

# RC1051 Victorville Project

## Initial Study/Mitigated Negative Declaration

---

August 2024

**Prepared By:**

Kimley-Horn and Associates, Inc.  
3801 University Avenue, Suite 300  
Riverside, CA 92501



## Table of Contents

1.0 INTRODUCTION & PURPOSE..... 4

    1.1 Purpose and Scope of the Initial Study..... 4

    1.2 Summary of Findings ..... 5

    1.3 Initial Study Public Review Process ..... 6

    1.4 Report Organization ..... 6

2.0 DESCRIPTION OF PROPOSED PROJECT ..... 7

    2.1 Project Location..... 7

    2.2 Project Setting, Land Use, and Zoning Designation..... 7

    2.3 Proposed Project Characteristics ..... 7

    2.4 Discretionary Actions and Approvals..... 9

3.0 INITIAL STUDY CHECKLIST..... 19

    3.1 Environmental Factors Potentially Affected ..... 21

4.0 ENVIRONMENTAL ANALYSIS..... 22

    AESTHETICS..... 22

    AGRICULTURE AND FORESTRY RESOURCES..... 25

    AIR QUALITY..... 27

    BIOLOGICAL RESOURCES ..... 33

    CULTURAL RESOURCES..... 43

    ENERGY..... 45

    GEOLOGY AND SOILS..... 50

    GREENHOUSE GAS EMISSIONS ..... 55

    HAZARDS AND HAZARDOUS MATERIALS ..... 59

    HYDROLOGY AND WATER QUALITY ..... 62

    LAND USE AND PLANNING ..... 66

    MINERAL RESOURCES..... 67

    NOISE ..... 69

    POPULATION AND HOUSING ..... 75

    PUBLIC SERVICES..... 77

    RECREATION ..... 82

    TRANSPORTATION ..... 83

    TRIBAL CULTURAL RESOURCES ..... 86



UTILITIES AND SERVICE SYSTEMS..... 89

WILDFIRE ..... 94

MANDATORY FINDINGS OF SIGNIFICANCE..... 96

5.0 REFERENCES..... 98

## Tables

Table 1: Existing Land Uses and Zoning Designations ..... 7

Table 4.3-2: Project Construction Emissions..... 30

Table 4.3-3: Operational Emissions ..... 30

Table 4.6-1: Project and Countywide Energy Consumption ..... 45

Table 4.8-1: Construction Greenhouse Gas Emissions ..... 55

Table 4.8-2: Total Project Greenhouse Gas Emissions ..... 56

Table 4.13-1: Project Construction Noise Levels..... 70

Table 4.13-2: Project Operational Noise Levels ..... 71

Table 4.13-3: Truck Delivery Noise Levels ..... 72

Table 4.13-4: Typical Construction Equipment Vibration Levels ..... 73

## Exhibits

Exhibit 1: Regional Location Map..... 10

Exhibit 2: Local Vicinity Map ..... 11

Exhibit 3: Existing Zoning ..... 12

Exhibit 4: General Plan Land Use Designation ..... 13

Exhibit 5: Conceptual Site Plan..... 14

Exhibit 6: Conceptual Building Elevations..... 15

Exhibit 7: Conceptual Landscape Plan ..... 16

Exhibit 8: Conceptual Grading Plan ..... 17

Exhibit 9: Conceptual Utility Plan..... 18



## Appendices

Appendix A – Air Quality and Greenhouse Gas Emissions Technical Memorandum

Appendix B – Biological Resources Assessment

Appendix C – Burrowing Owl Focused Survey Results

Appendix D – Western Joshua Tree Survey

Appendix E – Cultural Resources Assessment

Appendix F – Technical Energy Memorandum

Appendix G – Geotechnical Engineering Report

Appendix H – Preliminary Hydrology Report

Appendix I – Preliminary Water Quality Management Plan

Appendix J – Technical Noise Memorandum

Appendix K – Traffic Study

Appendix L – AB52 Tribal Consultation Correspondence

Appendix M – Utility Will Serve Letters

## 1.0 INTRODUCTION & PURPOSE

### 1.1 Purpose and Scope of the Initial Study

This Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND or IS/MND) was prepared by Kimley Horn and Associates (Kimley-Horn) for the City of Victorville (City) to assess whether there may be significant environmental impacts associated with the proposed RC1051 Project (Project), located on the northwest corner of the intersection of Roy Rogers Drive and Civic Drive, in the City of Victorville, California. This Draft IS/MND was prepared consistent with the requirements of the California Environmental Quality Act (CEQA) on the basis that there was no substantial evidence that there may be significant environmental impacts on specific environmental areas. Where a potentially significant impact may occur, the most appropriate mitigation measure(s) have been identified and would be applied to avoid or mitigate the potential impact to a level of less than significant.

The lead agency is the public agency with primary responsibility for a proposed project. Where two or more public agencies will be involved with a project, CEQA Guidelines Section 15051 establishes criteria for identifying the lead agency. In accordance with CEQA Guidelines Section 15051(b) (1), “the lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose.” Pursuant to State CEQA Guidelines Section 15367 and based on the criterion above, the City of Victorville is the lead agency for the Project.

In accordance with CEQA (California Public Resources Code [PRC] Section 21000 et seq.) and its Guidelines (California Code of Regulations [CCR], Title 14, Section 15000 et seq.), this Draft IS/MND has been prepared to evaluate the potential environmental effects associated with the construction and operation of the Project.

Per State CEQA Guidelines Section 15070, a public agency shall prepare, or have prepared, a proposed negative declaration or MND for a project subject to CEQA when:

The initial study shows no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or

The initial study identifies potentially significant effects, but:

- Revisions in the project plans or proposals made by, or agreed to by the applicant before the proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
- There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

Per State CEQA Guidelines Section 15041 - Authority to Mitigate, a lead agency for a project has authority to require feasible changes in any or all activities involved in the project in order to substantially lessen or avoid significant effects on the environment, consistent with applicable constitutional requirements such as the “nexus” and “rough proportionality” standards. As defined by State CEQA Guidelines Section 15364,

“feasible” means capable of being accomplished in a successful manner within a reasonable period of time, considering economic, environmental, legal social, and technological factors. If significant impacts are identified, then mitigation measures are adopted to reduce the impacts to less than significant levels. State CEQA Guidelines Section 15126.4 states that mitigation measures must be consistent with all applicable constitutional requirements, including the following:

- There must be an essential nexus (i.e., connection) between the mitigation measure and legitimate governmental interest.
- The mitigation measure must be “roughly proportional” to the impacts of the project.

There are several forms of mitigation under CEQA (see State CEQA Guidelines Section 15370). These are summarized below.

- Avoiding the impact altogether by not taking a certain action or parts of an action.
- Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- Compensating for the impact by replacing or providing substitute resources or environment.

Avoiding impacts is the preferred form of mitigation, followed by minimizing or compensating the impact to less than significant levels. Compensating for impacts would only be used when the other mitigation measures are not feasible.

This Draft IS/MND evaluates the Project’s impacts on the following environmental checklist resource topics:

- 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 and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire
- Mandatory Findings of Significance

## 1.2 Summary of Findings

**Section 3.0** of this document contains the Environmental Checklist Form that was prepared for the Project pursuant to Appendix G of the State CEQA Guidelines. The Environmental Checklist Form indicates that the Project would not result in significant impacts with the implementation of mitigation measures, as identified where applicable throughout this document.



### 1.3 Initial Study Public Review Process

The IS and a Notice of Intent (NOI) to adopt an MND will be distributed to responsible and trustee agencies, other affected agencies, and other parties for a 30-day public review period.

Written comments regarding this MND should be addressed to:

Travis Clark, Senior Planner  
Development Department  
City of Victorville  
14343 Civic Drive  
Victorville, CA 92392  
[Planning@victorvilleca.gov](mailto:Planning@victorvilleca.gov)

Comments submitted to the City during the 30-day public review period will be considered and addressed prior to the adoption of the MND by the City.

### 1.4 Report Organization

This document has been organized into the following sections:

**Section 1.0 – Introduction.** This section provides an introduction and overview describing the conclusions of the Initial Study.

**Section 2.0 – Project Description.** This section identifies key project characteristics and includes a list of anticipated discretionary actions.

**Section 3.0 – Initial Study Checklist.** The Environmental Checklist Form provides an overview of the potential impacts that may or may not result from project implementation.

**Section 4.0 – Environmental Analysis.** This section contains an analysis of environmental impacts identified in the environmental checklist.

**Section 5.0 – References.** The section identifies resources used to prepare the Initial Study.

## 2.0 DESCRIPTION OF PROPOSED PROJECT

### 2.1 Project Location

The Project is located in the central portion of the City, generally located at the northwest corner of the intersection of Roy Rogers Drive and Civic Drive, and generally west of Interstate 15 (I-15). Refer to **Exhibit 1, Regional Location Map**. The Project site is bounded by commercial development to the east and south and vacant disturbed land to the west and north. The Project site comprises three parcels with Assessor’s Parcel Number (APN) 3106-201-24, 3106-201-25, and 3106-201-27. The Project would disturb a total of approximately 1.5 acres of these parcels. Refer to **Exhibit 2, Local Vicinity Map**.

### 2.2 Project Setting, Land Use, and Zoning Designation

The Project site is a 1.5-acre site composed of three parcels and is generally graded and undeveloped with scattered vegetation. The Project is generally bounded to the north by vacant land and Midtown Drive, to the east by an existing Chevron gas station and Rocket convenience store, to the south by Roy Rogers Drive and existing commercial retail, and to the west by vacant land.

The Project site’s existing zoning is “General Commercial Transitional (C-2T)”. Refer to **Exhibit 3, Existing Zoning**. The Project site’s existing general plan land use designation is “Commercial”. Refer to **Exhibit 4, General Plan Land Use Designation. Table 1, Existing Land Uses and Zoning Designations**, summarizes the on-site and surrounding areas land use and zoning designations congruent with the City of Victorville General Plan (Victorville GP) and Municipal Code (Victorville MC).

**Table 1: Existing Land Uses and Zoning Designations**

Location	Existing Zoning <sup>1</sup>	Existing General Plan Land Use <sup>2</sup>
Project Site	General Commercial - Transitional (C-2T)	Commercial
North	General Commercial - Transitional (C-2T)	Commercial
South	Specific Plan (Civic Center Community) <sup>3</sup>	Specific Plan (Civic Center Community)
West	General Commercial - Transitional (C-2T)	Commercial
East	General Commercial - Transitional (C-4T)	Commercial

Source:

- (1) City of Victorville. (2023). *Interactive Map*. Available at: <https://victorville.maps.arcgis.com/apps/webappviewer/index.html?id=e68816661cb64d69ae6556d47bb22797> (accessed February 2024).
- (2) City of Victorville. (2022). *General Plan Land Use*. Available at: <https://www.victorvilleca.gov/home/showpublisheddocument/11657/638022987876370000> (accessed February 2024).
- (3) City of Victorville. (2016). *Civic Center Community Sustainability Plan*. Available at: <https://www.victorvilleca.gov/home/showpublisheddocument/11687/638029856738130000> (accessed February 2024).

The “C-2T” zoning and “Commercial” land use designation would allow for the development of commercial uses which the proposed Project is consistent with.

### 2.3 Proposed Project Characteristics

The Project proposes to develop the existing vacant lot into a Raising Cane’s Restaurant. The proposed development will include a 2,899 square foot (sq. ft.) restaurant with an outdoor patio, drive-thru, and parking. The associated improvements include, but are not limited to, on-site grading, domestic water

service, sanitary sewer service, storm drain infrastructure, concrete and asphalt pavement, landscaping, and irrigation. Refer to **Exhibit 5, Conceptual Site Plan**. The proposed commercial building would have maximum structural height of approximately 26 feet. Refer to **Exhibit 6, Conceptual Building Elevations**.

### **Landscaping**

Irrigated landscaped areas for the Project site would total approximately 19,979 sq. ft. of the 65,200 sq. ft. site area, or approximately 30.7 percent of the total area. Landscaping would be comprised of a variety of trees, drought-tolerant shrubs and ground cover, and shrub masses. In compliance with Victorville MC Section 16-3.10.060(b)(9) and (10), landscaping would include five-foot interior width landscaped fingers at the end of all parking rows and the perimeter of the parking area, drive-thru lane, at the base of the building within five-foot interior with planters, and one 24-inch box tree for every eight parking space evenly distributed throughout the parking area within landscape fingers or planter islands a minimum of five-foot interior width. Landscape would also be provided along the Project site perimeter, including but not limited to shrubbery and trees near the public right-of-way (ROW) at Roy Rogers Drive. Refer to **Exhibit 7, Conceptual Landscape Plan**.

### **Project Circulation and Parking**

As shown in **Exhibit 5**, the Project would provide 40 total parking stalls including 30 standard stalls, eight designated accessible stalls (two stalls would be EV charging with one van accessible EV and one standard accessible EV parking stall) and two accessible stalls. Per the Victorville MC, 27 parking stalls would be required. The Project would exceed the minimum parking requirement by 13 parking stalls.

Vehicular access would be provided via two off-site internal access roads. The first existing internal access road would be extended around the perimeter of the existing Chevron gas station and convenience store to allow the ingress and egress to the Project site via Roy Rogers Drive. Access to this internal access road on the eastern portion of the Project site would be accessible from Civic Drive as well. Ingress and egress would occur from the second proposed internal access road and would be located at the western portion of the Project site; access to this drive would be from Roy Rogers Drive. Both driveways into the parking lot would be 26-feet-wide and would allow both internal/emergency access circulation via the proposed parking lot located at the northern portion of the Project site.

### **Project Grading**

The Project proposes 6,734 cubic yards (CY) of cut and 71 CY of fill, resulting in a net export of 6,663 CY of soil from the Project site. Refer to **Exhibit 8, Conceptual Grading Plan**.

### **Project Utility Improvements**

The Project proposes domestic water service, fire water, sanitary sewer service, and storm drain infrastructure improvements. The proposed on-site drainage system would consist of a series of catch basins and storm drain pipes that would intercept surface stormwater flows and direct them to an underground infiltration system, with pre-treatment, located on the northeast portion of the Project site. Additionally, the Project would install a dedicated grease waste line with a 1,500-gallon grease interceptor prior to discharge to the City's sanitary system. Refer to **Exhibit 9, Conceptual Utility Plan**.



## Project Phasing and Construction Schedule

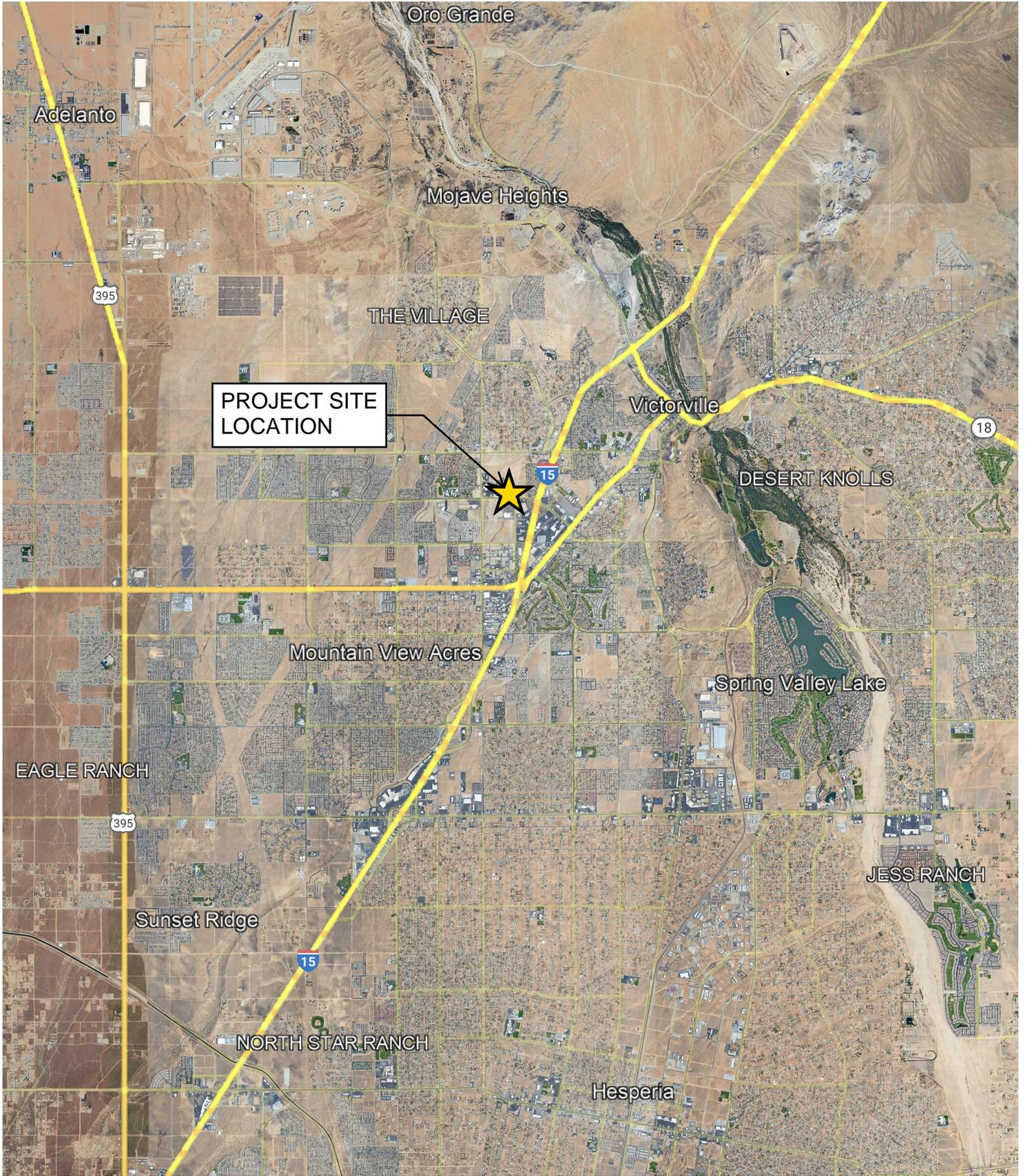
The Project is anticipated to be developed in one phase. Upon Project approval, construction activities would begin in Spring 2025 and end in Autumn 2025.

## 2.4 Discretionary Actions and Approvals

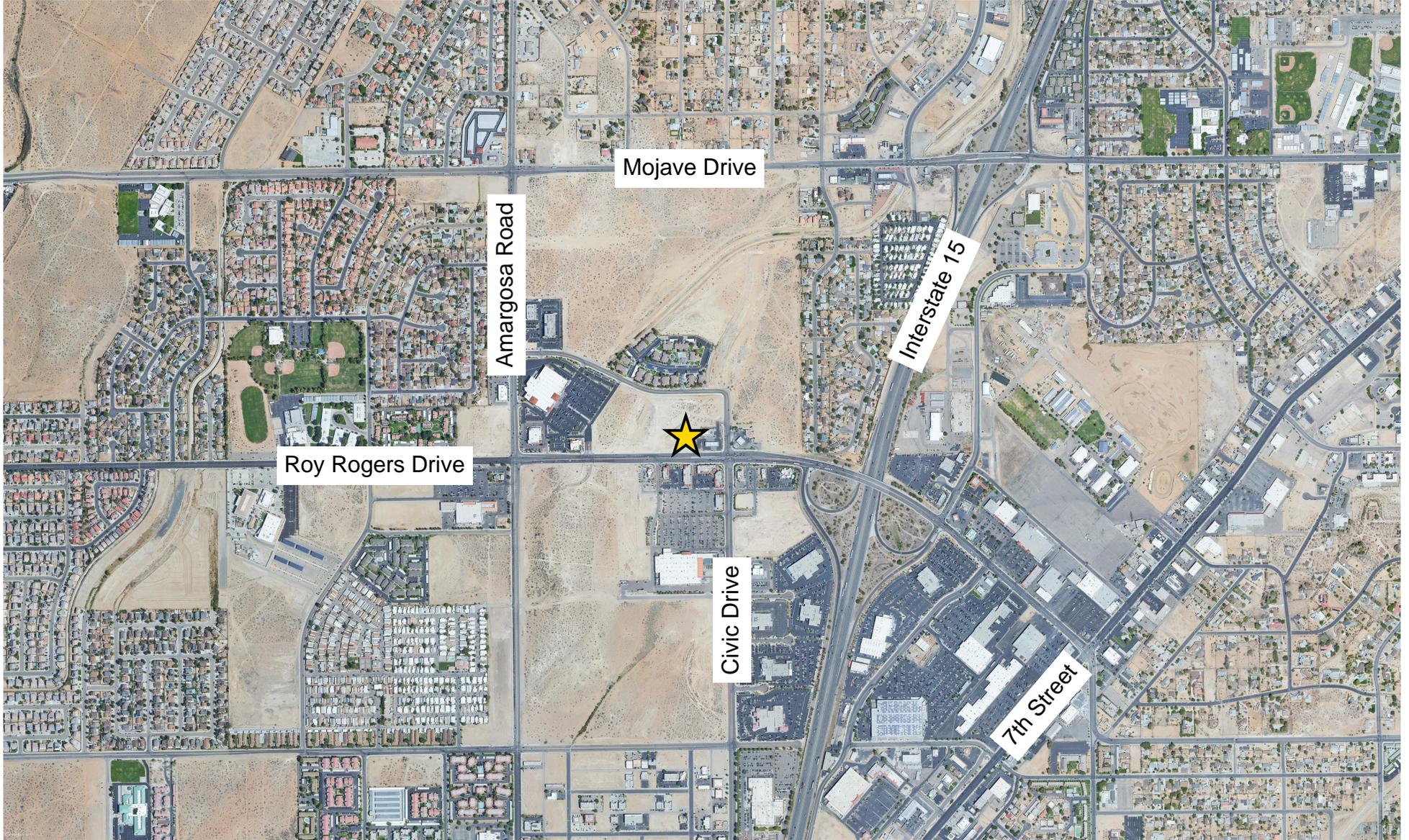
The City is the Lead Agency under CEQA and is responsible for reviewing and certifying the adequacy of the IS/MND for the Project. It is expected that the City, at a minimum, would consider the data and analyses contained in this IS/MND when making their permit determinations. Prior to development of the Project, discretionary permits and approvals must be obtained from local, state, and federal agencies, as listed below:

- **Incidental Take Permit (CDFW)** – An incidental take permit is required for the removal of a single western Joshua tree on the Project site. This take permit would be provided by CDFW following Project approval by the Lead Agency, but would need to be acquired prior to the issuance of grading permits.

Other permits required for the Project may include, but are not limited to, the following: grading permits; issuance of encroachment permits for driveways, sidewalks, and utilities; security and parking area lighting; building permits; occupancy permits; tenant improvement permits; and permits for new utility connections.



Source: Google Earth, 2024



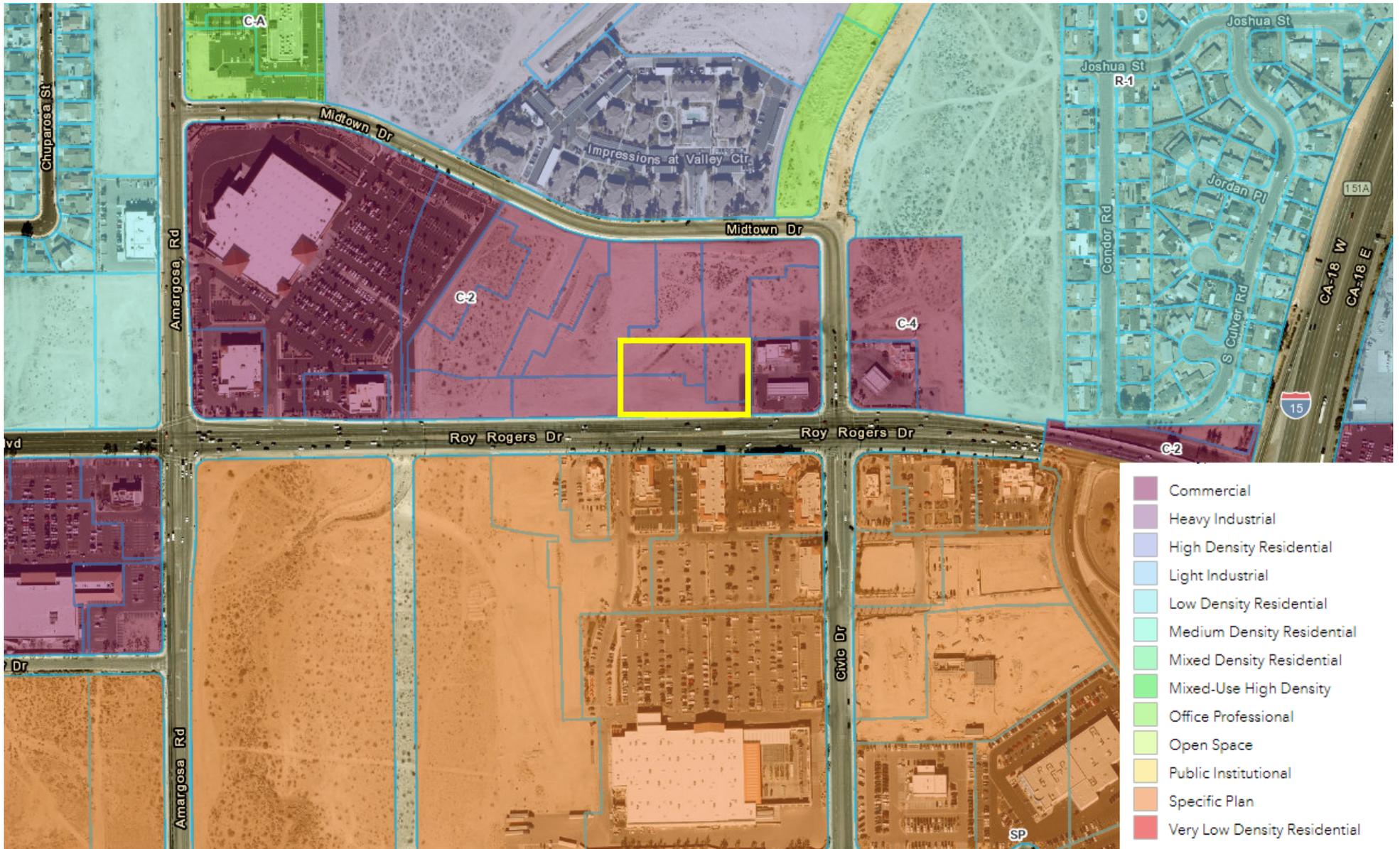
Source: Google Earth, 2024

 Project Location

**EXHIBIT 2:** Local Vicinity Map  
RC1051 Victorville Project

 Not to scale

**Kimley»Horn**



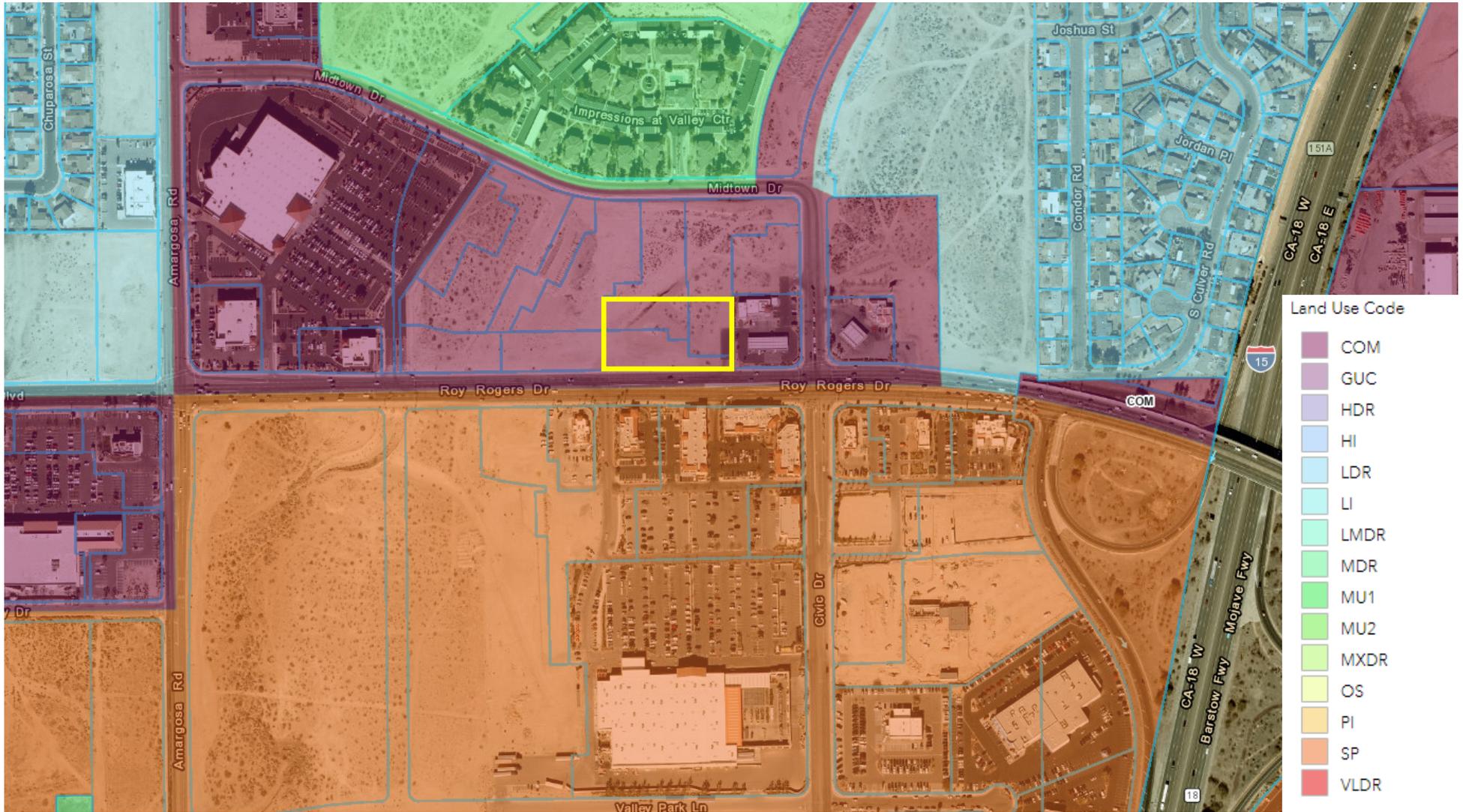
Source: City of Victorville, 2021

 Project Boundary

**EXHIBIT 3: Existing Zoning**  
RC1051 Victorville Project

 Not to scale

**Kimley»Horn**



Source: City of Victorville, 2021

 Project Boundary

# LEGEND:

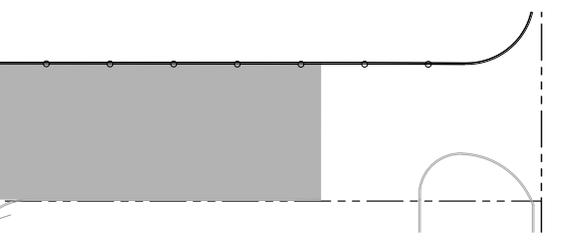
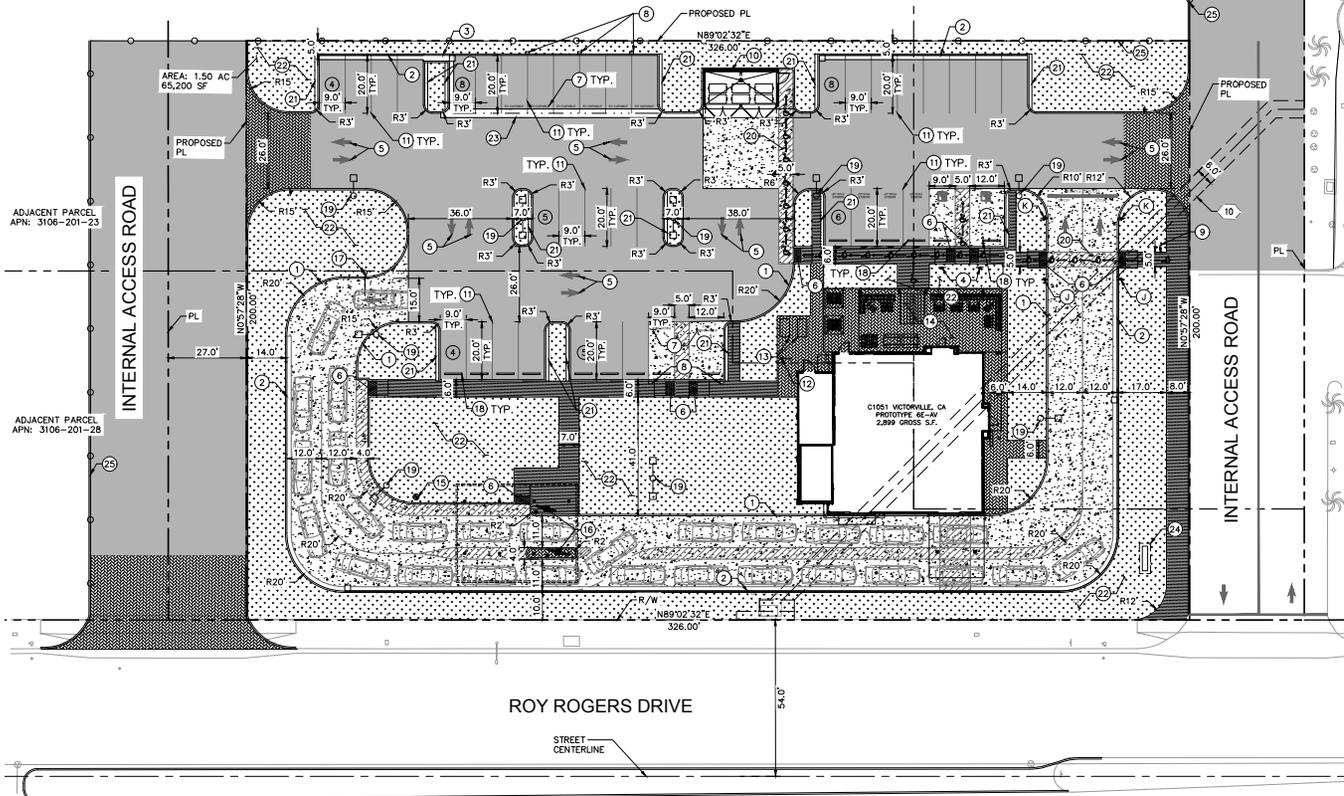
- CENTER LINE
- - - PROPERTY LINE
- - - RIGHT-OF-WAY LINE
- - - EASEMENT LINE
- - - APPROXIMATE LIMIT OF WORK LINE
- - - FENCE LINE
- [Pattern] STANDARD DUTY CONCRETE PAVEMENT
- [Pattern] HEAVY DUTY CONCRETE PAVEMENT
- [Pattern] LANDSCAPE/PLANTER AREA
- [Pattern] HEAVY DUTY ASPHALT PAVEMENT
- [Pattern] DETECTABLE WARNING SYSTEM
- [Pattern] COLORED CONCRETE/ENHANCED PAVING
- 0-0 — ACCESSIBLE ROUTE (LOCATION PURPOSES ONLY, DO NOT PAINT)
- [Symbol] SIGN POST
- [Symbol] ACCESSIBLE PARKING SPACE
- [Symbol] NUMBER OF PARKING SPACES

# SITE KEY NOTES:

- 1 CONCRETE CURB
- 2 CONCRETE CURB AND GUTTER
- 3 PROPOSED CHANNEL GUTTER
- 4 ACCESSIBLE PARKING STALL SIGN
- 5 DIRECTIONAL MARKING PER PLAN
- 6 ACCESSIBLE RAMP WITH DETECTABLE WARNING (TRUNCATED DOMES)
- 7 PROPOSED EV CAPABLE PARKING SPACES
- 8 FUTURE E/V CHARGING STATION. CONDUIT TO BE RAN TO STALL FOR FUTURE CONNECTION
- 9 ADA PATH OF TRAVEL SIGN
- 10 COVERED TRASH ENCLOSURE AND RECYCLING BIN STORAGE
- 11 STANDARD 90° PARKING STALL STRIPING.
- 12 SHORT TERM BIKE RACK
- 13 LONG TERM BIKE RACK
- 14 OUTDOOR COVERED PATIO TO BE STAINED STANDARD DUTY CONCRETE PAVEMENT
- 15 PREVIEW BOARD
- 16 ORDER BOARD
- 17 HEIGHT DETECTOR POLE
- 18 INSTALL WHEELSTOPS FOR PARKING SPACES ADJACENT TO WALKWAYS
- 19 SITE LIGHTING
- 20 ACCESSIBLE PATH OF TRAVEL STRIPING. ACCESSIBLE PATHS SHALL BE ENHANCED PAVING.
- 21 18" WALK-OFF CURB
- 22 PROPOSED LANDSCAPING
- 23 3.0" WIDE VALLEY GUTTER
- 24 MONUMENT SIGN
- 25 PROPOSED FENCE

# SIGN INFORMATION

- [Symbol] CMUTCD SIGN R5-1 - "STOP"
- [Symbol] CMUTCD SIGN R5-1 - "DO NOT ENTER"



## SITE DATA:

PROJECT DESCRIPTION: NEW CONSTRUCTION OF A RAISING CANE'S DRIVE THRU RESTAURANT AND PARKING LOT.

ADDRESS: ROY ROGERS DRIVE & CIVIC DRIVE

APN: 3106-201-25 & 27

ZONING DISTRICT: C2T - GENERAL COMMERCIAL - TRANSITIONAL

ADJACENT ZONING DISTRICTS: N: R3T - MULTI-FAMILY - TRANSITIONAL  
S: SP - SPECIFIC PLAN  
E: C4T - GENERAL COMMERCIAL - TRANSITIONAL  
W: R1 - SINGLE FAMILY

LAND USE: COMMERCIAL

ADJACENT LAND USE: N: HIGH DENSITY RESIDENTIAL  
S: SPECIFIC PLAN  
E: COMMERCIAL  
W: LOW DENSITY RESIDENTIAL

GENERAL PLAN DISTRICT: GC - GENERAL COMMERCIAL

SPECIFIC PLAN: CIVIC COMMERCIAL

FLOOD ZONE: ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.02% ANNUAL CHANCE FLOODPLAIN.

TOTAL DISTURBED AREA: 65,200 S.F. (1.50 AC)  
TOTAL PAD AREA: 2,899 S.F. (0.07 AC)  
TOTAL LOT AREA: 65,200 S.F. (1.50 AC)

LOT COVERAGE: 65,200 S.F. (1.50 AC) 100%  
TOTAL SITE AREA: 2,899 S.F. (0.07 AC) 4.4%  
BUILDING AREA: 42,254 S.F. (0.97 AC) 64.9%  
IMPERVIOUS AREA: 19,979 S.F. (0.46 AC) 30.7%

### PARKING/LANDSCAPE BUFFER

FRONT: 0'  
REAR: 0'  
SIDE (E): 0'  
SIDE (W): 0'

### PARKING SUMMARY:

- RAISING CANE'S: 2,899 S.F. (1 STALL/100 S.F.) WITH A 2 SPACE CREDIT FOR DRIVE-THRU STAKING OVER 40' IN LENGTH. 27 STALLS REQUIRED PER CITY CODE.
- 2,899/100 = 29 SPACES - 2 SPACES FOR DRIVE THROUGH CREDIT = 27 REQUIRED PARKING STALLS.
- ADA PARKING FOR 26-50 PARKING STALLS = 2 ADA PARKING STALLS REQUIRED, PER 2022 CBC.
- FUTURE EV FOR 26-50 PARKING STALLS = 8 EV CAPABLE SPACES (2 EV CAPABLE SPACES PROVIDED WITH EV CHARGING STATIONS) REQUIRED PER 2022 CALIFORNIA GREEN BUILDING CODE TABLE 5.106.5.2
- 1 FUTURE EV STALL MUST BE VAN ACCESSIBLE AND 1 FUTURE EV STALL MUST BE A STANDARD ACCESSIBLE PARKING STALL.

TOTAL NUMBER OF PARKING SPACES PROVIDED = 40

### PARKING TABLE:

	REQUIRED	PROVIDED
STANDARD	17	30
COMPACT (C)	-	-
MOTORCYCLE	-	-
DESIGNATED ACCESSIBLE	8	8

(2 STALLS TO BE EV CHARGING STATIONS, WITH ONE VAN ACCESSIBLE EV AND ONE STANDARD ACCESSIBLE EV PARKING STALL, PER CALIFORNIA GREEN BUILDING CODE TABLE 5.106.5.2)

### ACCESSIBLE

TOTAL: 27 40  
\*6 CAR STACK BEHIND THE ORDER BOARD HAS BEEN PROVIDED PER THE CITY'S CODE REQUIREMENTS.

Source: Kimley-Horn, 2024

# EXHIBIT 5: Conceptual Site Plan RC1051 Victorville Project



Not to scale





FRONT ENTRY ELEVATION



SIDE ENTRY ELEVATION

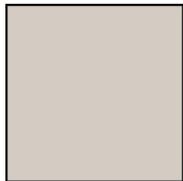


DRIVE THRU ELEVATION

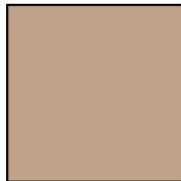


REAR ELEVATION

**MATERIAL FINISHES**



"SW 6071 Popular Gray"  
Portland Cement Stucco



"SW 7714 Oak Barrel"  
Portland Cement Stucco



Culture Stone:  
Chardonnay Southern Ledge



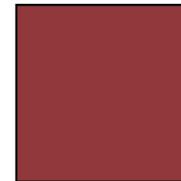
Roof Tile:  
El Camino Blend



Aluminum Storefront System  
Finish: Dark Bronze

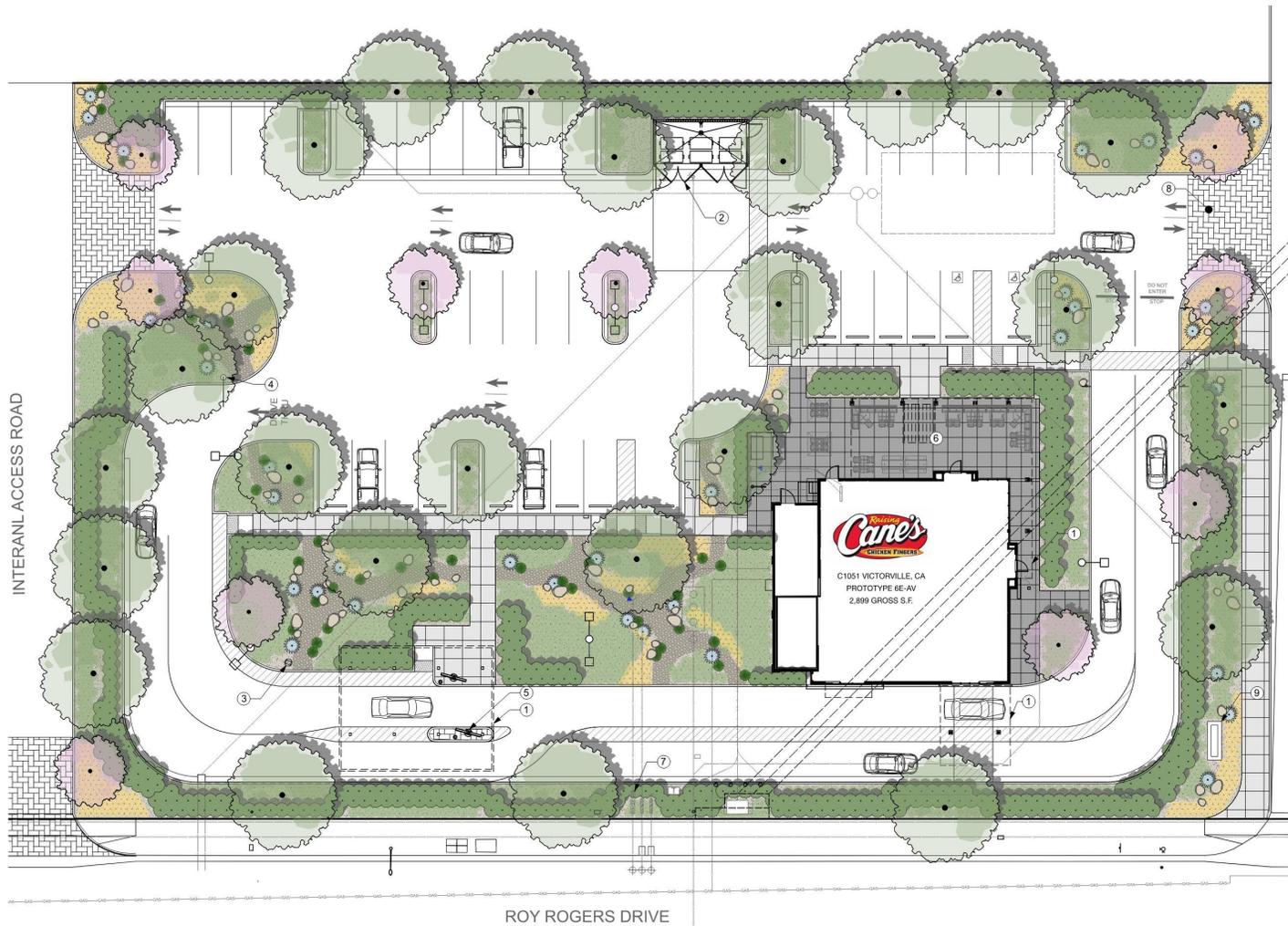


Paint To Match  
Dark Bronze



Reclaimed Red  
Metal Panel

Source: Raising Cane's Chicken Fingers



### Conceptual Plant List

Species Name	Common Name	Size
<i>Fraxinus greggii</i>	Little Leaf Ash	36" box
<i>Chilopsis linearis std.</i>	Desert Willow	24" box
<b>Screening Shrubs to be min 3'-4' at time of install</b>		
<i>Heteromeles arbutifolia</i>	Toyon	15 gal
<i>Leucophyllum f. 'Compacta'</i>	Compact Texas Ranger	15 gal
<i>Mahonia aquifolium</i>	Oregon Grape	15 gal
<i>Myrica californica</i>	Pacific Wax Myrtle	15 gal
<i>Rhaphiolepis umbellata 'Minor'</i>	Dwarf Yedda Hawthorn	15 gal
<i>Rhus Ovata</i>	Sugarbush	15 gal
<b>Shrubs/ Succulents/ Groundcover/ Grasses</b>		
<i>Agave americana</i>	Century Plant	15 gal
<i>Achillea spp.</i>	Yarrow	5 gal
<i>Arctostaphylos spp.</i>	Manzanita	5 gal
<i>Calliandra eriophylla</i>	Fairyduster	5 gal
<i>Carex divulsa</i>	European Grey Sedge	5 gal
<i>Convolvulus cneorum</i>	Shrubby Bindweed	1 gal
<i>Chondropetalum</i>	Small Cape Rush	5 gal
<i>Dalea capitata 'Sierra Gold'</i>	Sierra Gold Dalea	5 gal
<i>Dianella revoluta 'Little Rev'</i>	Little Rev Flax Lily	5 gal
<i>Dasyliyon wheeleri</i>	Desert Spoon	5 gal
<i>Eriogonum spp.</i>	Buckwheat	5 gal
<i>Hesperaloe parviflora</i>	Red Yucca	5 gal
<i>Mirabilis laevis</i>	Desert wishbone-bush	5 gal
<i>Muhlenbergia spp.</i>	Muhly Grass	5 gal
<i>Rosemarinus officinalis</i>	Rosemary	
<i>Salvia greggii</i>	Autumn Sage	5 gal
<i>Juncus patens</i>	California Gray Rush	5 gal

### Proposed Notes

- ① (P) overhead structure per Architect
- ② (P) trash enclosure per Architect
- ③ (P) pre order board per Architect
- ④ (P) clearance bar per Architect
- ⑤ (P) menu board per Architect
- ⑥ (P) patio furniture per Architect
- ⑦ (P) reduced pressure backflow device
- ⑧ (P) enhanced paving to match existing center
- ⑨ (P) monument sign per Architect

### Tree Requirement Calculations per Predevelopment Findings

In parking areas (1) tree for every (8) parking spaces  
 # of parking spaces = 40  
 trees required = 5

**Total # of trees required evenly dispersed in parking area fingers = 5**

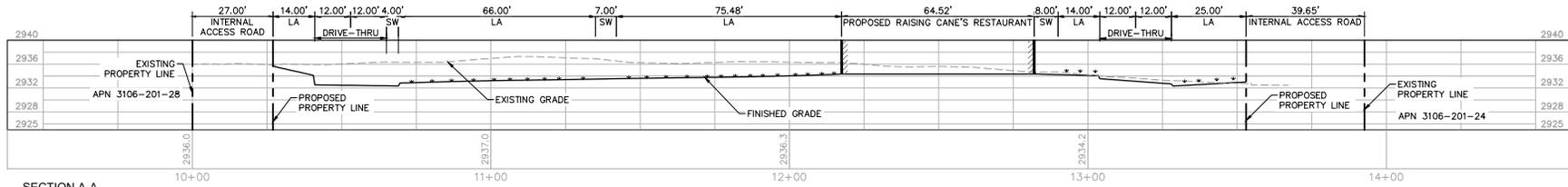
**Total # of trees provided in parking area = 12**

**Total # of trees provided on site = 35**

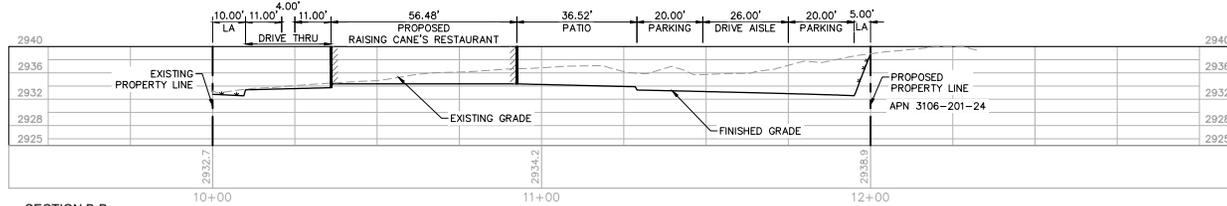
All trees a MIN. of 24" box

### Materials Legend

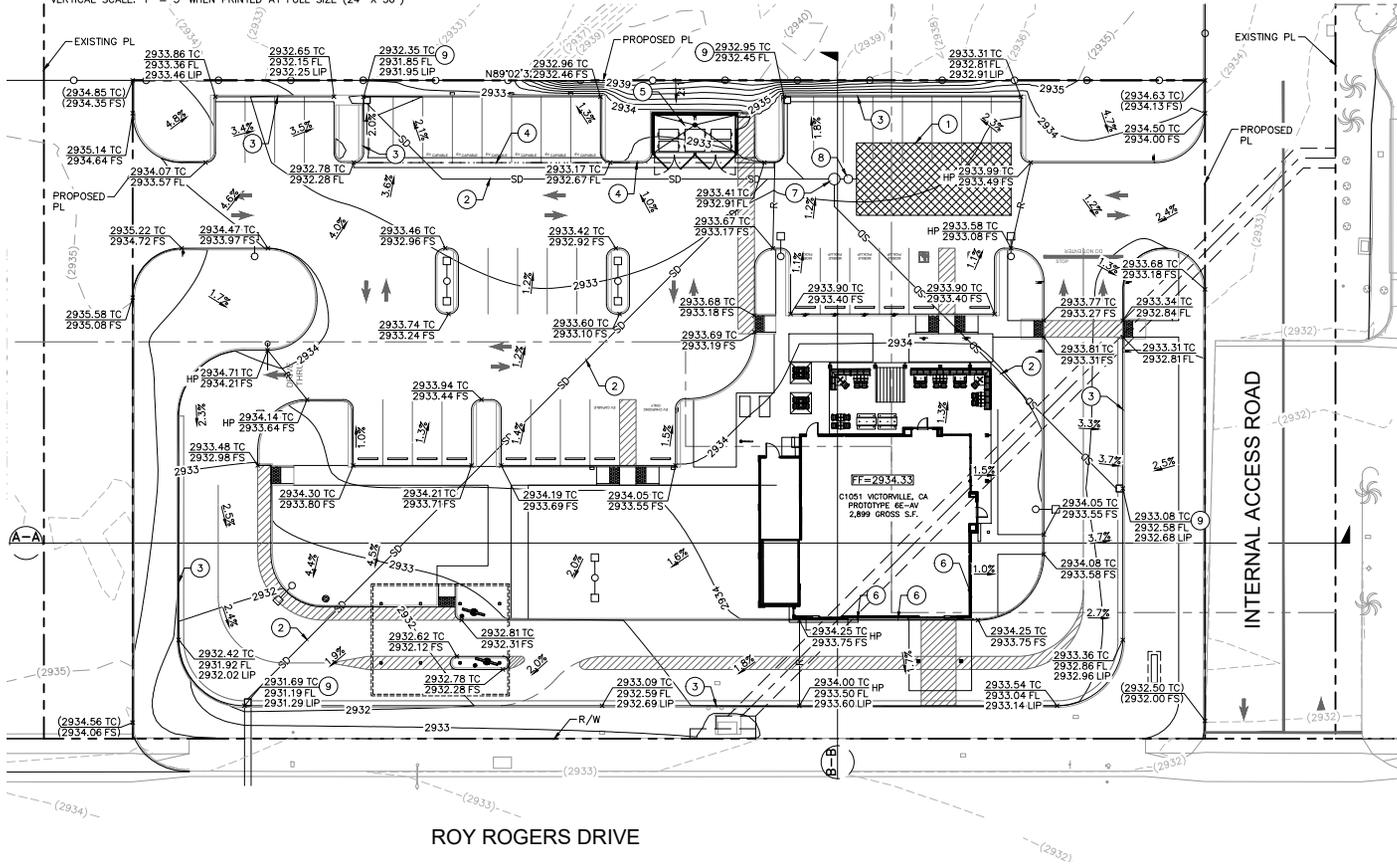
Material	Size	Area
'Horse Creek' Crushed Stone	1/2"	19,511 SF
'Horse Creek' Crushed Stone	1-4" DIA	1,879 SF
Direct Colors® Smokestack 102 - 5lb integral colored concrete W/ 3/8" sawcut joints. Finish: TOPCAST @ #05	N/A	1,259 SF
Natural colored concrete W/ 3/8" sawcut joints. Finish: TOPCAST @ #05	N/A	2,854 SF
'Apache Gold' Boulders (angular)	18" - 24" DIA	TBD (QTY)
	24" - 36" DIA	TBD (QTY)
	36" - 48" DIA	TBD (QTY)



**SECTION A-A**  
 HORIZONTAL SCALE: 1" = 20' WHEN PRINTED AT FULL SIZE (24" X 36")  
 VERTICAL SCALE: 1" = 5' WHEN PRINTED AT FULL SIZE (24" X 36")



**SECTION B-B**  
 HORIZONTAL SCALE: 1" = 20' WHEN PRINTED AT FULL SIZE (24" X 36")  
 VERTICAL SCALE: 1" = 5' WHEN PRINTED AT FULL SIZE (24" X 36")

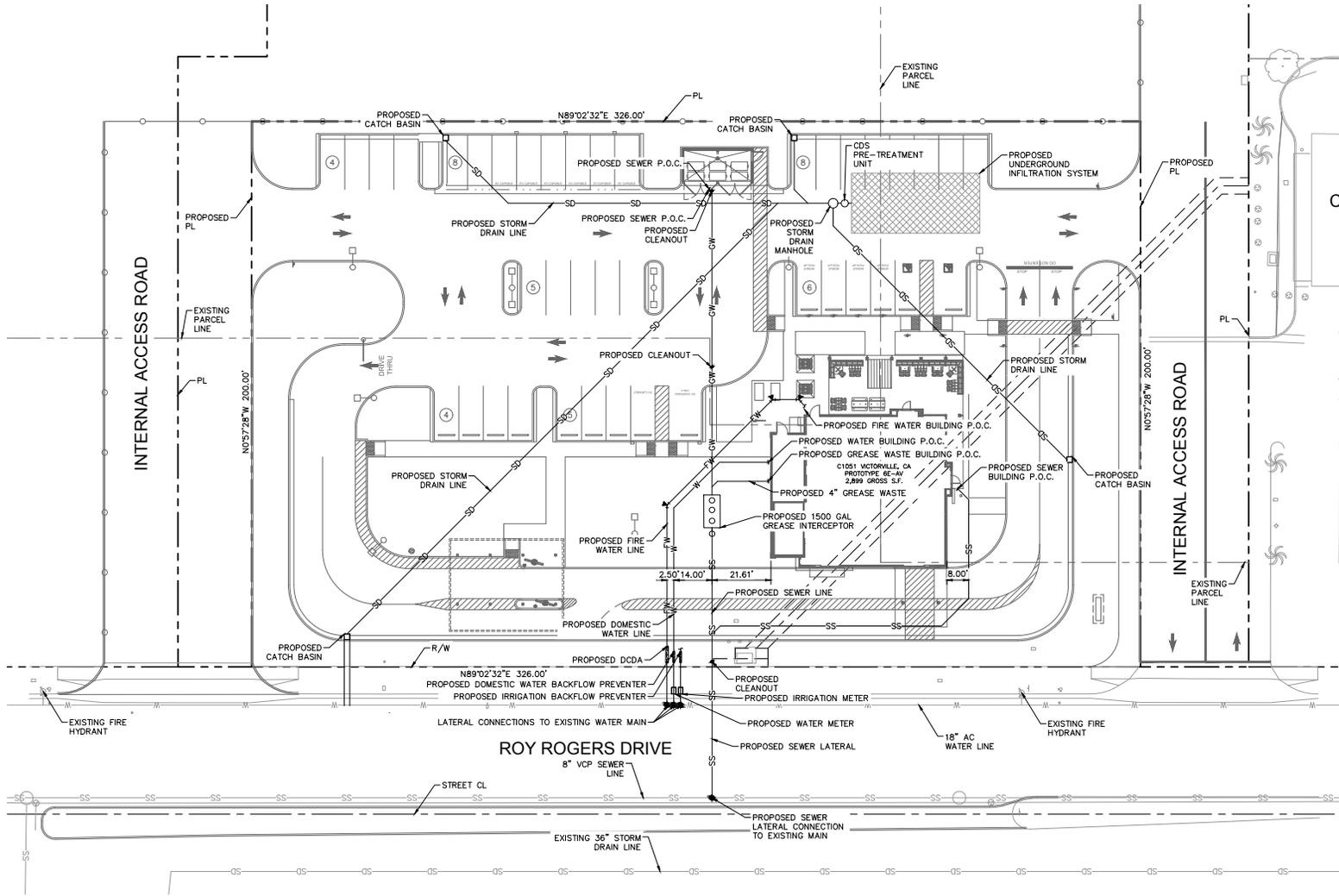


**LEGEND**

- CENTER LINE
- - - PROPERTY LINE
- - - RIGHT-OF-WAY LINE / LEASE LINE
- - - EASEMENT LINE / SETBACK LINE
- - - APPROXIMATE LIMITS OF DISTURBANCE
- - - PROPOSED RIDGE LINE
- - - PROPOSED GRADE BREAK LINE
- 899.00 TC  
○ 898.50 FS  
○ (898.75 TC)  
○ (898.25 FS)
- EXISTING SPOT ELEVATION
- - - PROPOSED FLOW LINE
- - - EXISTING STORM DRAIN LINE
- - - PROPOSED STORM DRAIN LINE
- - - EXISTING FLOW DIRECTION

**GRADING AND DRAINAGE NOTES**

- 1 PROPOSED UNDERGROUND INFILTRATION SYSTEM
- 2 6" SDR-35 PVC STORM DRAIN PIPE SLOPED AT 0.5% MIN.
- 3 CONCRETE CURB AND GUTTER.
- 4 CONCRETE VALLEY GUTTER.
- 5 TRASH ENCLOSURE DRAIN WITH ACCESSIBLE GRATE. DRAIN TO SEWER.
- 6 ROOF DOWNSPOUTS. CONNECT TO 4" SDR-35 PVC STORM DRAIN PIPE AND DRAIN THRU CURB FACE.
- 7 PROPOSED STORM DRAIN MANHOLE.
- 8 PROPOSED STORM DRAIN CDS UNIT.
- 9 24" X 24" JENSEN PRECAST DROP INLET WITH CATCH BASIN FILTER INSERT FOR TRASH CAPTURE.



**LEGEND:**

	CENTER LINE
	PROPERTY LINE
	RIGHT OF WAY
	EASEMENT LINE
	APPROXIMATE LIMIT OF WORK LINE
	EXISTING WATER LINE
	EXISTING SANITARY SEWER LINE
	EXISTING STORM DRAIN LINE
	PROPOSED WATER LINE
	PROPOSED FIRE WATER LINE
	PROPOSED SANITARY SEWER LINE
	PROPOSED GREASE WASTE LINE
	PROPOSED STORM DRAIN LINE

**EXHIBIT 9: Conceptual Utility Plan**  
RC1051 Victorville Project



### 3.0 INITIAL STUDY CHECKLIST

**1. Project title:**

RC1051 Victorville Project

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

City of Victorville  
14343 Civic Drive  
Victorville, CA 92392

**3. Contact person and phone number:**

Travis Clark, Senior Planner  
Development Department  
City of Victorville  
14343 Civic Drive  
Victorville, CA 92392  
[Planning@victorvilleca.gov](mailto:Planning@victorvilleca.gov)

**4. Project location:**

The Project is located in the central portion of the City, generally located at the northwest corner of the intersection of Roy Rogers Drive and Civic Drive, and generally west of I-15. Refer to **Exhibit 1, Regional location Map** and **Exhibit 2, Local Vicinity Map**. The Project comprises three parcels with APNs 3106-201-24, -25, and -27.

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

Raising Cane's Restaurants, LLC  
6800 Bishop Road  
Plano, TX 75024

**6. General plan designation:**

**Existing:** Commercial  
**Proposed:** No Change

**7. Zoning:**

**Existing:** General Commercial – Transitional (C-2T)  
**Proposed:** No Change

**8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)**

The Project proposes to develop the existing vacant lot into a Raising Cane's Restaurant. The proposed development will include a 2,899 square foot (sq. ft) restaurant with an outdoor patio,

drive-thru, and parking. The associated improvements include, but are not limited to on-site grading, domestic water service, sanitary sewer service, storm drain infrastructure, concrete and asphalt pavement, landscaping, and irrigation. Refer to **Exhibit 5, Conceptual Site Plan**. The proposed commercial building would have maximum structural height of approximately 26 feet. Refer to **Exhibit 6, Conceptual Building Elevations**.

**9. Surrounding land uses and setting: Briefly describe the project's surroundings:**

The Project is generally bounded to the north by vacant land and Midtown Road, to the east by an existing Chevron gas station and convenience store, to the south by Roy Rogers Road and existing commercial retail beyond, and to the west by vacant land.

**10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)**

California Department of Fish and Wildlife

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

The City completed the Assembly Bill (AB) 52 tribal consultation for the Project. On April 17, 2024, the City initiated tribal consultation with interested California Native American tribes consistent with AB 52. The City requested consultation from the following tribes: Twenty-Nine Palms Band of Mission Indians, Cabazon Band of Mission Indians, Morongo Band of Mission Indians, and the Yuhaaviatam of San Manuel Nation (YSMN). The only response that the City received for consultation was from the YSMN, received on April 25, 2024. Included in the communication was a description of requested mitigation measures pertaining to potential cultural resources that may be encountered during Project implementation. A detailed description of the requested measures is located in **Section 18: Tribal Cultural Resources** of this IS/MND.

*NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.*



### 3.1 Environmental Factors Potentially Affected

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

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

#### DETERMINATION:

On the basis of this initial evaluation (check one):

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

#### CERTIFICATION:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## 4.0 ENVIRONMENTAL ANALYSIS

### AESTHETICS

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>1. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

#### Scenic Views

Under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the public. This includes any such areas designated by a federal, state, or local agency. The City is located in Victor Valley, a valley in the Mojave Desert commonly referred to as the “High Desert,” with distant views of the San Gabriel Mountains to the southwest and the San Bernardino Mountains to the southeast. Areas of high visual sensitivity within and adjacent to the City include the Mojave River and the Mojave Narrows Regional Park, located 2.3 miles and 3.5 miles to the east, respectively.<sup>1</sup> While the San Gabriel and San Bernardino Mountains, located approximately 25 miles southeast and southwest of the Project site, are generally regarded as having high aesthetic value, the City’s General Plan does not officially designate these resources as scenic vistas in the area. In fact, the City’s General Plan does not designate any scenic vistas.

#### Scenic Highways

Scenic highways and routes are a unique component of the regional circulation system as they traverse areas of scenic or aesthetic value. According to Caltrans’ State Scenic Highway System Map, there are no designated scenic highways within the City. The closest eligible scenic highways near the Project site are State Route (SR) 138, SR-173, and SR-247, to the south and east, respectively.

<sup>1</sup> City of Victorville. 2008. *Draft Program Environmental Impact Report*. Available at: [https://www.sbcounty.gov/uploads/lafco/proposals/3082/3082\\_edc\\_draft\\_eir.pdf](https://www.sbcounty.gov/uploads/lafco/proposals/3082/3082_edc_draft_eir.pdf) (accessed February 2024).

a) *Have a substantial adverse effect on a scenic vista?*

**No Impact.** As previously stated, there are no designated scenic vistas near the Project site. The nearest mountain ranges include the San Bernardino and San Gabriel Mountains to the southeast and southwest, respectively. Southern views of the mountain ranges from the Project site are obstructed by the existing development to the south of the Project site, on the south side of Roy Rogers Drive. Additionally, the tallest proposed structure on the Project site would be 26 feet in height, which would be within the 45-foot maximum allowable building height for commercial development pursuant to the Victorville MC Section 16-3.10.020. As there are no scenic vistas designated within the City's General Plan, no impact would occur.

b) *Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?*

**No Impact.** As previously stated, there are no officially designated state or county scenic highways within or near the City. The closest eligible scenic highways are SR-138, SR-173, and SR-247 which are approximately 17 miles south of, 14 miles south of, and 21 miles east of the Project site, respectively. Due to these great distances, the Project would not be visible from these eligible scenic highways. As such, the Project would not substantially damage scenic resources within a State Scenic Highway, and no impact would occur.

c) *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

**No Impact.** According to CEQA Guidelines PRC Section 21071, an urbanized area is an incorporated city that has a population of at least 100,000 persons or an incorporated city that as a population of less than 100,000 persons and not more than two contiguous incorporated cities combined equals at least 100,000 persons. The Project site is within the City of Victorville, which is an incorporated city, with a population of approximately 137,193.<sup>2</sup> As such, the Project is located in an urbanized area and this discussion will analyze whether the Project would conflict with applicable zoning and other regulations governing scenic quality.

As previously stated, the Project site is located on disturbed land in a developed area of the City. The Project proposes commercial development, which would be consistent with the zoning and land uses designations for the Project site and adjacent commercial development. Construction activities are not anticipated to substantially degrade the existing visual character of or quality of public views. Construction activities would be temporary, and equipment, vehicles, and materials are expected to be staged within a designated area in the Project site. Additionally, the Project would be developed in accordance with the Victorville MC design guidelines for commercial uses. Specifically, the building heights would not exceed the maximum allowable height. The Project would also incorporate landscaping on site that would meet landscaping standards for commercial

---

<sup>2</sup> California Department of Finance. 2023. *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023*. <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/> (accessed March 2024).

development as outlined in the Victorville MC. As such, the Project would not conflict with applicable zoning codes and regulations governing scenic quality, and there would be no impact.

- d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

**Less Than Significant Impact.** Project operations would provide adequate lighting to ensure a safe environment such that it does not create areas of intense light or glare. Additionally, operational lighting would be designed in accordance with the development standards associated with lighting outlined in Section 16-3.10.020 of the Victorville MC. Light fixtures would be designed or selected to be architecturally compatible with the main structure or theme of the building. Landscape lighting would be used to accent walkways and entries, seating areas, and focal plants and trees. Additionally, the heights of light poles would be the appropriate scale to maintain consistency with the building and the surrounding area.

The Project would also implement appropriate lighting levels near the proposed buildings and parking lots to reduce glare. Any spotlighting or glare would be shielded from adjacent properties and directed at a specific object or target area. Additionally, uplighting of building elements or trees would use the lowest wattage possible to minimize impacts to the night sky. Lastly, lighting of all exterior signs would illuminate the sign without producing glare on pedestrians or automobiles.

Additionally, the Project site is located in a developed area and is adjacent to similar commercial land use that produce their own sources of light and is along Roy Rogers Drive, which is a Super Arterial Road. According to the City's General Plan Circulation Element, Super Arterials are six-lane roads that are intended to transport large volumes of intercity, intra-city, and regional traffic at higher speeds with limited access control points.<sup>3</sup> As such, the Project site and surrounding area is exposed to existing light from the high volume of vehicles traveling on Roy Rogers Drive.

Project lighting design would comply with associated development standards identified in the Victorville MC such that all lighting would not create substantial light or glare that would generate adverse effects to daytime or nighttime views of the area. Therefore, impacts would be less than significant, and no mitigation is necessary.

### **Cumulative Impacts**

The potential aesthetic impacts related to views, aesthetics, and light and glare are site-specific. The Project would be consistent with current zoning and land use designation and would adhere to applicable state and local codes and regulations to minimize aesthetic impacts. As such, the Project would not contribute to a cumulatively significant impact when considering all other potential projects in the City and general area.

---

<sup>3</sup> City of Victorville. 2016. *City of Victorville General Plan Circulation Element*. Available at: <https://www.victorvilleca.gov/home/showpublisheddocument/13953/638237230265370000> (accessed February 2024).



## AGRICULTURE AND FORESTRY RESOURCES

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><b>2. AGRICULTURE AND FORESTRY RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

- a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*
- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*
- c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code*

*section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

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

**No Impact (a-e).** According to aerial imagery dating back to 1952, the Project site is not currently used nor has it been historically used for agricultural purposes. Nor does the historic aerial imagery indicate the presence of forest land.<sup>4</sup> According to the California Department of Conservation (DOC) Important Farmland Map, the Project site is designated as grazing land; however, agricultural uses are not permitted at the Project site due to its current zoning and land use designation.<sup>5</sup> Additionally, the Project site is currently designated for general commercial purposes, and therefore, would not cause the rezoning of forest land, timberland, or timberland zoned Timberland Production. Lastly, the Project site is not subject of a Williamson Act Contract.<sup>6</sup> As such, the Project site would not convert farmland or forest land to non-agricultural land and there would be no impacts related to the loss of farmland or agricultural resources.

### Cumulative Impacts

The potential impacts related to agricultural and forestry resources are site-specific. The Project would be consistent with current land use designation and zoning and would adhere to applicable state and local codes and regulations to minimize agricultural and forestry impacts. As such, the Project would not contribute to a cumulatively significant impact when considering all other potential projects in the City and general area.

---

<sup>4</sup> Historic Aerials. 1952 – 2020. <https://www.historicaerials.com/viewer> (accessed March 2024).

<sup>5</sup> California Department of Conservation. 2021. *California Important Farmland Finder*. <https://maps.conservation.ca.gov/dlrp/ciff/app/> (accessed March 2024).

<sup>6</sup> California Department of Conservation. 2022. *California Williamson Act Enrollment Finder*. <https://maps.conservation.ca.gov/dlrp/WilliamsonAct/> (accessed March 2024).

## AIR QUALITY

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?			X	

An Air Quality and Greenhouse Gas Emissions Technical Memorandum (AQGHG Memo) was prepared for the Project by Kimley-Horn and Associates, Inc. on May 24, 2024, and is available as **Appendix A** to this Draft IS/MND. For the air quality assessment, the determinations of the Project’s impacts to air quality were measured against the Mojave Desert Air Quality Management District’s (MDAQMD’s) Mass Emissions Thresholds. According to the MDAQMD, an air quality impact is considered significant if a project would violate any National Ambient Air Quality Standards (NAAQS) or California Ambient Air Quality Standards (CAAQS), contribute substantially to an existing or project air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The MDAQMD thresholds of significance for air quality during construction and operational activities of land use development projects are shown in **Table 4.3-1: Mojave Desert Air Quality Management District Emission Thresholds**.

**Table 4.3-1: Mojave Desert Air Quality Management District Emissions Thresholds**

Pollutants	Annual Thresholds (tons)	Daily Thresholds (pounds)
Greenhouse Gases (CO <sub>2</sub> e)	100,000	548,000
Carbon Monoxide (CO)	100	548
Nitrogen Oxides (NO <sub>x</sub> )	25	138
Volatile Organic Compounds (VOC)	25	137
Sulfur Oxides (SO <sub>x</sub> )	25	137
Coarse Particulates (PM <sub>10</sub> )	15	82
Fine Particulates (PM <sub>2.5</sub> )	12	65
Source: Mojave Desert Air Quality Management District, MDAQMD CEQA and Federal Conformity Guidelines, February 2020.		

A project with significant impacts must incorporate mitigation sufficient to reduce its impact to a level that is not significant. A project that cannot be mitigated to a level that is not significant must incorporate all feasible mitigation. The emission thresholds are given as a daily value and an annual value, so that multi-phased projects (such as a project with a construction phase and a separate operational phase) with phases shorter than one year can be compared to the daily value.

As part of its enforcement responsibilities, the United States Environmental Protection Agency (US EPA) requires each state with nonattainment areas to prepare and submit a State Implementation Plan that demonstrates the means to attain the NAAQS. The State Implementation Plan must integrate federal, state, and local plan components and regulations to identify specific measures to reduce pollution in nonattainment areas, using a combination of performance standards and market-based programs. Similarly, under State law, the California Clear Air Act (CCAA) requires to an air quality attainment plan to be prepared for areas designated as nonattainment regarding the CAAQS and NAAQS. Air quality attainment plans outline emissions limits and control measures to achieve and maintain the CAAQS and NAAQS by earliest practical date.

a) *Conflict with or obstruct implementation of the applicable air quality plan?*

**Less than Significant Impact.** The AQGHG Memo prepared for this Project (**Appendix A**) analyzed the consistency of the Project with the assumptions and objectives of regional air quality plans and if it would subsequently interfere with the region's ability to comply with CAAQS and NAAQS.

The Project is located within the Mojave Desert Air Basin (MDAB), which is under the jurisdiction of the MDAQMD. The Federal Particulate Matter Attainment Plan and Ozone Attainment Plan for the Mojave Desert set forth a comprehensive set of programs that will lead the MDAB into compliance with the CAAQS and NAAQS. The control measures and related emission reduction estimates with the Federal Particulate Matter Attainment Plan and Ozone Attainment Plan are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics within the local government. Accordingly, conformance with these attainment plans for development projects is determined by demonstrating compliance with 1) local land use plans and/or population projects, 2) all MDAQMD Rules and Regulations; and 3) demonstrating that the project will not increase the frequency or severity of a violation in the CAAQS or NAAQS.<sup>7</sup>

The Project site is designated under the General Plan Land Use Map as Commercial with a zoning district of (C-2T) General Commercial. The Project proposes land use which is consistent with the land use designation. Additionally, the proposed development would not exceed regional thresholds for operational emissions and would result in a less than significant impact to regional air quality. As such, the Project's proposed development would be consistent with the growth projections in the General Plan and is therefore considered to be consistent with the MDAQMD Air Quality Management Plan (AQMP). As such, the Project would not conflict or obstruct the existing applicable air quality management plan and a less than significant impact would occur.

---

<sup>7</sup> Kimley-Horn and Associates, Inc. 2024. *Air Quality and Greenhouse Gas Emissions Technical Memorandum*. **Appendix A**.

- b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

**Less than Significant Impact.** Construction activities would generate short-term emissions of criteria pollutants of primary concern including ozone precursor pollutants (i.e., reactive organic gases [ROG] and NO<sub>x</sub>), PM<sub>10</sub> and PM<sub>2.5</sub>. Such construction-generated emissions would be temporary, lasting only as long as associated construction activities occur. The duration of construction activities for the Project is estimated to be approximately eight months. Construction-generated emissions associated with the Project were calculated using the California Air Resources Board (CARB)-approved California Emissions Estimator Model version 2022.1.1 (CalEEMod), which is designed to model emissions for land use development projects, based on typical construction requirements. The predicted maximum daily construction-generated emissions for the Project are exhibited in **Table 4.3-2: Project Construction Emissions**.

Additionally, construction activities would generate fugitive dust emissions that may have a temporary, but substantial impact on local air quality. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working within the Project's immediate vicinity. MDAQMD Rules 401, 402, 403, 403.2, 404, 405, and 409 (prohibition of fugitive dust, nuisances, watering of inactive and perimeter areas, track out requirements, etc.), are applicable to the Project and were applied in CalEEMod to minimize fugitive dust emissions.

An important consideration is the potential for the Project to induce health hazards associated with valley Fever, a disease caused by inhalation of arthroconidia (spores) of the fungus *Coccidioides immitis* (CI). Valley Fever typically affects people who live in hot dry areas with alkaline soil and varies with the season. CI spores are found in the top 2 to 12 inches of soil and the existence of the fungus in most soil areas is temporary. People who commonly work outdoors and who are likely to be exposed to wind and dust, such as construction workers, are more likely to contract Valley Fever. As such, Valley Fever has the potential to cause a health hazard during construction activities and associated ground disturbing activities by disturbing dust particles and, if present, CI spores, which could then be released into the air. Consequently, disturbed, spore-containing dust may potentially be inhaled by on-site construction workers and nearby sensitive receptors that would then cause Valley Fever. However, based on the distance of the nearest sensitive receptor (over 300 feet to the north), the Project is not anticipated to exacerbate the risk of existing sensitive receptors to contract Valley Fever.

The best approaches to reduce the risk of construction workers contracting Valley Fever are awareness and dust reduction since dust can be an indicator that increased efforts are needed to control other airborne particulates (including CI spores, if any). Compliance with MDAQMD rules reduce dust, specifically Rules 401, 402, and 403. With the implementation of MDAQMD rules and regulations associated with dust regulation and reduction, the potential for the release of CI spores, if present, and the associated potential for construction workers or nearby residents to contract Valley Fever from Project construction activities would be minimized. Accordingly, the

Project would not add significantly to the existing exposure level of construction workers or nearby receptors to the CI spores.

**Table 4.3-2: Project Construction Emissions**

Construction Year	Emissions (pounds per day) <sup>1</sup>					
	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
2025	3.58	30.67	36.48	0.06	8.91	4.73
MDAQMD Threshold	137	137	548	137	82	65
<b>MDAQMD Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Notes:						
1. MDAQMD Rule 403.2 Fugitive Dust Control applied. The Rule 403.2 reduction/credits include the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces at least two times daily; cover stockpiles with tarps; and water all haul roads twice daily. Reductions percentages from the MDAQMD CEQA Handbook, Tables XI-E (which is derived from WRAP Fugitive Dust Handbook, 2006) were applied. No mitigation was applied to construction equipment.						
Source: CalEEMod version 2022.1.1.						

Considering the temporary nature of construction and associated emissions, the Project would not result in a cumulatively considerable net increase of any criteria pollutant, such that the volume of pollutants generated does not exceed the MDAQMD’s thresholds of significance. Furthermore, adherence to MDAQMD regulations regarding dust reduction and maintenance would reduce fugitive nuisance dust emissions and the potential for ground disturbing activities to increase the potential for the release of CI spores, which causes Valley Fever. As such, associated construction activities would have a less than significant impact in this regard.

Operational emissions are typically associated with mobile sources (i.e., motor vehicle use) and area sources (such as the use of landscape maintenance equipment, hearths, consumer products, and architectural coatings). Energy source emissions would be generated from electricity and natural gas (non-hearth) usage. **Table 4.3-3: Operational Emissions** summarizes the operational emissions attributable to the Project. As shown in **Table 4.3-3**, the Project’s emissions would not exceed MDAQMD thresholds. Therefore, regional operations emissions would result in a less than significant long-term regional air quality impact.

**Table 4.3-3: Operational Emissions**

Source	Emissions (pounds per day) <sup>1</sup>					
	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Area	0.09	0.00	0.13	0.00	0.00	0.00
Energy	0.00	0.09	0.07	0.00	0.01	0.01
Mobile	6.03	4.16	34.22	0.07	5.95	1.55
Mobile (On-site Drive Through) <sup>2</sup>	0.00	0.00	0.11	0.00	0.00	0.00
<b>Total</b>	<b>6.12</b>	<b>4.25</b>	<b>34.53</b>	<b>0.07</b>	<b>5.96</b>	<b>1.56</b>
<i>MDAQMD Threshold</i>	<i>137</i>	<i>137</i>	<i>548</i>	<i>137</i>	<i>82</i>	<i>65</i>



Source	Emissions (pounds per day) <sup>1</sup>					
	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
MDAQMD Threshold Exceeded?	No	No	No	No	No	No
Notes:						
1. MDAQMD Rule 403.2 Fugitive Dust Control applied. The Rule 403.2 reduction/credits include the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces at least two times daily; cover stockpiles with tarps; and water all haul roads twice daily. Reductions percentages from the MDAQMD CEQA Handbook, Tables XI-E (which is derived from WRAP Fugitive Dust Handbook, 2006) were applied. No mitigation was applied to construction equipment.						
Source: CalEEMod version 2022.1.1.						

c) *Expose sensitive receptors to substantial pollutant concentrations?*

**Less than Significant Impact.** The determinations of potential Project impacts to air quality were based on the significance criteria established by the MDAQMD. The MDAQMD considers an air quality impact to be significant if a Project exposes sensitive receptors to substantial pollutant concentrations. The closest sensitive receptors are located over 300 feet to the north of the Project site. The MDAQMD has established thresholds of significance for air quality during construction and operational activities of land use development Projects, as shown in **Table 4.3-1: Mojave Desert Air Quality Management District Emissions Thresholds**. The associated construction and operational emissions associated with the Project are identified in **Table 4.3-2: Project Construction Emissions** and **Table 4.3-3: Operational Emissions**, respectively. Construction and operational emissions resulting from Project implementation would not exceed the MDAQMD thresholds for significant air quality impacts. Additionally, the Project would adhere to associated MDAQMD rules pertaining to construction-related dust control, which would reduce any potential impacts to sensitive receptors within the Project vicinity. Considering the distance of existing sensitive receptors to the Project site and that the Project would not exceed MDAQMD thresholds of significance for air quality impacts, the Project would not expose sensitive receptors to substantial pollutant concentrations. As such, the Project would have a less than significant impact.

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

**Less than Significant Impact.** As previously stated, Project construction has the potential to increase exposure of CI spores associated with Valley Fever through ground-disturbing activities. Consequently, the release of the CI spores could increase the potential for construction workers and nearby sensitive receptors to contract Valley Fever. However, the AQGHG Memo determined that the potential for the Project to exacerbate the risk of sensitive receptors to contracting Valley is minimal, considering the distance of the sensitive receptors to the Project site (over 300 feet to the north). Additionally, the Project can reduce risk of construction workers to contract Valley Fever through increasing awareness and dust reduction as well as compliance with MDAQMD rules relating to the maintenance and reduction of dust. With the implementation of MDAQMD rules and regulations, the potential for the release of CI spores, if present, would be reduced, and would

subsequently reduce the potential for construction workers to contract Valley Fever. As such, potential impacts relating to the significant exposure of CI spores to construction workers and sensitive receptors would be less than significant.

The AQGHG Memo did not identify other potential emissions, such as those leading to odors that would affect a substantial number of people, and no such emissions are anticipated to occur. As such, the Project would not result in other emissions that could adversely impact a substantial number of people, and a less than significant impact would occur.

### **Cumulative Impacts**

Project impacts associated with air quality would be site-specific. Associated emissions are not anticipated to conflict with existing air quality management plans nor would they exceed significance thresholds, leading to substantial adverse impacts to sensitive receptors. Compliance with associated regulatory requirements would reduce any potential impacts to air quality. As such, the Project would not result in a cumulatively considerable impact to air quality.



## BIOLOGICAL RESOURCES

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>4. BIOLOGICAL RESOURCES. Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

A Biological Resources Assessment (BRA) was prepared for the Project by Blackhawk Environmental on August 5, 2024. The report is summarized below and is included in **Appendix B**. Burrowing Owl focused surveys were completed and subsequent report prepared by Blackhawk Environmental on June 21, 2024, refer to **Appendix C**. A Western Joshua Tree Survey report was prepared by RCA Associates, Inc. on September 11, 2023, refer to **Appendix D**.

## Methodology

The BRA included a literature review, field survey, and biological resources assessment to assess the Project site's existing conditions and the potential for sensitive species or habitats to occur.

### *Database and Literature Review*

Blackhawk conducted a database records search consisting of a query of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB) the US Fish & Wildlife Service (USFWS) Species Occurrence Database, and the California Native Plant Society's (CNPS) Electronic Inventory (EI) of Rare and Endangered Vascular Plants of California for the quadrangle containing the Project site; a 5-mile radius surrounding the Project site was reviewed. The CNDDDB contains records of reported occurrences of federal- and state-listed species, proposed endangered or threatened species, federal Birds of Conservation Concern, California Species of Special Concern (SSC), or otherwise sensitive species or communities that may occur within and/or in the vicinity of a given project. In addition to the database queries, Blackhawk biologists reviewed the project-specific Western Joshua Tree Report which documents all occurrences of western Joshua trees within the Project site. This database and literature review were used to provide details on sensitive species occurring or that have potential to occur within the Survey Area. All species from the database query are included in Tables 2 and 3 of the BRA (**Appendix B**).

### *Field Survey*

Utilizing the background data described above, a field survey was conducted on March 7, 2024, by Blackhawk biologists Seth Reimers, Kris Alberts, and Katie Quint to document existing conditions, conduct an aquatic resources assessment, and assess the Survey Area's capacity to potentially harbor sensitive biological resources identified in the database and literature review (collectively known as target species). Methods included walking parallel belt transects (from west to east) spaced approximately 5 to 10 meters apart for the entirety of the Survey Area. Additional, and overlapping, meandering transects were also performed throughout the Survey Area. Where appropriate, the biologists paused at select vantage points to provide full visual coverage of the Survey Area. During the field survey, all plant and wildlife species observed or detected were recorded in field notebooks. Binoculars were used as needed to identify wildlife species. Plant species observed were identified to species level when feasible according to the nomenclature in *The Jepson Manual: Vascular Plants of California Edition 2*. Vegetation communities were described according to dominant plant species and annotated on high-resolution aerial imagery of the Survey Area for GIS interpolation. During the field survey, Global Positioning System (GPS) locations of all target species and/or their sign (burrows, tracks, scats, etc.) were recorded in the ArcGIS Online application Field Maps.

A habitat assessment was conducted for burrowing owl to determine if the Survey Area (Project Boundary and 500-foot buffer) supports suitable habitat for the species per CDFW Guidelines. As part of the burrowing owl survey, transects were walked throughout the entirety of the Survey Area, during which any suitable burrows were evaluated for owls and owl sign (whitewash, feathers, castings, etc.).

Following the general plant and animal portion of the field survey, a habitat assessment and survey for desert tortoise was performed for the presence of any tortoise and/or their sign (burrows, tracks, scat,

etc.). Parallel belt transects spaced 5 to 10 meters apart were walked in a north-south direction, plus overlapping meandering transects, for the entirety of the Survey Area. Survey of the zone of influence (ZOI) was also conducted where accessible. Comprehensive field surveys were conducted throughout the Project Survey Area and ZOI (where accessible) and no tortoise, their sign, or suitable burrows were identified. Therefore, desert tortoise will not be further discussed in this document.

Methods described below focused on determination of potential for occurrence of sensitive plant and wildlife species. Species are considered to be sensitive, and are therefore subject to analysis in this section, if they meet one or more of the following criteria:

- Plant and animal species listed as endangered (FE), threatened (FT), or candidates (FC) for listing under the Federal Endangered Species Act (FESA);
- Plant and animal species listed as endangered (SE), threatened (ST), or candidates (SC) for listing under the California Endangered Species Act (CESA);
- Animals designated as Fully Protected Species (FP), as defined in California Fish and Game Code Sections 3511, 4700, 5050, and 5515;
- Animal species designated as Species of Special Concern (SSC) by the CDFW;
- Bat species designated as High Priority (H) by the Western Bat Working Group;
- Plants that are state-listed as Rare;
- Plant species ranked by the California Native Plant Society (CNPS) as having a California Rare Plant Rank (CRPR) of 1 or 2;
- Plant species identified by the California Desert Native Plants Act in Division 23 of the California Food and Agriculture Code Sections 80071-80075; or
- Plant species identified by the San Bernardino County Development Code 88.01.060 that is intended to augment and coordinate with the California Desert Native Plants Act (above).

Sensitive natural communities are communities that have a limited distribution and are often vulnerable to the environmental effects of projects. These communities may or may not contain sensitive species or their habitats. For purposes of this assessment, sensitive natural communities are considered to be any of the following:

- Vegetation communities listed in the California Natural Diversity Database (CNDDB);
- Communities listed in the Natural Communities List with a rarity rank of S1 (critically imperiled), S2 (imperiled), or S3 (vulnerable)

Following the field survey, potentials for sensitive species to occur were evaluated based on proximity, recency and abundance of known occurrences, availability of suitable habitats, and historic distributions of the species. Potentials for occurrence were generally evaluated based on the following criteria:

- **Observed** – The species was observed within the Survey Area during the survey effort.
- **High** – Historic records indicate that the species has been known to occur within the vicinity of the Survey Area (five miles), and suitable habitat occurs onsite.

- **Moderate** – Historic records indicate that the species has been known to occur within the vicinity of the Survey Area, but low-quality suitable habitat occurs onsite, or; no historic records occur within the Survey Area, but the Survey Area occurs within the historic range of the species, and moderate to high quality habitat occurs.
- **Low** – Historic records indicate that the species has not been known to occupy the immediate vicinity of the Survey Area, and low-quality habitat for the species exists onsite.
- **Unlikely** – The species is restricted to habitats not occurring within the Survey Area or is considered extirpated from the Survey Area.

## Results

### *Literature Review Results*

The literature review resulted in a total of 20 sensitive wildlife species, 12 sensitive plant species, no sensitive natural communities, and no USFWS-designated critical habitat areas (Figure 3 and Figure 4 in BRA; **Appendix B**) known to occur within five miles of the Project. From this list, 20 wildlife species and 12 plant species were determined to be sensitive. The potential, species status, and habitat requirements for each sensitive species are further described in Tables 2 and 3 of the BRA (**Appendix B**).

### *General Biological Resources*

The Survey Area consists of a relatively flat, undeveloped, rectangular area characterized by Creosote Bush Scrub, Creosote Bush Scrub – Disturbed, and Disturbed Habitat. Evidence of past disturbances include areas where a graded pad occurs and excess native soil has been stockpiled in the western portion of the Survey Area, as well as occasional tire tracks from offroad vehicle use. The Project site occurs on vacant land that supports moderate-quality habitat; however, paved roads associated with residential and commercial developments further surround the Project in all other directions despite connectivity to similar habitat immediately to the northeast and southwest.

The Survey Area includes 0.35 acre of Creosote Bush Scrub, 0.08 acres of Creosote Bush Scrub – Disturbed, and 1.08 acres of Disturbed Habitat (Figure 5 of BRA; **Appendix B**).

Vegetative cover ranged from 0 percent in bare ground areas of Disturbed Habitat to 25 percent in Creosote Bush Scrub and Creosote Bush Scrub – Disturbed habitats. Non-native plant species were more strongly correlated to disturbed Creosote Bush Scrub than the non-disturbed variant. Average shrub heights ranged from one to four feet. The Survey Area provides suitable habitat for many common and a few sensitive plant and wildlife species known to occur in the region.

A total of three vegetation communities and/or land cover types were observed within the Survey Area, including Creosote Bush Scrub, Creosote Bush Scrub – Disturbed, and Disturbed Habitat. Vegetation communities were preliminarily described according to Preliminary Descriptions of the Terrestrial Natural Communities of California. Specific habitats were further described based on dominant plant(s) species generally characterizing the specific vegetation community.

### ***Sensitive Wildlife Species***

The literature review resulted in a list of 20 sensitive wildlife species with potential to occur within the Survey Area; however, no sensitive wildlife species were observed during the field survey. One sensitive wildlife species has a high potential to occur within the Survey Area, the State-Threatened Mojave ground squirrel (*Xerospermophilus mohavensis*). Two sensitive wildlife species, the burrowing owl and loggerhead strike (*Lanius ludovicianus*), have a moderate potential to occur within the Survey Area due to the presence of suitable habitat and context of nearby occurrences. Five sensitive wildlife species have a low potential to occur within the Survey Area due to the absence of habitat quality and connectivity and/or limited number of historic observation records within five miles of the Project.

All 20 wildlife species and their potentials for occurrence are further described in Table 2 of the BRA (**Appendix A**).

### ***Sensitive Plant Species***

The literature review resulted in a list of 12 sensitive plant species with potential to occur in the Survey Area. One sensitive plant species identified during the database review was observed within the Project site during the field survey, the western Joshua tree. This observation was consistent with the findings detailed in the Project-specific Western Joshua Tree Survey report (**Appendix D**).

These species and their potentials for occurrence are further described in Table 3 of the BRA (**Appendix B**).

### ***Protected Plants***

One protected plant species was identified within the Project site during the biological resources assessment, the western Joshua tree. In addition to the field survey conducted by Blackhawk biologists, a complete inventory of all western Joshua trees (alive and dead) was conducted by Ryan Hunter and Brian Bunyi of RCA Associates on September 6, 2023, that identified one western Joshua tree within the Project boundary. The specific western Joshua tree location is situated within areas planned for development. See **Appendix D** for a map including the locations for the tree.

### ***Aquatic Resources***

No wetlands, non-wetland waters, or desert riparian areas occur in any portion of the Survey Area.

- a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

**Less than Significant Impact with Mitigation Incorporated.** No candidate, sensitive or special status species were identified on the Project site. There were twenty sensitive wildlife species and twelve sensitive plant species identified as having the potential to occur on site. Table 2 and Table 3 of the BRA (**Appendix B**) describe each sensitive wildlife and plant species and the likelihood of their occurrence on the Project site, respectively. While no sensitive wildlife or plant species were identified on the Project site, sensitive species that exist within the surrounding area could

potentially occur on the Project site. Additionally, one protected plant species, the western Joshua tree, was identified on the Project site. Although the Project would require the removal of the existing western Joshua tree on the Project site, the loss of one individual western Joshua tree is not anticipated to have a significant cumulative impact on overall biological resources since higher quality habitat is found throughout the surrounding desert region.

Project implementation is not anticipated to result in a substantial adverse effect to sensitive biological resources within the Project footprint. However, the Project would implement **MM BIO-1** and **MM BIO-2** to protect sensitive species that may occur on the site during construction. As such, associated mitigation measures would be implemented during construction to reduce potential impacts. With the implementation of **MM BIO-1** and **MM BIO-2**, the Project would result in a less than significant impact to sensitive species.

### ***Burrowing Owl***

As part of the preparation of the BRA, Blackhawk Environmental identified potential habitat for burrowing owl (BUOW) on the Project site. They also documented that BUOW had been positively identified in the area in the past, 28 times between the years of 1997 and 2009. Blackhawk Environmental conducted BUOW focused surveys to document the presence of BUOW on-site. They completed four surveys per the CDFW protocols which occurred during BUOW breeding season and prepared a results report which is available as **Appendix C** to this Draft MND. These surveys were completed on April 3, April 18, May 23, and June 17.

During these surveys, eight unoccupied suitable BUOW burrows were found on-site. Burrows ranged in size from 8 to 20 centimeters in diameter and all suitable burrows appeared to be former California ground squirrel burrows. Most of the burrows were located on flat terrain under root systems of creosote bush scrub and bare ground areas associated with anthropogenic disturbance, making them less desirable for active use.

Although there is moderate potential for this species to occur based on two adjacent historical records and the presence of suitable habitat and burrows on-site, no burrowing owl, active burrows, or burrowing owl sign were observed during the surveys. To ensure that no impacts occur, the Project would implement **MM BIO-3** detailed below, which identifies pre-construction surveys to be completed to ensure there are no active burrows on-site prior to ground disturbance.

### ***Western Joshua Tree***

A Western Joshua Tree Survey report was prepared for the Project and is available in **Appendix D**. The survey conducted evaluated any western Joshua trees present on site and whether they are suitable for relocation or are to be discarded prior to site clearing activities. One western Joshua tree is located on the Project site; however, it was determined that the tree is not suitable for transplanting. The suitability for translocation/relocation of a tree is determined by the CDFW guidelines. Western Joshua trees that are not suitable for relocation/transplanting due to size, health of the tree, presence of damage, excessive branches, excessive leaning, clonal, and exposed roots should be disposed of as per City requirements. As such, the one western Joshua tree on site

would be removed and an incidental take permit from CDFW would be required to be acquired by the Project Applicant prior to the issuance of grading permits by the City. As such, **MM BIO-4** would be implemented, which provides measures for the take of the western Joshua tree. Impacts would be less than significant with the implementation of mitigation measures.

### **Mitigation Measures**

- MM BIO-1:** A qualified biologist obtained by the City of Victorville Planning Department shall develop a Worker Environmental Awareness Program (WEAP) that will include information on general and special status species within the Project site, identification of these species and their habitats, techniques being implemented during construction to avoid impacts to species, consequences of killing or injuring an individual of a listed species and reporting procedures when encountering listed or sensitive species. The WEAP will be submitted to the City of Victorville Planning Department for approval before implementation. Construction crews, foremen, and other personnel potentially working on-site will attend this education program and place their name on a sign-in sheet. This briefing shall include provisions of any requirements required for the project. The Worker Environmental Awareness Program training will be implemented on the first day of work and periodically throughout construction as needed. The WEAP sign-in sheet will then be submitted to the City of Victorville Planning Department for documentation.
- MM BIO-2:** A biologist experienced with identification of the sensitive and common biological resources in the region shall be present to monitor all initial ground disturbing and vegetation clearing activities regardless of the time of year such activities are scheduled to begin (biological monitor). The biological monitor shall perform biological clearance sweeps at the start of each workday that ground disturbing activities take place. The biological monitor shall be present on a full-time basis during the initial ground-disturbing and vegetation-clearing activities to ensure the activities do not affect sensitive biological resources and to move or redirect wildlife out of harm's way as necessary. The monitor will be responsible for communicating regularly with the Project Proponent and onsite contractor on non-compliance issues and ways to ensure that impacts to sensitive biological resources will be avoided to the fullest extent possible in accordance with the appropriate Project agreements and permits, as applicable. Biological monitoring shall take place until the Proposed Project impact area has been completely cleared of any vegetation. The biological monitor shall keep a record of monitoring activities in a log that contains representative photographs of the work activities monitored and any sensitive biological resources incidentally encountered during Project activities and provide them to the City upon request.
- MM BIO-3:** Pre-construction take avoidance surveys for burrowing owl shall be completed for the Project prior to the start of initial ground-disturbing activities. The surveys shall be performed on the property and within a 500-foot buffer, where accessible, in accordance with the take avoidance survey methods identified in the [CDFG Staff Report](#) (CDFG 2012) on Burrowing Owl Mitigation. The first survey shall be conducted within 14 days prior to the start of initial ground-disturbing activities and a second survey shall be conducted no more than 24 hours prior to the start of initial ground-disturbing activities (including vegetation removal). If survey results are negative, Project activities may occur and no

additional protection measures are required. If burrowing owl or occupied burrowing owl burrow(s) (e.g., whitewash, feathers, pellets, bones of prey items) is/are observed on or immediately adjacent to the Proposed Project impact area, additional mitigation measures will need to be implemented to offset impacts to burrowing owl. These measures shall be developed in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG 2012) and may include additional biological monitoring, seasonal work restrictions, establishing a non-disturbance buffer around each burrow location, or passive relocation. Coordination with CDFW may need to occur to perform passive relocation of burrowing owls and/or to devise a specific mitigation methodology for the Project Site if one is found to be necessary.

**MM BIO-4:** The Western Joshua Tree Conservation Act effective July 10, 2023, prohibits the importation, export, take, possession, purchase, or sale of any western Joshua tree in California unless authorized by the CDFW.

A western Joshua tree census will be conducted throughout the Project site to determine the number of trees present, their locations, size, health status, and impacts as directed by CDFW ([Census Instructions \(ca.gov\)](#)). The census will include but not be limited to quantifying the trees within the proposed project's impact footprint, measurements, flower/fruit status, and photographs. A census report including CDFW WJTCA incidental take permit application form (Section 1927.3 CDFW 405); description of the methodology used to conduct the census; data sheets; and maps showing the location of trees in the Project area will be prepared and submitted to the City of Victorville for initial review then to CDFW for final review and approval. Following CDFW review and approval of the permit application, the CDFW will provide the applicant an invoice for the required mitigation in-lieu fee.

In-lieu fees streamline the approach to permitting and will allow permittees to satisfy mitigation obligations by paying a set amount for the take of each individual western Joshua tree, based on the tree's height and location. Under the WJTCA, all in-lieu fees collected will be deposited into the Western Joshua Tree Conservation Fund for appropriation to CDFW solely for the purposes of acquiring, conserving, and managing western Joshua tree conservation lands and completing other activities to conserve the western Joshua tree.

b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*

**No Impact.** No wetlands, non-wetlands, or desert riparian areas potentially regulated by CDFW or USFWS are present on the Project site. As such, there would be no impact to riparian habitat or a sensitive natural community.

- c) *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological?*

**No Impact.** No state or federally protected wetlands or non-wetlands are present on the Project site. As such, no impact would occur.

- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

**Less than Significant with Mitigation Incorporated.** The Project implementation is not anticipated to interfere with migratory wildlife species or wildlife corridors. The BTR does not identify the Project site as providing suitable habitat for migratory species nor is it identified as being an important wildlife corridor. However, **MM BIO-5** would be implemented to avoid the disturbance, injury, or death of nesting birds that may occur on the Project site during construction. Additionally, while no burrowing owls were found on the Project site, the Project would implement **MM BIO-3** to prevent significant impacts to burrowing owls that may occur on site during construction. With the incorporation of **MM BIO-3** and **MM BIO-5** the Project would have a less than significant impact to migratory fish or wildlife species and associated wildlife corridors and nursery site.

### **Mitigation Measures**

**MM BIO-5:** Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. In general, projects should be constructed outside of this time to avoid impacts to nesting birds. If a project cannot be constructed outside of nesting season, the project site shall be surveyed for nesting birds by a qualified avian biologist obtained by the City of Victorville Planning Department within three (3) days prior to initiating the construction activities. If active nests are found during the pre-construction nesting bird surveys, a Nesting Bird Plan (NBP) will be prepared by the qualified avian biologist and implemented. At a minimum, the NBP will include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The NBP will include a copy of maps showing the location of all nests and an appropriate buffer zone around each nest sufficient to protect the nest from direct and indirect impact. The size and location of all buffer zones, if required, shall be determined by the biologist, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist has determined the young birds have successfully fledged. Following the nesting bird survey(s), a report with findings will be prepared by the qualified avian biologist and submitted to the City of Victorville Planning Department for documentation.

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

**Less than Significant with Mitigation Incorporated.** One protected plant species, the western Joshua tree was identified on-site. However, it was determined that the removal of a single western Joshua tree would not result in a significant impact to biological resources, as there is higher quality habitat within the surrounding desert region. The City MC Chapter 13.33 provides the process and guidelines for western Joshua tree take and follows the County of San Bernardino Plant Protection Plan and Management (Chapter 88.01.060 of the County Code of Ordinances). Under which, the removal of the western Joshua tree on site would be in compliance with the Desert Native Plants Act (Food and Agricultural Code Section 80001), additionally, the issuance of an incidental take permit by the CDFW would ensure compliance with the Act. In addition, as previously discussed, the Western Joshua Tree Conservation Act (WJTCA) prohibits the importation, export, take, possession, purchase, or sale of any western Joshua tree in California unless authorized by the CDFW. To ensure that the Project would not conflict with the WJTCA, **MM BIO-4** would be implemented which provides measures for the take of a western Joshua tree including the preparation of a census and payment of in-lieu fees. As such, after the implementation of mitigation measures, the Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy and a less than significant impact would occur.

- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

**No Impact.** There are no wildlife or plant species present on the Project site that are protected under a habitat conservation plan, nor is the Project site identified as a critical habitat that is protected under such a plan. Therefore, there would be no impact.

### Cumulative Impacts

The potential biological impacts related to sensitive species and habitats are site-specific. The Project would implement associated mitigation measures to reduce any potential impacts to biological resources. The Project is located within a developed area of the City and would be consistent with existing zoning and land use designations for the Project site and surrounding area. As such, the Project would not contribute to a cumulatively significant impact when considering all other potential projects in the City and general area.



## CULTURAL RESOURCES

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>5. CULTURAL RESOURCES. Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?		X		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X		
c) Disturb any human remains, including those interred outside of dedicated cemeteries?		X		

A Cultural Resources Assessment (CRA) was prepared for the Project by Kimley-Horn and Associates, Inc. on March 28, 2024, and is available as **Appendix E** to this IS/MND.

- a) *Cause a substantial adverse change in the significance of a historical resource pursuant to in Section 15064.5?*
- b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?*
- c) *Disturb any human remains, including those interred outside of dedicated cemeteries?*

**Less than Significant Impact with Mitigation Incorporated (a through c).** According to the CRA, no cultural or archaeological resources that fit the definition of a significant historical resource or significant archaeological resource as described in CEQA Guidelines Section 15064.5 were identified on the Project site. A previously recorded historic-age refuse site (P-36-014486) was identified through a cultural records search at the South Central Coastal Information Center (SCCIC) which is located within the 0.5-mile buffer area, southwest of the Project site. However, it was determined that P-36-014486 is not considered a significant historical resource pursuant Section 15064.5 of the CEQA Guidelines.

While no cultural or archaeological resources were identified through record searches and the intensive-level cultural resources field survey, the CRA notes that the region surrounding the Mojave River, which is located approximately 2.3 miles east of the Project site, is considered to have “archaeological sensitivity.” Nor is the Project site located in a known cemetery or historic burial ground, however, the inadvertent finds of human remains is possible. As such, mitigation measures have been identified to reduce potential impacts to cultural resources that may exist on the Project site and be unearthed during Project construction. **MM CUL-4** would be implemented prior to construction, which includes an archaeological training that would be led by the Project Archaeologist to inform on-site personnel of the proper protocol for identifying and handling inadvertent discoveries of cultural resources. Additionally, **MM CUL-1** through **MM CUL-3** would ensure that on-site personnel would halt ground-breaking activities and inform the Project

Archaeologist of any inadvertent discoveries of cultural or tribal cultural resources, as well as the City Coroner such that human remains are encountered during Project construction. Considering the absence of significant cultural resources on and surrounding the Project site as well as the implementation of **MM CUI-1** through **MM CUL-4**, Project implementation would not cause a substantial adverse change to the significance of a historical resource and impacts would be less than significant.

### **Mitigation Measures**

- MM CUL-1:** In the event that cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior Standards shall be hired to assess the find. Work on the outer portions of the Project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in MM TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.
- MM CUL-2:** If significance pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed in MM TCR-1. The archaeologist shall monitor the remainder of the Project and implement the Plan accordingly.
- MM CUL-3:** If human remains or funerary objects are encountered during any activities associated with the Project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code Section 7050.5 and that code enforced for the duration of the Project.
- MM CUL-4:** **WEAP Training.** An archaeologist meeting the Secretary of Interior's (SOI) minimum professional qualifications in archaeology (Project Archaeologist) will conduct a Worker Environmental Awareness Program (WEAP) training for all on-site personnel related to cultural resources for the Project. The training will provide an overview of how to identify cultural resources within the Project site and the process to follow in the case of inadvertent discovery. All personnel that access the site must undergo this training to include any personnel that engage with the Project after the initial WEAP training is provided.

### **Cumulative Impacts**

Potential impacts to cultural resources are site-specific and would not generally contribute to cumulative impacts. All the Project's proposed modifications would remain within the Project site. It was determined that Project implementation would not result in significant impacts to cultural resources with the incorporation of appropriate mitigation measures. Considering the site-specific nature of cultural resource impacts, in addition to the Project's potential to generate less than significant impacts to existing cultural resources on the Project site, the Project would not have cumulatively considerable impacts to cultural resources.

## ENERGY

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>6. ENERGY. Would the project:</b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

A Technical Energy Memorandum (Energy Memo) was prepared for the Project by Kimley-Horn and Associates Inc. on May 24, 2024 and is available as **Appendix F**. The memorandum was prepared to assess energy impacts associated with the Project. The thresholds of significance outlined in Appendix F of the CEQA Guidelines consider wasteful, inefficient, or unnecessary energy consumption of a Project to be significant. As such, the Energy Memo determined Project impacts to energy using the significance thresholds as outlined in Appendix F of the CEQA Guidelines. The following analysis and conclusions are based on the results from the Energy Memo.

a) *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

**Less than Significant Impact.** Energy consumption associated with the proposed Project is summarized in **Table 4.6-1: Project and Countywide Energy Consumption**. As shown in **Table 4.6-1**, the Project’s increase in electricity usage would constitute approximately 0.001 percent of the typical annual electricity usage and natural gas consumption in the County. Construction-related off-road automotive fuel consumption (i.e., fuel consumed during construction) would constitute approximately 0.011 percent of the diesel and 0.0002 percent of the gasoline consumption within the County. During operations, on-road automotive fuel consumption (i.e., fuel consumed from operation vehicle trips to and from the Project site) would constitute approximately 0.008 percent of the diesel and approximately 0.001 percent of the gasoline consumption within the County.

**Table 4.6-1: Project and Countywide Energy Consumption**

Energy Type	Project Annual Energy Consumption	San Bernardino County Annual Energy Consumption	Percentage of Countywide Consumption
<b>Operational Electricity and Natural Gas</b>			
Electricity Consumption	146,086 kWh	16,630,000,000 kWh	0.001%
Natural Gas Consumption	3,313 therms	562,000,000 therms	0.001%



Energy Type	Project Annual Energy Consumption	San Bernardino County Annual Energy Consumption	Percentage of Countywide Consumption
<b>Automotive Fuel Consumption<sup>3</sup></b>			
Project Construction <sup>4,5</sup>			
Diesel	30,640 gallons	281,399,849 gallons	0.011%
Gasoline	2,043 gallons	828,612,797 gallons	0.0002%
Project Operations			
Diesel	10,709 gallons	281,399,849 gallons	0.008%
Gasoline	69,883 gallons	828,612,797 gallons	0.001%
Notes 1. The Project increases in electricity and natural gas consumption are compared with the total consumption in San Bernardino. 2. The Project increase in automotive fuel consumption are compared with the countywide fuels consumption (projected) in 2025. 3. Countywide fuel consumption is from the California Air Resources Board EMFAC2021 model. 4. Construction fuel consumption is based on equipment and load factors from California Emissions Estimator Model (CalEEMod version 2022.1.1). 5. The estimated construction fuel consumption is based on the Project's construction equipment list timing/phasing, and hours of duration for construction equipment, as well as vendor, hauling, and construction worker trips.			

During construction, the Project would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment; and (2) bound energy in construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Fossil fuels used for construction vehicles and other energy-consuming equipment would be used during grading, paving, and building construction. Fuel energy consumed during construction would be temporary in nature and would not represent a significant demand on energy resources. Some incidental energy conservation would occur during construction through compliance with State requirements that equipment not in use for more than five minutes be turned off. Project construction equipment would also be required to comply with the latest US EPA and California Air Resources Board engine emissions standards. These emissions standards require highly efficient combustion systems that maximize fuel efficiency and reduce unnecessary fuel consumption. Due to increasing transportation costs and fuel prices, contractors and owners have a strong financial incentive to avoid wasteful, inefficient, and unnecessary consumption of energy during construction.

Substantial reductions in energy inputs for construction materials can be achieved by selecting building materials composed of recycled materials that require substantially less energy to produce than non-recycled materials that require substantially less energy to produce than non-recycled materials. The incremental increase in the use of energy bound in construction materials such as asphalt, steel, concrete, pipes, and manufactured or processed materials (e.g., lumber and gas) would not substantially increase demand for energy compared to overall local and regional demand for construction materials. It is reasonable to assume that production of building materials such as concrete, steel, etc., would employ all reasonable energy conservation practices in the interest in minimizing the cost of doing business.

As indicated in **Table 4.6-1**, the overall diesel fuel consumption during construction of the Project would be 30,640 gallons and gasoline consumption would be 2,043 gallons, which would result in a nominal increase in fuel use in the County. Further, the energy use associated with water use during construction would result in 4,871 kWh. As such, Project construction would have minimal effect on the local and regional energy supplies. It is noted that construction fuel use is temporary and would cease upon completion of construction activities. There are no unusual Project characteristics that would be less energy-efficient than comparable construction sites in the region or State. Therefore, construction fuel consumption would not be any more inefficient, wasteful, or unnecessary than other similar development Projects of this nature. A less than significant impact would occur in this regard.

**Table 4.6-1** provides an estimate of the daily fuel consumed by vehicles traveling to and from the Project site; Project operations are estimated to consume approximately 10,709 gallons of diesel fuel and 69,883 gallons of gasoline fuel per year, which constitutes approximately 0.008 percent and 0.001 percent of Countywide consumption, respectively. The Project would not result in any unusual characteristics that would result in excessive long-term operational fuel consumption. Fuel consumption associated with vehicle trips generated by the Project would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region.

Operations of the Project would require approximately 146,086 kWh of electricity per year and approximately 3,313 therms of natural gas per year. The Project would comply with Title 24 Building Energy Efficiency Standards, which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of the Title 24 standards significantly reduces energy use. Furthermore, the electricity provider, SCE, is subject to California's Renewables Portfolio Standard (RPS). The RPS requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable resources to 36 percent of total procurement by 2020 and to 60 percent of total procurement by 2030. Renewable energy is generally defined as energy that comes from resources which are generally naturally replenished within a human timescale such as sunlight, wind, tides, waves, and geothermal heat. The increase in reliance of such energy resources further ensures projects will not result in the waste of the finite energy resources.

As indicated in **Table 4.6-1**, operational energy consumption would represent an approximate 0.001 percent increase of electricity consumption of the current Countywide usage. The Project would adhere to all Federal, State, and local requirements for energy efficiency, including the Title 24 standards. As such, the Project would not result in the inefficient, wasteful, or unnecessary consumption of building energy.

The increase in electricity and automotive fuel consumption over existing conditions is minimal. As previously stated, the Project would not place a substantial demand on regional energy supply or require significant additional capacity, or significantly increase peak and base period electricity demand. The Project's increase in electricity usage would constitute approximately 0.001 percent of the typical annual electricity usage and natural gas consumption in the County. Construction-

related off-road automotive consumption (i.e., fuel consumed during construction) would constitute approximately 0.011 percent of diesel and 0.0002 percent of gasoline consumption within the County. During operations, on-road automotive fuel consumption (i.e., fuel consumed from operational vehicle trips to and from the Project site) would constitute approximately 0.008 percent of the diesel and approximately 0.001 percent of the gasoline consumption within the County.

Thus, the Project would not cause a wasteful, inefficient, or unnecessary consumption of energy during Project construction, operations, and/or maintenance, or preempt future energy development or future energy conservation. As such, the Project would have a less than significant impact on energy resources.

b) *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

**Less than Significant Impact.** Title 24 of the California Code of Regulations contains energy efficiency standards for residential and non-residential buildings based on a state mandate to reduce California's energy demand. Specifically, Title 24 addresses several energy efficiency measures that impact energy used for lighting, water heating, and heating and air conditioning, including the energy impact of the building envelope such as windows, doors, skylights, wall/floor/ceiling assemblies, attics, and roofs.

Part 6 of Title 24 specifically establishes energy efficiency standards for residential and nonresidential buildings constructed in the State of California to reduce energy demand and consumption. The Project would comply with Title 24, Part 6 per state regulations. In accordance with Title 24 Part 6, the Project would have: (a) sensor-based lighting controls – for fixtures located near windows, the lighting would be adjusted by taking advantage of available natural light; and (b) efficient process equipment – improve technology offers significant savings through more efficient processing.

Title 24, Part 11, contains voluntary and mandatory energy measures that are applicable to the Project under California Green Buildings Standards Code. As discussed above, the Project would result in an increased demand for electricity, natural gas, and petroleum. In accordance with Title 24, Part 11 mandatory compliance, the applicant would have (a) 50 percent of its construction and demolition waste diverted from landfills; (b) mandatory inspections of energy systems to ensure optimal working efficiency; (c) low pollutant emitting exterior and interior finish materials, such as paints, carpets, vinyl flooring and particle boards; and (d) a 20 percent reduction in indoor water use. Compliance with all of these mandatory measures would decrease the consumption of electricity, natural gas, and petroleum.

Additionally, the Victorville Climate Action Plan (CAP) establishes a series of energy efficiency related measures intended to reduce GHG emissions based on the AB 32 Scoping Plan. Those applicable to the Project are Renewables Portfolio Standard for Building Energy Use, Assembly Bill 1109 Energy Efficiency Standards for Lighting, Electricity Energy Efficiency, Commercial Energy Efficiency Requirements and Residential Renewable Energy Requirements.



The Project would not conflict with any of the federal, state, or local plans for renewable energy and energy efficiency. Since the Project would comply with Parts 6 and 11 of Title 24 and Victorville CAP measures, no conflict with existing energy standards and regulations would occur. Therefore, impacts associated with renewable energy or energy efficiency plans would be less than significant.

### **Cumulative Impacts**

As stated above, the Project would have minimal use and consumption of energy on a Countywide level. Additionally, the Project would be required to adhere to State, regional, and local policies regulating the inefficiency, wasteful, and unnecessary use and consumption of energy resources. All other proposed development Projects within the City would also be required to adhere to the same energy-related regulations and policies that minimize the wasteful and inefficient use of energy resources. Since the Project is projected to have minimal energy consumption and the Project would not conflict with associated policies and regulations pertaining to energy resources, the Project is not considered to have a considerably cumulative impact on energy resources considering all other Projects within the City.

## GEOLOGY AND SOILS

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>7. GEOLOGY AND SOILS. Would the project:</b>				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		

On July 28, 2023, Terracon prepared a Geotechnical Engineering Report for the Project that presents findings, conclusions, and recommendations based on field investigation, laboratory testing, and engineering analysis (**Appendix G**).

## Regional Geology

The City is located in the Mojave Desert Geomorphic Province of southern California, which is characterized by a prominent northwest to southeast trend and a secondary east to west trend. The Mojave Province is wedged in a sharp angle between the Garlock Fault (southern boundary Sierra Nevada) and the San Andres Fault, where it bends east from its northwest trend. The northern boundary of the Mojave Province is separated from the prominent Basin and Range by the eastern extension of the Garlock Fault. The Mojave Desert is also known for its broad alluvial basins, and a major portion of the City is located on top of a large gently sloping alluvial fan situated to the northeast of the San Bernardino Mountains, referred to as the Cajon Fan, or Victorville Fan. Soil deposits consist mostly of sand and gravel that range from generally unconsolidated to weakly consolidated sediments. The alluvium was derived from erosion from the San Gabriel and San Bernardino Mountains to the south.<sup>8</sup>

## California Alquist-Priolo Earthquake Fault Zoning Act

The purpose of the Alquist-Priolo Earthquake Fault Zoning Act (Act) is to mitigate the risks associated with earthquakes by identifying and regulating development in areas prone to fault rupture hazards. Furthermore, the Act requires local governments to incorporate earthquake hazard consideration into general plans associated to land use and development to ensure that development within earthquake fault zones is regulated and that appropriate safety measures are implemented to protect public health, safety, and welfare as outlined in the general plan.

## Seismic Hazards Mapping Act of 1990

The purpose of Seismic Hazards Mapping Act of 1990 is to identify areas prone to various seismic hazards such as fault rupture, ground shaking, liquefaction, and landslides. The mapping initiative helps policymakers, planners, and engineers make informed decisions regarding land use planning, building codes, and infrastructure design to enhance public safety and reduce the vulnerability of communities to seismic events. The California Geological Survey (CGS) provides local governments with seismic hazard maps which identify hazards associated with fault rupture. The seismic hazard zones are referred to as “zones of required investigation” because site-specific geological investigation is required for construction projects within these zones. According to the CGS map, the Project site is not located within a fault zone, liquefaction zone, or landslide zone.<sup>9</sup>

## Ground Shaking

Ground shaking is a general term referring to all aspects of motion of the earth’s surface resulting from an earthquake and is normally the major cause of damage in seismic events. The extent of ground shaking is influenced by the magnitude and intensity of the earthquake, distance from the epicenter, and local geologic conditions. Magnitude is a measure of the energy released by an earthquake and is assessed by seismographs. Intensity is a subjective measure that describes the level of shaking and damage experienced at a particular site and varies with distance from epicenter and local geologic conditions.

---

<sup>8</sup> City of Victorville. 2008. *Draft Program Environmental Impact Report*.

[https://www.sbcounty.gov/uploads/lafco/proposals/3082/3082\\_edc\\_draft\\_eir.pdf](https://www.sbcounty.gov/uploads/lafco/proposals/3082/3082_edc_draft_eir.pdf) (accessed March 2024).

<sup>9</sup> California Geological Survey. 2021. *Earthquake Zones of Required Investigation*. <https://maps.conservation.ca.gov/cgs/eqzapp/app/> (accessed March 2024).

- a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*
- i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

**Less Than Significant Impact.** According to the Geotechnical Engineering Report prepared for the Project (**Appendix G**), the Project site is not located within an Alquist-Priolo Earthquake Fault Zone.<sup>10</sup> The nearest Alquist-Priolo fault zone is the Apple Valley South fault located approximately 10 miles southeast of the Project site.<sup>11</sup> The Project would comply with the current California Building Code (CBC) guidelines to ensure construction would not generate adverse impacts due to seismic activity. As the Project site is not located within or in very close proximity to a designated fault, earthquake fault zone, or on an Alquist-Priolo Fault Zone, impacts associated with fault rupture would be less than significant.

- ii) *Strong seismic ground shaking?*

**Less Than Significant Impact.** The Project is generally located in southern California, which is prone to ground shaking. As stated above, the Project site is not located within an earthquake fault zone. All Project components would be constructed in accordance with CBC standards that describes procedures for earthquake-resistant structural design that include considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. Therefore, impacts due to strong seismic ground shaking would be less than significant.

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

**Less Than Significant Impact.** According to Geotechnical Engineering Report, it was determined that, based on existing geological maps and encountered subsurface conditions, liquefaction potential/seismic settlement is low for the Project site.<sup>12</sup> Additionally, the Project site is characterized as relatively flat, with no significant slopes. The Project would adhere to the latest CBC and the City's Local Hazard Mitigation Plan to minimize seismic-related impacts. As such, potential substantial adverse effects involving seismic-related ground failure including liquefaction and landslides are expected to have a less than significant impact.

- b) *Result in substantial soil erosion or the loss of topsoil?*

**Less Than Significant Impact.** The Project would implement a Water Quality Management Plan (WQMP) to comply with the requirements set by the City and the National Pollutant Discharge Elimination System (NPDES) Areawide Stormwater Program including the County's Storm Water Pollution Prevention Plan (SWPPP) which includes but is not limited to erosion-control and sediment-control Best Management Practices (BMPs). Erosion-control BMPs are designed to

<sup>10</sup> Terracon. 2023. *Raising Cane's Restaurant (RC-1051) – Victorville Geotechnical Engineering Report (Appendix G)*

<sup>11</sup> California Geological Survey. 2021. *Earthquake Zones of Required Investigation*. <https://maps.conservation.ca.gov/cgs/eqzapp/app/> (accessed March 2024).

<sup>12</sup> Ibid.

prevent erosion, whereas sediment controls are designed to trap sediment once it has been mobilized.

During operations, the site would be paved throughout with associated Project components that would continue to be subject to the WQMP. Landscaping shall be maintained according to the Project's WQMP via the SWPPP. Therefore, compliance with regional and local permitting and regulation would ensure soil erosion or loss of topsoil during construction and operations of the Project are less than significant.

- c, d) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? And be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

**Less Than Significant Impact.** The Project site is not located in an area sensitive to slope/landslide instability and liquefaction, as previously described. The Project site is relatively flat and is not located adjacent to a hillside or riverbank that is characterized by unstable conditions or liquefaction. The Project is located in the Mojave Desert which is characterized by broad alluvial basins. The City, which includes the Project site, is located primarily on the broad surface of a large alluvial fan referred to as the Cajon Fan (Victorville Fan). Expansive soils could cause damage to facility components if they are not designed with proper engineering and grading practices. However, the hazard associated with expansive soils is considered a low risk for alluvial fan locations because soils in this area are frequently saturated and generally do not contain clay-sized particles.

On-site soils generally consist of interbedded layers of silty sand, poorly graded sand with silt, lean clay with sand, and silt with sand.<sup>13</sup> Additionally, no groundwater was encountered to the depth of excavation that would initiate hazardous expansive behavior as discussed in the Geotechnical Engineering Report.<sup>14</sup> As such, impacts associated with unstable and expansive soils would be less than significant.

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

**No Impact.** The Project would be connected to the City's wastewater sewer system. The proposed Project does not include a septic tank or alternative wastewater disposal system. As such, no impact associated with the septic tanks or alternative wastewater disposal system would occur as part of the proposed Project's implementation and no mitigation is required.

<sup>13</sup> Terracon. 2023. *Geotechnical Engineering Report*. (Appendix G)

<sup>14</sup> Ibid.

- f) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

**Less than Significant Impact with Mitigation Incorporated.** According to the City's General Plan Draft EIR, the likelihood of paleontological resources being present is dependent on the location within the City. The Project site is located in an area of having moderate to high sensitivity for the presence of paleontological resources. It was determined that future land development projects would be required to implement appropriate mitigation measures to reduce impacts to existing paleontological resources.<sup>15</sup> The Project would be required to adhere to the City's General Plan policies and goals relating to paleontological resources. As such, the Project would implement **MM GEO-1**, which provides for measures during the inadvertent find of fossils or other paleontological resources. With the implementation of **MM GEO-1**, the Project would have a less than significant impact on destroying a unique paleontological resource or unique geological feature.

### **Mitigation Measures**

**MM GEO-1** In the event an unanticipated fossil or other paleontological resource discovery is made during Project development, in accordance with Society of Vertebrate Paleontology (SVP) 2010 guidelines, a qualified professional Paleontologist should be retained in order to examine the find and to determine if further paleontological resources mitigation is warranted. The Paleontologist monitoring mass grading for the Project shall be empowered to temporarily halt or redirect construction activities to ensure avoidance of adverse impacts to paleontological resources. During monitoring, samples shall be collected and processed to recover microvertebrate fossils. Processing shall include wet screen washing and microscopic examination of the residual materials to identify small vertebrate remains. Upon encountering a large deposit of bone, salvage of all bone in the area shall be conducted in accordance with modern paleontological techniques.

### **Cumulative Impacts**

The potential geological impacts related to seismic activity, soils, and paleontological resources are site-specific. The Project would be consistent with current land use designation and zoning and would adhere to applicable state and local codes and regulations to minimize geological and soil impacts. As such, the Project would not contribute to a cumulatively significant impact when considering all other potential projects in the City and general area.

---

<sup>15</sup> City of Victorville. 2008. *City of Victorville General Plan 2030 Draft Environmental Impact Report*. Available at: [https://www.sbcounty.gov/uploads/lafco/proposals/3082/3082\\_edr\\_draft\\_eir.pdf](https://www.sbcounty.gov/uploads/lafco/proposals/3082/3082_edr_draft_eir.pdf) (accessed June 2024).

## GREENHOUSE GAS EMISSIONS

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>8. GREENHOUSE GAS EMISSIONS. Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?		X		

The analysis herein is based on the findings of the AQGHG Memo prepared for the Project by Kimley-Horn and Associates, Inc. (**Appendix A**) to assess the Project’s impacts on greenhouse gas (GHG) emissions. The Project would include direct and indirect GHG emissions from Project construction and operations. Construction is considered a direct source since these emissions occur at the site. Direct operations related GHG emissions for the proposed Project would include emissions from area and mobile sources, while indirect emissions are from energy consumption, water demand, and solid waste. The Project’s estimated GHG emissions were calculated using CalEEMod; In estimating the projected construction related GHG emissions, the total generated emissions during all phases of construction were combined.

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

**Less than Significant Impact.** The Project would result in direct construction-related emissions of carbon dioxide (CO<sub>2</sub>), nitrous oxide (N<sub>2</sub>O), and methane (CH<sub>4</sub>) from construction equipment, the transport of materials, and construction workers to and from the Project site. Construction GHG emissions are typically summed and amortized over the lifetime of the Project (assumed to be 30 years), then added to the operations emissions.<sup>16</sup> As shown in **Table 4.8-1: Construction Greenhouse Gas Emissions**, the total Project construction GHG emissions would result in 348 metric tons of CO<sub>2</sub> equivalent (MTCO<sub>2</sub>e) (approximately 11.6 MTCO<sub>2</sub>e/year when amortized over 30 years).

**Table 4.8-1: Construction Greenhouse Gas Emissions**

Operational Electricity and Natural Gas	MTCO <sub>2</sub> e per Year
2025	348
30-Year Amortized Construction	11.6

Source: CalEEMod version 2022.1.1.

<sup>16</sup> The Project lifetime is based on the standard 30-year assumption of the South Coast Air Quality Management District (South Coast Air Quality Management District, *Minutes for the GHG CEQA Significant Threshold Stakeholder Working Group #13*, August 26, 2009.

Operational or long-term emissions occur over the life of the Project. GHG emissions would result from direct emissions such as Project generated vehicular traffic, on-site combustion of natural gas, and operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power over the life of the Project; the energy required to convey water to, and wastewater from, the Project site; the emissions associated with solid waste generated from the Project site; and any fugitive refrigerants from air conditioning or refrigerators.

As shown in **Table 4.8-2: Total Project Greenhouse Gas Emissions**, the Project would generate approximately 719.52 MTCO<sub>2</sub>e/year, which is well below the MDAQMD’s screening threshold of 100,000 MTCO<sub>2</sub>e/year.

**Table 4.8-2: Total Project Greenhouse Gas Emissions**

<b>Emissions Source</b>	<b>MTCO<sub>2</sub>e per Year</b>
Construction Amortized over 30 Years	11.6
Area Source	0.04
Energy	51.22
Mobile <sup>1</sup>	642.61
Waste	10.42
Water & Wastewater	2.88
Refrigerants	0.75
<b>Total Project Emissions<sup>2</sup></b>	<b>719.52</b>
MDAQMD Project Threshold	100,000
<b>Threshold Exceeded?</b>	<b>No</b>
Notes:	
1. Mobile source emissions include CalEEMod results plus on-site idling emissions calculated with EMFAC2021.	
2. Totals may be slightly off due to rounding.	
Source: CalEEMod version 2022.1.1.	

Therefore, the Project would not generate substantial GHG emissions that would significantly impact the environment. As such, the total combined emissions from construction and operational phases would result in a less than significant impact.

*b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

**Less than Significant Impact with Mitigation Incorporated.** As the Project’s GHG emissions would be well below the MDAQMD’s 100,000 MTCO<sub>2</sub>e/year threshold, it would not interfere with the State’s goals for reducing GHG emissions. Approximately 96 percent of the Project’s emissions are from energy and mobile sources which would be further reduce my implementation of current state programs. It should be noted that the Project and the City have no control over vehicle emissions (approximately 89 percent of the Project’s total emissions). However, these emissions would decline in the future due to statewide measures including the reduction in the carbon content of fuels, CARB’s advance clean car program, CARB’s mobile source strategy, fuel efficiency standards, cleaner technology, and fleet turnover. Additionally, the Southern California Association of Government’s (SCAG’s) 2020-2045 Regional Transportation/Sustainable Communities Strategy (Connect SoCal) is also expected to help California reach its GHG reduction goals, with reductions

in per capita transportation emissions of 19 percent by 2035.<sup>17</sup> Accordingly, the Project does not interfere with the State's efforts to reduce GHG emissions in 2030. Project operations would benefit from the implementation of current and potential future energy regulations including the Senate Bill (SB) 100 renewable electricity portfolio target of 60 percent renewable energy by 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

The Project would also be subject to compliance with all building codes in effect at the time of construction, which would include energy conservation measures mandated by Title 24 of the California Building Standards Code – Energy Efficiency Standards. Since Title 24 standards require energy conservation features in new construction (e.g., high-efficiency lighting, high-efficiency heating, ventilating, and air-conditioning [HVAC] systems, thermal insulation, double-glazed windows, water conserving plumbing fixtures), they indirectly regulate and reduce GHG emissions. California's Building Energy Efficiency Standards are updated on an approximately three-year cycle. Projects whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code.

To determine consistency with the City's CAP, the City provided Screening Tables to aid in measuring the reduction of GHG emissions attributable to certain design and construction measures incorporated into development projects. The CAP establishes categories of GHG reduction measures incorporated into development projects. CAP GHG reduction measure categories include energy conservation, water use reduction, increased residential density or mixed uses, transportation management, and solid waste recycling. Within each category, individual sub-measures are assigned a point value under the City's GHG Measures Screening Table. The point values are adjusted according to the intensity of GHG reduction measure. Projects that yield at least 100 points are determined to be consistent with the CAP and do not require quantification of project specific GHG emissions. If the project earns 100 points by including enough GHG reduction features, then the project is consistent with the City's Plan for emission reduction.

The Project would include several of the CAP's reduction measures including enhanced window insulation, enhanced cool roofing, high efficiency light fixtures, building shading provided by vegetation, and water efficient fixtures and landscaping. As shown in Appendix B of the AQGHG memo, the Project would achieve a total of 53 points based on a preliminary estimate of proposed design features. As a result, the Project shall comply with **MM GHG-1**, which would ensure the Project achieves a minimum of 100 points as required by the City.

By complying with the goals and policies of the CAP, the Project would be compliant with the broader statewide goals for combating climate change, such as those required in the CARB Scoping Plan and SB 32. The purpose of the City's CAP is to ensure compliance with the state's climate

---

<sup>17</sup> Southern California Association of Governments. Date. *SB 375 Regional Plan Climate Targets*. Available at: <https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-program/regional-plan-targets> Retrieved from **Appendix A**.

initiatives for reducing GHG emissions. Therefore, the Project would not conflict with an applicable plan, policy or regulation for the purpose of reducing the emissions of GHG.

With the incorporation of **MM GHG-1**, the Project would not conflict with any existing plan, policy, or regulation adopted to reduce GHG emissions. Additionally, the Project would adhere to associated State, regional, and local goals and policies regulating the Project's contribution to GHG emissions. As such, the Project would not conflict with any applicable plans, policies, and regulations relating to GHG emissions reductions, and a less than significant impact would occur.

### **Mitigation Measures**

**MM GHG-1: CAP Compliance.** Prior to issuance of the building permits, and as a condition of approval, the Project shall demonstrate that at least 100 points have been achieved through improvements listed in the City of Victorville Climate Action Plan (CAP) Commercial Screening Tables.

### **Cumulative Impacts**

Unlike criteria air pollutants that have a local or regional concern, GHG emissions are global pollutants, contributing to a global impact. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes, GHG have much longer atmospheric lifetimes of one year to several thousand years that allow them to be dispersed around the globe. Considering the global impact of GHG pollutants, it is generally the case that the size and nature of the individually proposed Project is of insignificant magnitude alone to influence climate change or result in a substantial contribution to the global GHG inventory. GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emissions impacts from a climate change perspective. The additive effect of Project-related GHGs would not result in a reasonably foreseeable cumulatively considerable contribution to global climate change. As discussed above, the Project-related GHG emissions would not exceed the MDAQMD's 100,000 MTCO<sub>2</sub>e/year threshold. Therefore, the Project would result in a less than significant cumulative GHG impact.

## HAZARDS AND HAZARDOUS MATERIALS

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

a, b) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? And through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

**Less Than Significant Impact.** Potentially hazardous materials, such as gasoline, diesel fuels, lubricants, and other petroleum-based products used to operate and maintain construction equipment would be handled off-site and would not require an on-site outdoor material storage. Construction impacts in this regard would be less than significant.

The land uses associated with the Project would not produce hazardous materials that would require the routine transport, use, or disposal of hazardous materials. Potential pollutant sources associated with Project operations include stormwater runoff from the parking areas and runoff created by landscaping maintenance. Landscaping BMPs would be implemented according to the Project's WQMP (**Appendix I**), which would reduce pesticides and fertilizers from running off off-site. The Project's WQMP has also identified BMPs for eating and drinking establishments for associated hazardous materials, such as cleaning chemicals and oil and grease used from food preparation. Specifically, a grease interceptor would be installed which would intercept greases and oils prior to discharge into the sanitary sewer. This would limit the amount of lipids and other foodstuffs not acceptable for sanitary systems from being discharged into the sanitary system. Additionally, the Project would include a spill contingency plan and training for employees on the proper spill containment and cleanup, as well as additional training on BMPs, stormwater discharge prohibitions, and wastewater discharge requirements. As such, Project operations would have a less than significant impact associated with the routine transport, use, or disposal of hazardous materials.

- c, d) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? And be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

**Less Than Significant Impact.** Construction related activities would require the handling of associated hazardous materials off-site, such as fuels, paints, mechanical fluids, and solvents, and would not be present in such a quantity or used in such a manner that would pose a significant hazard to nearby schools. The nearest school to the Project site is Hook Junior High School, which is approximately 3,223 feet (0.6 miles) east of the Project site. As previously stated, the Project would implement BMPs as identified in the WQMP for associated landscaping maintenance and the maintenance of hazardous materials associated with food establishments, such as cleaning chemicals and oil and grease. Therefore, a less than significant impact would occur. Additionally, the Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 ("Cortese" List), nor are any of the surrounding properties.<sup>18</sup>

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

**No Impact.** The Project site is not located within an airport land use plan, nor is it located within two miles of a private or public airport, or within the vicinity of a private airstrip. The Project is consistent with the City's land use designation and zoning. The closest airports are the Adelanto Airport-52CL and the Southern Logistics Airport approximately 7.9 miles and 5.25 miles north of

---

<sup>18</sup> California Department of Toxic Substances Control. 2024. *Hazardous Waste and Substances Site List (Cortese)*. [https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site\\_type=CSITES,FUDS&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29](https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site_type=CSITES,FUDS&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29) (accessed March 2024).

the Project site, respectively. Due to the distance from these airports, the Project would not contribute to a safety hazard or excessive noise, and no impact would occur.

- f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

**Less than Significant Impact.** The City has as part of its Emergency Services Department an Emergency Management team and initiative. The City provides an emergency notification distribution system, “Smart911” to alert citizens of potential issues requiring their attention. Additionally, the City has a robust system in place for communicating other information during potential emergencies. The Project construction or operation would not impact the City’s emergency response plans.

Further, Project construction would not obstruct any roadways and the full width of the adjacent roadways would be maintained allowing emergency equipment to operate without impact on the public roadways. As well as maintain the fronting roadways during a potential evacuation event. Additionally, the Project would implement and incorporate all applicable design and safety requirements and would not impact the implementation of any of the City’s emergency plans, as such, impacts would be less than significant, and no mitigation is necessary.

- g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

**No Impact.** According to CAL FIRE’s Fire Hazard Severity Zones Map for the City, the Project site is not located in or near a State Responsibility Area (SRA) nor Very High Fire Hazard Severity Zone (VHFHSZ). The Project site is located in a Local Responsibility Area (LRA) which means that the City is responsible for wildfire protection.<sup>19</sup> Therefore, the Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, and no impact would occur.

### **Cumulative Impacts**

As described above, the potential impacts to hazards and hazardous materials from Project implementation would be minimal and site-specific. The minimal impacts would be less than significant and would not significantly contribute to a cumulative impact to hazards and hazardous materials to the surrounding area. Implementation of the Project would not result in the incremental effects to hazards and hazardous materials that could be compounded or increased when considered together with similar effects from other past, present, and reasonably foreseeable probable future projects. As such, the Project would not result in cumulatively considerable impacts to or from hazards and hazardous materials.

---

<sup>19</sup> CAL FIRE. (n.d). *FHSZ Viewer*. Available at: <https://egis.fire.ca.gov/FHSZ/> (accessed March 2024).

## HYDROLOGY AND WATER QUALITY

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>10. HYDROLOGY AND WATER QUALITY. Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site?			X	
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			X	
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
iv) Impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

A Preliminary Hydrology Report (**Appendix H**) and Preliminary Water Quality Management Plan (WQMP) (**Appendix I**) was prepared by Kimley-Horn and Associates, Inc., in October 2023.

- a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

**Less Than Significant Impact.** The Project site development would include landscaping, concrete hardscape, and asphalt paving. The Project has prepared a WQMP as part of the City and NPDES Areawide Stormwater Program requirements that analyzed Project impacts to existing drainage patterns and hydrology. Where necessary, the WQMP has identified structural and non-structural BMPs to minimize impacts to water quality. To meet water quality requirements and mitigate peak flows of stormwater runoff, the Project would construct an underground infiltration system, and implement associated BMPs to serve as further pollution prevention. Structural and non-structural source BMPs for landscaping have also been identified to serve as pollution control for associated contaminants. By adhering to the WQMP required by the City and NPDES Areawide Stormwater Program, the Project would not violate any water quality standards or waste discharge requirements or substantially degrade surface or groundwater quality, and a less than significant impact would occur.

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

**Less Than Significant Impact.** Groundwater was not encountered during the geotechnical field investigation conducted as part of the Geotechnical Engineering Report (**Appendix G**). Additionally, as described in the **Utilities and Service Systems** section, the Project's water demand would not substantially decrease existing water supplies. As such, the Project would not decrease groundwater supplies or interfere with groundwater recharge such that the Project would impede sustainable groundwater management of the basin, and a less than significant impact would occur.

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

- i) *Result in substantial erosion or siltation on- or off-site?*

**Less Than Significant Impact.** The site has no predominant drainage pattern and the Project's proposed drainage patterns would mimic any existing patterns. As stated in the **Geology and Soils** section, the Project would adhere to the County's SWPPP, which includes but is not limited to erosion-control and sediment-control BMPs. Erosion-control BMPs are designed to prevent erosion, whereas sediment controls are designed to trap sediment once it has been mobilized. Additionally, landscaping would be incorporated into site design to minimize impervious areas. Therefore, the Project would not alter the existing drainage pattern that would result in substantial erosion or siltation and a less than significant impact would occur.

- ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?*
- iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

iv) *Impede or redirect flood flows?*

**Less Than Significant Impact.** Impact thresholds ii, iii, and iv are addressed here, collectively. No portion of the site is located within the special flood hazard area inundated by the 100-year flood. The Project site is located in a Zone X per the Federal Emergency Management Administration (FEMA) Flood Insurance Rate Map (FIRM) No. 06071C5815H, as of 8/28/2008. The Flood Zone X type for the Project site is considered an Area of Minimal Flood Hazard.

Implementation of the WQMP would include the installation of an underground infiltration system to mitigate peak flows of stormwater runoff. The volume of storage provided in the underground infiltration system along with the size of the outlet would restrict peak flows to levels equal to or less than the existing condition. Considering the unlikelihood of flooding in the Project site and the intended use of the infiltration system to reduce stormwater flows, on-site flooding would not occur nor redirect flood flows. Additionally, the Project would retain natural infiltration and minimize impervious areas to the maximum extent possible through the use of landscaped areas. Associated landscaping BMPs would also be implemented to control the level of polluted runoff.

The Project would not create or contribute runoff water that would exceed capacity of existing or planned stormwater drainage systems, nor would the Project alter existing drainage patterns that would substantially increase the rate or amount of surface runoff which would result in flooding or impede or redirect flood flows. As such, there would be a less than significant impact.

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

**No Impact.** The Project site is located in the Mojave Desert, approximately 71 miles from the Pacific Ocean, where there is no potential for the Project site to be impacted by a tsunami. The Project site is also not subject to flooding hazards associated with a seiche because the nearest large body of surface water likely to be affected by a seiche is Silverwood Lake approximately 15.3 miles to the south. At this distance, the Project would be unaffected. Furthermore, the Project site is not mapped in a dam inundation area.<sup>20</sup> As such, the impacts to the Project site associated with release of pollutants due to inundation would not occur. Therefore, there would be no impact.

e) *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

**No Impact.** As previously stated, the Project would implement a WQMP that has incorporated structural and non-structural BMPs to mitigate impacts to water quality. Additionally, the Project would require potable water, that would be supplied by the Victorville Water District (VWD). Groundwater resources would not be used to supplement water demand. As such, the Project would not conflict with a water quality control plan or sustainable groundwater management plan, and there would be no impact.

<sup>20</sup> California Department of Water Resources (CDWR) Division of Safety of Dams (DSOD). 2015. *Dam Breach Inundation Map Web Publisher*. Available at: [https://fmds.water.ca.gov/webgis/?appid=dam\\_prototype\\_v2](https://fmds.water.ca.gov/webgis/?appid=dam_prototype_v2) (accessed March 2024).



### **Cumulative Impacts**

The potential impacts related to hydrology and water quality are generally site-specific. The proposed Project would take the required steps to reduce hydrological and water quality impacts as analyzed above, which determined that the Project would not result in significant impacts. As such, the Project would not contribute to a cumulatively significant impact when considering all other potential projects in the City and general area.

## LAND USE AND PLANNING

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>11. LAND USE AND PLANNING. Would the project:</b>				
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X

a) *Physically divide an established community?*

**No Impact.** The Project site is currently vacant and undeveloped and covered with sparse vegetation. The adjacent land uses surrounding the Project site are predominately commercial and retail, with some vacant areas, as described in above in **Section 2.1 Description of Proposed Project**. The Project site is designated Commercial and is zoned C-2T. The Project proposes the development of a 2,899 sq. ft. restaurant with an outdoor patio, drive-thru, and parking. The proposed development and land use is consistent with existing surrounding land uses and would not divide an established community.

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

**No Impact.** The Project has a land use designation of Commercial and is within the C-2T, which allows for the development of the proposed Project. As such, the Project is consistent with existing zoning and planned uses as outlined in the City’s GP and MC. Therefore, development of the Project would not conflict with the City’s land use plan, policy, or regulation and there would be no impact.

### Cumulative Impacts

Implementation of the Project would not create a significant impact to the surrounding region since the proposed Project components would be consistent with current land use and zoning designations. As a result, no cumulative impacts related to land use and planning would occur.

## MINERAL RESOURCES

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>12. MINERAL RESOURCES. Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

### Mineral Resources Existing Conditions

A mineral resource is any naturally occurring rock material with commercial value. The most valuable resource in the area would be sand and gravel depositions extending northward from the San Gabriel Mountains. The General Plan does not contain policies that conflict with the recovery of future mineral resources. Therefore, significant mineral resource deposits would be protected if discovered in the foreseeable future.

a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

**No Impact.** The Project site is located in a mineral resource zone, MRZ-3a, which may contain significant aggregate deposits.<sup>21</sup> However, the Data Basin Map for California Mineral Resources does not designate the Project site as containing mineral resources.<sup>22</sup> As such, the Project would not result in the loss of availability of a known mineral resource, and no impact would occur.

b) *Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

**No Impact.** The Victorville GP does not designate any mineral resource recovery sites. The General Plan Land Use Map permits mining of mineral resources in areas designated for Heavy Industrial. However, the Project site is not located in an area designated for Heavy Industrial.<sup>23</sup> As such, the Project would not result in the loss of availability of a locally-important mineral resource recovery site, and no impact would occur.

<sup>21</sup> City of Victorville. 2008. *Draft Program Environmental Impact Report: 5.10 Mineral Resources*. Available at: [https://www.sbcounty.gov/uploads/lafco/proposals/3082/3082\\_edc\\_draft\\_eir.pdf](https://www.sbcounty.gov/uploads/lafco/proposals/3082/3082_edc_draft_eir.pdf) (accessed March 2024).

<sup>22</sup> Conservation Biology Institute. 2023. *Data Basin: California Mineral Resources*. Available at: <https://databasin.org/maps/new/#datasets=f2985196ca6b45cf8f2ad604beb95b34> (accessed March 2024).

<sup>23</sup> City of Victorville. 2008. *Draft Program Environmental Impact Report: 5.10 Mineral Resources*. Available at: [https://www.sbcounty.gov/uploads/lafco/proposals/3082/3082\\_edc\\_draft\\_eir.pdf](https://www.sbcounty.gov/uploads/lafco/proposals/3082/3082_edc_draft_eir.pdf) (accessed March 2024).



**Cumulative Impacts**

There would be no significant Project-specific impacts to mineral resources and would therefore not result in cumulative impacts related to mineral resources.

## NOISE

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>13. NOISE. Would the project result in:</b>				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

A Technical Noise Memorandum (Noise Memo) was conducted for the Project by Kimley-Horn and Associates, Inc. on May 24, 2024 (**Appendix J**). The Noise Memo was conducted to identify the noise and vibration impacts associated with construction and operation of the Project. The analysis herein is based on the results and conclusions identified in the Noise Memo.

- a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

**Less than Significant Impact.** Noise associated with Project implementation includes noises associated with construction activities such as site preparation, grading, building construction, paving, and architectural coating applications. Typical operating cycles of associated construction equipment may involve 1 or 2 minutes of full power operation followed by 3 to 4 minutes at lower power settings. Other primary sources of acoustical disturbance would be random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. The site preparation and grading phases of construction tend to be the shortest in duration and create the highest construction noise levels due to the operation of heavy equipment required to complete the associated activities.

As shown in **Table 4.13-1: Project Construction Noise Levels**, construction noise levels would range between 54.3 dBA  $L_{eq}$  and 67.9 dBA  $L_{eq}$  at the nearest residential uses to the north, and between

66.5 dBA  $L_{eq}$  and 80.1  $L_{eq}$  at the commercial (gas station) use to the east of the Project site and would not exceed the FTA’s construction noise thresholds for residential or commercial uses. Additionally, compliance with the City’s Municipal Code Section 9.04.150 would minimize potential impacts from construction noise, as construction would be limited to the hours between 7:00 a.m. and 6:00 p.m. The City’s permitted hours of construction are required in recognition that construction activities undertaken during daytime hours are a typical part of living in an urban environment and do not cause a significant impact. Since such construction noise levels would not exceed any applicable standards and would be required to comply with the City’s allowable construction hours, construction noise impacts would be less than significant.

**Table 4.13-1: Project Construction Noise Levels**

Construction Phase	Receptor Location			Worst Case Modeled Exterior Noise Level (dBA $L_{eq}$ )	Noise Threshold (dBA $L_{eq}$ )	Exceeded?
	Land Use	Direction	Distance (feet) <sup>1</sup>			
Site Preparation	Residential	North	470	64.1	80	No
	Commercial	East	115	76.3	85	No
Grading	Residential	North	470	65.1	80	No
	Commercial	East	115	77.3	85	No
Building Construction	Residential	North	470	64.4	80	No
	Commercial	East	115	76.6	85	No
Paving	Residential	North	470	67.9	80	No
	Commercial	East	115	80.1	85	No
Architectural Coating	Residential	North	470	54.3	80	No
	Commercial	East	115	66.5	85	No

Notes:  
 1. In accordance with methodology from the FTA Noise and Vibration Manual, the equipment distance is assumed at the center of the Project site.  
 2. Threshold from the FTA Transit Noise and Vibration Impact Assessment Manual, September 2018.  
 Source: Federal Highway Administration, Roadway Construction Noise Model, 2006.

On-site operational noise sources include those associated with drive-thru operations (i.e., sound from the ordering intercom and vehicles idling/queuing in the drive-thru lanes), parking lot noise, outdoor dining, mechanical equipment and truck deliveries. Exterior noise levels associated with drive-thru operations, parking lot noise, outdoor dining, and mechanical equipment were calculated using SoundPLAN software to simulate noise situations and provide conservative estimates of the simultaneous operation of all on-site noise sources associated with the Project’s operations.<sup>24</sup> As shown in **Table 4.13-2: Project Operational Noise Levels**, Project operation-generated noise levels would range from approximately 31.3 dBA  $L_{eq}$  to 41.6 dBA  $L_{eq}$  at the nearest residential uses, and between 36.7 dBA  $L_{eq}$  and 58.8 dBA  $L_{eq}$  at the nearest commercial uses and would not exceed the City’s daytime or nighttime noise standards.

<sup>24</sup> Kimley-Horn and Associates, Inc. 2024. *Noise Memorandum*. **Appendix XX**.



**Table 4.13-2: Project Operational Noise Levels**

Receptor No.	Land Use	Modeled Noise Level (dBA Leq)	Daytime Noise Standard (dBA)	Exceeds Standard?	Nighttime Noise Standard (dBA)	Exceeds Standard?
1	Residential	36.0	65	No	55	No
2	Residential	38.7	65	No	55	No
3	Residential	39.7	65	No	55	No
4	Residential	40.4	65	No	55	No
5	Residential	41.1	65	No	55	No
6	Residential	41.5	65	No	55	No
7	Residential	41.6	65	No	55	No
8	Residential	41.2	65	No	55	No
9	Residential	32.0	65	No	55	No
10	Residential	31.9	65	No	55	No
11	Residential	32.3	65	No	55	No
12	Residential	31.3	65	No	55	No
13	Residential	33.0	65	No	55	No
14	Commercial	56.0	70	No	70	No
15	Commercial	57.8	70	No	70	No
16	Commercial	58.7	70	No	70	No
17	Commercial	58.8	70	No	70	No
18	Commercial	57.4	70	No	70	No
19	Commercial	57.2	70	No	70	No
20	Commercial	56.0	70	No	70	No
21	Commercial	47.1	70	No	70	No
22	Commercial	51.1	70	No	70	No
23	Commercial	51.8	70	No	70	No
24	Commercial	45.6	70	No	70	No
25	Commercial	36.7	70	No	70	No
26	Commercial	38.0	70	No	70	No
27	Commercial	41.8	70	No	70	No
28	Commercial	40.0	70	No	70	No

Notes:

1. Receptor locations are provided in Appendix A of the Noise Memo (**Appendix J**)

Source: Federal Highway Administration, Roadway Construction Noise Model, 2006.

Additionally, the Project would include infrequent truck deliveries to the restaurant for goods replenishment. Medium and heavy-duty trucks reversing into the on-site loading area would produce noise from back-up alarms (also known as back-up beepers). Back-up beepers produce typical volume of 97 dBA at one meter from the source.<sup>25</sup> The nearest sensitive receptors (multi-family residences) would be located as close as approximately 460 feet north of truck delivery activities. Truck delivery noise was also modeled in Sound Plan, and the results are provided in **Table 4.13-3: Truck Delivery Noise Levels**. Truck delivery noise was not included in the combined noise modeling and analysis as depicted in **Table 4.13-2: Project Operational Noise Levels**, because truck deliveries would be infrequent and would generally not occur during the restaurant’s operational hours (9:00 a.m. to 3:30 a.m.). As shown in **Table 4.13-3**, truck delivery noise levels would range from approximately 38.4 dBA Leq to 54.4 dBA Leq at the nearest residential

<sup>25</sup> Environmental Health Perspectives, *Vehicle Motion Alarms: Necessity, Noise Pollution, or Both?* <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3018517/>, (accessed April 2024).



uses, and between 44.5 dBA  $L_{eq}$  and 66.3 dBA  $L_{eq}$  at the nearest commercial uses and would not exceed the City’s daytime or nighttime noise standards. It is also noted that on-site truck movements and the use of backup beepers would be short in duration (ranging from approximately 30 seconds to one minute), and thus, the exposure of temporary noise levels at the nearest sensitive receptors would be limited. As such, truck delivery noise levels from the Project would be less than significant.

**Table 4.13-3: Truck Delivery Noise Levels**

Receptor No.	Land Use	Modeled Noise Level (dBA $L_{eq}$ )	Daytime Noise Standard (dBA)	Exceeds Standard?	Nighttime Noise Standard (dBA)	Exceeds Standard?
1	Residential	44.2	65	No	55	No
2	Residential	49.0	65	No	55	No
3	Residential	52.1	65	No	55	No
4	Residential	53.1	65	No	55	No
5	Residential	53.9	65	No	55	No
6	Residential	54.4	65	No	55	No
7	Residential	52.7	65	No	55	No
8	Residential	52.0	65	No	55	No
9	Residential	43.4	65	No	55	No
10	Residential	42.8	65	No	55	No
11	Residential	40.0	65	No	55	No
12	Residential	38.4	65	No	55	No
13	Residential	44.4	65	No	55	No
14	Commercial	44.5	70	No	70	No
15	Commercial	52.9	70	No	70	No
16	Commercial	62.8	70	No	70	No
17	Commercial	66.3	70	No	70	No
18	Commercial	64.3	70	No	70	No
19	Commercial	63.0	70	No	70	No
20	Commercial	61.2	70	No	70	No
21	Commercial	57.9	70	No	70	No
22	Commercial	44.9	70	No	70	No
23	Commercial	50.5	70	No	70	No
24	Commercial	53.1	70	No	70	No
25	Commercial	45.6	70	No	70	No
26	Commercial	46.7	70	No	70	No
27	Commercial	52.9	70	No	70	No
28	Commercial	50.8	70	No	70	No
Notes:						
1. Receptor locations are provided in Appendix A of Noise Memo ( <b>Appendix J</b> )						
Source: SoundPLAN version 5.1.						

Lastly, the Project would generate long-term off-site traffic noise generated by an increase in vehicle trips to the Project site. In general, a 3-dBA increase in traffic noise is barely perceptible to people, while a 5-dBA increase is readily noticeable. Traffic volumes on Project area roadways would have to approximately double for the resulting traffic noise levels to generate a 3-dBA

increase.<sup>26</sup> According to the Traffic Study conducted for the Project by Kimley-Horn and Associates, Inc. (2024), the proposed restaurant would result in approximately 982 net new daily vehicle trips which is not enough to double the existing traffic volumes on Roy Rogers Drive (11,287 average daily traffic [ADT]) or Civic Drive (2,251 ADT).<sup>27</sup> Therefore, the Project would not generate enough traffic to result in a noticeable 3-dBA increase in ambient noise levels, and a less than significant impact would occur in this regard.

Overall, the Project would not generate significant noise levels during construction or operations which would exceed noise standards set forth in the City’s General Plan Noise Element, City’s Municipal Code, and FTA thresholds. Additionally, there would be no significant increase in traffic noise associated with an increase in vehicle trips as a result of Project operations. Therefore, compliance with all associated standards and regulations would ensure that the Project would not significantly exceed ambient noise levels and a less than significant impact would occur.

b) *Generation of excessive groundborne vibration or groundborne noise levels?*

**Less than Significant Impact.** Increases in groundborne vibration levels attributable to the Project would be primarily associated with short-term construction-related activities. Project construction would have the potential to result in varying degrees of temporary groundborne vibration, depending on the specific construction equipment used and the operations involved. Additionally, groundborne vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increase in distances. As shown in **Table 4.13-4: Typical Construction Equipment Vibration Levels**, vibration velocities from typical heavy construction equipment operations that would be used during Project construction range from 0.003 to 0.089 in/sec PPV at 25 feet and from 0.007 to 0.192 in/sec PPV at 15 feet from source activity. At 15 feet (the closest distance to off-site structures that heavy construction equipment would be used during Project construction) the vibration velocities from construction equipment would reach approximately 0.192 in/sec PPV, which is below the FTA’s 0.20 in/sec PPV threshold for building damage and Caltrans’ 0.4 in/sec PPV threshold for human annoyance. As indicated above, the use of heavy construction equipment would occur no closer than 15 feet from the nearest off-site buildings for build-up construction and would not create construction vibration impacts. Once operational, the Project would not include vibration-generating uses or operations. Therefore, vibration impacts associated with the Project would be less than significant.

**Table 4.13-4: Typical Construction Equipment Vibration Levels**

Equipment	Peak Particle Velocity at 25 Feet (in/sec)	Peak Particle Velocity at 15 Feet (in/sec)
Large Bulldozer	0.089	0.192
Caisson Drilling	0.089	0.192
Loaded Trucks	0.076	0.164
Rock Breaker	0.059	0.127

<sup>26</sup> According to the California Department of Transportation, *Technical Noise Supplement to Traffic Noise Analysis Protocol* (September 2013), it takes a doubling of traffic to create a noticeable (i.e., 3 dBA) noise increase.

<sup>27</sup> Replica HQ, *Victorville, CA Annual Average Daily Traffic (AADT)*, <https://studio.replicahq.com/data/downloads/aadt>, (accessed April 2024).

Equipment	Peak Particle Velocity at 25 Feet (in/sec)	Peak Particle Velocity at 15 Feet (in/sec)
Jackhammer	0.035	0.008
Small Bulldozer/Tractors	0.003	0.007
Notes: 1. Calculated using the following formula: $PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$ , where: $PPV_{equip}$ = the peak particle velocity in in/sec of the equipment adjusted for the distance; $PPV_{ref}$ = the reference vibration level in in/sec from Table 7-4 of the Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, 2018; D = the distance from the equipment to the receiver.		
Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, 2018		

c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

**No Impact.** The Project site is not located within an airport land use plan nor is it located within two miles of a private or public airport, or within the vicinity of a private airstrip. The Project is consistent with the City’s land use designation and zoning. The closest airports are the Adelanto Airport-52CL and the Southern Logistics Airport approximately 7.9 miles and 5.25 miles north of to the Project site, respectively. Due to the distance away from the airports, the Project would not contribute to excessive noise, and no impact would occur.

**Cumulative Impacts**

Based on the analysis above, the Project’s potential short-term and long-term impacts to noise would be less than significant, and no mitigation would be necessary. The Project is not anticipated to generate significant noise or groundborne vibration that would exceed applicable noise standards and regulations as identified in the City’s General Plan, the City’s Municipal Code, or other applicable guidelines. The potential noise impacts associated with Project implementation are consistent with the noises associated with the adjacent land uses in the developed urban area surrounding the Project site. As such, the Project would not contribute to significance increases in noise or vibrations to the surrounding area and associated land uses, and the Project would not have a considerably cumulative impact to noise in this regard.

## POPULATION AND HOUSING

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>14. POPULATION AND HOUSING. Would the project:</b>				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

### Demographic Setting

According to the California Department of Finance (DOF), the City’s total population as of January 1, 2023, was estimated to be 137,193 and the total estimated housing units was 40,473, with an average household size of 3.4.<sup>28</sup> According to the Southern California Association of Governments (SCAG) RTP/SCS, by 2045, the City’s population is forecasted to increase to 194,500 and the number of households is forecasted to increase to 61,800. This equates to an approximate 42 percent increase in population growth and an approximate 53 percent increase in households by 2045. The United States Census Bureau (USCB) has provided the employment estimates for the City through the 2022 American Community Survey 5-Year Estimates Data Profile. The City was estimated to contain a total civilian labor force population of 54,855 people, of which 49,019 were employed. When compared to the 2023 total housing units of 40,473, this leads to a jobs-to-housing ratio of 1.21:1. This means that in 2022, there were 1.19 jobs for every housing unit in the City. A jobs-to-housing ratio greater than one implies there is suitable housing available in the area to accommodate the workforce.

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

**No Impact.** The Project does not propose new homes, roads, or infrastructure that would substantially induce unplanned population growth in the area. The Project development includes general commercial land uses, which would result in jobs for residents in the surrounding area but would not directly generate additional housing.

Construction related jobs associated with Project development would be temporary and would not result in a significant population increase. Additionally, future operations would include

<sup>28</sup> California Department of Finance. 2023. *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023*. <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/> (accessed March 2024).

employment of new workers, and it is assumed that the surrounding unemployed population would fill prospective employment opportunities. As such, the Project would not induce substantial unplanned population growth in the area, and no impact would occur.

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

**No Impact.** The Project site is currently previously disturbed, vacant land. While the Project would generate temporary construction employment and long-term employment during operations, these changes would not displace substantial numbers of existing people or housing because the Project site does not include any residences or support a residential population. As a result, there would be no impacts related to the displacement of substantial numbers of existing people or housing.

### **Cumulative Impacts**

The Project was determined to not have significant impacts on substantial and unplanned population growth or the displacement of existing people or housing and would therefore not result in cumulative impacts related to population and housing.

## PUBLIC SERVICES

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>15. PUBLIC SERVICES. Would the project:</b>				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?			X	
ii) Police protection?			X	
iii) Schools?			X	
iv) Parks?			X	
v) Other public facilities?			X	

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

i) *Fire protection?*

**Less than Significant Impact.** The Victorville Fire Department (VFD) provides fire protection and emergency medical response services for the City. The VFD operates a fleet of four Medic Engines, one Medic Truck, and one Medic Squad. VFD Fire Station 311, located at 16200 Desert Knoll Drive, Victorville, CA 92395 and is approximately 0.8 mile to the east of the Project site. Fire Station 311 is the closest to the Project site and would provide primary fire protection services to the Project site. Secondary fire protection services would be provided by VFD Fire Station 312, located at 15182 El Evado Road and is approximately 1.3 miles to the northwest of the Project site.

The Project's land uses, fire-protection related needs, and the Project site recommended response distance, and project design features are taken into consideration when evaluating the Project's impact to fire protection services. The VFD Fire Prevention Division currently reviews all new development plans, and future development is required to conform with the Victorville Fire

Prevention Standards, pursuant to 2022 California Fire Code (CFC), CBC, and Victorville MC, Title 16, also referred to as the Development Code's Building and Fire Regulations.<sup>29, 30</sup> Fire prevention standards include, but are not limited to support fire suppression activities such as fire sprinklers, paved access, and required aisle widths, emergency access, and setbacks. Additionally, the Project would comply with the most current provisions of the Fire Prevention Permit Fees, which requires a fee payment that the City applies to the funding of fire protection facilities. Mandatory compliance with the Fire Fee Schedule and plan review would be required prior to the issuance of a building and construction permits. The Project would also be subject to development impact fees to fund fire protection services. The City's Master Fee Schedule, effective January 1, 2023, currently has a development impact fee for fire protection services of \$483.13 per 1,000 sq. ft. of retail/service commercial development.<sup>31</sup>

Based on the Project site's proximity to two existing fire stations, compliance with applicable regulations and design standards, and payment of fees, the Project would be adequately served by fire protection services, and no new or expanded unplanned facilities would be required. Furthermore, the Project would not adversely affect service ratios, response times, or other performance objectives. Lastly, since no fire protection facilities exist on the Project site, development of the Project would not conflict with existing fire structures or require modification of fire protection facilities. Overall, Project implementation would result in a less than significant impact to fire protection services.

ii) *Police protection?*

**Less than Significant Impact.** Police protection services for the City and Project site would be provided by the San Bernardino County Sheriff's Department. Operations take place out of the Victorville Police Headquarters located at 14200 Amargosa Road. The Victorville Police Department (VPD) is responsible for providing public safety services to a geographical area of over 74 square miles and to a population of approximately 135,000 residents.

The Project would be designed to incorporate the Crime Prevention Through Environmental Design (CPTED) strategies, which is a planning tool that focuses on proper design and use of the built environment to deter and prevent crime, in this case for businesses. The VPD would be provided the opportunity to review the Project's design to ensure the Project's compliance with all feasible CPTED strategies which includes, but is not limited to, the strategic use of nighttime security lighting, avoidance of landscaping and fencing that limit sightlines, and use of a single, clearly identifiable point of entry.

Funding for the operation and maintenance of existing services comes from the City's General Fund and development impact fees. Accordingly, the Project Applicant would pay development impact

<sup>29</sup> City of Victorville. (2022). *Fire Prevention Standards*. Available at: <https://www.victorvilleca.gov/home/showpublisheddocument/12930/638096586994170000> (March 2024).

<sup>30</sup> City of Victorville. (2024). *Municipal Code Title 16, Development Code*. Available at: [https://library.municode.com/ca/victorville/codes/code\\_of\\_ordinances?nodeId=TIT16DECO\\_CH5BUFIRE](https://library.municode.com/ca/victorville/codes/code_of_ordinances?nodeId=TIT16DECO_CH5BUFIRE) (accessed March 2024).

<sup>31</sup> City of Victorville. 2022. *Master Fee Schedule*. Available at: <https://www.victorvilleca.gov/home/showdocument?id=10095&t=637889171522542894> (accessed March 2024).

fees that are imposed on new developments to fund police protection services. The City's Master Fee Schedule currently has a development impact fee of \$104.50 per 1,000 sf of retail/service commercial development.<sup>32</sup> The Project site would be adequately served by existing VPD facilities, equipment, and personnel such that new facilities would not be required. Because the Project site is not residential, although some calls for service are anticipated, the increase for police services would not be significantly impacted due to construction and operation of the commercial development. Additionally, development of the site would increase property tax revenues to provide a source of funding to offset any increases in demands for police protection services progenerated by the Project. Overall, impacts would be less than significant.

iii) *Schools?*

**Less than Significant Impact.** The Project site is within the boundaries of the Victor Valley Union High School District and Victor Elementary School District. As previously mentioned, the closest school to the Project site is Hook Junior High School, located approximately 3,223 feet (0.6 mile) to the east. Other nearby schools include Victor Valley High School and Village STEAM School.

The Project would not create a direct demand for public school services, as the subject property would contain non-residential uses that would not generate any school-aged children requiring public education. The Project would not draw a substantial number of new residents to the districts and therefore, would not indirectly generate school-aged students requiring public education. Since the Project would not directly generate students and would not indirectly draw students to the area, the Project would not cause or contribute to a need to construct new or physically altered public school facilities. Although the Project would not create a direct demand for additional public school services, the Project Applicant would be required to contribute development impacts fees to the Victor Valley Union High School District and Victor Elementary School District in compliance with Senate Bill 50 (Greene Act), which authorizes school districts to impose fees against certain development projects to fund the construction or reconstruction of school facilities. Mandatory payment of school fees would be required prior to the issuance of building permits and payment of school fees constitutes complete mitigation under CEQA. School fees listed below represent currently approved rates. Actual fees are subject to change by the school districts as determined to be necessary or appropriate. Final fees would be determined at time of payment.

Developer fees for commercial development located within the Victor Valley Union High School District (within Victorville) is currently \$0.349 per square foot.<sup>33</sup>

Developer fees for commercial development located in the Victor Elementary School District is currently \$0.39 per square foot.<sup>34</sup>

---

<sup>32</sup> Ibid.

<sup>33</sup> Victor Valley Union High School District. (2023). *Developer Fee Schedule*. Retrieved from: <https://www.vvuhd.org/departments/business-services-division/developer-fee-schedule> (accessed March 2024).

<sup>34</sup> Victor Elementary School District. (2023). *Developer Fee Schedule*. Retrieved from: [https://cdnsm5-ss12.sharpschool.com/UserFiles/Servers/Server\\_440558/File/VESD%20UPDATED%20Developer%20Fees%20effective%202023.pdf](https://cdnsm5-ss12.sharpschool.com/UserFiles/Servers/Server_440558/File/VESD%20UPDATED%20Developer%20Fees%20effective%202023.pdf) (accessed March 2024).

Overall, Project implementation would not result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives. Additionally, no school facilities exist on the Project site and development of the Project would not conflict with existing school structures or require modification of school facilities. Compliance with applicable local and state regulations would ensure that Project implementation would result in a less than significant impact to school services.

*iv) Parks?*

**Less than Significant Impact.** The closest parks to the Project site are Hook Park and Brentwood Park. The Project, however, would not create a direct demand for park facilities, as the subject property would contain non-residential uses that would not generate population growth requiring park facilities. The Project proposes a Raising Cane's commercial property that would not directly generate population that would increase the use of these parks or any existing neighborhood or regional parks or other recreational facility. Since, the Project would not directly generate population growth and would not indirectly introduce parkgoers to the area, the Project would not cause or contribute to a need to construct new or physically alter park facilities.

Overall, Project implementation would not result in substantial adverse physical impacts associated with the provision of new or physically altered park facilities, need for new or physically altered park facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives. Because no park facilities exist on the Project site, the Project would not conflict with existing park structures or require modification of park facilities. Therefore, Project implementation would result in a less than significant impact to park facilities.

*v) Other public facilities?*

**Less than Significant Impact.** Other public facilities located in the greater Project area include the San Bernardino County Law Library, Victorville City Library, and the Hook Community Center. The Project, however, would not create a direct demand for other public facilities, as the subject property would contain non-residential uses that would not generate population growth requiring other public facilities. The Project proposes a Raising Cane's commercial property that would not directly generate population that would increase the use of these other public facilities. Since, the Project would not directly generate population growth and would not indirectly introduce parkgoers to the area, the Project would not cause or contribute to a need to construct new or physically alter other public facilities. Additionally, the Project would be subject to development impact fees to fund public buildings. The associated fee would be \$429.42 per 1,000 sf of retail/service commercial development.<sup>35</sup> Therefore, impacts would be less than significant, and no mitigation is necessary.

---

<sup>35</sup> City of Victorville. 2022. *Master Fee Schedule*. Available at: <https://www.victorvilleca.gov/home/showdocument?id=10095&t=637889171522542894> (accessed March 2024).



### **Cumulative Impacts**

The Project would not substantially increase the need for public services in the City. The Project would not result in an overall net increase in City population. Anticipated increase demands for public services within the City was accounted for in the Victorville GP and analyzed in the Victorville GP Update EIR, which accounts for cumulative growth in the City. Similar to the Project, all cumulative development in the City is required to pay Development Impact Fees which would be appropriately allocated for fire, police, schools, parks, and other public facilities. Therefore, the Project would not result in a cumulative impact concerning public services.

## RECREATION

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>16. RECREATION.</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

**No Impact (a and b).** As previously discussed in Threshold iv) of the **Public Services** section, the Project would not increase the use of existing neighborhood or regional parks or other recreational facilities since the Project does not propose residential uses, nor would it generate substantial population growth that would result in the accelerated substantial physical deterioration of a park or recreational facility. In addition, the Project does not propose recreational facilities, nor would it entail the expansion of an existing recreational facility. As such, no impact would occur.

### Cumulative Impacts

The Project would not result in an increased use of recreational facilities or require construction or expansion of existing recreational facilities. Therefore, no cumulative impacts on recreational facilities would result from Project implementation.

## TRANSPORTATION

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>17. TRANSPORTATION. Would the project:</b>				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

A Traffic Study was prepared by Kimley-Horn and Associates, Inc. in April 2024 and is used as the basis for the determination of significant impacts for this document. The study is available as **Appendix K**.

- a) *Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

**Less than Significant Impact.** The Project site is located in a developed area with adjacent commercial uses. The Project proposes a restaurant with an outdoor patio, drive-thru, and parking. The Project’s proposed development and land use are consistent with the City’s General Plan and zoning designations for the Project site. The Project does not propose any development that would conflict with the existing circulation system, bicycle, mass transit, or pedestrian facilities. Additionally, the Project would be required to comply with any applicable traffic and circulation regulation set forth by the City. As such, a less than significant impact would occur.

- b) *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

**Less than Significant Impact.** Senate Bill 743 (SB 743) was approved by California legislature in September 2013. SB 743 requires changes to California Environmental Quality Act (CEQA), specifically directing the Governor’s Office of Planning and Research (OPR) to develop alternative metrics to the use of vehicular “Level of Service” (LOS) for evaluating transportation projects. OPR has prepared a technical advisory (“OPR” Technical Advisory) for evaluating transportation impacts in CEQA and has recommended that Vehicle Miles Traveled (VMT) replace LOS as the primary measure of transportation impacts.

A key element of SB 743 is the elimination of automobile delay and LOS as the sole basis of determining CEQA impacts. The most recent CEQA guidelines, released in December 2018,

recommend VMT as the most appropriate measure of project transportation impacts. However, SB 743 does not prevent a city or county from continuing to analyze delay or LOS as part of other plans (i.e., the general plan), studies, or ongoing network monitoring.

The City of Victorville *Vehicle Miles Traveled Analysis Guidelines* provide details on appropriate screening thresholds that can be used to identify when a proposed land use project is anticipated to result in a less than significant impact without conducting a more detailed level analysis. Based on the City guidelines, a local serving retail use less than 122,000 SF is presumed to have a less than significant VMT impact. The Project proposed the development of a 2,899 SF restaurant. As such, the City may presume the Project to have a less than significant impact.<sup>36</sup>

- c) *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

**Less than Significant Impact.** The Project proposes vehicular access to the Project site via two off-site internal access roads. An internal off-site access road currently exists between the eastern boundary of the Project site and the Chevron gas station and convenience store. The road would be extended around the perimeter of the gas station that would intersect with Civic Drive. The extended internal off-site access road would provide ingress and egress to the eastern portion of the Project site from Roy Rogers Drive and Civic Drive. The second internal access road would be constructed on the western portion of the Project site and would be accessible via Roy Rogers Drive. Both proposed driveways that would provide access to the parking lot would be 26-foot wide, providing optimal space for vehicles traveling both in and out of the Project's parking lot.

The design of both proposed internal access roads do not include geometric design features that would increase hazards on or around the Project site. Additionally, the proposed internal access roads would be complimentary to the existing uses of the Chevron gas station. In fact, the proposed internal access roads would improve the circulation by providing sufficient access for both the existing gas station and Project site. As such, the Project would not create any hazards as a result of geometric design features and a less than significant impact would occur.

- d) *Result in inadequate emergency access?*

**Less than Significant Impact.** As previously mentioned, the proposed internal access roads would provide sufficient access to both the Project site and the existing Chevron gas to the immediate east of the Project site. The driveways that would provide ingress and egress access from both Civic Drive and Roy Rogers Drive would be 26-foot wide. Both driveways that lead into the parking lot would provide both internal and emergency access circulation via the proposed parking lot located at the northern portion of the Project site. As such, the Project's circulation improvements would not result in inadequate emergency access and a less than significant impact would occur.

---

<sup>36</sup> Kimley-Horn and Associates, Inc. 2024. *Traffic Study for the Proposed Raising Cane's Project in the City of Victorville.* (Appendix K).



### **Cumulative Impacts**

The potential impacts related to transportation are generally site-specific. The Project does not propose external circulation improvements that would negatively impact the existing ingress and egress access driveways from Roy Rogers Drive and Civic Drive to the Project site and immediate area. It was determined that potential transportation impacts would be less than significant. As such, the Project would not contribute to a cumulatively significant impact when considering all other potential projects in the City and general area.

## TRIBAL CULTURAL RESOURCES

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>18. TRIBAL CULTURAL RESOURCES. Would the project:</b>				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: i) Listed or eligible for listing in the California				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?		X		
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?		X		

- a) *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: i) Listed or eligible for listing in the California:*
- i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*
  - ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

**Less than Significant Impact with Mitigation.** The City initiated tribal consultation for the Project on April 17, 2024, with interested California tribes consistent with Assembly Bill (AB) 52. The City requested consultation from the following tribes: Twenty-Nine Palms Band of Mission Indians, Cabazon Band of Mission Indians, Morongo Band of Mission Indians, and the Yuhaaviatam of San Manuel Nation (YSMN). The City received a response for consultation from YSMN. The YSMN responded to the City's request for consultation on April 25, 2024, and provided mitigation measures to be included as part of Project implementation. On May 15, 2024, the YSMN contacted the City again with minor updates to the previously provided mitigation measures, which are included as part of both the Tribal Cultural and Cultural Resources sections of this ISMND. The YSMN had no further concerns with the Project and provided no further requests. Following consultation with the YSMN, no other tribes responded to the City's request for consultation; the City has concluded tribal consultation as provided by AB 52. A list of the email correspondence is located in **Appendix L**.

As described in the Cultural Resources section above, no cultural or archaeological resources were identified on the Project site. While no cultural or archaeological resources were identified through record searches and the intensive-level cultural resources field survey, the CRA notes that the region surrounding the Mojave River, which is located approximately 2.3 miles east of the Project site, is considered to have "archaeological sensitivity." Similarly, the YSMN identified that land in which the Project site is located as important Serrano ancestral territory. As such, mitigation measures have been identified to reduce potential impacts to cultural resources that may exist on the Project site and be unearthed during Project construction. In addition to **MM CUL-1** through **MM CUL-4** as described in **Cultural Resources** above, the Project would implement **MM TCR-1** and **MM TCR-2**, as requested by the YSMN. **MM TCR-1** and **TCR-2** ensure that the YSMN is contacted such that cultural resources are unearthed during construction activities so that the cultural resources in question can be further assessed for their tribal cultural significance.

Considering the absence of significant cultural resources on and surrounding the Project site as well as the implementation of **MM CUI-1** through **MM CUL-4**, **MM TCR-1**, and **MM TCR-2**, Project implementation would not cause a substantial adverse change to the significance of a tribal cultural resource and impacts would be less than significant.

### **Mitigation Measures**

**MM TCR-1:** The Yuhaaviatam of San Manuel Nation Cultural Resources Department shall be contacted, as detailed in MM CUL-1, of any pre-contact cultural resources discovered during Project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resources Monitoring Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the Project, should the YSMN elect to place a monitor on-site.



**MM TCR-2:** Any and all archaeological/cultural documents created as a part of the Project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the Project.

### **Cumulative Impacts**

Tribal cultural impacts associated with development projects are generally site-specific. The potential impacts for the Project to have on existing tribal cultural resources was determined to be less than significant. If tribal cultural resources are encountered during Project implementation, the appropriate mitigation measures would be implemented to reduce impacts to less than significant levels. Considering the Project would not contribute to significant impacts to tribal cultural resources on-site and that tribal cultural impacts are typically site-specific, the Project would not have considerably cumulatively impacts to tribal cultural resources.

## UTILITIES AND SERVICE SYSTEMS

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>19. UTILITIES AND SERVICE SYSTEMS. Would the project:</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

**Less than Significant Impact.** The Project site is undeveloped and vacant. Surrounding development to the south beyond Roy Rogers Drive, and the existing gas station and convenience store abutting the Project site to the east are served by existing utilities, including electricity, natural gas, wet and dry utilities.

The following utilities necessary for the Project site to operate and the associated service providers are:

- Electricity – South California Edison (SCE)

- Water – Victorville Water District (VWD)
- Sewer – City of Victorville – Public Works
- Cable/Internet/Telephone – City of Victorville Technology Division
- Gas – Southwest Gas

Existing utilities would be extended and upgraded as needed during construction of Project to serve the anticipated demands and to accommodate operation of the Project. All required improvements and extensions to existing electrical, natural gas, or telecommunications utilities would occur within the existing roadway right-of-way and from the existing property to the east. All impacts are discussed and disclosed as part of this IS/MND, within the various sections of this document. As such, upgrades to existing utilities are already evaluated as part of the overall Project. Therefore, impacts associated with extension of services in these areas and within the site, are less than significant. Services provided by each utility is discussed in additional detail below.

### ***Water***

Potable water to the Project site would be provided by VWD. The Project proposes a lateral connection into the existing water line located along Roy Rogers Drive right-of-way. A proposed domestic water line would extend from the lateral connection into the Project's proposed building. Additionally, a proposed fire water line would be connected into a proposed fire water building to provide adequate fire flow and fire pipeline maintenance to the required fire sprinkler system needed to service the Project site.

Impacts of required water facilities are addressed throughout this IS/MND in the respective IS/MND section(s). Pursuant to Victorville MC Section 17.64.030, the Project's proposed water facilities would be installed below ground and as such the only physical impacts would be associated with temporary impacts during construction. All Project water facilities would be constructed and operated in accordance with applicable guidelines and regulations in the VWD and City and would also follow applicable mitigation measures in each topical area addressed in this IS/MND. Overall, impacts in respect to Project water facilities would be less than significant.

### ***Storm Water and Drainage***

Refer to the **Hydrology and Water Quality** section, regarding existing conditions and Project impacts with respect to storm water and drainage facilities.

### ***Wastewater***

A review of the City's Sewer Master Plan previously used wastewater generation rates for commercial uses of approximately 2,000 gallons per day (GPD) per acre.<sup>37</sup> Based on this value, wastewater generated by the Project would be approximately 3,000 GPD. This represents approximately 0.12 percent of the total daily capacity of the City-operated Southern California Logistics Airport (SCLA) Wastewater Treatment Plant's total capacity of 2.5 million gallon per day

---

<sup>37</sup> City of Victorville. (2016). *Sewer Master Plan – Table 2-3*. Page 2-13. Available at: <https://www.victorvilleca.gov/home/showpublisheddocument/1501/636711600593100000> (March 2024)

(MGD). Therefore, the increase in the daily wastewater generated by the Project site would be minimal and result in a less than significant impact. Improvements to facilitate service to the Project site would consist of tie-ins to the existing wastewater lines. All areas needed for improvement would occur in previously disturbed or areas already proposed to be disturbed (excluding the proposed on-site wastewater system).

Pursuant to Victorville MC Section 17.64.030, the Project's proposed wastewater facilities would be installed below ground and as such the only physical impacts would be associated with temporary impacts during construction. All wastewater facilities would be constructed and operated in accordance with all applicable Victorville MC sewer system design standards and regulations and would also follow applicable mitigation measures in each topical area addressed in this IS/MND. Therefore, impacts related to wastewater would be less than significant.

### ***Electricity***

SCE currently operates electric power in the City through electricity distribution lines both aboveground and buried. Electricity facilities such as powerlines and other system components would be required for the Project. The Project would connect to the existing SCE lines located along the Roy Rogers Drive right-of-way which would enable electrical services to the site.<sup>38</sup> The powerline extension onto the site would be installed underground pursuant to Victorville MC Section 17.64.030. It is anticipated that SCE would adequately provide electrical services since the Project would be consistent with planned commercial uses for the site. Therefore, no additional electrical facilities would be required to service the Project. Impacts concerning electrical services would be less than significant.

### ***Natural Gas***

Southwest Gas provides natural gas services with the City. It is anticipated that natural gas services would be necessary to support future Project operations. Similar to the electrical demands discussed above, it is anticipated that the Project's estimated gas demand of 3,313 therms would not generate a significant increase of natural gas services as the Project would be consistent with planned commercial uses. Natural gas distribution lines would be extended into the Project site, and would be installed underground per the Victorville MC. Therefore, it is not anticipated that new or expanded gas supply facilities would be required to serve the site. Impacts concerning natural gas would be less than significant.

### ***Telecommunications***

Cable, internet, and telephone services would be provided by individual telecommunications companies, such as Frontier Communications, Charter, and others. Similar to the other dry utilities discussed above, telecommunication services would be extended into the Project site. This may involve the extension of services for existing providers and the petition for additional services from additional providers not currently present on the Project site. The new facilities required for the

---

<sup>38</sup> SCE. ND. SCE Power Site Search Tool. Retrieved at: <https://www.arcgis.com/apps/webappviewer/index.html?id=05a84ec9d19f43ac93b451939c330888> (accessed March 2024).

Project would be constructed per the Victorville MC. Therefore, construction of the Project's telecommunication, cable and internet facilities would not create an increased impact on the environment beyond what is addressed for the overall Project, in respective IS/MND sections. As such, a less than significant impact would occur.

- b) *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

**Less than Significant Impact.** As concluded in the Project's Will Serve letter from VMD (**Appendix M**), the VMD is prepared to provide water service to the Project, subject to terms, conditions and reservations which include but are not limited to engineering special conditions and payment of all meter and connection fees.

Additionally, VWD's 2020 Urban Water Management Plan (UWMP), Table 7-1, states that water supplies are sufficient to meet average, single-dry year, and multiple-dry years demands through year 2045.<sup>39</sup> VWD could also purchase water supplies from the Mojave Water Agency (MWA) in the event that adequate water supplies are not available. Since the Project would be consistent with the planned commercial land uses, it is anticipated that the VMD accounted for the water usage for commercial development towards year 2045. Therefore, the Project would represent a nominal percentage of VWD's present and future water supplies for both single- and multiple-dry year scenarios. Based on the incremental increase in demand that would result from implementation of the Project, impacts would be less than significant.

- c) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

**Less than Significant Impact.** Refer to Impact Threshold (a), the Project's wastewater service provider is anticipated to have adequate capacity to treat the projected demand. The Project is anticipated to cause a less than significant impact on services provided by the wastewater service provider.

- d) *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

**Less than Significant Impact.** The Project is anticipated to generate solid waste during the temporary, short-term construction phase, as well as the operational phase, but it is not anticipated to result in inadequate landfill capacity.

Solid waste in the City would be deposited in the Victorville Sanitary Landfill located at 18600 Stoddard Wells Road in the northeastern portion of the City. CalRecycle's Estimated Solid Waste Generation Rates indicates that restaurant (fast food) is estimated to produce 17 pounds of waste

<sup>39</sup> VWD. (2020). 2020 UWMP – Table 7-1 Supply and Demand Comparison, AFY. Available at: <https://www.victorvilleca.gov/home/showpublisheddocument/6679/637607472586500000> (accessed March 2024).

per employee per day.<sup>40</sup> Raising Cane’s restaurants have a total number of employees ranging from 35-50 employees total, across all shifts. Assuming that the proposed employee count for the restaurant would be 50 people would provide a conservative estimate. This equates to approximately 850 pounds of waste per day from the Project. This equates to approximately 0.014 percent of Victorville Landfill’s maximum daily throughput of 3,000 tons per day, resulting in a de minimis contribution to the total throughput. The facilities remaining capacity is approximately 79,400,000 cubic yards. Therefore, the Project’s solid waste disposal needs could be accommodated by the Victorville Sanitary Landfill. Lastly, the solid waste generated by construction and operation of the Project would be collected and handled in compliance with all applicable federal, state, and local statutes and regulations for solid waste, including those identified under CALGreen, Assembly Bill (AB) 939, and Victorville MC Chapter 6.36 Solid Waste Services. The Project would result in less than significant impacts concerning solid waste, and no mitigation is required.

- e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

**Less than Significant Impact.** The Project would comply with all applicable state and local regulations and reduction goals concerning solid waste. The City is required to adhere to AB 341, which requires that at least 75 percent of waste generated from construction activities be diverted to recycling centers and AB 939 which requires the City to divert at least 50 percent of its waste stream away from landfills either through waste reduction, recycling, or other means. The Project would also comply with local measures such as County Code Section 46.0602, which requires the diversion of commercial solid waste to adequate facilities in accordance with state laws. Compliance with all applicable state and local solid waste disposal standards would ensure that the Project’s potential solid waste generation to waste disposal facilities is reduced. Therefore, impacts would be less than significant.

### **Cumulative Impacts**

Cumulative impacts are determined on a project-specific basis. As concluded above, all Project impacts concerning utilities and service systems would be less than significant in consideration of compliance with existing laws, regulations, and standards. Consistent with the Project, all cumulative projects would be subject to the City’s discretionary review process and would comply with existing laws, regulations, and standards, and/or implement mitigation to fully mitigate their contributions concerning utilities and services systems. Therefore, there are no significant cumulative impacts anticipated associated with public utilities and service systems, and the Project’s contribution toward potential future utility and service system impacts in the City is not cumulatively considerable.

---

<sup>40</sup> Cal Recycle. (2019). *Estimated Solid Waste Generation Rates*. Available at: <https://www2.calrecycle.ca.gov/wastecharacterization/general/rates> (accessed March 2024).

## WILDFIRE

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

**No Impact.** According to CAL FIRE’s Fire Hazard Severity Zones (FHSZ) Map for the City, the Project site is not located in or near a SRA nor a VHFHSZ. The Project site is located in a LRA which means that the City is responsible for wildfire protection. As shown in CAL FIRE’s FHSZ Viewer, the closest VHFHZ to the Project site is located more than 14 miles to the southwest near SR-138.<sup>41</sup> Review of Victorville GP, Figure 6 Fire Hazards also concludes that the Project site is not located or near an SRA and the Project site is not within a VHFHSZ.<sup>42</sup> Therefore, no impact associated with the substantial impairment of an adopted emergency response plan due to a wildfire would occur.

b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

**No Impact.** As noted in Threshold (a) above, the Project site is not located in or near an SRA and the Project site does not contain lands classified as VHFHSZs. The Project would not exacerbate

<sup>41</sup> CAL FIRE. (n.d). *FHSZ Viewer*. Available at: <https://egis.fire.ca.gov/FHSZ/> (accessed March 2024).

<sup>42</sup> City of Victorville. (2021). *General Plan Safety Element – Figure 6 Fire Hazards*. Available at: <https://www.victorvilleca.gov/home/showpublisheddocument/13959/638237231632670000> (accessed March 2024).

wildfire risks or expose Project occupants to pollutant concentrations or the uncontrolled spread of a wildfire. Therefore, no impact would occur.

- c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

**No Impact.** As noted in Threshold (a) above, the Project site is not located in or near an SRA and does not contain lands classified as VHFHSZs. The Project would include construction of warehouse facilities, with parking and landscaping included. Construction and operation of the Project would not increase the risk of fire, nor would it require the installation/maintenance of infrastructure that would exacerbate fire risk. Therefore, no impact would occur.

- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

**No Impact.** As noted in Threshold (a) above, the Project site is not located in or near an SRA and does not contain lands classified as VHFHSZs. Because the site is located within an urbanized area, it would not expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. Therefore, no impact would occur.

### Cumulative Impacts

As concluded above, the Project site is not located within an SRA or contains lands classified as VHFHSZ. The Project, in terms of wildfire hazards, would not contribute to an increase in other impacts including pollution, flooding, and emergency access and evacuation. Since the Project would not have any wildfire-related impacts, the Project would not contribute to any potential cumulative impact. Accordingly, the Project would not result in incremental effects to wildfire when considered with other cumulative development and therefore, would not result in any cumulative wildfire-related impacts.

## MANDATORY FINDINGS OF SIGNIFICANCE

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>21. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:</b>				
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a 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)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

a) *Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

**Less than Significant Impact with Mitigation Incorporation.** As discussed throughout this IS/MND, the Project would not substantially degrade the quality of the environment, including habitat for fish and wildlife species, fish and wildlife populations, plant and animal communities, rare and endangered plants and animals, and historical and pre-historical resources. Throughout this IS/MND, where impacts were determined to be potentially significant, mitigation measures have been presented to reduce those impacts to less than significant levels. Specifically, **MM BIO-1** through **MM BIO-5** would be implemented to ensure that such biological resources, such as special status plant and wildlife species as well as migratory and nesting birds, would not be significantly impacted by Project implementation. Accordingly, with incorporation of the appropriate mitigation measures imposed throughout this IS/MND as they pertain to potentially impacted fish, plant, or

wildlife species, populations, or communities – especially those identified as rare or endangered – the Project would not substantially degrade the quality of the environment and a less than significant impact would occur.

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a 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)?*

**Less than Significant Impact.** As discussed throughout this IS/MND, implementation of the Project has the potential to result in effects to the environment that are individually limited, and yet may be cumulatively considerable in specific areas. If and when the Project has the potential to contribute a cumulatively considerable impact to the environment, mitigation measures have been established to reduce potential effects to less than significant levels. This Draft IS/MND includes quantitative analysis of the Project's cumulative contribution for air quality, GHG emissions, noise, energy, and traffic, all of which were determined to be less than significant, and no mitigation measures were required other than **MM GHG-1** which consists of code compliance measures, nor represent a cumulatively considerable contribution to a significant cumulative impact. The Project is not considered growth-inducing, as defined by State CEQA Guidelines (<http://ceres.ca.gov/ceqa/guidelines/>). The potential cumulative environmental effects of implementing the Project would be less than considerable and therefore, a less than significant impact would occur in this regard.

- c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

**Less than Significant Impact.** The Project's potential to result in environmental effects that could adversely affect human beings, either directly or indirectly, has been discussed throughout this Draft IS/MND. Construction and operation of the Project would not involve any activities that would result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly, and therefore a less than significant impact would occur in this regard.

### **Significant Impacts**

No significant impacts were identified.

## 5.0 REFERENCES

- Blackhawk Environmental, Inc. 2024. *General Biological Resources Assessment and Endangered Species Report*.
- Blackhawk Environmental, Inc. 2024. *Habitat Assessment and Burrowing Owl Focused Survey Results for the Raising Cane's Victorville Project*.
- CAL FIRE. (n.d). *FHSZ Viewer*. <https://egis.fire.ca.gov/FHSZ/>
- Cal Recycle. (2019). *Estimated Solid Waste Generation Rates*.  
<https://www2.calrecycle.ca.gov/wastecharacterization/general/rates>
- California Department of Conservation. 2021. *California Important Farmland Finder*.  
<https://maps.conservation.ca.gov/dlrp/ciff/app/>
- California Department of Conservation. 2022. *California Williamson Act Enrollment Finder*.  
<https://maps.conservation.ca.gov/dlrp/WilliamsonAct/> California Department of Finance. 2023. *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023*.  
<https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/>.
- California Department of Finance. 2023. *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023*. <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/>.
- California Department of Water Resources (CDWR) Division of Safety of Dams (DSOD). 2015. *Dam Breach Inundation Map Web Publisher*.  
[https://fmds.water.ca.gov/webgis/?appid=dam\\_prototype\\_v2](https://fmds.water.ca.gov/webgis/?appid=dam_prototype_v2)
- California Geological Survey. 2021. *Earthquake Zones of Required Investigation*.  
<https://maps.conservation.ca.gov/cgs/eqzapp/app/>
- California Department of Toxic Substances Control. 2024. *Hazardous Waste and Substances Site List (Cortese)*.  
[https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site\\_type=CSITES,FUDS&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29](https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site_type=CSITES,FUDS&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29)
- City of Victorville. 2008. *Draft Program Environmental Impact Report*.  
[https://www.sbcounty.gov/uploads/lafco/proposals/3082/3082\\_edr\\_draft\\_eir.pdf](https://www.sbcounty.gov/uploads/lafco/proposals/3082/3082_edr_draft_eir.pdf)
- City of Victorville. 2008. *Draft Program Environmental Impact Report: 5.10 Mineral Resources*.  
[https://www.sbcounty.gov/uploads/lafco/proposals/3082/3082\\_edr\\_draft\\_eir.pdf](https://www.sbcounty.gov/uploads/lafco/proposals/3082/3082_edr_draft_eir.pdf).

- City of Victorville. 2016. *City of Victorville General Plan Circulation Element*.  
<https://www.victorvilleca.gov/home/showpublisheddocument/13953/638237230265370000>
- City of Victorville. (2022). *Fire Prevention Standards*.  
<https://www.victorvilleca.gov/home/showpublisheddocument/12930/638096586994170000>
- City of Victorville. (2021). *General Plan Safety Element – Figure 6 Fire Hazards*.  
<https://www.victorvilleca.gov/home/showpublisheddocument/13959/638237231632670000>.
- City of Victorville. 2022. *Master Fee Schedule*.  
<https://www.victorvilleca.gov/home/showdocument?id=10095&t=637889171522542894>.
- City of Victorville. (2024). *Municipal Code Title 16, Development Code*.  
[https://library.municode.com/ca/victorville/codes/code\\_of\\_ordinances?nodeId=TIT16DECO\\_CH5BUFIRE](https://library.municode.com/ca/victorville/codes/code_of_ordinances?nodeId=TIT16DECO_CH5BUFIRE).
- City of Victorville. (2016). *Sewer Master Plan – Table 2-3*. Page 2-13.  
<https://www.victorvilleca.gov/home/showpublisheddocument/1501/636711600593100000>
- Conservation Biology Institute. 2023. *Data Basin: California Mineral Resources*.  
<https://databasin.org/maps/new/#datasets=f2985196ca6b45cf8f2ad604beb95b34>.
- Historic Aerials. 1952 – 2020. <https://www.historicaerials.com/viewer>.
- Kimley-Horn and Associates, Inc. 2024. *Air Quality and Greenhouse Gas Emissions Technical Memorandum*.
- Kimley-Horn and Associates, Inc. 2024. *Cultural Resources Assessment for the Raising Cane’s 1051 Victorville Project*.
- Kimley-Horn and Associates, Inc. 2024. *Energy Assessment*.
- Kimley-Horn and Associates, Inc. 2024. *Noise Memorandum*.
- Kimley-Horn and Associates, Inc. 2023. *Preliminary Hydrology Report*.
- Kimley-Horn and Associates, Inc. 2024. *Traffic Study*.
- Kimley-Horn and Associates, Inc. 2023. *Water Quality Management Plan*.
- RCA Associates, Inc. 2023. *Western Joshua Tree Survey*.
- SCE. ND. SCE Power Site Search Tool.  
<https://www.arcgis.com/apps/webappviewer/index.html?id=05a84ec9d19f43ac93b451939c330888>



Terracon. 2023. *Raising Cane's Restaurant (RC-1051) – Victorville.*

Victor Elementary School District. (2023). *Developer Fee Schedule.* [https://cdns12.sharpschool.com/UserFiles/Servers/Server\\_440558/File/VESD%20UPDATED%20Developer%20Fees%20effective%202023.pdf](https://cdns12.sharpschool.com/UserFiles/Servers/Server_440558/File/VESD%20UPDATED%20Developer%20Fees%20effective%202023.pdf).

Victor Valley Union High School District. (2023). *Developer Fee Schedule.* <https://www.vvuhd.org/departments/business-services-division/developer-fee-schedule>.

VWD. (2020). *2020 UWMP – Table 7-1 Supply and Demand Comparison, AFY.* <https://www.victorvilleca.gov/home/showpublisheddocument/6679/637607472586500000>



Appendix A

**Air Quality and Greenhouse Gas Emissions Technical Memorandum**



Appendix B  
**Biological Resources Assessment**



Appendix C  
**Burrowing Owl Focused Survey Results**



Appendix D  
**Western Joshua Tree Survey**



Appendix E  
**Cultural Resources Assessment**



Appendix F  
**Technical Energy Memorandum**



Appendix G  
**Geotechnical Engineering Report**



Appendix H  
**Preliminary Hydrology Report**



Appendix I  
**Preliminary Water Quality Management Plan**



Appendix J  
**Technical Noise Memorandum**



Appendix K  
**Traffic Study**



Appendix L  
**AB52 Tribal Consultation Correspondence**



Appendix M  
**Utility Will Serve Letters**