is properly submitted.

FILING FEES


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

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist the City in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Keith Yaeger, Senior Environmental Scientist Specialist, at (562) 519-7144 or Keith.Yaeger@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Victoria Tang
Environmental Program Manager
South Coast Region

²¹ <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit>

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cc: California Department of Fish and Wildlife
Victoria Tang
Jennifer Turner
Fritz Rieman
Randy Rodriguez
Keith Yaeger

Office of Planning and Research
State.Clearinghouse@opr.ca.gov

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NATIVE AMERICAN HERITAGE COMMISSION

September 13, 2024

Jocelyn Swain
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NAHC HEADQUARTERS
1550 Harbor Boulevard
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Re: 2024081372 Westside Annexation and Specific Plan Project, Los Angeles County

Dear Ms. Swain:

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

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

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

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

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

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
- b. The lead agency contact information.
- c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).

- a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.
- d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

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

SB 18

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

Some of SB 18's provisions include:

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

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

NAHC Recommendations for Cultural Resources Assessments

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

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

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

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

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

If you have any questions or need additional information, please contact me at my email address:

Andrew.Green@NAHC.ca.gov.

Sincerely,

Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse



Antelope Valley Air Quality Management District

2551 West Avenue H Lancaster, CA 93536

661-723-8070

www.avaqmd.ca.gov

Barbara Lods, Executive Director

In reply, please refer to AV0924/126

September 11, 2024

Jocelyn Swain
City of Lancaster
44933 Fern Avenue
Lancaster, CA 93534

Project: Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Westside Annexation and Specific Plan Project

To Whom It May Concern:

The Antelope Valley Air Quality Management District (District) has received the request to review the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Westside Annexation and Specific Plan Project requesting the 1) annexation of the project site from unincorporated Los Angeles County into the City of Lancaster jurisdiction and 2) adoption of the proposed North Lancaster Industrial Specific Plan, which would allow up to approximately 38.5 million square feet of industrial development. This project site is generally bound by Avenue B to the north, Sierra Highway and Edwards Air Force Base to the east, Avenue G to the south, and 30th Street West to the west. (Multiple APNs included in the original letter.)

We have reviewed the documents and based on the information available to us at this time, we have no comment.

Thank you for the opportunity to review this planning document. If you have any questions regarding this letter, please contact me at (661) 723-8070 x23.

Sincerely,

Barbara Lods

Barbara Lods
Operations Manager

BJL/SS

Sent via Email



**LOS ANGELES COUNTY
SANITATION DISTRICTS**
Converting Waste Into Resources

Robert C. Ferrante
Chief Engineer and General Manager

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
(562) 699-7411 • www.lacsd.org

September 11, 2024

Ref. DOC 7310633

VIA EMAIL jswain@cityoflanasterca.gov

Ms. Jocelyn Swain, Senior Planner
City of Lancaster
44933 Fern Avenue
Lancaster, CA 93534

Dear Ms. Swain:

NOP Response to DEIR for Westside Annexation and Specific Plan Project

The Los Angeles County Sanitation Districts (Districts) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the subject project located in an unincorporated area of Los Angeles County north of the City of Lancaster (City) on September 3, 2024. We offer the following comments regarding sewerage service:

1. A portion of the project area is located outside the jurisdictional boundaries of the Districts and will require annexation into District No. 14 before sewerage service can be provided to any proposed developments within the project area. A copy of the Districts' Annexation Information and Processing Fee sheets can be found on our website at [Annexation Program](#). For more specific information regarding the annexation procedure and fees, please contact Ms. Shirley Wang at (562) 908-4288, extension 2708.
2. The Districts own and operate the Lancaster Water Reclamation Plant (LWRP), which is located at 1865 W. Avenue D and is within the project area. The LWRP is a wastewater treatment plant that serves the residents and businesses in the City as well as those in adjacent portions of the City of Palmdale and unincorporated areas of Los Angeles County. The DEIR should consider and evaluate, as necessary, any potential impacts by the LWRP on proposed developments within the project area. Additionally, the Districts requests that any land uses permitted by the City within half a mile of the LWRP be compatible with the existing wastewater treatment facilities and operations at the plant.
3. As previously discussed between Ray Tremblay, Head of the Districts' Facilities Planning Department, and Trolis Niebla, Lancaster City Manager, the Districts do not object to the City's proposal to annex the LWRP into its jurisdiction provided that the County of Los Angeles and the Local Agency Formation Commission have been briefed and do not oppose this proposed change.
4. Should the DEIR for the subject annexation and specific plan be adopted by the City, the Districts requests that any subsequent amendments to the City's General Plan or updates to the City's zoning requirements

do not limit or alter the Districts' rights or ability to safely and efficiently operate and maintain the LWRP, which is a vital public facility that ensures the health and safety of the community it serves.

5. The wastewater flow originating from the proposed project will discharge directly to the Districts' Rosamond Outfall Relief Trunk Sewer, located in 20th Street West. The Districts' 66-inch diameter trunk sewer has a capacity of 60.2 million gallons per day (mgd) and conveyed a peak flow of 16.8 mgd when last measured in 2021. A 6-inch diameter or smaller direct connection to a Districts' trunk sewer requires a Trunk Sewer Connection Permit issued by the Districts. An 8-inch diameter or larger direct connection to a Districts' trunk sewer requires submittal of Sewer Plans for review and approval by the Districts. For additional information, please contact the Districts' Engineering Counter at engineeringcounter@lacsdsd.org or (562) 908-4288, extension 1205.
6. Details for any particular development within the project area should be submitted to the Districts for review to determine whether or not sufficient trunk sewer capacity exists to serve each project and if Districts' facilities will be affected by the project. This is accomplished through the Districts' Will Serve Program, information for which can be found on our website at [Will Serve Program](#).
7. The expected average wastewater flow from the project, described in the NOP as a maximum buildout of 38.5 million square feet of industrial uses, is 963,275 gallons per day. A copy of the District's average wastewater generation factors is available on our website at [Table 1, Loadings for Each Class of Land Use](#) link.
8. The wastewater generated by the proposed project will be treated at the LWRP, which has a capacity of 18 mgd and currently processes an average recycled flow of 13.0 mgd.
9. The Districts are empowered by the California Health and Safety Code to charge a fee to connect facilities (directly or indirectly) to the Districts' Sewerage System or to increase the strength or quantity of wastewater discharged from connected facilities. This connection fee is used by the Districts for its capital facilities. Payment of a connection fee may be required before future individual development is permitted to discharge to the Districts' Sewerage System. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsdsd.org, under Services, then Wastewater (Sewage) and select Rates & Fees. In determining the impact to the Sewerage System and applicable connection fees, the Districts will determine the user category (e.g. Condominium, Single Family Home, etc.) that best represents the actual or anticipated use of the parcel(s) or facilities on the parcel(s) in the development. For more specific information regarding the connection fee application procedure and fees, please contact the Districts' Wastewater Fee Public Counter at (562) 908-4288, extension 2727. If an Industrial Wastewater Discharge Permit is required, connection fee charges will be determined by the Industrial Waste Section.
10. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service but is to advise the Developer that the Districts intend to provide this service up to the levels that are legally permitted and to inform the Developer of the currently existing capacity and any proposed expansion of the Districts' facilities.

Ms. Jocelyn Swain

3

September 11, 2024

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2742, or phorsley@lacsdc.org.

Very truly yours,

Patricia Horsley

Patricia Horsley
Environmental Planner
Facilities Planning Department

PLH:plh

cc: S. Wang



SOUTHERN CALIFORNIA
ASSOCIATION OF GOVERNMENTS
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Tim Sandoval, Pomona

September 19, 2024

Jocelyn Swain, Senior Planner
City of Lancaster, Community Development Department
4493 Fern Avenue
Lancaster, California 93534
Phone: (661) 723-6249
E-mail: jswain@cityoflanasterca.gov

Subject: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Westside Annexation and Specific Plan [SCAG NO. IGR11115]

Dear Jocelyn Swain:

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the Westside Annexation and Specific Plan ("proposed project") to the Southern California Association of Governments (SCAG) for review. SCAG is responsible for providing informational resources to regionally significant plans, projects, and programs per the California Environmental Quality Act (CEQA) to facilitate the consistency of these projects with SCAG's adopted regional plans, to be determined by the lead agencies.¹

Pursuant to Senate Bill (SB) 375, SCAG is the designated Regional Transportation Planning Agency under state law and is responsible for preparation of the Regional Transportation Plan (RTP), including the Sustainable Communities Strategy (SCS). SCAG's feedback is intended to assist local jurisdictions and project proponents to implement projects that have the potential to contribute to attainment of and alignment with adopted Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) goals and policies. Finally, SCAG is the authorized regional agency for Intergovernmental Review (IGR) of programs proposed for Federal financial assistance and direct Federal development activities, pursuant to Presidential Executive Order 12372.

SCAG staff has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the Westside Annexation and Specific Plan in Los Angeles County. The proposed project includes an adoption of a specific plan resulting in 38.5 million square feet of industrial uses, a general plan amendment, a pre-zoning, and an annexation of the project site from unincorporated Los Angeles on 7,153 acres.

When available, please email environmental documentation to IGR@scag.ca.gov providing, at a minimum, the full public comment period for review.

If you have any questions regarding the attached comments, please contact the IGR Program, attn.: Ryan Bañuelos, Associate Regional Planner, at (213) 630-1532 or IGR@scag.ca.gov. Thank you.

Sincerely,

Frank Wen, Ph.D.
Manager, Planning Strategy Department

¹ Local jurisdictions and other lead agencies shall have the sole discretion to determine a local project's or plan's consistency and/or alignment with Connect SoCal 2024 for the purpose of determining consistency for CEQA purposes.

**COMMENTS ON THE NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
WESTSIDE ANNEXATION AND SPECIFIC PLAN [SCAG NO. IGR11115]**

CONNECT SoCal 2024

Connect SoCal 2024 (Plan) is a long-range visioning plan for the six-county SCAG region, reflecting a continuation of the shift towards more efficient resource management including transportation infrastructure resources, land resources and environmental resources. The Plan highlights the existing land use and transportation conditions throughout the SCAG region and forecasts the region's evolving transportation needs between 2024 and 2050. The Plan identifies and prioritizes expenditures of the anticipated funding for transportation projects of all transportation modes: highways, streets and roads, transit, rail, bicycle, and pedestrian, as well as aviation ground access.

The Plan was developed to achieve greenhouse gas (GHG) per capita emission reduction targets, consistent with Senate Bill (SB) 375 and other regional goals. In accordance with federal fiscal constraint requirements, Connect SoCal 2024 is a financially constrained Plan in terms of transportation revenues and expenditures. Connect SoCal 2024 would reduce traffic congestion, improve air quality, and improve the region's long-term economic viability through more than \$751 billion in transportation investments and a more sustainable regional development pattern. To view Connect SoCal 2024 and the accompanying technical reports, please visit the [Connect SoCal 2024](#) webpage.

Connect SoCal 2024 Vision and Goals

The SCAG Regional Council fully adopted the Plan on April 4, 2024. Connect SoCal 2024 represents the vision for the region and reflects the planned transportation investments, policies, and strategies that integrate with the Forecasted Regional Development Pattern to achieve the Plan's goals. The Vision and Goals for Connect SoCal 2024 are rooted in the direction set forth by Connect SoCal 2020, reflecting both SCAG's statutory requirements, the emerging trends, and persistent challenges facing the region. Reflecting input from engagement with stakeholders and members of the public, SCAG's vision for Southern California in the year 2050 is "A healthy, prosperous, accessible and connected region for a more resilient and equitable future." The following goals and subgoals help the SCAG region to achieve this vision.

Mobility: Build and maintain an integrated multimodal transportation network

- Support investments that are well-maintained and operated, coordinated, resilient and result in improved safety, improved air quality and minimized greenhouse gas emissions
- Ensure that reliable, accessible, affordable and appealing travel options are readily available, while striving to enhance equity in the offerings in high-need communities
- Support planning for people of all ages, abilities and backgrounds

Communities: Develop, connect and sustain communities that are livable and thriving

- Create human-centered communities in urban, suburban and rural settings to increase mobility options and reduce travel distances
- Produce and preserve diverse housing types in an effort to improve affordability, accessibility and opportunities for all households

Environment: Create a healthy region for the people of today and tomorrow

- Develop communities that are resilient and can mitigate, adapt to and respond to chronic and acute stresses and disruptions, such as climate change
- Integrate the region's development pattern and transportation network to improve air quality, reduce greenhouse gas emissions and enable more sustainable use of energy and water
- Conserve the region's resources

Economy: Support a sustainable, efficient and productive regional economic environment that provides opportunities for all residents

- Improve access to jobs and educational resources
- Advance a resilient and efficient goods movement system that supports the economic vitality of the region, attainment of clean air and quality of life for our communities

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

SCAG CONNECT SOCAL 2024 GOALS AND SUBGOALS		
	Goal/Subgoal	Analysis
Mobility Goal:	<i>Build and maintain an integrated multimodal transportation network</i>	<i>Consistent: Statement as to why; Not-Consistent: Statement as to why; or Not Applicable: Statement as to why; DEIR page number reference</i>
Mobility Subgoal:	<i>Support investments that are well-maintained and operated, coordinated, resilient and result in improved safety, improved air quality and minimized greenhouse gas emissions</i>	<i>Consistent: Statement as to why; Not-Consistent: Statement as to why; or Not Applicable: Statement as to why; DEIR page number reference</i>
etc.		etc.

Connect SoCal 2024 Key Elements

Unique to this plan cycle, SCAG developed a set of Regional Planning Policies and Implementation Strategies to guide decision-making in the region toward integrated land use and transportation planning and other goals in Connect SoCal 2024. Eighty-eight Regional Planning Policies provide guidance for integrating land use and transportation planning to realize the vision of Connect SoCal 2024. The Implementation Strategies help the region to achieve this vision for the future and are priorities for SCAG efforts in fulfilling or going beyond the Regional Planning Policies. The Regional Planning Policies and Implementation Strategies were developed to achieve California’s greenhouse gas emission reduction goals as set forth in SB 375 and federal Clean Air Act Section 176(c) requirements for transportation conformity while meeting the broader regional objectives, such as improved equity and resilience in addition to preservation of natural lands, improvement of public health, increased roadway safety, support for the region’s vital goods movement industries and more efficient use of resources. The Plan also includes a detailed project list; strategic investments to bridge local plans with overarching regional performance targets and goals; a growth forecast and regional development pattern based on population, household and employment growth projections by 2050; and a transportation network including a list of transportation projects and investments.

Connect SoCal 2024 presents a summary of that work in five chapters of the Main Plan with additional details on Plan elements and analysis in the Plan’s accompanying 15 Technical Reports, including [the Goods Movement Technical Report](#). Connect SoCal 2024 builds upon the progress from previous RTP/SCS cycles, reflecting both SCAG’s statutory requirements, the emerging trends, and persistent challenges facing the region. These policies offer a resource by which County Transportation Commissions (CTCs) or local jurisdictions within the SCAG region, when seeking resources from state or federal programs, can refer to specific policies to demonstrate alignment with the RTP/SCS.

Regional Growth Forecast and Forecasted Regional Development Pattern

As part of developing a Sustainable Communities Strategy per SB 375, SCAG must include a “forecasted development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies ...” enables SCAG to reach its per capita GHG emission reduction target of 19 percent below 2005 levels by 2035. SCAG staff prepared a Forecasted Regional Development Pattern for Connect SoCal 2024 through 2050, the horizon year of the Plan. The regional growth forecast determines the projected increase in population, households, and jobs based on local general plans and known development entitlement agreements, including available data from 6th cycle housing element updates. The Connect SoCal 2024 [Demographic and Growth Forecast Technical Report](#) includes detailed discussions on socioeconomic data, including additional detail on the growth forecast, growth vision, and Sustainable Communities Strategy (SCS) consistency in Section of the Technical Report. The Connect SoCal 2024 [Land Use and Communities Technical Report](#) includes the most recent planning assumptions and estimates of population and housing.

SCAG's work helps facilitate implementation, but SCAG does not directly implement or construct projects or have land use authority. Achieving a sustained regional outcome depends upon informed and intentional local action. To access jurisdictional level growth estimates and forecasts for years 2035 and 2050, please refer to the [Final Connect SoCal 2024 growth forecast data](#). The growth forecasts for the region and the applicable jurisdiction is below.

	Adopted SCAG Region Growth Forecasts				Adopted City of Lancaster Growth Forecasts		
	Year 2019	Year 2030	Year 2035	Year 2050	Year 2019	Year 2035	Year 2050
Population	18,827,000	19,476,000	19,946,000	20,909,000	174,100	181,800	185,500
Households	6,193,000	7,006,000	7,311,000	7,814,000	52,900	61,500	64,400
Employment	8,976,000	9,609,000	9,885,000	10,276,000	60,100	64,500	65,400

Consistency with Connect SoCal 2024

SCAG provides informational resources to facilitate the lead agency's consistency determination of the proposed project with Connect SoCal 2024. For the purpose of determining consistency with CEQA, local jurisdictions shall have the sole discretion to determine a local project's or plan's consistency and/or alignment with Connect SoCal 2024².

CEQA MITIGATION MEASURES

The SCAG Regional Council certified the [Final Program Environmental Impact Report](#) for Connect SoCal 2024 (2024 PEIR) and adopted the Mitigation Monitoring and Reporting Program (MMRP), Findings of Fact, and a Statement of Overriding Considerations on April 4, 2024. The mitigation approach used in the 2024 PEIR recognizes the limits of SCAG's authority; distinguishes between SCAG commitments and project-level responsibilities and authorities; optimizes flexibility for project implementation; and facilitates CEQA streamlining (e.g., SB 375) and tiering where appropriate on a project-by-project basis determined by each lead agency. Consistent with the approach, the 2024 PEIR identifies regional-level mitigation measures to be implemented by SCAG over the lifetime of the Plan as well as project-level mitigation measures that lead agencies can and should consider, as applicable and feasible, in subsequent project-specific design, CEQA review, and decision-making processes. Given that SCAG is not an implementing agency and has no decision-making authority over projects or any land use authority, it is ultimately up to each lead agency's own discretion to determine the appropriateness of mitigation measures, including exploring opportunities of voluntary regional advance mitigation programs, based on project-specific circumstances such as individual site conditions, project specific details, and community values. Therefore, SCAG staff recommends that the proposed project's CEQA lead agency review the 2024 PEIR for guidance, as appropriate.

² SCAG. April 2024. Connect SoCal 2024 [Demographic and Growth Forecast Technical Report](https://scag.ca.gov/sites/main/files/file-attachments/23-2987-tr-demographics-growth-forecast-final-040424.pdf). Accessible at: <https://scag.ca.gov/sites/main/files/file-attachments/23-2987-tr-demographics-growth-forecast-final-040424.pdf>

October 3, 2024

Jocelyn Swain – Senior Planner; City of Lancaster

SCH#: 2024081372

Dear Ms. Swain,

My name is Mike McCarthy and I am a member of a grassroots community group called Riverside Neighbors Opposing Warehouses (RNOW). RNOW is most opposed to a warehouse complex project adjacent to our homes in Orangecrest and Mission Grove neighborhoods of Riverside, but we are broadly concerned about the regional oversaturation of warehouses in the region degrading our quality of life.

For the Westside Annexation Project, I have multiple areas of concern that I would like addressed: Air Quality, Greenhouse Gases, Cumulative Impacts, VMT, Environmental Justice, and housing downzoning.

For air quality, please address the usual suspects, NO_x, ozone, particulate matter, cancer risk, and windblown fugitive dust.

For greenhouse gas emissions, please explain how a warehouse complex 94 miles from the port of Los Angeles will reduce the net GHG emissions of the planet, the city of Lancaster, and the California GHG plan under AB 52. Please include freight trips, courier trips, and home-based work trips in the full analysis. Additionally, please describe the loss of carbon ecosystem services through the existing vegetation that will be covered in concrete and the total emissions of GHGs from the concrete pads and construction phase.

For Cumulative Impacts, please consider a regionally representative area for each of the topic areas. There are thousands of existing warehouses already, so why do we need to keep adding 38M more SQ FT here when the existing warehouses have a vacancy rate of over 7% and we already have a significant warehouse complex forming north and south of Lancaster. Include cumulative impacts analysis for air quality, greenhouse gases, housing, jobs, traffic congestion, and the urban heat island impacts.

Please include an analysis of VMT and congestion that includes traffic impacts on all adjacent state highways, especially given that there are no Primary Highway Freight System extensions in Lancaster.¹ Why is this location appropriate for 38M SQ FT of warehouses when it isn't on a highway freight road? What is the justification for putting it 20-30 miles from any major freight corridor? This is clearly leapfrog development that is going to increase VMT.

Please adjust the impacts to Environmental Justice communities adjacent to the project industrial zoning in census tract 06037900300. This census tract has a CalEnviroScreen4.0 score of 89, indicating it is in the 89th percentile for the state. Additionally, assuming SH-14 will be a primary truck route, Census tract 06037900602, 06037900804, 06037900806, 06037900606, 06037900607, 06037900501, and 06037900701 are all along the primary truck route by which around 10,000+ trucks will be traversing daily. Please address how adding a warehouse complex improves the EJ conditions in the census tracts that are along the likely primary truck route. Please address how many local community groups and organizations have been engaged in planning the mega-warehouse complex adjacent to their

¹ https://ops.fhwa.dot.gov/freight/infrastructure/ismt/state_maps/states/california.htm

community. Please address what EJ policies will be pursued to ensure that community members are included as decision makers in addressing the negative environmental impacts of this project.

Please address the removal of residential zoning, specifically pursuant to Attorney General Bonta's recent letter on the Airport Gateway Specific Plan². Specifically address the removal of residential zoning during a statewide housing crisis in favor of 38M SQ FT of industrial zoning as a broad annexation that simultaneously downzones existing residential zoning. Moreover, address SB 330 Housing Crisis Act requirements to re-zone replacement housing to ensure no net loss of housing capacity. This project also potentially violates the county's duty to affirmatively further fair housing under CA code 8899.50 that includes combating discrimination and addressing significant disparities in housing needs. By imposing significant environmental impacts, the project would do the opposite.

I respectfully request that this project address each of these issues in its EIR.

Thank you for your consideration of addressing inequities in obnoxious warehouse land-uses in our region.

Mike McCarthy, PhD

92508

² <https://oag.ca.gov/system/files/attachments/press-docs/AGSP%20Comment%20Letter%20Final%20%28Corrected%29.pdf>

Law Office of Abigail Smith
A Professional Corporation

2305 Historic Decatur Road, Suite 100, San Diego, CA 92106

Abigail A. Smith, Esq.
Email: abby@socalceqa.com
Telephone: (951) 808-8595

VIA E-MAIL ONLY

October 3, 2024

City of Lancaster
Attention: Jocelyn Swain, Senior Planner
44933 Fern Avenue
Lancaster, California 93534
jswain@cityoflanasterca.gov

**Re: Notice of Preparation of Environmental Impact Report for Westside
Annexation and Specific Plan Project**

Dear City of Lancaster:

On behalf of the Sierra Club-Santa Clarita Group, thank you for the opportunity to comment on the Notice of Preparation (“NOP”) of Environmental Impact Report (“EIR”) for the Westside Annexation and Specific Plan Project (“the Project”). The Project proposes an annexation of 7,513 acres currently in unincorporated Los Angeles County into the City’s jurisdiction as well as 38,530,998 square feet of industrial development on approximately 1,860 acres in the central portion of the future annexation area. We provide the following comments on the NOP, and we look forward to review of the forthcoming Draft EIR.

The Draft EIR should accurately describe the proposed Project including all reasonably foreseeable activities related to the Project. The Project consists of annexation of approximately 7,000 acres of land as well as development of roughly 1,800 acres of that annexed land within the so-called North Lancaster Industrial Specific Plan area. The NOP indicates that the Project also includes “pre-zoning” the “remainder” of the annexed land for a mix of public uses, residential, commercial, and industrial zones. The Draft EIR must fully describe the land use changes proposed by the Project, including the “pre-zone”; and it must appropriately evaluate these land use changes with respect to the pre-zoned lands. In other words, the Project has the potential for environmental impacts beyond the impacts associated with the 38 million square feet of industrial development: the Project foresees development of the remaining 5,600 acres. These impacts must be fully assessed in the forthcoming EIR.

The size and scale of the development within the North Lancaster Industrial Specific Plan area demands robust analysis of the Project’s potential environmental impacts in the future Draft EIR. In accordance with the California Environmental Quality Act (“CEQA”), the City must also examine all potentially feasible mitigation measures for all significant Project impacts.

The Draft EIR must fully disclose, analyze and mitigate the Project's air quality and greenhouse gas emission impacts ("GHGs"). It is anticipated that the Project at full buildout will involve thousands of vehicle trips per day and that it will result in significant air quality and GHG impacts per applicable significance thresholds. Accordingly, the City must propose aggressive and enforceable mitigation measures through the Draft EIR to lessen the Project's air quality and GHG impacts to the maximum extent feasible.

For instance, the City should require the Project to utilize the cleanest available vehicle technologies; and it should require the Project to provide adequate infrastructure to support near-zero and zero emission vehicles and equipment. This should include, at a minimum, requirements that the Project shall use exclusively zero emission light and medium-duty trucks and vans, and that it shall use only zero emission service equipment such as forklifts. As the State moves toward its goal of zero emission goods movement ^{1 2}, the City must ensure that the Project is in line with this important objective including requiring the exclusive use of zero emission heavy duty trucks as well. In short, the City must fully investigate, promote, and adopt all feasible mitigation through the EIR that promotes the use of the cleanest available vehicle technologies. Furthermore, the Draft EIR should consider the Project site's distance to the existing rail line and the resulting need for trucks to move goods to and from the rail line to the site. This activity alone will account for a substantial number of daily truck trips. At the least, these operations should be performed by zero emission vehicles. Further, a rail spur (or branch line) to the Project site should be included in the Project's design to reduce the need for additional truck trips.

With respect to GHGs, Assembly Bill 1279 ³ requires the State to achieve net zero GHGs as soon as possible, but no later than 2045, and achieve and maintain net negative greenhouse gas emissions thereafter. The bill requires California to reduce GHG emissions by 40% below 1990 levels by 2030, and by 85 percent compared to 1990 levels. Therefore, the City must take all steps through its land use plans to ensure that future projects are in conformance with these GHG emission reduction targets.

As the transportation sector is the largest source of GHG emissions in the State, accounting for roughly 40 percent of California's GHGs ⁴, the City must propose transportation measures through the Draft EIR that are designed to reduce fuel use in cars and trucks. This would include reducing vehicle miles traveled ("VMT") as required by Senate Bill 743⁵. According to the California Air Resources Board ("CARB")'s Scoping Plan, "VMT reductions will play an indispensable role in reducing overall transportation energy demand and achieving the state's climate, air quality and equity goals." (CARB 2022 Scoping Plan p. 192.)⁶ The Project proposes a staggering amount of industrial warehousing and it eliminates existing housing land use designations. The City must explore, as feasible mitigation, alternatives to the Project that balance industrial land uses and housing. The Draft EIR should consider a mix of housing (with

¹ <https://ww2.arb.ca.gov/new-california-requirements-road-and-road-heavy-duty-vehicles#:~:text=Starting%20January%201%2C%202024%2C%2050,ZEV%20purchases%20beginning%20in%202027.>

² <https://calmatters.org/environment/2022/09/california-phase-out-diesel-trucks-zero-emission/>

³ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1279

⁴ <https://www.lao.ca.gov/Publications/Report/4821#:~:text=Transportation%20is%20the%20largest%20source, statewide%20emissions%20in%20recent%20years.>

⁵ <https://opr.ca.gov/ceqa/sb-743/faq.html#what-is>

⁶ <https://ww2.arb.ca.gov/sites/default/files/2022-12/2022-sp.pdf>

emphasis on “compact housing”) and employment centers, thus reducing the need for residents to commute longer distances to employment centers.⁷ In addition, the City should explore programmatic VMT reducing measures, such as establishing a mitigation fund that will help to address the Project’s VMT impacts.^{8 9 10 11} Global climate change has already resulted in irreversible environmental consequences. Particularly where the transportation sector is the largest source of GHG emissions in California, the Project must fully evaluate the cumulative impact of the proposed land use changes, and the Project shall be designed to lessen the Project’s cumulative impacts by reducing VMT, not increasing it. At the least, the Draft EIR should propose measures to increase the use and availability of public transit, pedestrian walkways, and the extension of bike trails and lanes as well as other measures that reduce VMT impacts.

According to CARB, actions to deploy both zero emission and cleaner combustion technologies will be essential to meet air quality goals in California.¹² Accordingly, the Draft EIR should evaluate measures consistent with the policies and goals of the State’s Zero Emission Vehicle (ZEV) Action Plan and Executive Order B-48-18 (setting a target of 5 million ZEVs in California by 2030). This should include tangible measures to increase the availability of charging and refueling stations and other zero-emission vehicle infrastructure including direct current fast chargers capable of charging light, medium, and heavy-duty vehicles.

The Draft EIR must fully evaluate the Project’s consistency with all regional planning documents such as the Southern California Association of Governments (SCAG)’s Regional Transportation Plan/Sustainable Communities Strategy (“RTP/SCS”) including SCAG’s Transportation Management Demand Strategies.^{13 14} . The Draft EIR must fully evaluate the Project’s consistency with the goals and policies of the City of Lancaster’s General Plan¹⁵ including, but not limited to, its Environmental Justice Element. Environmental justice impacts shall be considered particularly relative to air quality impacts on disadvantaged populations. According to the RTP/SCS, “potential mitigation for environmental justice impacts” includes: “fund proactive measures to improve air quality in neighboring homes, schools and other sensitive receptors”; “provide education programs about environmental health impacts to better enable residents to make informed decisions about their health and community”; and “engage in proactive measures to train and hire local residents for construction or operation of the project to improve their economic status and access to health care.” (emphasis added).

The Draft EIR must fully disclose, analyze and mitigate the Project’s energy impacts. The Project shall propose measures to ensure compliance with and the advancement of the policies and goals of Senate Bill 100 which commits to 100% clean energy in California by

⁷ <https://dot.ca.gov/programs/esta/sb-743/resources/housing>

⁸ <https://www.metro.net/projects/vehicle-miles-traveled-vmt-mitigation-program/#overview>

⁹ <https://wrcog.us/DocumentCenter/View/10174/VMT-Fact-Sheet?bidId=>

¹⁰ <https://cdi.santacruzcountyca.gov/UPC/EnvironmentalPermitsTechnicalReviews/VMTMitigationProgram.aspx>

¹¹ <https://www.smwlaw.com/2024/01/17/mitigating-vehicle-miles-traveled/>

¹² <https://ww2.arb.ca.gov/sites/default/files/classic/planning/sip/2016sip/2016mobsr.pdf>

¹³ https://scag.ca.gov/sites/main/files/file-attachments/tm-strategic-plan_scag.pdf?1607732260

¹⁴ <https://scag.ca.gov/sites/main/files/file-attachments/23-2987-tr-tm-toolbox-strategies.pdf?1715621181>

¹⁵ <https://www.cityoflanasterca.org/home/showpublisheddocument/9323/635775792210230000>

2045. The City must consider measures that promote energy efficiency beyond existing regulatory requirements such as Title 24. For instance, requiring industrial projects to maximize the use of solar energy with complete roof coverage with photovoltaic solar panels (PV panels) is one means to ensure that the State can meet its energy efficiency goals. A project of this size and type is prime for *maximizing* solar energy usage.

The Draft EIR must fully evaluate the Project's biological impacts. The site is largely vacant and contains natural vegetation that supports habitat for biological species. The site is close to Paiute Pond which provides habitat for migratory birds. The Project site also likely functions as a wildlife corridor for protected species.

Regarding lighting impacts, the Project proposes a massive field of industrial development in an undeveloped and remote location. The Draft EIR must disclose whether the Project site is a "dark skies area." The potential for the Project to have permanent, significant impacts on the nighttime visual environment must be fully assessed.

The Draft EIR must disclose and evaluate the Project's impact to water supply including providing information on the Project's water source/supplier. Water is in scarce supply, and it is expected that the Project will create a large, new demand with respect to over-burdened sources. All hydrology impacts must be fully assessed.

The Draft EIR must fully evaluate the Project's impacts to transportation routes and corridors including the additional traffic on Routes 14 and 138. The Project is anticipated to generate thousands of vehicle trips per day including truck trips. The capacity of these roadways to handle this additional traffic must be fully analyzed. Furthermore, truck routes must be established to avoid impacts to sensitive receptors to the maximum extent feasible.

The Draft EIR must fully explore alternatives to the proposed Project that reduce significant Project impacts. This should include a significant size reduction. The proposed 38 million square feet of industrial development dwarfs other industrial developments in the State; in fact, if built, it may be the State's second largest warehouse complex. Alternatives must be explored that reduce the size of the Project as well as provide a mix of uses that may include housing for future employees.

Thank you for your consideration of these comments as you prepare the Draft EIR. Please include my office on the list of recipients of all future CEQA notices including the Notice of Availability and/or Notice of Completion of Draft EIR.

Sincerely,

A handwritten signature in black ink that reads "Abigail Smith". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Abigail Smith, Esq.

From: alharo@att.net
To: [Swain, Jocelyn](#)
Cc: [Al HARO](#)
Subject: Notice of Preparation - Lancaster
Date: Tuesday, September 3, 2024 5:14:04 PM

You don't often get email from alharo@att.net. [Learn why this is important](#)

Hello Ms. Swain,

I just received the Notice of Preparation in the mail.

I was looking for my Assessor's Parcel Number (APN) 3117-004-006 among the two lists of APN's and did not locate it.

Since I received your Notice of Preparation, would my parcel be part of the Pre-Zoning (PZ24-001) or the General Plan Amendment (GPA24-002)?

Can you please take a few minutes out of your busy day to assist me in how my parcel would be affected by this Notice of Preparation?

Thank you,

Al Haro

Owner of Assessor's Parcel Number 3117-004-006

From: [Carole Florman](#)
To: [Swain, Jocelyn](#)
Subject: Question regarding westside annexation and specific plan project
Date: Monday, September 16, 2024 5:50:34 AM

Dear Ms. Swain:

I have received the Notice of Preparation for the Westside Annexation and Specific Plan Project. I am a property owner of a parcel within the annexation plan, but just outside the specific plan project zone (AIN: 3116 016 002 17 000, which is bounded by). I'm trying to understand how these plans will impact our property. I understand that if the plans move forward my property will become part of the City of Lancaster, but I don't understand what if anything will happen in regard to it's zoning since it falls outside the specific plan project zone.

I know you are very busy, but if you have a moment to explain I would greatly appreciate it.

Respectfully,

Carole Florman

From: cclu2009@gmail.com
To: [Swain, Jocelyn](#)
Subject: annexation
Date: Thursday, September 12, 2024 11:04:25 AM

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Hi Jocelyn;

I am owner of 3115-007-024, which is part of the annexation project. I fully support the process. Just wondering if I need to do anything?

Please let me know,

Thanks!

Chaochin Lu
408-667-0668

From: [Ellen T Tan](#)
To: [Swain, Jocelyn](#)
Subject: Notice of Preparation
Date: Wednesday, September 18, 2024 10:13:11 AM

[You don't often get email from nurseet818@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

To Jocelyn Swain,

This email is in response to the letter I have received from the City of Lancaster with regards to a proposed project in those areas specifically mentioned . My land is on the list APN 3116-017-013. Is this company planning to buy my land from me? If they are what would be the offer?

Hope to hear from you . Thank you.

Respectfully ,
Evangelina T Tan
Sent from my iPhone

From: glenn@winnell.com
To: [Swain, Jocelyn](#)
Subject: Glenn Winkelstein - Annex Question
Date: Wednesday, September 18, 2024 11:26:43 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

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Jocelyn:

Thank You, for your most prompt response.

Is there anything planned on the Annexation property that you can share with me ?

Glenn

From: Swain, Jocelyn [<mailto:jswain@cityoflancasterca.gov>]
Sent: Wednesday, September 18, 2024 11:08 AM
To: glenn@winnell.com
Subject: RE: Glenn Winkelstein - Annex Question

Glenn,

The property listed in your email is located outside of the boundaries of the proposed annexation, specifically at the northwest corner of 32nd St W and Avenue B-12. The property owner's received a notice because they are located within 1,500 feet of the proposed annexation. The notice received by the property owner's was to provide information regarding the start of the environmental review process for the proposed annexation. This notice was provided to all property owner's within the boundaries of the proposed annexation area plus a 1,500 feet boundary around the project area. Hearings regarding the approval process for the annexation are not anticipated to start until next summer. No specific developed has been proposed but a specific plan is being developed for a portion of the area which will allow for a lot of industrial development.

Please let me know if you have any other questions.

Jocelyn

Jocelyn Swain
Senior Planner - Community Development

City of Lancaster

44933 Fern Ave. | Lancaster, CA 93534

T 661.723.6249

jswain@cityoflanasterca.gov | cityoflanasterca.gov



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From: glenn@winnell.com <glenn@winnell.com>

Sent: Wednesday, September 18, 2024 10:32 AM

To: Swain, Jocelyn <jswain@cityoflanasterca.gov>

Subject: Glenn Winkelstein - Annex Question

You don't often get email from glenn@winnell.com. [Learn why this is important](#)

Jocelyn:

My friends who live in Northern California own land on the Northwest Corner of Ave. C and 30th St. West., a 5 acre parcel (3115 008 004).

It has been a remote piece, nothing around. I believe when I inquired years ago with the County, the original Sub-Division Map had Easement Issues, or Recording Issues, I just can't recall at the moment.

They received a notice that the property is being annexed into The City of Lancaster.

I guess the question is **WHY** is it being annexed.

Is there something happening out there ?

I hope to hear from you.

Sincerely,

Glenn Winkelstein
39450 3rd Street East
Unit 100
Palmdale, CA 93550
661-273-1417 (O)

661-273-5596 FAX

661-733-0182 cell

From: nbroders@aol.com
To: [Swain, Jocelyn](#)
Subject: EIR Report & Parcel No.: 3116-018-022
Date: Friday, September 6, 2024 9:47:00 AM

You don't often get email from nbroders@aol.com. [Learn why this is important](#)

Good morning Jocelyn – my husband and I own the above-referenced parcel, as well as a few others. We received your letter regarding the NOP and draft EIR report regarding the development of the Westside Annexation and Specific Plan Project. I'm curious if this means the City would like to purchase our land? I left a voice message this morning around 8:40am (I asked for Jessica, sorry), but am wondering if you could please take a moment to call me to discuss. We live in Corona, CA and the meeting taking place on September 26th at 6pm is quite a distance for us to travel.

Please advise if you can have a phone call with me to discuss.

Nancy Broders
714-272-5481

From: [Rebecca Sallen](#)
To: [Swain, Jocelyn](#)
Subject: Notice of Preparation Westside Annexation and Specific Plan Project
Date: Monday, September 9, 2024 1:56:07 PM

[You don't often get email from rsallen7742@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

I received a letter from City of Lancaster about the NOP Westside Annexation and Specific Plan Project. We own Assessors ID No: 3117 009 011 23 000. Is this land included in the project location? How does the project affect our land and property values? If we have further questions, can you provide a phone # where we can reach you?

Thank you,

Betty Sallen

Sent from my iPad

Heatherman;

My parcel falls in the
enumeration area near cell H. + 20 w. 1st
Having spoken to the 2 mil sy of
warehouse group that was approved
on cell F + 20th it asked of any
electric charges were planned they
said "No".

My suggestion to you is a
fixed percentage 5% etc. of all
intercepted truck use should
be provided at the "start" on
changing set-up especially for
"for Route Trucks" as non-polluting
answer to air pollution in the
often times clean air of the A.V.

Thank-You

One Homer

562-292-1379

From: [Thelma Sugay](#)
To: [Swain, Jocelyn](#)
Subject: Fwd: Lancaster property query
Date: Monday, September 9, 2024 2:11:20 PM
Attachments: [LancasterNoticeof Preparation_Wetside Annexation_SpecificPlanProj_090324.PDF](#)

You don't often get email from thelma@jmasgroup.com. [Learn why this is important](#)

Greetings Ms Swain! We are in receipt of the attachment below and was wondering if we could set up a phone appointment for queries and or clarifications please. It would be with me and my brother Leo Aranda and possibly his wife Monette. We will be happy to do a Messenger call or zoom call.

Gratefully,
Thelma A. Sugay Senior Marketing Director JMAS Group, LLC 747 221-2322
Thelma@jmasgroup.com
President of the Asian American Press Club of the US 2024-2025
Podcast Host/ Producer Pinay Insight e360tv.com

----- Forwarded message -----

From: **Thelma Sugay** <thelma@jmasgroup.com>
Date: Sun, Sep 8, 2024 at 10:08 PM
Subject: Fwd: Lancaster property query
To: <jeffreyprang@gmail.com>

Thanks Jeffrey! In reference to my earlier query, kindly see attachment below.
Thelma A. Sugay Senior Marketing Director JMAS Group, LLC 747 221-2322
Thelma@jmasgroup.com
President, Asian American Press Club of the U. S.
2024-2025
Podcast Host/Producer Pinay Insight

----- Forwarded message -----

From: **Leo Aranda** <leo@arandafamily.net>
Date: Fri, Sep 6, 2024 at 10:05 PM
Subject: Lancaster
To: Thelma Sugay <thelma@jmasgroup.com>

From: [Tim Conley](#)
To: [Swain, Jocelyn](#)
Subject: Re: Question re Westside Annexation Project
Date: Saturday, September 7, 2024 11:29:32 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image634337.png](#)

Jocelyn,

Thank you for the explanation. Very helpful.

Tim Conley

On Sat, Sep 7, 2024 at 11:20 AM Swain, Jocelyn <jswain@cityoflancasterca.gov> wrote:

Tim,

The notice that was sent to you was to kick off the start of the environmental review process for the annexation. It is an opportunity for agencies and members of the public to identify issues or topics that need to be addressed in the environmental impact report that will be prepared. Hearings regarding the approval/denial of the annexation and specific plan are not expected to occur until next summer. No specific development proposals are part of the annexation or specific plan. However, the specific plan would allow for up to 11.3 million square feet of industrial distribution/warehouse facilities within areas of the specific plan area along with other types of industrial development.

There is no study that would be done that would indicate whether your property would be favorably or negatively impacted. That is a subjective determination that an individual property owner would need to make.

Jocelyn

Jocelyn Swain

Senior Planner - Community Development

T 661.723.6249

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From: Tim Conley <tim.conley.01@gmail.com>

Sent: Friday, September 6, 2024 4:48 PM

To: Swain, Jocelyn <jswain@cityoflancasterca.gov>

Subject: Re: Question re Westside Annexation Project

You don't often get email from tim.conley.01@gmail.com. [Learn why this is important](#)
Jocelyn,

Thanks for your prompt response and explanation.

I just have a couple of other questions.

1. Can you tell me why the action noted in your letter is being taken? That is, is the property to be developed?
2. Is there any plan under consideration that would indicate that my property might be favorably impacted.

Have a nice weekend.

Tim Conley

On Fri, Sep 6, 2024 at 4:09 PM Swain, Jocelyn <jswain@cityoflancasterca.gov> wrote:

Tim,

You received the notice because you own property either within the boundaries of the proposed annexation or own property within 1,500 feet of the annexation boundary. If you are located outside of the boundaries of the proposed annexation, the notice was sent to you so that you are aware of things occurring near property you own. As you indicated below, your property is outside of the annexation area so no changes to your property would occur. Regardless if the annexation is approved, your property would remain within the boundaries of unincorporated Los Angeles County.

Please let me know if you have any other questions.

Jocelyn

Jocelyn Swain

Senior Planner - Community Development

City of Lancaster

44933 Fern Ave. | Lancaster, CA 93534

T 661.723.6249

jswain@cityoflanasterca.gov | cityoflanasterca.gov



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From: Tim Conley <tim.conley.01@gmail.com>
Sent: Friday, September 6, 2024 3:14 PM
To: Swain, Jocelyn <jswain@cityoflanasterca.gov>
Subject: Fwd: Question re Westside Annexation Project

You don't often get email from tim.conley.01@gmail.com. [Learn why this is important](#)
Resending due to incorrect email address

----- Forwarded message -----

From: **Tim Conley** <tim.conley.01@gmail.com>
Date: Fri, Sep 6, 2024 at 3:09 PM
Subject: Question re Westside Annexation Project
To: <jswain@cityoflanasterca.gov>

Hello Ms. Swain.

I received the notice today regarding the above project. I own a property that is close to but not within the project. I purchased it 15 years ago and have heard nothing since. My parcel # is 9586S100.

Here is my question. Is there any potential activity related to my property that is currently planned that would impact me.

Thanks

Tim Conley

City of Lancaster Community Development Department,

Thank you for your letter which contains your proposed plans for development.

I want to clearly state that you do not have my permission to develop anything on my property.

You do not have any legal claims to my property that I have been paying taxes on for over 35 years.

My Assessors ID is: 3145 011 038 21 000

Again you do not have my permission to touch or develop anything on my property which included all of the below mentioned in your letter which included Light Industrial, heavy Industrial, buildings, warehouses, roadway, manufacturing, residential or agricultural or any non-mentioned plans going forward.

If you do not abide by my demands I will be forced to seek an attorney.

Sincerely,

Carol Ann Meuse